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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. BURNS).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
May 4, 2004.

I hereby appoint the Honorable MAX BURNS to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 20, 2004, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. PALLONE) for 5 minutes.

PRESCRIPTION DRUG DISCOUNT CARDS

Mr. PALLONE. Mr. Speaker, this week seniors nationwide will begin to see how ineffective and confusing the Republican prescription drug legislation is. This week, seniors have the opportunity to sign up for a new prescription drug card that will provide supposed savings on prescription drug costs.

The program begins on June 1; and while the new Medicare law will not take effect until 2006, it is clear that these drug cards are being used as a ploy to enroll beneficiaries into products sponsored by the private drug and insurance industry.

Mr. Speaker, while some seniors will be able to save on their medications when they use these cards, many will not. In fact, I believe these drugs cards are nothing more than window dressing, a weak attempt by the Bush administration to couch the true intent of this Medicare law.

As seniors will see in the upcoming weeks, there is no guaranteed discount from drug card sponsors. Medicare discount cards are being marketed as providing a 10 to 25 percent discount, but there is no requirement in the new law that card sponsors must offer any specific discount. The idea of any savings is merely an illusion. Prescription costs rose 17 percent alone last year and drug prices are reported to have increased dramatically between the beginning of the year and now, so any savings have been lost to drug cost inflation.

Mr. Speaker, I would point out secondly, there is no guarantee that a particular drug card will offer discounts on all of the medicines taken by seniors. Card sponsors are allowed to pick and choose which drugs will be discounted. In addition, card sponsors may change the discounted prices on medicines weekly.

The discounts on a seniors' medicine when advertised when he or she enrolled may change, but that senior will not be allowed to switch to a different card for one whole year. So imagine that, Mr. Speaker, a card sponsor can change prices any time they want, but seniors have to stick with the same drug card for an entire year.

There is also no guarantee access to any particular pharmacy. Each discount card sponsor will determine which pharmacies will offer the discount advertised with the card. A seniors' usual pharmacy may not participate in the card that he or she selects.

Finally, the final price paid for prescriptions will vary by pharmacy. Because pharmacies can change the prices they charge, seniors must check with each of their local participating pharmacies to find out which one offers the lowest price on the drugs covered under their card.

Mr. Speaker, I would ask, how are seniors supposed to decipher all of this information that I mentioned. You would hope they would be able to get it from the Department of Health and Human Services; but that agency is too busy these days producing commercials trying to sell the new prescription drug law, rather than providing reliable information that seniors can use. Consider that drug cards sponsors are now saying that information on the Health and Human Services Web site designed to help seniors shop for the right card contains false information.

Mr. Speaker, if Health and Human Services cannot get the information right, how can we expect seniors to decide which plans works best for them?

Mr. Speaker, seniors should carefully consider their options. Unfortunately, they must remember that the Bush administration and Congressional Republicans were more concerned about how this legislation would affect the pharmaceutical companies than they were about how it would affect America's seniors. Seniors should remember that Democrats continue our fight to lower prescription drug costs by giving the government the purchasing power of millions of seniors to negotiate drug costs and to allow safe reimportation of drugs from Canada and elsewhere.

Mr. Speaker, I have said many times that this Medicare prescription drug law should simply be repealed and we should go back to the drawing board. This idea of having these discount cards is too confusing and it will not result in lower drug prices for seniors. Imagine that they have to wait another 2 years after that before the

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Medicare law with the prescription drug benefit supposedly even comes into effect.

We should repeal the law, go back to the drawing board and come up with a prescription drug benefit that really helps senior citizens under Medicare, not this false and illusory drug card, the process which begins this week.

UNDOING HIDDEN TAXES

The SPEAKER pro tempore. Pursuant to the order of the House of January 20, 2004, the gentleman from Texas (Mr. DELAY) is recognized during morning hour debates.

Mr. DELAY. Mr. Speaker, the only thing confusing seniors are Democrats trying to confuse seniors about their ability to prescription drugs through a discount card. I think it is unfortunate that the Democrats have chosen confusion and misleading the seniors and getting lower prescription drugs as available to them through the new strengthening and improvement of the Medicare system.

Our Members have been home talking to seniors. To answer the question how will seniors be able to choose, our Members are home helping seniors go through the system and choosing the kind of discount card and the kind of program that best benefits them, rather than trying to confuse them.

But, Mr. Speaker, I came here to talk about something a little bit different.

Mr. Speaker, every year for 1,000 different reasons, and all of them our fault, American families are squeezed by the invisible grip of hidden taxes. These are laws and regulations, all of which are well intentioned, that cost our economy billions of dollars, billions of man hours and millions of new jobs.

In addition to income taxes, customers and consumers are stuck with regulatory compliance costs, litigation costs, interest payments on the national debt, and governmental waste, fraud and abuse. And all of these are eventually passed on to unsuspecting consumers in the form of higher prices.

This week the House will take up two bills specifically targeting some of those hidden taxes. The first of these will be the Middle Class Alternative Minimum Tax Relief Act from the gentleman from Connecticut (Mr. SIMMONS).

This legislation will protect 11 million working families and individuals from the unintended consequences of the Democrat-designed AMT, a tax provision preventing the wealthy from dodging their tax liability through creative accounting. Unfortunately, many middle income families have so benefited from Republican tax relief in 2001 and 2003, that the AMT now considers them rich.

Now, while deep down many Democrats may indeed consider a family earning $45,000 per year to be rich, the majority of the people in this country, and thankfully in this body, have a more realistic view of 21st century economics.

The Simmons bill is the first step towards making sure that the AMT only applies to those people it was designed to cover, not working families just trying to enjoy the fruits of their labor.

Also this week, Mr. Speaker, in the House we plan to take up the conference report on one of the strongest, most disciplined budgets Congress has passed in two decades. It meets our present and reemerging needs while holding a firm line on discretionary spending. By setting a course of fiscal responsibility even in a time of war, we are giving the American people an opportunity to grow our economy back into balance, thereby protecting them from any more hidden taxes in the future.

Mr. Speaker, for generations Americans have been saddled with taxes that are too high and a government that is not responsive enough. This week we will take two small steps toward solving both of those problems.

LEAVE NO CHILD BEHIND

The SPEAKER pro tempore. Pursuant to the order of the House of January 20, 2004, the gentleman from New Jersey (Mr. MENENDEZ) is recognized during morning hour debates for 5 minutes.

Mr. MENENDEZ. Mr. Speaker, we teach our children that promises matter. And they do. So what kind of message does it send to our children when the President promises to leave no child behind but then breaks that promise by failing to provide our children the resources they need to get a world class education.

The fact is the President's budget cuts education funding by $9.4 billion. That is $9.4 billion less than the President himself said we needed to leave no child behind. So the only standard we are holding the President to is the standards he himself agreed to in his own education bill.

If that is not a broken promise, I do not know what is. Of course, $9.4 billion is just a dollar figure. But to the children who do not and will not get the resources they need, it is much more than that; 2.4 million children will not get the help with math and reading they need; 1.3 million children will not have access to after-school activities, but will instead be sitting at home or out in the street without supervision.

Other children will be denied enrollment in Head Start because the President froze its funding. And tens of thousands of students will lose the grant work studies or loans they need to pay for college. These are the human costs of President Bush's broken promises on education.

He promised to leave no child behind, but then turns around and leaves millions of children behind. What kind of priorities are these?

We Democrats want to do what we all agreed, Democrats and Republicans alike, is the right thing for our children: Investing the resources to raise student achievements in core subjects like reading and math; demanding results and accountability from our schools; making sure our students have up-to-date textbooks and technology; providing after-school programs for every child that needs them; ensuring access to Head Start; increasing financial aid to college students and simplifying the application process and forms; increasing the maximum Pell grant; doubling the HOPE Scholarship and making the HOPE tax credit refundable; expanding assistance to minority-serving institutions.

I know these things are really important because I began my career in public service as a high school student. I did not care for the education I received in my public school. I might have been young, but I knew that was not right. So I fought to change that. I won a seat on the school board and won the funding so that every student who would attend that school would have a quality education.

What we do here makes a difference in the lives of students. I know. The promises we make here matter in the lives of children. I know. And the level of our commitment to education will, in many ways, determine our success as a Nation in the years ahead.

I believe in opportunity, in personal responsibility. But without providing a quality education to our students, we will not have those things. And if America is going to compete in the global marketplace of the jobs and commerce and technology of the future, we need a workforce that receives the best education available, not one taught on a shoestring budget.

Today there are students learning in trailers, in outdated buildings, literally falling apart, with leaky roofs and without adequate heat, using outdated textbooks and crowded schools where teachers have to pay for supplies out of their own salaries. We can do much better than that.

America cannot and should not settle for second or third best when it comes to educating our children. To do so, we need to make the investment now. Unfortunately, President Bush and the Republicans made promises but we are failing to keep them. We Democrats want to make sure all the children in our Nation get the world class education they deserve. If you give us that chance, we will deliver that promise.

VALUABLE MILITARY CHAPLAINS

The SPEAKER pro tempore. Pursuant to the order of the House of January 20, 2004, the gentleman from North Carolina (Mr. JONES) is recognized during morning hour debates for 5 minutes.

Mr. JONES of North Carolina. Mr. Speaker, there are rumors that were coming out of the Pentagon, rumors that I believe are extremely troubling. Outsourcing our military chaplains is a very bad idea.

This is not a new organization, Mr. Speaker. The Navy Chaplain Corps traces its inception to the Second Article of Navy Regulations adopted on November 28 of 1775 by the Continental Congress. This event occurred prior to the signing of the Declaration of Independence on July 4, 1776, or the Constitution of September 17, 1787.

From the outset of the Continental Navy, due consideration was given to divine services and the placement of chaplains aboard ships. This Act provided a place for religion and chaplains in the Navy.

Additionally, the United States Army Chaplaincy was officially created by an act of the Continental Congress in July of 1775 upon the urgent request of General George Washington.

Mr. Speaker, the reason I wanted to come to the floor is because these rumors at the Pentagon I hope are nothing more than rumors because I cannot think of anything more important to a man or woman in uniform, whether they be young or old, than to have a chaplain that they feel very close to. And our chaplains wear the uniform. Our chaplains wear the helmet when they are in combat situations.

I would share with you, Mr. Speaker, just two paragraphs of a letter I wrote to Secretary Rumsfeld on April 28, 2004.

''Dear Mr. Secretary, I write to you today to urge you in the strongest of terms to reconsideration your decision to consider outsourcing our military chaplains.

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''The service that they provide, not just to soldiers, airmen, sailors and Marines, but also their families here at home and overseas, are irreplaceable.''

I also would like to share with you the last paragraph that I wrote to the Secretary: ''One of their most valuable qualities is that they are trained by the individual service that they represent. These men and women are more than just priests, reverends, or rabbis. They are also soldiers, sailors, airmen and Marines. How can you possibly justify selecting a civilian with absolutely no military experience to advise our troops in the field? Replacing the uniformed chaplain would be a crucial mistake. I hope you will consider these facts before you reach your final decision.''

Mr. Speaker, I am pleased to tell my colleagues that those of us on the Committee on Armed Services, both Republican and Democrat, we are very concerned about this. We have talked to the leadership of the Committee on Armed Services, our subcommittee chairmen, as well as our ranking member, the gentleman from Missouri (Mr. SKELTON); and also the chairman, the gentleman from California (Mr. HUNTER), and I believe that we will come together as Republicans and Democrats in the Committee on Armed Services, as well as here on the House floor, to discourage and to deny the decisions, should one be forthcoming from the Department of Defense, to outsource our chaplains. It is just absolutely unacceptable.

With that, Mr. Speaker, I will insert the entirety of this letter to Secretary Rumsfeld for the RECORD at this point.

HOUSE OF REPRESENTATIVES,
Washington, DC, April 28, 2004.

Hon. DONALD RUMSFELD,
Secretary of Defense, the Pentagon,
Washington, DC.

DEAR MR. SECRETARY: I write to you today to urge you in the strongest terms to reconsider your decision to consider outsourcing our military chaplains. The service they provide not just the Soldiers, Airmen, Sailors and Marines but also their families here at home and overseas is irreplaceable.

The work of the military chaplain is multifaceted in that they serve the troops in the field but equally as important, their wives and families supporting them on the home front. The military chaplain, regardless of service shares a common bond with their fellow soldier in the field, regardless of their religion, they are brothers-in-arms.

This work is not new either. For example, The Navy Chaplain Corps traces its inception to the Second Article of Navy Regulations adopted on November 28, 1775 by the Continental Congress. This event occurred prior to the signing of the Declaration of Independence on July 4, 1776, or the Constitution on September 17, 1787. From the outset of the Continental Navy, due consideration was given to divine services and the placement of chaplains aboard ships. This act provided a place for religion and chaplains in the Navy. Additionally, the United States Army Chaplaincy was officially created by an act of the Continental Congress in July of 1775 upon the urgent request of General George Washington.

I would like to share with you part of a personal account that I recently received from a chaplain serving in Iraq: ''Twice a day I go to the 'Cave' . . . the combat operations center, which is housed in a former palace, poorly lit and the hub of fighting the battle. I stand in the corner and pray for each person/position and those they represent. I don't know many of them, but God does. I pray for wisdom, strength, mercy, endurance and God's presence for each warrior, all those they serve or represent. I cover the Cave and the battlefield as I look at live imagery projected on the wall. I don't know how the Marines do it . . . but the COC is loaded with strake-looking Marines. The senior NCO's all look like NFL lineman. The junior officers look like marathon runners and the mid-grade officers look like NFL halfbacks . . . the senior officers are lean, tanned and serious . . . deadly serious. The place exudes the warrior spirit. If you are a civilian I can't explain it and won't apologize for it. If you are a veteran you don't need to have it explained . . . the warrior spirit.''

Mr. Secretary, you must understand, these chaplains provide so much more than spiritual guidance. They are counselors and confidantes to those who have witnessed first-hand the horrors of war. This service does not stop at the warfront; their fellow chaplains are providing the exact same service to those who mourn the recent loss of a loved one in this conflict. You need to understand the severity of this decision, their presence in the field, on ships and on base are necessities.

One of their most valuable qualities is that they are trained by the individual service that they represent. These men and women are more than just Priests, Reverends or Rabbis, they are also Soldiers, Sailors, Airmen and Marines, how can you possibly justify selecting a civilian with absolutely no military experience to advise our troops in the field? Replacing the uniformed chaplain would be a crucial mistake, I hope you will consider these facts before you reach your final decision.

Thank you for your consideration, I look forward to hearing your decision on this matter.

Sincerely,

WALTER B. JONES,
Member of Congress.

Mr. Speaker, I close this way because all of us in the House know that we have men and women overseas serving this great Nation in Afghanistan, Iraq, and other parts of the world who have given their lives for this country.

I close by asking God to please bless our men and women in uniform and their families. I ask God in His loving arms to hold the families who have given precious children dying for freedom. I ask God to please bless the House and Senate. I ask the good Lord three times, please God, please God, please God, continue to bless and save America.

DISCOUNT DRUG CARD

The SPEAKER pro tempore (Mr. BURNS). Pursuant to the order of the House of January 20, 2004, the gentleman from Ohio (Mr. BROWN) is recognized during morning hour debates for 5 minutes.

Mr. BROWN of Ohio. Mr. Speaker, President Bush is in my home State of Ohio, campaigning for maybe the 25th time. He knows he has to spend a lot of time in Ohio because of what has happened to the Ohio economy since George Bush has been President.

Ohio's lost one-sixth, one out of every six manufacturing jobs has left the State, some 170,000 manufacturing jobs every single month in the Bush administration; but as he travels throughout Ohio, he is going to stop in Dayton and do a little program, Ask President Bush, and the members of the Ohio delegation put a list of questions we would like to ask the President about the new Medicare prescription drug discount card that the gentleman from New Jersey asked about earlier. I would like to go through some of these questions, hoping, as we pose these to the President and wrote him a letter, that we can get answers to them.

We asked the President, is it true that the Medicare law allows drug and insurance companies offering discount cards to change covered drugs and discounts weekly? Does this not mean that seniors may choose a card one week and pay for it and be stuck with it for a year that will be worth little or nothing to them the next week? We ask, if seniors are guaranteed discounts that last as little as 1 week, why must they sign up for a discount card for the entire year and only that discount card?

The $600 annual benefit will mean a lot to very low-income seniors, but this benefit lasts only 2 years. Many of the same seniors may be unable to pass the

assets test required for the low-income benefit that will take effect in 2006.

We ask the President, why give low-income seniors help now and then pull the rug out from under them in 2 years, give them the help before the election, and after the election, the help's not there? If the Federal Government acknowledges those seniors need assistance, why are we excluding them after the Presidential election?

Ohioans can save, we found, almost 50 percent by importing prescription drugs from Canada, same drugs, same dosage, same manufacturer, from what the price is in the United States. With the cost of popular drugs rising at triple the rate of inflation, we are asking the President how he can deny seniors and all Americans access to these safe, more affordable drugs from Canada and France and Germany, when all over the world people are paying so much less.

The law creating the discount card program expressly prohibits the government from negotiating prices for prescription drugs, but the VA's price negotiation system has proven effective. We asked the President, why are America's seniors being denied the benefit of the government's buying power to leverage for lower prices?

We pretty much know the answers to these questions because this drug discount card simply will not work. The more we know about it, drug prices go up 25 percent in a year. The discount card will give maybe 10 or 15 percent. That is not price savings. That is really an insult. When we look at this, it is pretty easy to understand why.

This prescription drug bill, the Medicare bill, was written by the insurance companies and written by the drug companies for the insurance companies and for the drug companies. President Bush brought the drug and insurance companies into the Lincoln Bedroom or into the Oval Office or somewhere in the White House and let them write this legislation. It is now the law of the land that now hurts our seniors, and there is not a real surprise there when the drug industry's already given President Bush tens of millions of dollars for his reelection. The word on the street in Washington is the drug industry will donate $100 million to the President's reelection campaign. The insurance industry is not quite as wealthy, not quite as generous, but will donate and has already donated millions of dollars to the President's reelection campaign. So it should come as no surprise that this is the kind of drug bill we get.

Then to add insult to injury, the gentleman who wrote the language in the bill dealing with the discount drug card is, number one, a friend of the President's; and, number two, he has a discount drug card company. So we have got the drug industry writing the drug bill. We have got the insurance industry helping the drug industry write the drug bill, and now we have the discount card company writing the language for the discount cards.

That is why America's seniors feel betrayed, because this Medicare bill is not for America's seniors. It is for President Bush's reelection campaign, for his fund-raising, and for those companies that are so powerful in this city.

ABUSE OF IRAQI PRISONERS

The SPEAKER pro tempore. Pursuant to the order of the House of January 20, 2004, the gentleman from Nebraska (Mr. BEREUTER) is recognized during morning hour debates for 5 minutes.

Mr. BEREUTER. Mr. Speaker, as the chairman of the House delegation to the NATO Parliamentary Assembly and currently the president of the assembly, I have frequently had to reassure parliamentarians that the outrageous and false allegations they had heard about the way detainees were being treated by the U.S. at our Guantanamo detention facility were not true. Since I had been part of a small number of Permanent Select Committee on Intelligence members to visit Guantanamo, actually the first congressional delegation to visit, since the HPSCI members and staff have made several such trips and have given oversight to this interrogation and detention facility, and since I am a former military intelligence officer, I knew I could conscientiously give such an assurance.

Now, however, from Abu Ghraib prison, and perhaps from elsewhere, we have reports, with photographs, graphically telling and showing outrageous abuses of Iraqi detainees by U.S. military personnel and possibly by military contractors. The international damage to the credibility and reputation of our country and our military absolutely cannot be overstated, especially in the Arab and Islamic communities. The alleged actions by at least a few members of our military, already confirmed by very recent disciplinarian action, makes the job being done by our dedicated and courageous military personnel in Iraq and Afghanistan just that much harder and much more dangerous. The extraordinary gravity of this matter, the insensitivity and the degrading abuse which has apparently been visited upon Iraqi detainees call for swift and just accountability.

What has allegedly happened is so foreign to our country's principles and traditions and those of our Armed Forces that these people conducting or condoning such abuse do not deserve to be called Americans. If the use of such tactics of physical abuse and sexual humiliation is not dishonorable conduct, I do not know what is. If supervisors of such military personnel were inappropriately unaware or unconcerned about such conduct, then this is a clear case of dereliction of duty; and this accountability should apply several levels up the chain of command. If military contractors were involved, at a minimum the contract with the firm which employed them should be immediately terminated.

Mr. Speaker, it is hard to imagine a more politically damaging set of actions, hopefully by just a few individuals, for American and for coalition efforts to replace the brutal regime of Saddam Hussein and to win the hearts and minds of the Iraqi people. We must have swift accountability, just accountability, and a demonstration that the American people repudiate such conduct and will not let it continue or happen again.

Mr. Speaker, I include an editorial at this point from this morning's Omaha World Herald.

UGLY AMERICANS

When U.S. soldiers at Baghdad's Abu Ghraib prison (and, some documents suggest, elsewhere) abused and humiliated prisoners of war, they committed two serious wrongs.

First, in sheer human terms, there is a code to be followed for prisoners' treatment. It exists for good reasons, starting with simple decency and progressing to the hope that rules observed by one side will be observed by the other. These soldiers trashed such considerations.

Second, they did immeasurable harm to the goals of America and its allies to bring about a peaceable and effective transfer of limited self rule to Iraqis. They rendered considerably more dubious the prospect of inculcating a stable, beneficial democracy in the Middle East. (If this is what democracy brings, who would want it?)

The six men who engaged in the actual acts (pyramids of naked detainees, false electrocution threats and more) face criminal charges. They should. In addition, six supervisors will receive a reprimand that can end their careers by rendering promotions impossible. A seventh will draw a lesser penalty.

An internal Army report in February pointed to flaws in the command structure at Abu Ghraib and elsewhere. For one thing, an intelligence officer whose duty was eliciting information from the prisoners was effectively put in charge of their day-to-day jailers—a dangerous practice, as events have shown. Additionally, the military policy responsible for the prisoners appear to have had little or no training in proper handling of detainees.

Such flaws cry out to be remedied, and apparently that will now happen. But that still leaves the question, what happened to common sense? America, for all its good intentions, is already regarded with suspicion by many in the Middle East and in Iraq in particular. Who could suppose that when knowledge of these abominable acts leaked, as was bound to happen, it would do anything less than throw gasoline on an already smoldering fire?

The United States needs to find some way to make clear in Iraq that this is not the norm, and that Americans, too, are repelled by what they saw. This isn't supposed to happen. We're the good guys. But try telling that today to the average Iraqi

THE CREDIBILITY GAP AND LEADERSHIP PROBLEMS OF PRESIDENT GEORGE W. BUSH

The SPEAKER pro tempore. Pursuant to the order of the House of January 20, 2004, the gentleman from California (Mr. GEORGE MILLER) is recognized during morning hour debates for 5 minutes.

Mr. GEORGE MILLER of California. Mr. Speaker, there is a new section in

libraries and in bookstores all across America. It is called the ''credibility gap and the leadership problems of President George W. Bush.'' There are so many books being published now that maybe the Dewey decimal system will have to be revised for America's libraries.

I recommend this new section to my colleagues and to the general public.

Last week, the latest edition to this collection was published, raising again serious questions about the President. I predict that rather than directly confront the substance of Ambassador Joe Wilson's criticism in his book, ''The Politics of Truth,'' the White House will instead, as they have in the past, attack his motives, his character, as they have done with the critics before him.

Recent history is littered with the Bush White House smear campaigns against good and brave people, all of whom share one simple characteristic, loyalty to the truth.

Let us start with John DiLulio, the White House's director of faith-based programs in 2001. He said that the Bush administration was more focused on politics than on good policy, and he is gone.

If that sounds familiar, it is because it is the same thing the former Treasury Secretary, Paul O'Neill, said in his book, ''The Price of Loyalty.'' O'Neill rightly warned that the massive Bush tax cut would wreak havoc with our fiscal system, and remember what the White House did after Paul O'Neill's book came out. They launched an investigation and tried to smear his credibility and his reputation. Of course, that investigation went nowhere and the book stands for what it says.

How about Richard Clarke, a trusted, lifelong bipartisan public servant who was devoted to protecting Americans against terrorism? He wrote this book, ''Against All Enemies,'' which says the war in Iraq has diverted needed resources from the war on terror. He felt this Nation had a right to know.

Do my colleagues know how the White House responded? With a shock and awe media campaign to try and discredit Clarke. They said Clarke was just angry because he wanted a more prominent position, that he was essentially a Democrat or that he was out of the loop. Out of the loop? He was the administration's top anti-terrorist official on September 11.

If we cannot trust Richard Clarke, why not General Anthony Zinni? Zinni served in Vietnam, commanded the troops in Somalia, directed strikes against Iraq and al Qaeda, and served as the Bush administration's Mideast peace envoy. He had the audacity to agree with Clarke that the war in Iraq undermined the war on terror. He has not been asked to serve on any more diplomatic missions.

Then there was Larry Lindsey, former economic advisor to the President, who was fired when he correctly said that the war in Iraq would cost as much as 100 or $200 billion, but the President did not want to hear it. The administration did not want to hear it, and they certainly did not want Congress to hear it. Today, we are fast approaching $200 billion, all of it borrowed, all of it borrowed, for the war in Iraq. Too bad for his career, because the facts were important to him. Larry Lindsey is gone.

General Eric Shinseki apparently had the same problem. He said that we might need several hundred thousand troops in Iraq to secure the peace, to secure the peace and provide for the force protection of our soldiers. The White House did not like that. Soon enough, Shinseki had stepped aside, but now we have 150,000 troops and asking for more to try and secure a peace that has been so badly compromised because of the lack of preparation by this White House. Too bad that General Shinseki decided that he had to tell the truth and was compelled to let the American people know.

But there is more. The White House threatened to fire the Health and Human Services actuary, Richard Foster, if he revealed his higher estimates of what the Medicare prescription drug bill would really cost. Instead of having an honest debate in the Congress on the real cost of the prescription drug benefit, they said, no, keep the figures from Congress. Of course, Congress voted for the bill, and now we find out it is going to cost $140 billion more than we had anticipated. It is too bad. It is the law of the land, but it was done because of the intimidation by somebody in the administration who wanted to tell the truth.

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Are you starting to see a pattern here, Mr. Speaker? Others have weighed in, too. Historian and political analyst Kevin Phillips says that Bush's self-interest trumps the national interest in his book ''American Dynasty.'' Kevin Phillips is not a liberal, or a Democrat, he simply wanted to explain what was going on inside of the administration in terms of the self-dealing special interests, which brings us back to Joe Wilson.

As Members will recall, in the President's State of the Union address in 2003, President Bush said that Saddam Hussein had tried to obtain nuclear material from Africa, even though he was told it was not true; but he came to the halls of Congress to tell the American people that is what happened. Wilson heard the speech and blew the whistle. Unfortunately for Wilson, his allegiance to the truth did not just result in the character assassination of Joe Wilson. In a particularly insidious and dangerous move, someone in the White house publicly revealed that Wilson's wife was a CIA agent, putting her life at risk, ending her career, and the people she worked with. That is what happens when you try to tell the truth in the Bush administration.

THE REAL MISERY INDEX

The SPEAKER pro tempore (Mr. BURNS). Pursuant to the order of the House of January 20, 2004, the gentleman from Florida (Mr. STEARNS) is recognized during morning hour debates for 5 minutes.

Mr. STEARNS. Mr. Speaker, I think it is appropriate today to talk about the economy. Today, Chairman Greenspan is meeting with members of the Federal Reserve to determine whether to increase interest rates. Part of my talk will include excerpts from the Wall Street Journal of April 11, 2004, their editorial.

Mr. Speaker, we have seen a lot of good economic news of late. In March, the economy added 308,000 new jobs. U.S. factories have expanded for the llth consecutive month. For the first quarter of 2004, the gross domestic product increased by 4.2 percent. It is continuing the strongest growth in 20 years.

And we have seen that Federal tax cuts of the last few years have put the United States near the top, or at the top of the advanced large economies in their growth. We have offered incentives to work, to save, and invest, according to the Joint Economic Committee.

But instead, the media have done a terrific job of convincing everybody these are the worst of times. A poll, conducted by the American Research Group in mid-March, found that 44 percent of Americans believe that the country was still in a recession. That is strange when you consider that the last recession ended way back in the year 2001. And for the last two quarters of 2003, the U.S. economy grew at an annualized rate of 6.1 percent, the fastest growth in 20 years. Even more remarkable, the percentage of gloomsters was higher in March, when we created 308,000 new jobs.

By nearly every objective measure, the U.S. economy is stronger and is getting stronger. Let us look at the Misery Index, the measure created by the late economist, Arthur Okun. He added the rates of unemployment and inflation. This may not be the most sophisticated metric to use, but it does capture the two greatest threats to household wealth and security, that is inflation and unemployment. Comparisons to the 1990s' bubble years excepted, the U.S. economy is doing very, very well.

Today's unemployment is 5.7 percent, close to the level President Bill Clinton boasted about as he sought reelection in 1996. Meanwhile, inflation has fallen by a full percentage point over the past 8 years. I have a table which indicates that the economy compares favorably by reelection standards and President Bush's policies should be enjoying at least a modicum of respect.

In 1976 under President Ford, the Misery Index was 14.5 percent. In 1980 under President Carter, it was 20.6 percent. In 1984 under President Reagan, 11.8 percent. Under Bush I in 1992, it

was 10.5 percent. In 1996 under Clinton, 8.4 percent. This year under Bush II, it is 7.7 percent. It is the lowest of all those Presidents at the time they were seeking Presidential reelection.

In conclusion, in 2003, the United States economy grew at a faster pace than the eight other largest advanced economies: Australia, Canada, France, Germany, Italy, Japan, Spain, and the United Kingdom. We are seeing steady increase in manufacturing and overall productivity. Retail sales increased strongly in March, rising 1.8 percent, the largest monthly gain in a year.

In conclusion, we are seeing the economic policies of the Bush administration and the resulting action by this Congress are enabling the economy to expand, offer new jobs, new opportunities, and increase the quality of life for all Americans. That is the good news for all of us.

STOP GENOCIDE IN SUDAN

The SPEAKER pro tempore. Pursuant to the order of the House of January 20, 2004, the gentleman from Virginia (Mr. WOLF) is recognized during morning hour debates for 5 minutes.

Mr. WOLF. Mr. Speaker, everyone should read Mark Lacey's piece in today's New York Times titled, ''In Sudan, Militiamen on Horses Uproot a Million.'' The article says, ''The men on horses killed my parents,'' referring to the militia who have been armed by the Government of Sudan. ''Then the planes came,'' referring to aerial bombardment by the Government of Sudan. Marc Lacey writes, ''Human rights groups and international officials charge that the militia has been used as a tool of the government to pursue a radical policy resembling ethnic cleansing.''

The militia knows no rules of war. ''They ride camels and horses and use automatic weapons against those they come across. They ride into the villages en masse and shoot anyone in sight. As the militiamen torch and loot, the villagers grab what they can and run.''

One young woman did not have time to get away. She was in bed when the Janjaweed moved in. Two men entered her hut, and raped her in front of her family. Raping, then branding the survivors is common practice in this forgotten land. Refugee after refugee tells the same story. Men on horseback, air raids, soldiers sweep into villages. As this crisis rages on, 1 million people are now internally displaced, and 100,000 refugees were forced into Chad. Unknown numbers have been murdered, and the world does little.

With the rainy season just weeks away, the window for getting humanitarian assistance is closing. The international community has 6 weeks left. USAID has warned that by fall, the mortality rate will be 5 times the threshold for a major catastrophic event.

Why is the aid not getting there? The Government of Sudan continues to stall in the issuing visas for aid workers and is preventing full humanitarian access to the region. The international community has just 6 weeks to act on their behalf.

Where are the voices of outrage? Remember Rwanda 10 years ago? Remember all of the celebrations with regard to remember Rwanda and never let it happen again. Where are the voices? Is the international community going to fail the people of Darfur, Sudan? What will the world tell those who survive? Why is the United Nations and the international community not doing more?

Mr. Speaker, I want to commend the Bush administration and the United States for taking the lead on this issue. Ambassador Richard Williamson gave a moving presentation in Geneva at the 60th session of the United Nations Commission on Human Rights 2 weeks ago. He laid out the facts that show that ethnic cleansing is occurring in Sudan, and what did the United Nations Commission on Human Rights do, the lone body responsible? Zero, zip. Other than the United States, very few people would even speak out on this issue.

The world must do more. We must speak out. I call on this Congress to speak out. Members who care about human rights should do all they can to help the people of Darfur in Sudan. This week the House Committee on International Relations will mark up H. Con. Res. 403, condemning the Government of Sudan for their complicity for what is happening in Darfur, and calling the international community to do the same, and urging immediate humanitarian access to the region.

In closing, Mr. Speaker, The New York Times writes about rape, pillaging, and murder on its front page. We cannot say we did not know it is happening. If we fail to act, in another 10 years Darfur will be today's Rwanda and some Member of Congress will be standing here on the floor asking those in the body at that time to remember the genocide that took place in Darfur. Is that what this world wants?

IN SUDAN, MILITIAMEN ON HORSES UPROOT A MILLION

(By Marc Lacey)

NYALA, SUDAN, May 2.—Hawa Muhammad, 15, lost just about everything when the men on horseback came. They took her family's horses, donkeys and small herd of goats and sheep. They took her cooking pots and her clothing. They took her mother and her father, too.

''The men on horses killed my parents,'' she said, referring to the Janjaweed, loose bands of Arab fighters. ''Then the planes came.''

Now it is she to whom her six younger sisters turn when their bellies rumble. She recounted her tale as if in a trance.

Hawa left her village on the run and settled with thousands of others at the camp in Kalma, outside Nyala, part of a tide of a million people that the United Nations and others say has been displaced in this vast region of western Sudan. The government in Khartoum has closed the region to outsiders for much of the last year.

Hawa's account of how the attack unfolded is the same as those heard in camp after camp across Darfur, as well as the settlements across the border in the desert of eastern Chad, where the United Nations estimates another 100,000 villagers have streamed.

Many were driven away by the Janjaweed, a few thousand uniformed militia men who have worked with government soldiers and aerial bombardments to purge villages of their darker-skinned black African inhabitants.

The government denies any relationship to the Janjaweed, but ousted villagers say the links are strong, and their accounts are backed by numerous aid workers and outside experts.

Human rights groups and international officials charge that the Janjaweed have been used as a tool of the government to pursue a radical policy resembling ethnic cleansing.

The conflict has pitted Arab nomads and herders against settled black African farmers. The tensions have been worsened by droughts in the north and the slow creep of the desert southward.

For 20 years rebels in southern Sudan have sought to topple the Arab-dominated government in the north. Two million people died in that larger conflict, and a peace agreement is considered near.

But since early 2003 two rebel groups in Darfur, the Sudan Liberation Army and the Justice and Equality Movement, initiated a separate rebellion, complaining that the region's people, especially the black Africans, were being marginalized.

Sudan's decades-old civil war was much about religion—the north is mostly Muslim, the south animist and Christian. Darfur's conflict is over ethnicity and resources; it pits Muslim against Muslim.

The rebels here scored some early victories, and the government responded with a fury, angering countries that thought it was finally taking the country toward peace after decades of civil war.

The army has used helicopter gunships and old Russian-made Antonov plane, loaded with bombs. But the Arab-African rivalry has long festered here, and the most ruthless weapon has been the mounted Janjaweed fighters, who know no rules of war.

The Janjaweed ride camels and horses and use automatic weapons against those they come across. They ride into villages en masse and shoot anyone in sight. As the militiamen torch and loot, the villagers grab what they can and run.

An empty village is an eerie place. There are no babies crying, no goats bleating, no women pounding grain into mush. The only sound comes from the wind as it whips over the huts that used to house families but now lie toppled and torched.

Today there are many such villages in the vast Darfur region. Eleven ghost villages line the main road just northwest of here. Each stands frozen, just as it was when it was overrun.

Some were cleared months ago. Others were attacked as recently as last week. In each it is clear that life came to a sudden halt. Beds are overturned, and pots lie on their sides. In front of one hut is a child's sandal, but no child anywhere.

Fatima Ishag Sulieman, 25, did not have time to get away. She was in bed when the Janjaweed moved in. Two men entered her hut. They hit her, then they raped her in front of her family.

''I screamed, and they ran away,'' she said in Arabic.

Ms. Sulieman and others uprooted from their homes end up in camps, some of them organized settlements and others squalid outposts. She now lives under a tree at a secondary school in Kas, in southern Darfur. All

around the schoolyard are other villagers, most of them women and children. Many of them, she says, experienced what she did.

Others suffer in different ways.

Adam Hassan, a weathered man in an equally weathered robe, described a dual attack. First it was Arab men on horseback, he said, who swooped down on his village, outside Kaliek. Then, he said, soldiers moved in.

In Mr. Hassan's case it was his two sons, ages 7 and 10, who were killed.

Mr. Hassan now stays with his wife and two surviving daughters at the Kas schoolyard. He wants desperately to return to his land and pick up again where he left off.

Like so many of the uprooted villagers, Mr. Hassan is a farmer. He relies on the heavy rains that come in June and add some life to the dusty earth. His sorghum and ground nuts keep his family alive.

But he and hundreds of thousands of other farmers in Darfur will miss this year's planning season. It is too unsafe for them to farm. That reality has aid agencies gearing up for what will be more and more hunger in the days ahead.

''I may have to stay here forever,'' he said at his campsite, looking glum. ''There are too many Janjaweed.''

The United Nations, which conducted its own tour of Darfur last week, said the crisis in western Sudan would last another 18 months—if the government managed to disarm the men on horseback soon.

But it remains to be seen whether the lawlessness will be tamed. On one recent day, men on camelback still lurked on the outskirts of an empty village outside Kas. They took off when visitors arrived.

Farther down a dirt track, a man on the back of a donkey approached another destroyed village, an assault weapon balanced on his lap.

His name was Ismael Abbakar, and he said he knew how the village had been emptied—he took, part, in fact—although he claimed to be protecting the villagers, not driving them away.

Last year, when the chaos in Drafur began spinning out of control, he was raising cattle for a living. Now, though, he is a government soldier who patrols alone with his government-issued weapon. He pulled out an identification to prove his affiliation.

In Darfur the distinction between soldier and outlaw has grown murky.

Ahmed Angabo Ahmed, the commissioner of the Kas region, acknowledged enlisting some armed robbers in the police and army to hunt down the rebels. He said his new recruits were on the side of the law now and were not Janjaweed.

''The Janjaweed are outlaws,'' he said.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 1 o'clock and 10 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. TERRY) at 2 p.m.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Lord God, Enlightenment for the world, guide this Nation by Your wisdom. Lift up the prize of this Nation, our children, and our young people. Create for them a great future by providing them with good teachers.

As Members of Congress call to mind the many teachers You have given them through the years, make us all grateful for the women and men who have shaped our ways of thinking and opened for us avenues of learning and discovery.

The Scriptures tell us, ''The learned will shine like the brilliance of the firmament and those who train others in the ways of justice will sparkle like the stars for all eternity.''

Bless the teachers of these United States, and reward them for their noble work, now and forever. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Kansas (Mr. MOORE) come forward and lead the House in the Pledge of Allegiance.

Mr. MOORE led the Pledge of Allegiance as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

PEER-TO-PEER SOFTWARE ENDANGERS OUR CHILDREN

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, peer-to-peer file-sharing software poses a danger to our children. At any given time, 22 million children are online sharing files on peer-to-peer networks. They usually trade music and photos. But another group of peer-to-peer users has a different agenda. Most parents do not know about it. Most kids do not have a clue.

Pornographers and child predators use these networks to expose young children to the crudest forms of pornography imaginable, much of it child porn, always disguised using innocent-sounding terms. Often, these predators attempt to arrange meetings with young people through this software. These contacts pose a significant risk to the safety of our children when they use the computer.

This week, the Committee on Energy and Commerce Subcommittee on Commerce, Trade, and Consumer Protection will take up this issue. Among the solutions to be discussed is my bill, H.R. 2885, the Protecting Children From Peer-to-Peer Pornography Act. The bill addresses the cyberdangers of file-sharing programs, like KaZaA.

Congress must act to protect children from this threat. If left unchecked, peer-to-peer networks will become the worst base of operations which child molesters, pornographers, and predators use to attack our kids in our homes online.

SAUDI ARABIAN CROWN PRINCE BLAMING ZIONISM FOR TERRORIST ATTACKS BY SAUDIS

(Mr. LANTOS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANTOS. Mr. Speaker, Saudi Arabia's Crown Prince Abdullah is blaming Zionism for recent terrorist attacks by Saudi groups in their own country. Zionism, the Crown Prince says, plays on the minds of terrorists and corrupts Saudi youth.

What an outrage. What blatant hypocrisy.

Mr. Speaker, 2½ years after the September 11 attacks, Saudi Arabia still cannot look in the mirror and face the truth. Its own extremist ideology is corroding Saudi society and exporting the damage to countless others. How ironic that Abdullah accuses Zionism, whatever he intends that word to mean, while the Saudi kingdom inculcates its young with hatred of Christians, Jews, and Western Civilization.

Mr. Speaker, I urge Prince Abdullah to retract his sickening and absurd statements, and I call on him to apologize. His real enemy is homegrown bigotry, which can only be battled by dragging Saudi Arabia into the 21st century.

CONGRESS SHOULD PASS PERMANENT AMT TAX RELIEF

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, this week we will vote on H.R. 4227, the Middle-Class Alternative Minimum Tax Relief Act of 2004. We need to pass this important bill, sponsored by the gentleman from Connecticut (Mr. SIMMONS), to avoid 11 million taxpayers being hit with an average tax increase of $1,520.

The AMT Tax Relief Act will ensure that this bipartisan tax relief will continue through 2005. As our economy continues its strong recovery, we must make sure that middle-income families keep more of their own money.

Without the AMT Tax Relief Act, millions of middle-income families will face a tax increase next year by being forced into paying the alternative minimum tax. Married couples will see their AMT exemption drop from $58,000 to $45,000. Single individuals will see their AMT exemption drop from $40,250 to $33,750.

I urge my colleagues to join me in supporting continued tax relief for American families. Vote ''yes'' on H.R. 4227.

In conclusion, may God bless our troops. We will never forget September 11.

PRESCRIPTION DRUG DISCOUNT CARDS

(Mr. PALLONE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PALLONE. Mr. Speaker, yesterday the Congressional Research Service concluded that the Bush administration broke the law when it refused to allow a career civil servant to be honest with Members of this House as to the true cost of the Republican prescription drug bill.

Since the very beginning of the prescription drug debate, President Bush and this Republican Congress have had a win-at-all-cost attitude about their prescription drug legislation. The sad fact is that the true losers in this scandal are the senior citizens, the very people Republicans claim they are trying to help.

This week, seniors nationwide will begin to see how ineffective and confusing the Republican prescription drug legislation is. This week, seniors have the opportunity to sign up for new prescription drug cards that will provide supposed savings on prescription drug costs.

But, Mr. Speaker, while some seniors will be able to save on their medications when they use these cards, many will not. In fact, I believe that these drug cards are nothing more than window dressing, a weak attempt by the Bush administration to couch the ineffectiveness of this Medicare law.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded voted or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6:30 p.m. today.

RECOGNIZING VALUABLE CONTRIBUTIONS OF MILITARY IMPACTED SCHOOLS, TEACHERS, ADMINISTRATION, AND STAFF FOR THEIR ONGOING CONTRIBUTIONS TO EDUCATION OF MILITARY CHILDREN

Mr. HAYES. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 598) recognizing the valuable contributions of military impacted schools, teachers, administration, and staff for their ongoing contributions to the education of military children.

The Clerk read as follows:

H. RES. 598

Whereas there are approximately 750,000 school-aged children of members of the active duty Armed Forces in the United States;

Whereas there are approximately 650,000 of these military children served in public schools across the United States;

Whereas there are approximately 100,500 military children served in Department of Defense Education Activity schools in the United States and overseas;

Whereas schools serving military installations stress the importance of being aware of what is happening in the world and the impact of world events on the lives of military families;

Whereas schools serving military installations can provide students a sense of safety and reassurance;

Whereas schools serving military installations understand the importance of providing a normal environment and regular routine for children of parents in the military before learning can ever take place;

Whereas such schools can offer increased counseling for military children due to the deployment of family members;

Whereas such schools can offer additional counseling for staff, many of whom are spouses, parents, brothers, and sisters of deployed members of the Armed Forces;

Whereas schools serving military installations often have additional security measures in place and are continually looking at further security measures for their schools;

Whereas schools serving military installations serve students whose parents can be deployed for long periods of time and often with short notice;

Whereas teachers and counselors working in schools serving military installations are trained to work with military children and their classmates when there is a service-related incident or death;

Whereas school districts surrounding military installations can assist other school districts impacted by National Guard and Reserve deployments with support for students; and

Whereas the Impact Aid program provides support for military impacted schools in their efforts to serve students: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the contributions of the teachers, administration, and staff of Military Impacted Schools and the Department of Defense Education Activity schools worldwide; and

(2) commends the teachers in military impacted communities who work on the front lines at home to educate students during times of peace and times of conflict.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. HAYES) and the gentleman from Ohio (Mr. RYAN) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina (Mr. HAYES).

GENERAL LEAVE

Mr. HAYES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Res. 598.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. HAYES. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me begin by saying that on National Teachers Day, we, all of us, at every time rise to honor our teachers for their incredible contributions. Today we especially wanted to honor those teachers, staff, administrators, and all the support personnel at military impacted schools.

Mr. Speaker, I must add that you have been one of the champions of the fight for military impacted schools and increasing that amount of aid.

Mr. Speaker, the National Education Association agrees with our resolution. May I quote them: ''In addition to providing the highest quality of academic support, schools serving active duty military dependents help provide students a sense of safety and reassurance by creating a normal environment and regular routine. The schools also offer increased counseling services to students and their families to help them cope with the deployment of parents, other relatives and friends. We thank you,'' myself and our cosponsors, ''for your efforts to recognize the invaluable contributions of the thousands of teachers, administrators and staff in military impacted schools.''

Mr. Speaker, I am immensely proud of the overwhelming bipartisan support for our military impacted schools. Eighty-seven Members on both sides of the aisle have cosponsored this resolution, and I have a letter of support from the NEA, clearly demonstrating this body's commitment to our military children and those that serve them. I certainly urge our colleagues to pass this resolution.

Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. SCHROCK), a captain who serves eight bases and over 400 commands in Hampton Roads, Virginia, a great military veteran and a tremendous champion of education and our military children.

Mr. SCHROCK. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I rise today to support H. Res. 598. Life for military families is very complex, especially at times like these when one or sometimes two of the parents are off serving in the global war on terror. The burdens on caregivers, schools, and the community to counsel these children and make them feel safe and secure are great.

Though the Department of Defense, with the help of Congress, is able to compensate communities for these burdens, the sensitivity of teachers, administrators, and other educators at military impacted schools is not something we can simply write a check for and expect the issues to be addressed. I cannot overstate the importance of supporting these affected communities financially.

However, today I am here to recognize the valuable contributions the schools have in the education, comfort, and care of our military children. Children of military communities are subject to different kinds of stress than

other children. Their fear that mom and dad may not return from war cannot be comprehended by others in the community.

Educators in these areas have extra duties placed on them as they work the front lines to educate these children during times of both peace and conflict. Schools serving military installations must be aware of world events and how that can impact the lives of the children they teach.

The daily school routine helps provide military children with the feeling of safety and security. The need for normalcy is great in these communities; and educators, through their love and support of the children, help to provide that normalcy.

Approximately 650,000 public school children around the United States have parents serving in the military. The importance of supporting military impact aid for schools that serve these children is essential. Services such as increased counseling, security at the schools near military installations, and all around support can make all the difference in the lives of military children.

Today, I rise to support H. Res. 598 and to recognize the important and valuable contributions of military impacted schools, teachers, and administrations as they continue to care for our children; and I encourage all of my colleagues to do the same.

Mr. RYAN of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I also rise in support of H. Res. 598. Today's resolution honors the role that military impacted schools, teachers, administrators, counselors, and other staff play in educating children of military families. These individuals deserve our thanks, and they deserve our support. Hard-working teachers, principals, and superintendents across the country are doing all they can to help the 650,000 military children served in public schools. They are making a difference in the lives of the children, helping them learn, helping them succeed in school and in life.

In Congress today we commend them, the parents, the teachers, the superintendents, the principals, for working on the front lines at home to educate students during times of peace and times of conflict. We should be doing all we can to support them in this important work.

Yet President Bush and the Republican Congress are not providing these children and the families with the support they deserve. Why? Because they are failing to provide adequate funding for schools serving military children. These shortcomings are even more pronounced while these children's parents, our soldiers, are defending us in Iraq, Afghanistan and around the world.

□ 1415

We need to be doing more, not less, for these children and their families.

President Bush has shortchanged children and military families in several ways. First, passing tax cuts that leave hundreds of thousands of military children behind. While millionaires receive checks averaging $93,500 from the government, the hard-working parents of 12 million children receive nothing because Congress refused to close the loophole in the massive tax cut to the richest Americans. Even 260,000 children of active military parents were excluded from the child tax credit that the President signed.

Second, flat-funding the Impact Aid program. The Impact Aid program provides funds for schools which serve heavy concentrations of children from military families. Unfortunately, the Bush administration has failed to invest adequate resources in this program. First, by proposing to cut the program last year, and then flat-funding it in the fiscal year 2005 budget submitted only 3 months ago. Also by freezing school construction funding.

Under the Impact Aid program, school construction funding is reserved for the military school districts with the most pressing facility needs. In his fiscal year 2005 budget, President Bush proposed to freeze construction funding. Worse yet, the level of funding for school construction has declined considerably and is less than one-third of the level President Bush proposed when he entered office in 2001.

This President has also broken the promise to fund No Child Left Behind. President Bush has underfunded No Child Left Behind by nearly $27 billion since it was enacted. Schools serving military children generally have high numbers of disadvantaged children. No Child Left Behind's funding is targeted to school districts with high concentrations of disadvantaged children.

This lack of commitment to funding hits military-impacted districts especially hard. If this budget becomes law, military children across the country will be shortchanged.

For instance, in my home State of Ohio, children in my district, the 17th congressional district, are being shortchanged. Children in Title I schools in are eligible for $574,200 in Title I funding, but the President's budget provides only $399,000, for a shortfall of over 30 percent, nearly $175,000. Southeast school district children are eligible for $351,000 in Title I funding, but would get only $241,000 under the President's budget, for a shortfall of over 31 percent.

Mr. Speaker, it is these programs and many more that are being cut by this President's budget or frozen by this President's budget.

We are going to support this resolution. We are going to support our teachers, the faculty, and the parents of these children.

Mr. Speaker, I reserve the balance of my time.

Mr. HAYES. Mr. Speaker, I yield myself such time as I may consume.

I must express my disappointment in the loss of focus here today. The purpose of H. Res. 598 is to honor teachers, staff, and administrators. We are not here to criticize the administration, particularly when the facts do not add up, and I will speak to that later. It is rather ironic that the former administration cut Impact Aid 8 years in a row, but we will speak about that in a minute.

Mr. Speaker, at this point, it is with great pleasure that I yield 3 minutes to the gentleman from North Carolina (Mr. JONES), my good friend who represents Camp Lejeune and Seymour Johnson Air Force Base.

Mr. JONES of North Carolina. Mr. Speaker, I thank the gentleman from North Carolina (Mr. HAYES), my colleague, for yielding me this time, and I want to thank him for introducing this resolution 598. Again, I appreciate the fact that we will come together and vote on this resolution today as both Republicans and Democrats, because these schools, these DOD schools are exceptional in many ways.

I want to just touch on my personal experience down at Camp Lejeune. Mr. Speaker, I have the privilege, as the gentleman from North Carolina (Mr. HAYES) said, to have Camp Lejeune, Cherry Point, Seymour Johnson Air Force Base in my district. In Camp Lejeune, for the 10 years I have been in office, I have had many occasions to go visit the schools at Camp Lejeune, both elementary schools and senior high schools.

As fate would have it, shortly after the decision to go into Iraq, I had the opportunity to speak to the seniors in the auditorium, and I could tell that some of those young people, their faces, you could tell that they had parents who had already been deployed overseas, and I spoke to them and tried to encourage them to tell them how much we in Congress on both sides of the aisle appreciate the commitment their parents have made to this great Nation.

I mention that for this reason: I found when I was there that day that there is a special bonding among the teachers and the administration and the students at these DOD schools, this one in particular at Camp Lejeune, that there is an environment there that is cohesive to the situation that these young people are finding themselves in because their parents have been deployed. One parent, in some cases, it was 2 parents, quite frankly, who had been overseas defending freedom in Iraq and also for the American people.

There is one thing that I always wonder, is why, when something is working so well, why the Federal agency, in this case, the Department of Defense, wants, to study and see what the future of the schools needs to be? That is why I was so pleased that the gentleman from North Carolina (Mr. HAYES) introduced this resolution, and again, both sides are supporting the resolution.

These schools are exceptional. These young people, time after time, when

they take national tests, the students at the DOD schools are really doing as well, if not better, in most cases, than even the public schools. I am not here to compare one school to another school, but the record speaks for itself. These young kids at the DOD schools excel when it comes to these national tests.

Also, I was touched that I had the privilege to visit the children at Camp Lejeune with special needs. I never will forget a little girl that met me in the hall when I was speaking to the teachers, and she held my hand as we walked to her class. I had a chance to observe and to talk to the teacher and to the assistant teacher as to the fine work they are doing with children with special needs at our DOD schools, again, this is Camp Lejeune.

So my friend, the gentleman from North Carolina (Mr. HAYES) and the others, both Democrat and Republican who are on the floor today, to say thank you to our teachers, to our principals, and to our administrators at these DOD schools, we very much appreciate the great job they are doing.

I do say, Mr. Speaker, God bless our men and women in uniform and their families and God bless America.

Mr. RYAN of Ohio. Mr. Speaker, I yield myself such time as I may consume.

I would also like to say to the gentleman from North Carolina, our comments today in no way take away from our ability to thank these teachers for all of their hard work. We just think that there are opportunities here that this Congress and this President could move to make this a better program, to help our children more. This is not a criticism of the teachers or principals or the teachers who are active in this program.

Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. DAVIS).

Mrs. DAVIS of California. Mr. Speaker, I rise in strong support of House Resolution 598 honoring teachers in military-impacted schools.

Mr. Speaker, this is Teachers' Week, honoring all teachers, but we especially thank those who work in our communities that have large numbers of military families.

San Diego is the proud home of the largest number of Marine and Naval personnel and their families in the country. And we are all very well aware of the sacrifices of these families, including members of the Reserves and the National Guard are making as their loved ones have deployed to Iraq. Many have had their tours extended or have just returned to Iraq for a second tour. To give these members of our armed services peace of mind, it is important that they can count on their children having a stable and caring school environment.

Every one of us can surely recall how difficult it is to concentrate on our work when our lives are disrupted. For children, the anxiety of a parent leaving for the battlefield for an indeterminate amount of time is especially traumatic. Having a loving teacher who understands that a child may be tense or anxious or unable to concentrate because he has just said good-bye to a parent is important, not only to that child, but also to the parents.

Nearly 40 percent of the students in Coronado, one of the communities in my district, are related to the military, with many living in housing on base. So we know that every day, teachers and administrators in the district are seriously impacted by the fact that we have many, many people serving overseas today, and they are there with loving hugs and caring for the children. Sometimes, as it has been stated here today, we undermine their efforts. Mr. Speaker, I think it is important for us not to do that, because we need to salute their efforts so that teachers, the administration, and staff in this district and every other district in the country that receives Federal Impact Aid, we say a special thank you today.

Mr. HAYES. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I do rise today to proudly support our Nation's teachers, administrators, and staff of military-impacted schools. Just like many of students' parents, teachers at military-impacted schools across the country report for duty each day ready to serve, but with an added mission: to keep each school day as normal as possible for students who often have much more on their minds than learning. Every day, approximately 750,000 school-age children of members of the active duty Armed Forces are at school, tasked with concentrating on their studies and faced with the reality that their mom or dad may be serving in a danger zone.

Mr. Speaker, 650,000 of these students are served by talented and caring teachers in our Nation's public schools near our military bases, while an additional 100,500 military children are served in Department of Defense education activity schools stateside and overseas.

In the 8th District of North Carolina, the school systems surrounding Fort Bragg meet together regularly to discuss the common issues affecting military children. Officials from the Department of Defense schools at Fort Bragg work alongside public schools to facilitate smooth transitions and to ensure that teachers and staff are trained and sensitive to the military needs and culture. Dr. Bill Harrison, superintendent of the Cumberland County schools, and also superintendent Joel Hansen of the DOD school on post, are working together constantly to meet the needs of these children.

Mr. Speaker, the teachers in my district do an outstanding job of serving these students and their families. They not only provide a quality education for all students, but they take the extra time and energy needed to serve our military children.

Mr. Speaker, I reserve the balance of my time.

Mr. RYAN of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, there are several other issues here that I wanted to touch upon. One is the zeroing out of the counseling program; it was $32 million, it has been zeroed out. Children of military families struggle to deal with a lot of the issues that are brought forth during times of war, during times of conflict. President Bush has zeroed out the elementary and secondary school counseling program. The program represents one of the few counseling efforts that the Federal Government supports, and especially as children struggle with the uncertainties facing their families in deployment during a time of war.

Also, another issue that must be touched upon here. I do not think we can have a debate about the military schools or the military impact program or any education program without looking at the whole picture. We cannot ignore IDEA. We cannot ignore No Child Left Behind. We cannot ignore construction for these facilities. We cannot ignore the counseling programs. Education is an integrated process, and by ignoring any of these, I do not think we fully touch upon the issues that we want to talk about here today.

Military-impacted districts have, on average, dealing with IDEA, more children with disabilities than non-military-impacted districts. So they are clearly going to be affected in a deeper manner than an average school, and by failing to fully fund IDEA, President Bush is exacerbating the challenges that military-impacted districts face. These districts and these taxpayers get hit twice. The government comes in, they buy the land up, they are not getting the proper amount of reimbursement from this program and, at the same time, because you have less land, you are getting an increase in your own property tax.

□ 1430

So this hits these families in these communities that more often than not need a lot of help. And I know Windham and Southeast and Maplewood in my congressional district, they need this assistance. Ohio is a State that has lost over 200,000 jobs. We need to begin to educate our kids.

No Child Left Behind has been reported by the Ohio Department of Education, a Republican-controlled general assembly, every Statewide officeholder in Ohio is a Republican, and they have said that the No Child Left Behind program is underfunded in the State of Ohio by $1.4 billion. We cannot talk about any kind of education programs without looking at the whole pack.

Mr. Speaker, I reserve the balance of my time.

Mr. HAYES. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, again, we have lost focus. This is about honoring our

teachers our administrators and our staff. I again would remind my colleague that that is what this is about.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN) who is an outstanding Member and hard worker for our military and for their children and dependents.

Mrs. BLACKBURN. Mr. Speaker, as part of National Teachers Week, it is so fitting that we commend our teachers for the work that they do. And I think it is particularly appropriate that America take time to thank the teachers and the school administrators at our military-impacted schools.

The 101 Airborne Division of the U.S. Army is stationed at Ft. Campbell in my district, in Montgomery County, Tennessee. There are 5,400 children who have at least one parent in the military and 1,700 children of civilian military employees attending the local Clarksville-Montgomery County Schools.

These schools play a central role in the lives of children whose needs are unique. As they adjust to their parents being deployed around the world defending America, the sacrifice that these children and their families make is enormous. And how fitting that we recognize that and that we recognize the teachers and the administrators who work with them teach and every day.

I know these children often have many things on their minds, many important and pressing issues on their minds, and the teachers at our military-impacted schools are important in providing a warm, friendly environment for these students.

Mr. Speaker, I thank the teachers and the staff at our military-impacted schools for their commitment to the children to their families and to our service members.

Mr. RYAN of Ohio. Mr. Speaker, I reserve the balance of my time.

Mr. HAYES. Mr. Speaker, does my colleague have additional speakers and do I have the right to close?

The SPEAKER pro tempore (Mr. TERRY). The gentleman from North Carolina (Mr. HAYES) has the right to close.

Mr. HAYES. Mr. Speaker, I am prepared to close. I reserve the balance of my time.

Mr. RYAN of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, just one final closing point, and we do not need to beat a dead horse here, but I do believe that we cannot have an honest debate about this education program or any other education programs without looking at the money, and we need to fund these education programs.

Again, we commend the teachers. We commend the principles and the people who were involved in this program. And there is no doubt about the outstanding work that they provide, the outstanding leadership that they provide for our young students who are there. We will support this resolution. But, in the current fiscal year 2004 appropriations, $61.6 million, it would take $1.1 billion to fully fund this program.

When you look at that in the light of all the tax cuts that we have given to the top one, 2 percent of the people in this country, the wealthiest 1 and 2 percent of the people in this country, we just believe on this side of the aisle that it is time for us to take this responsibility seriously.

We are losing jobs left and right, and we want every single child to have an opportunity to get a quality education with the new facility with the proper education in these time of great need for these children.

We are supportive of this resolution. I thank the gentleman for bringing it up. It is a great idea to take time out of our busy schedules here in Congress to commend these teachers and these people who are leading the future youth of this country.

Mr. Speaker, I yield back the balance of my time.

Mr. HAYES. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me point out again our appreciation for the gentleman from Nebraska (Mr. TERRY) who has a military-impacted school association in your district and you have been a tremendous help.

I thank my colleague, the gentleman from Ohio (Mr. RYAN) for his kind remarks in support of the resolution. I take a moment to simply digress to say that under No Child Left Behind, there has been a 42.5 percent increase in funding for education over the past 4 years.

We had the entire State Board of Education from North Carolina here to talk about No Child Left Behind. And ironically, Democrats and Republicans, as they should, came together to pass No Child Left Behind. What came out of this meeting was that it is very clear that people who are concerned with the outcome are working together to make sure that that destination is arrived at by all children and all teachers. And if there are issues to be dealt with, we are willing, able and eager to do that.

I also might point out as a result of No Child Left Behind, the Federal Government is currently spending more money on K to 12 than at any other time in history. Discretionary appropriations for the Department of Education rose from $23 billion in 1996 to $55.7 billion, 142 percent increase.

Mr. Speaker, we are not here to talk about the administration, past or present. We are here again to thank and honor those teachers and administrators and staff. These are the teachers that plan and attend Military Appreciation Days. They allow students the flexibility to attend send off and welcome home ceremonies. They coordinate letter writing campaigns for our troops and integrate academic studies with the real world current events that impact their students. These teachers celebrate with families when a parent returns from deployment, and they weep with them when a loved one is lost. They recognize that sometimes their students deserve an extra dose of patience, sympathy and encouragement. They identify and meet those special needs.

Teachers in military impacted schools challenge students a demanding curriculum and the toughest academic standards, yet they faithfully provide the additional support that they need.

Studies show that military children move three times more than non-military. They face unique challenges, including managing school records, making new friends and adjusting to different school system policies and calendars.

Most publicly-impacted school districts also rely on impact aid for funding. Impact aid is not only the first education program, but also one of the most efficient programs the Department of Education administers. In public school, districts where the Federal Government is a primary employer-land owner, a vital tax base is lost. Impact aid payments step in to fill the gap.

I look forward to working with my colleagues to increase funding. Over the years since we have been here, every year Democrats and Republicans have worked to restore funding. Some folks do not have military installations. They do not understand this need. But we are working and we have improved it every year and that is what bipartisanship is all about.

Because of compassionate post assignments such as Ft. Bragg and Camp Lejeune, some military installations are home to substantially high number of special needs children. Schools must adjust to meet these needs and provide an appropriate education for every child.

Additionally, schools across the country that may not be near a military installation, but are home to children of National Guard and Reservists are caring for families as troops are deployed, join the remaining parent or caretaker in supporting the academic and emotional needs of students.

Military-impacted schools often employ teachers who themselves served in the Armed Forces. Reservists often live near military installations and when called to active duty, school districts must fill these temporary vacancies with another qualified interim teacher.

Mr. Speaker, the teachers, administrators and staff of military-impacted schools are some of the finest Americans I know. They serve the ones who serve. They exemplify the same fine American values that our armed services demonstrate each day, commitment, dedication and patriotism.

Mr. Speaker, please allow me a moment to recognize several organizations that play vital roles in supporting our military families, specifically, the Military Impacted School Association, National Association of Federally Impacted Schools, National Military Family Association, and the Military Child Education Coalition. They work every day to build partnerships that strengthen the educational opportunities for children. I am proud of these organizations and am dedicated to working with them to achieve our common goal.

Mr. Speaker, today, May 4, 2004, is National Teacher Day. This week has been designated National Teacher Appreciation Week by the Parent Teacher Association National Branch. Today we all tell our teachers that we appreciate their service to America's children. But specifically today, I urge my colleagues to join me in honoring the fine men and women in our military-impacted schools for their dedication to our country's children, our Armed Forces and their families.

Again, working together we have been able to raise the level of funding, and we will continue in a bipartisan fashion to do that.

I thank my colleagues for their support, their co-sponsorship, and their words of encouragement to their fine teachers and their staff. I urge my colleagues to support the resolution.

Mr. HOLT. Mr. Speaker, I rise in support of H.Res. 598 legislation recognizing the valuable contributions of military impacted schools, teachers, administration, and staff for their ongoing contributions to the education of military children. I want to reiterate the importance of supporting our military families through the Impact Aid program, and I commend the teachers and school administrators for the outstanding work they do. This program is vital to the education of millions of children across the nation.

Impact Aid was created in 1950 when Congress recognized the obligation of the Federal Government to assist school districts and communities that experience a loss in their local property tax base due to the presence of the Federal Government. Between 1950 and 1969, the Impact Aid Program was fully funded by Congress. Since that time the funding level has not kept pace with the amount required to cover the Federal Government's tax obligation. Impact Aid funds are sent directly to the school district. The funds go directly into the school district's general fund for operations such as the purchase of textbooks, computers, utilities, and payment of staff salaries. Over 90 percent of funding for education comes from local funds such as property taxes. But what happens if that property is owned by the Federal Government and is off the tax rolls? Kids report to class with no property tax dollars needed for their school. In my district more than 1,000 students at Monmouth Regional High School, more than 1,300 students in Eatontown, and more than 1,700 in Tinton Falls are affected by impact aid. The teachers there work very hard to provide a quality education to all their students. Teachers who teach students of military families have the added burden of teaching students whose parents are or may be going overseas.

The quickest way to take a soldier or sailor's mind off their mission is to have them worrying about their children's education. Children from military families come from some of the hardest working, most patriotic families, but the schools they attend sometimes face bankruptcy. This is because of the way we fund our nation's schools. Impact Aid honors our commitment to military families. It guarantees that those families who serve to protect our freedom are in turn protected by the Federal Government. The hard working teachers of these districts ensure that these children of military members will succeed. The administrators, teachers, aids, guidance counselors, librarians, bus drivers, janitors all need to be commended for their work.

Our constitution commands that the first job of the Federal Government is to ''provide for the common defense.'' As we improve the pay and benefits of men and women in uniform, we must also support their kids, the local schools they attend, and the teachers who teach them. The time is now to support schools that educate the children whose parents wear our nation's uniform.

Mr. RUPPERSBERGER. Mr. Speaker, I rise today in support of House Resolution 598.

Tens of thousands of men and women in uniform are serving our country around the world. I believe we owe it to them to make sure that their children here at home have access to a quality education. Teachers, staff, and administrators at schools serving our military communities are a critical part of achieving this goal. These professionals work hard to educate our youth as well as support families who are dealing with a loved one serving overseas—very often in a dangerous, combat area. That is why I am taking time today to honor these great educators for the work they do every day. The commitment of the staff at these schools is unwavering and I am proud to stand here today in support of these great Americans.

In my district, the Maryland 2nd Congressional District, schools around Fort Meade in Anne Arundel County, especially elementary schools, are feeling the pinch. The military is funding the development of 3200 new housing units on the base in the next few years. This is welcome news for military families but this initiative coupled with the fact that more military personnel are being called to duty is expected to bring 700 new students to the Anne Arundel County School System. These military families typically don't pay taxes in Anne Arundel County because their home of record is in another state. This situation is expected to overburden the school system and disrupt the system's construction and modernization plan due to this influx of new students.

As the former Baltimore County Executive, I understand the financial constraint situations like this put on local governments. I am doing everything I can here on Capitol Hill to make sure that this situation does not unfairly burden Anne Arundel County. I believe we need to fully fund Impact Aid to counties serving military children like Anne Arundel County. Impact Aid is federal assistance that helps offset the costs of educating military children when their families don't pay taxes in the area. Right now Impact Aid is only funded 60%. I believe we should completely fund the program.

The teachers, staff, and administrators at these schools do their part to educate and support these military families in this very difficult time. We in Congress must do our part and give them the resources they deserve.

Mr. ISSA. Mr. Speaker, I rise today to join my colleagues in recognizing the contributions of military impacted schools. My district includes Camp Pendleton, the home of the First Marine Expeditionary Force, which has deployed to Iraq and has recently conducted major operations in cities throughout the Sunni Triangle, including Fallujah. The 1 MEF has participated in Operation Enduring Freedom, Operation Iraqi Freedom and is now serving in Iraq as part of Operation Iraqi Freedom II.

The schools that care for and educate the children of Camp Pendleton Marines provide vital educational and counseling services that have helped ease the stresses associated with this latest deployment. They provide military children with a normal daily routine—a critical need in this age when news from the front lines is brought home almost immediately.

They also have provided these children with an excellent education. Mary Faye Pendleton and San Onofre Elementary Schools, both of which are located on-base are the highest-performing schools in the entire Fallbrook Elementary School district. In addition, Oceanside Unified's three on-base schools were all recognized as California Distinguished Schools this past year.

I am proud of the teachers, administrators, staff, and volunteers of all the military impacted schools in my district. Oceanside Unified, Vista Unified, Fallbrook Elementary, Fallbrook High School, Bonsall Unified, Julian Unified, Valley Center Unified, and Warner Unified School District have all provided a great service to our men and women in uniform.

I am particularly proud of the way these schools have continued to provide quality education to these military children despite major shortfalls in federal funding for Impact Aid, which funds military impacted schools. Every year we have a budget battle over Impact Aid.

We need to remind ourselves that military impacted schools are a critical element in the support of our military families. If we are going to recognize the importance of these schools to our military men and women serving overseas, we must support them with the resources they need to do their jobs well. I urge my colleagues to support this resolution.

Mr. TERRY. Mr. Speaker, I take this opportunity to join the other co-sponsors of H. Res. 598 as we pay tribute to America's military impacted schools. It is important that we take time to honor the teachers, administrators, counselors, and other staff members of our military schools. These are the quiet professionals who report for duty each day, but carry the burden of an added mission: to provide the best possible education to students who often have much more on their minds than school work.

I extend my appreciation to Congressman HAYES for sponsoring this resolution. Too often, our military schools and the educators who fill them are taken for granted. This should never be the case. After all, the education of a military child is directly connected to the military's overall quality of life, as well as its retention and readiness.

Today, approximately 650,000 military children are served by talented and caring teachers in public schools near military bases. Another 100,500 military children attend Department of Defense Education Activity schools

here in the states and overseas. Many of these students are facing the reality that their father or mother—or both—are serving in a danger zone.

Fortunately, one thing that American troops do not have to worry about is whether their children are receiving a quality education. The educators in our military impacted schools make certain that the children of our Soldiers, Sailors, Marines and Airmen have a first-class educational experience—each and every school day.

This is our opportunity to thank the exceptional teachers, administrators, and staff of America's military impacted schools. We recognize the extra efforts they are making in these challenging times, and we are grateful. Job well done.

Mr. CASTLE. Mr. Speaker, I rise today in support of House Resolution 598 offered by my colleague, the gentleman from North Carolina, Mr. HAYES. House Resolution 598 recognizes the valuable contributions of the administrators, teachers and staff who educate children of military families.

There are approximately 650,000 school-aged children of members of the Armed Forces enrolled in public schools across the United States. Another 100,500 military children are served in Department of Defense Education Activity schools in the U.S. and overseas.

While all children deserve a quality education in a stable learning environment, children of military families often face unique and stressful situations, especially in times of conflict when their parents can be deployed for long periods of time and often with short notice.

Schools serving military installations understand the importance of providing a normal learning environment and regular routine for children whose parents serve in the military. They can provide students with a sense of safety and reassurance and, a place for them to thrive academically.

Military impacted schools can also offer increased counseling for military children due to the deployment of family members, and teachers and counselors working in such schools are trained to work with military children and their classmates when there is a service-related incident or death.

I'd like to particularly recognize the Caesar Rodney School District in my home State of Delaware, which serves the families of Dover Air Force Base. The Caesar Rodney School District serves nearly 7,000 students and has a long history of academic excellence and service to its community. I would like to thank them for their commitment to serving the needs of our military children.

Mr. Speaker, House Resolution 598 is simple. It recognizes and commends the valuable contributions of the teachers, administrators, and staff of military impacted schools and the Department of Defense Education Activity Schools.

This resolution is also timely as this is National Teacher Appreciation Week. We not only would like to recognize the hard work and accomplishments of our military impacted schools personnel, but all elementary and secondary teachers across the country.

Mr. BOEHNER. Mr. Speaker, I rise today in support of House Resolution 598 offered by the gentleman from North Carolina, Mr. HAYES. House Resolution 598 recognizes the valuable contributions of the teachers, administrators, and staff who work hard everyday to educate the children of military families.

It's fitting that we are considering this resolution today, as this week marks National Teacher Appreciation Week. This resolution reflects our strong belief that every child in America, regardless of their military connection, deserves the opportunity to receive a quality education, and that every child should be taught by a highly qualified teacher.

The success of education reform efforts is increasingly seen as directly dependent on the quality of classroom instruction, and ensuring the quality of America's 3.2 million teachers is an essential part of providing an excellent education to all our children. A growing number of studies provide conclusive evidence that teacher quality is the primary school-related factor affecting student achievement. Students who are taught by effective and competent teachers excel quickly, while those who are assigned to the least effective teachers lag behind and often never catch up.

House Resolution 598 focuses on schools that serve our military children. These schools understand the importance of providing a normal learning environment and regular routine for children whose parents serve in the military so that they are able to learn in stressful situations, especially in times of conflict. They can also provide students with a sense of safety and reassurance while their parents are defending our freedom.

Schools serving military installations can offer increased counseling for military children when family members are deployed, and teachers and counselors working in such schools are trained to work with military children and their classmates when there is a service-related incident or death. These schools can also offer additional counseling for staff, many of whom are spouses, parents, brothers, and sisters of deployed members of the Armed Forces.

I would particularly like to thank the schools serving the children of Wright-Patterson Air Force Base in my district. The Wright-Patterson Air Force Base is the only active military base in Ohio and focuses on aviation research and development. I would like to thank them for their commitment to serving the needs of our military families.

Mr. Speaker, the teachers, administrators and staff of all our schools are the true heroes of our communities. Every child deserves an excellent education in order to gain the skills needed to continue on to higher learning, compete in the marketplace, contribute to society, and lead a fulfilling life.

This resolution rightly recognizes the contributions of the teachers, administrators, and staff of military impacted schools, and Department of Defense Education Activity schools world-wide and we praise the teachers in military impacted communities who work on the front lines at home to educate students during times of peace and times of conflict.

I would like to thank Mr. HAYES for his leadership in bringing this bipartisan resolution forward and urge my colleagues to vote in support of this resolution.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I rise today to pay tribute to the basketball capital of the nation, Storrs CT home of the University of Connecticut Huskies. For the first time in NCAA history, one school has brought home both the Men's and Women's Division I Basketball titles in the same year.

I would like to offer special congratulations to Head Coaches Jim Calhoun and Geno Auriemma. This is Coach Calhoun's second National Championship. For Coach Auriemma, this is his third consecutive championship and fifth overall. Both men are outstanding coaches who exemplify leadership and commitment to our young people.

Mr. Speaker, this is an extraordinary group of young men and women. We could spend hours telling you about each one of these marvelous student athletes. Since we don't have that much time, I want to take a moment to tell you a little about All Americans Emeka Okafor and Diana Taurasi.

Emeka Okafor the Co-National Player of the Year, is not only a stellar shot blocker, he is graduating from UCONN as a Junior with his degree in Finance and carries a 3.8 GPA. Earlier this year he was named Kodak Academic Player of the Year. Emeka is a genuine role model for our children.

Diana Taurasi was recently named the national women's Player of the Year and the Final Four Most Outstanding Player. As a senior at UCONN, she led the Huskies to three consecutive national titles—and finished her college career with a team-high 17 points in the championship game.

Coach Auriemma told his team before the game that in the early 90's the team played in its first championship game before a crowd of roughly 1,500 people. On April 6th the Huskies defeated the University of Tennessee Volunteers in front of a crowd of over 15,000. Mr. Speaker I think its safe to say that Title IX is alive and doing well in Storrs Connecticut.

Mr. Speaker, I ask you and all of our colleagues to join me in honoring these two tremendous teams.

Mr. HAYES. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. HAYES) that the House suspend the rules and agree to the resolution, H. Res. 598.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

CONGRATULATING CHARTER SCHOOLS FOR THEIR ONGOING CONTRIBUTIONS TO EDUCATION

Mr. PORTER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 600) congratulating charter schools and their students, parents, teachers, and administrators across the United States for their ongoing contribution to education, and for other purposes, as amended.

The Clerk read as follows:

H. RES. 600

Whereas charter schools deliver high-quality education and challenge our students to reach their potential;

Whereas charter schools provide thousands of our families with diverse and innovative educational options for their children;

Whereas charter schools are public schools authorized by a designated public entity and are responding to the needs of our communities, families, and students and promote

the principles of quality, choice, and innovation;

Whereas in exchange for the flexibility and autonomy given to charter schools, they are held accountable by their sponsors for improving student achievement and for their financial and other operations;

Whereas 41 States, the District of Columbia, and the Commonwealth of Puerto Rico have passed laws authorizing charter schools;

Whereas nearly 3,000 charter schools are now operating in 37 States, the District of Columbia, and the Commonwealth of Puerto Rico and serving 750,000 students;

Whereas over the last 10 years, Congress has provided more than $1,000,000,000 in support to the charter school movement through facilities financing assistance and grants for planning, startup, implementation, and dissemination;

Whereas charter schools improve their students' achievement and stimulate improvement in traditional public schools;

Whereas charter schools must meet the student achievement accountability requirements included by the No Child Left Behind Act of 2001, and contained in the Elementary and Secondary Education Act of 1965, in the same manner as traditional public schools, and often set higher and additional individual goals, to ensure that they are of high quality and truly accountable to the public;

Whereas charter schools give parents new freedom to choose their public school, charter schools routinely measure parental satisfaction levels, and charter schools must prove their ongoing success to parents, policymakers, and their communities;

Whereas nearly 40 percent of charter schools report having a waiting list, and the total number of students on all such waiting lists is enough to fill over 1,000 average-sized charter schools;

Whereas charter schools nationwide serve a higher percentage of low-income and minority students than the traditional public system;

Whereas charter schools have enjoyed broad bipartisan support from the Administration, the Congress, State Governors and legislatures, educators, and parents across the United States; and

Whereas the fifth annual National Charter Schools Week, to be held May 3 to 7, 2004, is an event sponsored by charter schools and grassroots charter school organizations across the United States to recognize the significant impacts, achievements, and innovations of charter schools: Now, therefore, be it—

Resolved, That—

(1) the House of Representatives acknowledges and commends charter schools and their students, parents, teachers, and administrators across the United States for their ongoing contributions to education and improving and strengthening our public school system;

(2) the House of Representatives supports the fifth annual National Charter Schools Week; and

(3) it is the sense of the House of Representatives that the President should issue a proclamation calling on the people of the United States to conduct appropriate programs, ceremonies, and activities to demonstrate support for charter schools during this week long celebration in communities throughout the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nevada (Mr. PORTER) and the gentleman from Ohio (Mr. RYAN) each will control 20 minutes.

The Chair recognizes the gentleman from Nevada (Mr. PORTER).

GENERAL LEAVE

Mr. PORTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Res. 600.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nevada?

There was no objection.

Mr. PORTER. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan (Mr. EHLERS).

Mr. EHLERS. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I rise in support of H. Res. 600, a resolution congratulating charter schools across the United States and their students, parents, teachers and administrators of such schools for their ongoing contributions to education.

Charter schools represent a grand experiment which relies upon innovation and creativity found within American society. Since charter schools are often small and independent, they are able to focus on new approaches for teaching and preparing students for their place in our rapidly changing world. Charter schools often deliver high-quality education and challenge students to reach their potential. Charter schools can be vehicles for improving student achievement and for stimulating change in all educational settings including public schools.

Almost 2,700 charter schools serve students across the Nation, and these schools are found in 41 States, Puerto Rico and the District of Columbia. In Michigan, there are over 210 operational charter schools and even more approved to open during the 2004–2005 school year.

I would especially like to commend one innovative and entrepreneurial charter school pioneer in my district, Mr. J.C. Huizenga. He founded National Heritage Academies in 1995 with a vision to create a network of K–8 schools that offer a common-sense approach to education. The cornerstones of this approach include rigorous academics, a strong virtue-based character development program, active parental involvement, and a high degree of accountability.

Mr. Huizenga and his National Heritage Academies operate 39 schools in 5 States and serve nearly 21,000 students.

I urge my colleagues to join me in supporting and congratulating charter schools.

Mr. Speaker, I would also like to take a few moments to respond to the gentleman from Ohio (Mr. RYAN) regarding the extraneous comments he inserted in the debate on the previous measure. He commented that the legislature in Ohio and others there agree that No Child Left Behind is underfunded.

Mr. Speaker, I served in the Michigan legislature for 11 years. During all that time, I never met any legislator who ever felt that the Federal Government was properly funding or overfunding anything.

□ 1445

It is the character of State legislators and State legislatures to believe that the Federal Government should be sending them more money. That simple statement about the Ohio legislature is no indication whatsoever of the truth of the situation.

The truth is that Federal funding for education has more than doubled over the past 8 years. The truth is that if we look at the charts of the funding under No Child Left Behind of this Congress and compare it with the funding under the previous program, we are doing extremely well. It is almost an exponential increase compared to the relatively flat funding prior to that.

Similarly for IDEA funding; if we look at the history of that, IDEA funding was struggling along at a few billion dollars per year for a number of years. Since the Republicans took over, we have quadrupled the amount of funding for IDEA to $10 billion in fiscal year 2004.

The facts are, the Republicans have been very generous with the funding of No Child Left Behind and IDEA, and attempts to say otherwise are simply falsifying the facts and I think are for political purposes and should not have been inserted in the discussion of the military schools debate.

Mr. RYAN of Ohio. Mr. Speaker, I yield myself as much time as I may consume.

The gentleman from Michigan makes a valid point. We are spending more on education, but there are more mandates that have been placed on these local schools, and the money that we have given has not equaled the amount that is needed to fulfill the obligations that the Federal Government wants to impose on the local school districts and the States.

I was in the State legislature, too. I know State legislators want more Federal money; there is no doubt about that, and I apologize to the gentleman from Nevada. We are getting a little off the point here, but my point was that here we have a Republican-controlled legislature, we have a Republican State for the most part controlled by Republican-elected officials, soon to become a Democratic State in the fall, but a Republican State controlled, and my point is that the Department of Education in Ohio is not going to throw it back in the Republican Congress' face and criticize them unnecessarily so. So if anything, it was a proper analysis of the funding that was needed.

Back to H. Res. 600. I do rise, Mr. Speaker, in support of H. Res. 600, a resolution congratulating public charter schools for their ongoing contribution to our educational system.

The first charter school opened its doors in 1992 in Minnesota; and since that time, the number of charter schools has grown. While they only educate a small portion of all children that attend public schools, these schools have added to the importance and purpose of our public school systems. The truly great aspect of our

country's educational system is its public schools. Whether it is charter schools or traditional public schools, all of our public schools exist to educate our Nation's children.

America cannot succeed without a robust and successful public school system. Charter schools are one important part of this system.

I do want to say that this is not a resolution of us agreeing to abandon the traditional public schools, abandon funding for the traditional public schools at both a local, State level, and at Federal level. This is not that resolution.

We do want to commend all the hard-working teachers and principals and leaders in the schools and the kids who go to these schools as students who attend. They are great kids. I have had an opportunity to meet with them and speak with them. They are great kids who deserve all the respect and admiration that this body can give them.

Mr. Speaker, I reserve the balance of my time.

Mr. PORTER. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise today in support of H. Res. 600. This resolution honors and congratulates our Nation's charter schools and the students, parents, teacher administrators, and other individuals involved for their hard work and dedication to providing a quality public education. This week, May 3 through May 7, has been designated National Charter School Week. It is during this week that charter school organizations and others around the United States honor these schools for their continued contributions to education.

The Nation's charter schools deliver high-quality education and challenge students to reach their potential. Forty-one States, the District of Columbia, and Puerto Rico have passed laws authorizing charter schools. Since the first charter school law was passed in 1991, almost 3,000 charter schools now serve nearly 750,000 students in 37 States and the District of Columbia and Puerto Rico.

Specifically, I am honored to mention the 14 charter schools in Nevada that serve nearly 3,000 students. Nevada first passed charter school legislation in 1997, with our first charter school opening in the 1998–1999 school year. The State charter school legislation was revised again in 1999, lending teachers more room for creativity in allowing charter schools the ability to offer an extended school day, as well as an extended school year.

I commend the charter schools in the State of Nevada and across the Nation for recognizing the immense need for improved education and for their commitment to improving student achievement for students who attend these schools. At charter schools nationwide, almost half the students are considered at-risk or are former dropouts. Charter schools serve significant numbers of minority students, students with disabilities, and students that are from lower-income families. These schools give opportunity and freedom to students and parents who otherwise might not have had the chance to receive a quality education.

Nearly 40 percent of charter schools report having a waiting list, and the total number of students on all such waiting lists is enough to fill another 1,000 average-size charter schools across the country. By allowing parents and students to choose their public school, charter schools can stimulate change and improvement in all public schools and benefit all public school students.

In exchange for flexibility and autonomy, public charter schools are held accountable by their sponsors for improving student achievement and for their administration. Charter schools respond to the needs of America's communities, families, and students while promoting the principles of quality, choice, and innovation. Charter schools must meet the same No Child Left Behind student achievement accountability requirements as other public schools and often set higher and additional individual goals to ensure that they are of high quality and truly accountable to the public.

Charter schools have enjoyed broad bipartisan support from the administration, the Congress, State Governors and legislatures, educators and parents across the Nation. The fifth annual National Charter Schools Week held this week, May 3 through May 7, recognizes the significant impacts, achievements, and innovations of our Nation's charter schools. Through this resolution, Congress today acknowledges and commends the charter school movement and charter schools, students, teachers and parents and administrators across the United States for their ongoing contributions to education and improving and strengthening our Nation's public school system.

Mr. Speaker, I urge my colleagues to support this resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. RYAN of Ohio. Mr. Speaker, I yield 3 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I thank the gentleman for yielding me the time and for his work in bringing this bill forward and the gentleman on the other side as well.

I strongly support this resolution. The first Federal bill for charter schools was a bill for the District of Columbia only. I worked with Newt Gingrich on this bill when he was Speaker and when he knew that the District of Columbia opposed vouchers. Instead, he worked with me on a charter school bill, and charter schools took off in the District of Columbia as they have in no other jurisdiction today.

The District of Columbia has the largest number of charter schools. I could not be more proud of these schools. They are an alternative public school system. They are accountable to us in the same way that the District of Columbia public schools are.

This morning in the other body in the Senate, a hearing was held on charter schools in our city as a part of the D.C. appropriation. The interesting thing about the voucher fight that took place just a few months ago is that my own constituents who came in to see me, who wanted vouchers, many of them said to me that the reason that they were supporting a voucher bill is that there was such a long line of backlog in the charter schools that they did not believe their children could get into the charter schools.

I then begged the Congress to give any extra money it had to our charter schools since our council had passed a bill in favor of charter schools, our council was giving money to charter schools; and, instead, the Congress decided to make the District of Columbia the only jurisdiction in the United States to have vouchers imposed on it while the Congress itself has refused to impose private school vouchers on the country.

I invite the Congress to visit the charter schools of the District of Columbia and come see what a public school system can do in addressing the need for alternatives to public schools, as I believe there are. There are people who oppose charter schools. I think that is an unacceptable position. If, in fact, the public school the child attends is not satisfactory to that parent, there should be a public school alternative for that parent. That is exactly what the District of Columbia has. A series of public school alternatives, side by side, are our public schools.

I am proud of Arts and Technology, SEED, Friendship Edison, Cesar Chavez, Carlos Rosario, Tree of Life, Capital City, Howard Road, and KIPP to name just a few of the charter schools in the District of Columbia. We have almost 1,400 youngsters attending D.C. charter schools. The next time my colleagues want a voucher, if they come and see the charter schools in the District, they will get cured of that disease.

Mr. PORTER. Mr. Speaker, I yield 3 minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. Mr. Speaker, I thank my colleague from Nevada for the wonderful work that he has done on this resolution and for his support of charter schools. I am pleased to join him in cosponsoring this legislation and serving as an honorary cochairman of the National Charter School Week. The growth of charter schools across our country in recent years has allowed us to see firsthand the difference that these schools can make in children's lives.

In 2002, while I was a member of the Tennessee State Senate, we passed legislation allowing for the creation of

public charter schools. That was signed into law in Tennessee that year. The legislation allowed for the creation of the first four public charter schools, which opened their doors in our State in 2003. These schools have had a great start, and I am looking forward to seeing the establishment of more charter schools in Tennessee.

Unfortunately, some traditional schools fail to serve some students, and charter schools have proven to be a great alternative for many of these students. Fifteen different studies show that students frequently enter charter schools significantly below grade level and then progress at or above the gains being made in surrounding districts and demographically comparable schools or with their State averages.

National Charter School Week is a great opportunity for us to talk about the success of charter schools and the success that they are having in meeting the needs of our children and their families and the success that they are having in encouraging children to become lifelong learners.

Mr. RYAN of Ohio. Mr. Speaker, I reserve the balance of my time.

Mr. PORTER. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. GREEN).

Mr. GREEN of Wisconsin. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I rise today to add my voice in supporting the tremendous work the charter schools are doing all across this land, and I want to commend the gentleman from Nevada (Mr. PORTER) for the work he is doing to help foster the charter school movement.

In Wisconsin, I am proud to say that movement is growing by leaps and bounds. My State was among the very first to enact the charter school law in the early 1990s; and in line with our proud tradition of local leadership and public education, our charter schools are flourishing.

In fact, we have gone from one charter school in 1994 to 134 this year. Over 20,000 Wisconsin students are now enrolled in these charter schools. The Appleton School District, in my own congressional district, alone has nine such charter schools. That is how much we care about creating educational opportunities for all families.

One of the most exciting charter schools in Wisconsin is called Wisconsin Connections Academy. It is quite literally a public school without walls. The State's virtual K–8 elementary school is enrolling students from all across Wisconsin.

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The Academy's mission is to help each student maximize his or her potential and to meet the highest performance standards. This Academy is on the cutting edge of education reform, offering a uniquely individualized learning program that combines the best in virtual education with very real connections among students, families, teachers and the community. They have taken public education into their own hands, and good things are happening. They have grown from 200 students to 400, and they have received 800 applications for this year.

Mr. Speaker, here in Washington, we must stand ready to help. We must work to remove unnecessary barriers that hold back our charter school innovators, and we should work to unleash the great progressive potential that charter schools represent. Congratulations not only to the Wisconsin Connections Academy, but to all charter schools across the country that are making a very real difference in our children's future.

Mr. RYAN of Ohio. Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore (Mr. TERRY). The gentleman from Nevada (Mr. PORTER) has the right to close.

Mr. PORTER. Mr. Speaker, I yield back the balance of my time.

Mr. RYAN of Ohio. Mr. Speaker, I yield myself such time as I may consume.

We support this resolution. We appreciate the gentleman's efforts on this. I want to make perfectly clear that we want to show our support and congratulate the public charter schools for their contributions to the system, and say what great students and kids they have, and how we want to support them and their families. This is not a resolution to abandon our traditional public schools, but to show our support for charter schools.

Mr. KIND. Mr. Speaker, as a member of the House Education and Workforce Committee, as well as co-chair of National Charter School Week, I strongly support the H. Res. 600, legislation honoring the fifth annual National Charter Schools Week.

Public schools are America's commitment to providing a high quality education for every child. I am dedicated to ensuring that all children have the opportunity to receive a quality education regardless of what public school they attend. This includes charter schools, which are models of successful education reform and one of the fastest growing education innovations working to improve our public education.

As a National Co-Chair of Charter Schools Week, I would like to take a minute to celebrate the first decade of Charter Schools in the United States. Traditionally, charter schools are independent public schools, designed and operated by educators, parents, community members and others. Since the first charter school began operation in 1992 in St. Paul, Minnesota, the number of charter schools has grown to nearly 3,000 serving 750,000 students around the country in 37 states, the District of Columbia, and the Commonwealth of Puerto Rico.

Charter schools have consistently been at the forefront of my priority list, and I am pleased that Wisconsin has 137 exceptional charter schools. In my congressional district alone, we have over 24 charter schools presently and that number grows each year. I have consistently advocated for increased funding for charter schools and supported the Charter School Facilities Financing Demonstration Program during consideration of the No Child Left Behind Act (NCLB) of 2001.

Mr. Speaker, I recognize that charter schools give parents options when determining the best public school in which to enroll their children. Thus, we must ensure that all our students reach their highest academic potential, which may require attending a charter school that provides a model better suited towards an individual student's needs.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I am pleased to be here today to speak about the benefits of charter schools and their ability to deliver high-quality education and challenge our students to reach their potential. Charter schools provide thousands of our families with diverse and innovative educational options for their children.

I recently had the pleasure to visit a charter school in my district, KIPP 3D Academy. KIPP stands for Knowledge is Power Program, and this in an innovative approach to education which has been making a significant impact all over the country. Charter Schools are a unique opportunity for students to access other methods of education, and after visiting with the 3D Academy students, I can see how excited they are for learning.

Charter schools are public schools authorized by a designated public entity and are responding to the needs of our communities, families, and students and promote the principles of quality, choice, and innovation.

In exchange for the flexibility and autonomy given to charter schools, they are held accountable by their sponsors for improving student achievement and for their financial and other operations. During my visit to KIPP 3D Academy, I was able to see their substantial progress with their students, and how their strict curriculum embodied their slogan that Knowledge is Power.

Nearly 3,000 charter schools are now operating in 37 States, the District of Columbia, and the Commonwealth of Puerto Rico and serving 750,000 students.

Charter schools improve their students' achievement and stimulate improvement in traditional public schools. They also give parents new freedom to choose their public school, charter schools routinely measure parental satisfaction levels, and charter schools must prove their ongoing success to parents, policymakers, and their communities.

Charter schools nationwide serve a higher percentage of low-income and minority students than the traditional public system. These schools have enjoyed broad bipartisan support from the Administration, the Congress, State Governors and legislatures, educators, and parents across the United States.

The fifth annual National Charter Schools Week is May 3 to 7, 2004. This event is sponsored by charter schools and grassroots charter school organizations across the United States to recognize the significant impacts, achievements, and innovations of charter schools. I am pleased to join my colleagues in the House of Representatives to acknowledge and commend charter schools and their students, parents, teachers, and administrators across the United States for their ongoing contributions to education and improving and strengthening our public school system.

Mr. BOEHNER. Mr. Speaker, today I rise in support of H. Res. 600, congratulating charter schools and their students, parents, teachers,

and administrators across the United States for their ongoing contributions to education. This week is the fifth annual National Charter School Week and provides a great opportunity for Congress to recognize and honor charter schools and those involved for the role they play in reforming and improving our nation's public education system.

Charter schools are public schools that agree to improved academic achievement and accountability in financial and other operations, in exchange for increased flexibility and independence. The greater autonomy allows charter schools to focus on increasing academic achievement in each student, rather than bureaucratic paperwork. Charter schools must meet all the same No Child Left Behind achievement goals as other public schools.

Charter schools are adept at meeting the specific needs of the local community in which they are located, especially in low-income communities. Nationwide, almost half of charter schools serve students considered at-risk or who have previously dropped out of school. Charter school students share similar demographic characteristics with students in all public schools, and serve significant numbers of students from low income families, minority students, and students with disabilities.

This being the case, charter schools allow many parents and students freedom of choice that otherwise would not be available, enabling them to improve their lives with a quality education. In addition, increased flexibility allows charter schools to use varied educational methods and techniques while still remaining accountable for results.

Charter schools have benefited from a strong degree of bipartisan support from the local, state, and national levels. This is evidenced by the efforts of both Republicans and Democrats in Congress when they expanded access to charter schools through the No Child Left Behind legislation. In the two years since the enactment of that legislation, Congress and the President have provided at least $200 million dollars annually to assist in the financing of new charter schools and to provide additional aid to existing schools.

It is important for Congress to recognize, through this resolution honoring National Charter Schools Week, the benefits charter schools and those involved have brought to our education system and to our nation at large. I thank my colleague from Nevada, Mr. PORTER, for introducing this resolution, and I urge my colleagues to support this resolution.

Mr. CASTLE. Mr. Speaker, today I rise in support of H. Res. 600. This resolution recognizes National Charter Schools Week and honors charter schools and those involved for providing a quality education to children from thousands of families across the United States. The fifth annual National Charter Schools Week is May 3 through May 7, and it is during this week that we make it a point to acknowledge and celebrate charter schools.

With the enactment of the No Child Left Behind Act, Congress built on the existing opportunities for families and students that charter schools allowed and increased both access and funding for these institutions. Charter schools are public schools that give families additional freedom. These public schools have flexibility and independence from certain regulations, but submit to the same or higher accountability requirements regarding student achievement.

Beginning in 1991 with one school, charter schools have grown in prevalence in nearly every State in our nation. Currently, there are almost 2,700 schools serving nearly 3,000 students. In my home State of Delaware, we first passed a charter school law in 1995. We now have 13 charter schools, serving over 5,000 students. Delaware charter schools serve students at both the elementary and secondary levels, and stimulate change and improvement in public schools at all levels.

In communities of all types throughout Delaware and our nation, charter schools teach students using a variety of methods and techniques, often succeeding in situations that might appear to some to be less than ideal. For example, the East Side Charter School, located in the East Lake village of Wilmington, Delaware enrolls a student population in which 88 percent of the students qualify for free or reduced price lunch, yet produces academic results that exceed those of the other public schools in Delaware.

Charter schools have enjoyed a considerable amount of bipartisan support from every level, including the Administration, Congress, State governors and legislatures, local communities, parents, and teachers. During National Charter School Week, it is important to demonstrate this support by honoring and commending charter schools, and their students, parents, teachers, and administrators through this resolution and other programs, ceremonies, and activities.

Mr. ROGERS of Michigan. Mr. Speaker, I rise today to recognize the National Charter Schools Institute's 2004 Colloquium taking place in Brighton, Michigan on May 7, 2004. The NCSI 2004 Colloquium is a celebration of the families, teachers, local leaders and others who chose charter public schools because of their proven ability to help our nation's school children attain academic and personal success.

The National Charter Schools Institute has joined together with sponsors and supporters including the Michigan Department of Education, the Michigan Council of Charter School Authorizers, the Michigan Association of Public School Academies, the Black Alliance for Educational Options and the Programs for Educational Opportunities to bring this Colloquium to Brighton to benefit charter school representatives throughout the state of Michigan.

Mr. Speaker, America's charter schools are our partners in our quest to provide a quality education to all of our children. I would like to ask my colleagues to join me in recognizing the benefits of the National Charter Schools Institute 2004 colloquium to the school children of Michigan, and to ask them to join me in celebrating National Charter Schools Week.

Mr. RYAN of Ohio. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. PORTER) that the House suspend the rules and agree to the resolution, H. Res. 600, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. PORTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

RECOGNIZING BENEFITS AND IMPORTANCE OF SCHOOL-BASED MUSIC EDUCATION

Mr. PORTER. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 380) recognizing the benefits and importance of school-based music education, as amended.

The Clerk read as follows:

Whereas school music programs enhance intellectual development and enrich the academic environment for students of all ages;

Whereas students who participate in school music programs are less likely to be involved with drugs, gangs, or alcohol and have better attendance in school;

Whereas the skills gained through sequential music instruction, including discipline and the ability to analyze, solve problems, communicate, and work cooperatively, are vital for success in the 21st century workplace;

Whereas the majority of students attending public schools in inner city neighborhoods have virtually no access to music education, which places them at a disadvantage compared to their peers in other communities;

Whereas local budget cuts are predicted to lead to significant curtailment of school music programs, thereby depriving millions of students of an education that includes music;

Whereas the arts are a core academic subject, and music is an essential element of the arts; and

Whereas every student in the United States should have an opportunity to reap the benefits of music education: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That—

(1) it is the sense of the Congress that music education grounded in rigorous instruction is an important component of a well-rounded academic curriculum and should be available to every student in every school; and

(2) the Congress recognizes NAMM, the International Music Products Association for its efforts to designate a Music in Our Schools Month in order to highlight the important role that school music programs play in the academic and social development of children.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nevada (Mr. PORTER) and the gentleman from Ohio (Mr. RYAN) each will control 20 minutes.

The Chair recognizes the gentleman from Nevada (Mr. PORTER).

GENERAL LEAVE

Mr. PORTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Con. Res. 380.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nevada?

There was no objection.

Mr. PORTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of House Concurrent Resolution 380 which highlights the benefits and importance of school-based music education. I would like to thank the gentleman from Tennessee (Mr. COOPER) and the gentleman from California (Mr. CUNNINGHAM) for their leadership on this issue, and for introducing the resolution we are considering today.

Research has shown that students' involvement in their school music program is critical to a complete education. Musical study develops critical thinking and self-discipline skills, and improves a child's early cognitive development, basic math and reading abilities, self-esteem, SAT scores, ability to work in teams, spatial reasoning skills, and school attendance.

In an analysis of United States Department of Education data on more than 25,000 secondary school students, researchers found that students who report consistent high levels of involvement in instrumental music over the middle and high school years show ''significantly higher levels of mathematics proficiency by grade 12,'' regardless of a student's socioeconomic status.

A 1999 report by the Texas Commission on Drug and Alcohol Abuse found that individuals who participated in band or orchestra reported the lowest levels of current and lifelong use of alcohol, tobacco, and illicit drugs. So it is not surprising that children involved with music education are more likely to graduate from high school and attend college and are less likely to be involved with gangs and substance abuse.

In fact, many colleges and universities view participation in the arts and music as a valuable experience that broadens students' understanding and appreciation of the world around them.

For these reasons, I support H. Con. Res. 380, which recognizes the benefits and importance of school recognizing the benefits and importance of school-based music education. The resolution before the House today is simple and straightforward. It states that it is the sense of the Congress that music education grounded in rigorous instruction is an important component of a well-rounded academic curriculum and should be available to every student in every school.

It also recognizes the International Music Products Association for their efforts to designate a Music in Our Schools Month in order to highlight the important role that school music programs play in the academic and social development of children.

Music in Our Schools Month began as a single statewide celebration in 1973, and has run over the decades to encompass a day a week; and in 1985, March was designated as a month-long celebration of music in our schools.

I would like to thank two organizations that have played an important role in promoting the benefits of music education, the International Music Products Association, commonly called NAMM, in reference to the organization's popular NAMM trade shows. It is a not-for-profit association that unifies, leads, and strengthens the $16 billion global musical instruments and products industry. NAMM's activities and programs are designed to promote music making to people of all ages.

The National Association For Music Education, the world's largest arts education organization, addresses all aspects of music education. Nearly 90,000 members represent all levels of teaching from preschool to graduate school. Since 1907, the Association has worked to ensure that every student has access to a well-balanced, comprehensive, and high-quality program of music instruction taught by qualified teachers.

Music education is important to our children. It can broaden and strengthen their education and improve their lives. I commend music educators and music organizations across the country for the key roles they play in helping our children succeed in school and throughout life.

As former President Gerald Ford said, ''Music education opens the doors that help children pass from school in the world around them, a world of work, culture, intellectual activity, and human involvement. The future of our Nation depends on providing our children with a complete education that includes music.''

I urge my colleagues to support music education in our schools and H. Con. Res. 380, which highlights the benefits and importance of school-based music education.

Mr. Speaker, I reserve the balance of my time.

Mr. RYAN of Ohio. Mr. Speaker, I yield myself such time as I may consume.

I support this resolution which honors the importance of school-based music education. Specifically, this resolution recognizes that music education, grounded in rigorous instruction, is an important component of a well-rounded academic curriculum, and should be available to all students. It also recognizes that school music programs play an important role in the academic and social development of children. Any music educator will tell you that the school music program enriches the academic environment of our schools, and also enhances the intellectual development of our children. Music education is very important. I am pleased to support this resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. PORTER. Mr. Speaker, I reserve the balance of my time.

Mr. RYAN of Ohio. Mr. Speaker, I yield such time as he may consume to the gentleman from Tennessee (Mr. COOPER), and more specifically, from Music City, U.S.A.

Mr. COOPER. Mr. Speaker, I do have the privilege of representing Nashville, Tennessee, and outlying communities in the United States Congress, and we commonly go by the name Music City, U.S.A. We are very proud of that because we may have more creative individuals in our area than perhaps any other community of the world. Some say that everyone who lives there is either a musician or a songwriter, and some just haven't cut their demos yet.

We are very proud of that musical tradition and heritage, and we believe music should be included in the curriculum in our public schools. Music education is vitally important, not only for the reasons that my two colleagues have given, and I would also like to thank the original cosponsor of this legislation, the gentleman from California (Mr. CUNNINGHAM) for his strong support.

Music education I think is even more important than the reasons that have been given so far. When our Founders started talking about the values of life, liberty, and the pursuit of happiness, surely in the pursuit of happiness, they were talking about music. Music is literally the joy of life, the soundtrack of our lives. It accompanies our most important and most intimate moments. Whether it is a tune or a lyric that you carry in your heart forever, that is an important part of being fully human. It is also an important part of our educational system. A shocking number of our young people, some 30 million or more, are being deprived of this music education. They are being deprived of a well-rounded education.

Many Americans have seen the movie called ''Mr. Holland's Opus'' in which Richard Dreyfuss played a high school music teacher who did a superb job over decades teaching young people how to play an instrument in a band, how to appreciate music, and develop their minds and hearts to the fullest extent. Of course in that movie, Mr. Holland's job was terminated because the local school board did not think music was important. They considered it a luxury rather than a necessity.

But I think all thinking Americans realize music is important, it is not a luxury, it is a necessity, and it is very important for our young people to learn those skills. The music historian Jules Combarieu said, ''Music is the art of thinking with sounds.'' I hope that all of our young people will be able to learn to think with sounds and learns how to play a musical instrument.

The International Music Products Association deserves a lot of credit for helping focus our attention during this month on the needs of our students who need the ability to learn a musical instrument.

Mr. Speaker, I would like to thank the many Members of this House who strongly support this resolution. I would like to thank the members of this committee who brought forward this measure with unusual speed using an unconventional mechanism, and we appreciate the recognition of music as a key part of our public education.

However, it is very important that we do not just pay lip service to this

goal because there is no funding in this bill. This is a concurrent resolution. This just encourages, this just asks the many school districts around the country to include music as a priority. Let us make it real. Let us make sure that our public schools do have music education in the curriculum and that all of our children around this great Nation have the chance to learn the sound of music.

Mr. PORTER. Mr. Speaker, I reserve the balance of my time.

Mr. RYAN of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, again, I want to reiterate our support and thank the gentleman from Tennessee (Mr. COOPER) for his leadership on this particular piece of legislation and also all of his work as far as encouraging music in our schools. We have stories abound about famous musicians who have stumbled onto music class somehow or other. One story I am familiar with is Boyd Timsley, the famous violinist from the Dave Matthews Band. He started off in a middle school strings class, and the rest is history. The next thing we know, we have one of the premier violinists in the history of the world. We want to encourage this, but I also agree with the gentleman from Tennessee (Mr. COOPER). We want to take this to the next level.

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We cannot rely on organizations like Save Our Music to try to help encourage this. This is our government. We understand the importance of the arts. We understand the importance of the stamp of approval that the Federal Government has. I think we also want to start putting our money where our mouth is on this issue. I thank the gentleman from Nevada and the gentleman from Tennessee and all who were involved in this. We are going to support this resolution.

Mr. HOLT. Mr. Speaker, I rise in support of H. Con. Res. 380, legislation recognizing the benefits and importance of school-based music education. I am proud to join my colleagues in passing this bipartisan proposal today in the House of Representatives.

As a teacher, I can testify to the value that music and art can have in a well-rounded academic program. There is a growing body of scientific research demonstrating that children who receive music instruction perform better on spatial-temporal reasoning tests and proportional math problems.

Opportunities in music and the arts have also enabled children with disabilities to participate more fully in school and community activities.

There is something special about music an the arts that speak to what is special and unique in the human spirit. Music and the arts can motivate at-risk students to stay in school and become active participants in the education process. They teach all students about beauty and abstract thinking.

According to the College Board, college-bound high school seniors in 1998 who received music instruction scored 53 points higher on the verbal portion of the Scholastic Aptitude Test and 39 points higher on the math portion of the test than college-bound high school seniors with no music or arts instruction.

Other data show that individuals who participate in band or orchestra reported the lowest levels of current and lifelong use of alcohol, tobacco, and illicit drugs. Comprehensive, sequential music instruction assists brain development and improves cognitive and communicative skills, self-discipline, and creativity.

Mr. Speaker, music education enhances intellectual development and enriches the academic environment for children of all ages. I am proud to join with my colleagues in passing this bipartisan resolution in recognition of these facts.

Mr. RYAN of Ohio. Mr. Speaker, I yield back the balance of my time.

Mr. PORTER. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. TERRY). The question is on the motion offered by the gentleman from Nevada (Mr. PORTER) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 380, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. PORTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

CONGRATULATING UNIVERSITY OF CONNECTICUT HUSKIES FOR WINNING 2004 NCAA DIVISION I MEN AND WOMEN'S BASKETBALL CHAMPIONSHIPS

Mr. SIMMONS. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 599) congratulating the University of Connecticut Huskies for winning the 2004 National Collegiate Athletic Association Division I men and women's basketball championships.

The Clerk read as follows:

H. RES. 599

Whereas the University of Connecticut is the first school to win both the men and women's Division I basketball National Championship titles in the same year;

Whereas the University of Connecticut Huskies men's basketball team won its second National Collegiate Athletic Association championship by defeating Georgia Tech by the score of 82–73;

Whereas the University of Connecticut Huskies women's basketball team won its fifth National Collegiate Athletic Association championship by defeating the University of Tennessee by the score of 70–61;

Whereas Emeka Okafor was named Co-National Player of the Year, National Defensive Player of the Year, and the Final Four Most Outstanding Player;

Whereas Diana Taurasi was named the national women's Player of the Year, the Final Four Most Outstanding Player and received the Nancy Lieberman Award;

Whereas University of Connecticut Huskies men's head coach Jim Calhoun has led his team to two National Championships in six years, making him one of just seven coaches to ever win two titles during his coaching career;

Whereas University of Connecticut Huskies women's head coach Geno Auriemma has led his team to three consecutive National Championship titles, only the second coach to accomplish this feat, and five titles overall.

Whereas the high caliber of the University of Connecticut Huskies in both athletics and academics has significantly advanced the sport of college basketball and provided inspiration for future generations of young men and women alike; and

Whereas the University of Connecticut Huskies' championship season has rallied Connecticut residents of all ages behind a common purpose and triggered a wave of euphoria across the State: Now, therefore, be it

Resolved, That the House of Representatives commends the University of Connecticut Huskies men's and women's basketball teams for winning the 2004 National Collegiate Athletic Championships.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Connecticut (Mr. SIMMONS) and the gentleman from Ohio (Mr. RYAN) each will control 20 minutes.

The Chair recognizes the gentleman from Connecticut (Mr. SIMMONS).

GENERAL LEAVE

Mr. SIMMONS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H. Res. 599.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. SIMMONS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today with all of my Connecticut colleagues to honor the 2004 NCAA Division I men and women's championship basketball teams from the University of Connecticut, our University of Connecticut Huskies. This resolution recognizes these teams for their outstanding performances in this year's men's and women's tournaments and the University of Connecticut for being the first school ever to win both championship titles in the same year.

Mr. Speaker, every day the people of Connecticut face tough choices when they get up in the morning. Are they going to wear their men's championship T-shirt, or, alternatively, are they going to wear their women's championship T-shirt? Gosh. It is hard to make that decision because we love them both. But you cannot wear two T-shirts at once. So my constituents in Connecticut have come up with a third T-shirt, a T-shirt that celebrates the men's and the women's national championship titles. And such is the solution for the day. I will wear this one which commemorates both of my favorite teams in one T-shirt.

We have the same difficulty when it comes to Sports Illustrated. Shall we

read about the women Huskies and their championship, or shall we read about the men Huskies and their championship? Thank goodness for Sports Illustrated. They have given us both wonderful stories in one volume. It is just a question of picking where you begin.

Needless to say, all of us from Connecticut are excited about our teams. This year the men's basketball team captured the NCAA championship by defeating Georgia Tech by the score of 82–73. The team was led by Coach Jim Calhoun, who is just one of seven coaches in NCAA history to win two Division I titles in his career. Also this year, the UConn women's basketball team won the NCAA championship by defeating the University of Tennessee by a score of 70–61. Under the direction of head coach Geno Auriemma, this victory marks the third consecutive national championship and the fifth overall for the Lady Huskies. Coach Auriemma is only the second coach in NCAA history to achieve three consecutive titles.

There are many outstanding players and coaches who achieved this amazing double victory, but I will mention no names. The reason for that is because I remember a story told by Coach Geno Auriemma about the women's uniforms, the Connecticut Huskies women's uniforms. If you look carefully at the photographs, you will see that on the back of the uniforms, there are no names. Individual stars are not recognized with names on the uniforms. The reason for that is because Coach Auriemma believed that the success of the squad cannot be attributed to one individual but, rather, to the collective effort of the whole team.

I believe the victories of these two teams cannot be attributed to one person but to every player, every coach, and indeed every fan who participated in the 2004 season. These wins are not only important to the people involved but also to the University of Connecticut itself which happens to be located in my district, and I happen to have been honored to be a teaching assistant at the university for 4 years.

The university was founded in 1881 as an agricultural college in the small town of Storrs nestled in rural northeastern Connecticut. It was established through the philanthropy of two brothers, Charles and Augustus Storrs, who donated 170 acres of land with farm buildings, an orphanage and a cash donation to pay for equipment. From these humble beginnings, the University of Connecticut has blossomed into a premier research university, one of the top 25 in the country. The university has a rich history of providing educational opportunities for undergraduates of diverse interests, ability, and backgrounds. And as well, they have very substantial graduate programs.

I know that the entire State of Connecticut is proud of all the players, the coaches, the students, and the faculty at the University of Connecticut. And now I would like to join my fellow fans in the famous Huskies cheer:

U-C-O-N-N. UConn-UConn-UConn.

Mr. Speaker, I reserve the balance of my time.

Mr. RYAN of Ohio. Mr. Speaker, I yield myself such time as I may consume.

I also would like to congratulate the gentleman and the University of Connecticut. I will not be participating in the cheer, however. They were very exciting games and a very exciting year for the University of Connecticut. I rise in support of this resolution. I notice that the gentleman does have a few extra T-shirts over there that I will be more than pleased to take off his hands if he needs to get rid of any of those extra ones.

I extend a hearty congratulations, too, to both of the head coaches, both Coach Calhoun and Coach Auriemma. It is just fantastic. One, the excitement of the Final Four and the college basketball tournament. There is nothing in professional or collegiate athletics like the Final Four and the road to the Final Four. Again, we congratulate you. We will let you boast throughout the day today without being bitter at all.

I want to just say, the great sportsmanship, the excellent play, the great strategy and tactics of both coaches, it was very, very enjoyable to watch. It was a great year. I look forward to the Ohio State Buckeyes maybe participating in a little better fashion next year.

Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Connecticut (Mr. LARSON).

Mr. LARSON of Connecticut. Mr. Speaker, I thank the gentleman from Ohio for yielding me this time. I would like to associate myself with his remarks and those of my colleague from the Second Congressional District in Connecticut. We are indeed so proud in Connecticut; in fact, you could say that we are in a state of euphoria with the outstanding achievement by the men's and women's basketball teams. Randy Smith, the great sports journalist for the Journal Inquirer in Connecticut and perhaps one of the greatest sportswriters in this country, remarked, ''The poets contend that April is the cruelest of months, but the poets never met Diana Taurasi or Emeka Okafor or the UConn Huskies.''

What an extraordinary time this was. What exemplary teams, the kids that participated and played on those teams, their coaches and, of course, the great fans of Connecticut. Connecticut was able to overcome in so many respects what is commonly referred to as a curse at the start of a season when they were both named preseason to be the number one teams in men's and women's basketball respectively. So to have that burden placed on you and that expectation at the outset of a season is quite a challenge. You immediately become the target of what in collegiate sports has become the most competitive of our sports, basketball. As was noted by the gentleman from Ohio, when you look at March Madness and see how it reverberates in this Chamber and throughout the country, you get to understand and appreciate the enormous task that these kids faced and their coaches in their fulfillment of a dream that was extraordinary.

I further would like to acknowledge the teams that they played against as well. The majesty that we have come to know as collegiate athletics is such that the victories that you achieved are enhanced by the competition that you play along the way.

In the Final Four, both Minnesota and Tennessee distinguished themselves as outstanding teams in that tournament on their way to the women's Final Four, two teams that Connecticut was able to defeat. By defeating them, because of the competition and because of the great play and the heart of both of those teams makes the Connecticut victory even greater. The same is true in the men's game, with victories over both Duke, an extraordinary program in history and college basketball, and Georgia Tech. Both teams played extraordinarily throughout the tournament. Again, Connecticut's victory is only that much greater by the competition that it faced and the wins they were able to achieve during those games.

I would like to also point out that the great poet, Arthur O'Shaughnessy, used to say, ''For each age there are dreams that are fading and dreams that are coming to birth.'' The dream is now fading as we had a huge parade in Connecticut with more than 350,000 people pouring out to see our victorious champions, but it is also one that is coming to birth as child after child, as I observed the parade, could hear them cry out and point out to their mothers and fathers, there's Diana Taurasi, there's Emeka Okafor, there's Ben Gordon, there's Coach Auriemma, there's Coach Calhoun. They become full of the same kind of dreams that these coaches and athletes were able to execute on the courts.

□ 1530

And we think, quite frankly, without putting undue pressure on them that they will be able to continue to perform at the highest of levels.

I especially want to acknowledge two people who know more about the ups and downs of this team, the ins and outs of Connecticut basketball, who, in fact, live it daily, and I guess one could say nightly as well. They often do not get the credit that they deserve and perhaps are not mentioned as frequently as they should be as well, but we can see them nightly in the stands watching and observing; and with each steal, with each turnover, with each made basket and blocked shot, their aspirations and those for the team that they root for go up and down with the great fans of Connecticut.

But they are also notable for what they do beyond the basketball court and their countless contributions to charitable organizations, and I am referring, of course, to the spouses, Pat Calhoun and Kathy Auriemma, and I want to especially salute them.

Mr. SIMMONS. Mr. Speaker, I reserve the balance of my time.

Mr. RYAN of Ohio. Mr. Speaker, I yield 5 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I thank the gentleman from Ohio for yielding me this time.

I thank the gentleman from Connecticut (Mr. SIMMONS) for introducing this resolution. It is truly an honor for us to be here today, and it is an honor for us to be talking about the Connecticut Huskies, about men and women and their unbelievable demonstration of prowess and camaraderie on the basketball court. These are the teams that made the champion season. With the first sweep of the NCAA basketball championships in the same year, both the men and women were successful. The same college, they have made history, and in the process, they have inspired legions of young people to aspire to their excellence and to their remarkable example of teamwork.

The people of Connecticut are tremendously proud of their Huskies. Our women's team has now won three straight national titles, four in 5 years and a remarkable 18 straight NCAA tournament games. Through it all, they have been led by Diana Taurasi, a three-time All-American, twice named the Most Outstanding Player of the Final Four, once the National Player of the Year, and now the first overall pick by the Phoenix Mercury in this year's WNBA draft.

A fellow daughter of Italian immigrants, Diana Taurasi will be remembered as one of the best players in the history of women's basketball. But their 70-to-61 victory over the Tennessee Lady Vols was without question a team effort. And the Tennessee Lady Vols are an outstanding women's basketball team. Diana scored 17 points, Jessica Moore and Ann Strother scored 14 points, Barbara Turner another 12 points, in addition to nine rebounds, four assists, two steals, and two blocks.

And Derby, Connecticut's own Maria Conlon had seven points, knocking down four straight foul shots in the final minutes to seal the victory. It is no wonder she was called by ''Sports Illustrated'' not only a ''terrific shooter,'' but someone who ''gives hope to every woman everywhere.'' To the Huskies, Maria brought her own brand of quiet but steady leadership.

In every respect this was a team championship, making our Huskies an inspiration to young girls everywhere. And I may add that the Huskies have once again illustrated for us the results of Congress's commitment, through Title IX, that when given the resources, women are just as talented and as exciting to watch as any men's team out there, and if the Members do not believe, believe ESPN.Com's Pages 2 column, which called the UConn women's basketball team the very best sports team in the world right now.

We have come to expect this sort of success from the women's Huskies team, but the performances by the men's team in their one point win over Duke in the Final Four and their 82–73 victory over Georgia Tech for their second NCAA championship were equally as dominating. In fact, since the tournament bracket expanded to 64 teams in 1985, UConn became just the third school to win multiple championships.

It was another inspiring story, this one led by the son of Nigerian immigrants. Emeka Okafor was the obvious selection for the tournament's Most Outstanding Player award, scoring 24 points and hauling in 15 rebounds in the title game.

And by graduating a year early to enter the NBA draft, but doing so with a degree in finance, Okafor's efforts remind us how excellence in academics and athletics often go hand in hand. No wonder he is now first college basketball star ever awarded a personal locker in the Basketball Hall of Fame at the end of his collegiate career.

Two remarkable stories, two historic teams, but one indomitable spirit. I want to congratulate the Huskies and their coaches on their championship wins, their incredible seasons, and their inspirational teamwork and commitment. They have earned our recognition and our respect. Way to go, Huskies.

Mr. SIMMONS. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Connecticut (Mr. SHAYS) from Connecticut's District 4.

Mr. SHAYS. Mr. Speaker, I would like to join my Connecticut colleagues. This is really an extraordinary opportunity for us. I join the entire State of Connecticut in congratulating the University of Connecticut Women and Men Huskies for becoming the first school, ever to have both their college basketball programs win the NCAA National Championships in same year. It is extraordinary. Mr. Speaker, it is absolutely extraordinary.

The Male Huskies overcame early adversity in winning their second national championship since 1999. Despite several injuries, the UConn Huskies simply would not be denied their second national championship in 5 years. Led by Academic and Athletic All-American Emeka Okafor, junior sensation Ben Gordon at shooting guard, senior leader Taliek Brown at point guard, sharp shooter Rashad Anderson at forward, and freshman force Josh Boone, the Huskies were a force to be reckoned with.

I would also like to commend the hard work, the extraordinary work, of Jim Calhoun. He has given us years of tremendously exciting basketball. I commend him for so many things but also to say he overcame prostate cancer to become one of only three active coaches to win multiple national championships. The Huskies demonstrated quickness, great outside shooting, and stifling defense; but in the Final Four in San Antonio, they demonstrated their greatest trait, resilience. They made us a little nervous, but they demonstrated their extraordinary resilience.

Despite trailing 41 to 34 at half-time in the semifinal game against Duke, our nemesis, I think of that last-second shot and feel like they have gotten their just desserts since then. The Huskies battled back, led by Okafor's rebounding and his 18 points to win the game 79–78. I just love it. It was an amazing afternoon.

In the national championship game, the Huskies played nearly flawless basketball to beat the Georgia Tech Yellow Jackets 82 to 73.

The perennial champion UConn Lady Huskies won their third straight national championship and fourth in 5 years. That is a dynasty. It is an extraordinary dynasty. The Lady Huskies, led by one of the greatest women players ever to play the game. In fact, my staff said one of the greatest. I want to say the greatest. No one close. Diana Taurasi and her fellow starters, Ann Strother, Jessica Moore, Barbara Turner, and Maria Conlon, would not be denied a three-peat. Unlike the previous 2 years, the Lady Huskies had to battle back from early season setbacks to finish the season as the number one team again.

I would also like to commend Geno Auriemma, who has put together a streak of unbelievable seasons. He is only the second coach ever to win three straight national championships, and he has five championships total. In the national championship game, the Huskies jumped out to a 17 point lead and managed to hold off perennial opponent, the University of Tennessee, eventually winning the game 70 to 61.

Mr. Speaker, I would like to congratulate these young men and women not only for their tremendous basketball ability but also for being such extraordinary role models for Americans of all ages. I am so proud of each and every one of them. I truly am just in awe of what good kids these young men and women are. They have made us proud. They have given us extraordinary exciting times, and there is always the anticipation that there is more good to come in the future. Right, I ask the gentleman from Connecticut (Mr. SIMMONS)?

Mr. RYAN of Ohio. Mr. Speaker, I yield 4 minutes to the gentleman from Connecticut (Mr. LARSON).

Mr. LARSON of Connecticut. Mr. Speaker, I thank the gentleman from Ohio for yielding me this time.

I again want to join with my colleagues in what is a euphoric day for us to be on this floor. I see the gentleman from Georgia (Mr. ISAKSON) is here, and I just wanted to again commend the

team from Georgia Tech that did beat us at the very start of this year, and we learned from that experience, and I do think that what we have witnessed here in this country, there is such a great love for collegiate sports throughout the country, and rightfully so, at all levels and in all sports. But I think we have established a new standard here, and it is something that I think is historic, and that is why these victories themselves present one for the ages.

Just like we had Ruth's 60 home runs, the DiMaggio hitting streak, the UCLA 10 basketball championships, the men's American hockey team victory over Russia, this standard that has been set where both the division one men and women's team win successively on back-to-back nights, national championships will become the new standard for all collegiate sports to aspire to, especially, as is in the case of basketball, where both men and women's teams play.

So this is an exceptional accomplishment. For the women, as has been pointed out by both the gentlewoman from Connecticut (Ms. DELAURO) and the gentleman from Connecticut (Mr. SHAYS), the outstanding job that they have done to do this three times in a row and to have the fifth championship that the Geno Auriemma has been able to bring home to the State, extraordinary, and Jim Calhoun's second championship as well. This truly was one for the ages. It is one that we will truly enjoy and appreciate long throughout our lives and only can aspire to try to achieve that goal again, but what a goal and what a standard to strive for.

And the academic success of our athletes should be pointed out as well. The gentlewoman from Connecticut (Ms. DELAURO) mentioned that Emeka Okafor was named the Most Outstanding Player of the tournament, and indeed he was and demonstrated that time and time again, but he also is an example for all students all across this country about academic excellence. Graduating in 3 years with a 3.7 grade average speaks highly of the quality of the individuals that come to the University of Connecticut, participate in their athletics program, and succeed in the manner that Emeka Okafor has as well. So it is a wonderful tribute to a great university, to a tremendous State, and I am just honored to be on the floor here this afternoon with our colleagues to talk about that.

Mr. SIMMONS. Mr. Speaker, I yield myself such time as I may consume.

Earlier in my comments, I mentioned the fact that I would not be naming individual members of the team because I wanted to make the point that for Coach Auriemma and for the Lady Huskies, individual performance is less important than team performance.

□ 1545

But my distinguished colleague, the gentleman from the First District of Connecticut (Mr. LARSON), and my colleague, the gentleman from Connecticut (Mr. SHAYS), and my colleague, the gentlewoman from Connecticut (Ms. DELAURO), have also pointed out the historic nature of the accomplishment, the historic nature of the accomplishment, that, until this year, the men's and women's championships have not been won by any single college or university in history, in history.

On that basis, I think it is appropriate that I include for the RECORD the full roster of the men's team and the full roster of the women's team.

2003–04 WINTER WOMEN'S BASKETBALL ROSTER

Number, Name, Year, Position, Height, Hometown High School:

2, Ashley Valley, Jr., G, 5–9, Colchester, VT/Rice Memorial.

3, Diana Taurasi, Sr., G/F, 6–0, Chino, CA/Don Lugo.

4, Kiana Robinson, Fr., G, 5–8, Brandon, FL/Laurinburg Institute (NC).

5, Maria Conlon, Sr. G, 5–9, Derby, CT/Seymour.

12, Stacey Marron, Jr., G, 5–9, Albuquerque, NM/La Cueva.

20, Morgan Valley, Sr., G, 6–0, Colchester, VT/Rice Memorial.

21, Nicole Wolff, So., G, 6–0, Walpole, MA/Walpole.

22, Ashley Battle, Jr., F, 6–0, Pittsburgh, PA/The Linsly School.

23, Willnett Crockett, So., F/C, 6–2, Harbor City, CA/Narbonne.

31, Jessica Moore, Jr., C, 6–3, Palmer, AK/Colony.

33, Barbara Turner, So., F/G, 6–0, Cleveland, OH/East Technical.

34, Liz Sherwood, Fr., C, 6–4, Castle Rock, CO/Highlands Ranch.

43, Ann Strother, So., G, 6–2, Castle Rock, CO/Highlands Ranch.

2003–04 WOMEN'S BASKETBALL COACHING STAFF

Head Coach: *Geno Auriemma* 19th Season at Connecticut (West Chester '81).

Associate Head Coach: *Chris Dailey* 19th Season at Connecticut (Rutgers '82).

Assistant Coach: *Tonya Cardoza* 10th Season at Connecticut (Virginia '91).

Assistant Coach: *Jamelle Elliott* 7th Season at Connecticut (Connecticut '96).

Director of Basketball Operations: *Jack Eisenmann* Third Season at Connecticut.

2003–04 WINTER MEN'S BASKETBALL ROSTER

Number, Name, Year, Position, Height, Weight, Hometown High School:

31, Rashad Anderson, So., G/F, 6–5, 190, Lakeland, FL/Kathleen.

11, Hilton Armstrong, So., F/C, 6–10, 210, Peekskill, NY/Peekskill.

24, Jason Baisch, Jr., F, 6–6, 250, Southbury, CT/Pomperaug.

21, Josh Boone, Fr., F/C, 6–10, 230, Mt. Airy, MD/West Nottingham Academy.

33, Denham Brown, So., F, 6–5, 205, Toronto, Canada/West Hill Collegiate.

12, Taliek Brown, Sr., G, 6–1, 200, Queens, NY/St. John's Prep.

40, Justin Evanovich, Sr., G, 6–3, 195, Ann Arbor, MI/E.O. Smith (CT).

4, Ben Gordon, Jr., G, 6–2, 195, Mount Vernon, NY/Mount Vernon.

32, Ed Nelson, Jr., F, 6–8, 265, Fort Lauderdale, FL/Georgia Tech.

50, Emeka Okafor, Jr., F/C, 6–9, 252, Houston, TX/Bellaire.

2, Ryan Swaller, Sr., F, 6–5, 208, Milford, CT/Foran.

13, Ryan Thompson, Jr., F, 6–6, 215, Gold Coast, Australia/W. Nebraska C.C.

30, Shamon Tooles, Sr., G/F, 6–5, 225, Coatesville, PA/Coatesville.

3, Charlie Villanueva, Fr., F, 6–11, 230, Brooklyn, NY/Blair Academy (NJ).

23, Marcus White, So., F, 6–8, 215, Chicago, IL/Whitney Young.

5, Marcus Williams, Fr., G, 6–3, 200, Los Angeles, CA/Oak Hill (VA) Academy.

2003–04 MEN'S BASKETBALL COACHING STAFF

Head Coach: Jim Calhoun 18th Season at Connecticut (American International, 1968).

Assistant Coach: Tom Moore 10th Season at Connecticut (Boston University, 1987).

Assistant Coach: George Blaney 3rd Season at Connecticut (Holy Cross, 1961).

Assistant Coach: Clyde Vaughan 2nd Season at Connecticut (Pittsburgh, 1984).

Director of Basketball Operations: Andre LaFleur 3rd Season at Connecticut (Northeastern, 1988).

The SPEAKER pro tempore (Mr. TERRY). Does the gentleman wish to submit the T-shirts and hats?

Mr. SIMMONS. The T-shirts and hats will not be submitted for the RECORD, because, as I indicated earlier in my statement, I wear them around when I am at home. The hats I know I am not allowed to wear in the Chamber, but I will display them; and Members of the body can come and admire them later today, if they so desire.

Mr. Speaker, I reserve the balance of my time.

Mr. RYAN of Ohio. Mr. Speaker, I yield myself such time as I may consume just to say I have been proud to be part of the Connecticut delegation here today.

Mr. LARSON of Connecticut. Mr. Speaker, I rise today to congratulate the University of Connecticut Men's and Women's basketball teams for this historic double championship wins in the 2004 NCAA Tournament. Today, thanks to men and women of the Huskies, Connecticut is a state of champions.

Earlier this month, the nation learned what the people of Connecticut knew long ago: the skill and sportmanship of the UConn Huskies is the stuff of legends. After the ups and downs of the regular season, UConn went on to dominate the NCAA tournament and emerged as the first school to win both the men's and women's tournaments in the same season. On April 6, 2004, the Husky men brought home their second national title with an 83–72 win over the Georgia Tech Yellow Jackets. The next night, the Lady Huskies went on to beat the Lady Vols of the University of Tennessee, 70–61, fulfilling yet another historic achievement by being the second team to capture three consecutive national titles.

This has been an unprecedented year for the Huskies, and Jim Calhoun, Geno Auriemma, Chris Dailey, Tom Moore, George Blaney, Clyde Vaughan, Andre LaFleur, Tonya Cardoza, Jamelle Elliot, Jack Eisenmann, and the entire UConn basketball program should be commended for their unmatched leadership and pursuit of excellence on and off the basketball court.

Once again this year, the men and women of the Huskies have proven themselves to be the best players in the country. Players like Emeka Okafor and Diana Taurasi personify the skill, hard work and dedication it takes to succeed. I know that I join many UConn fans when I say that I look forward to watching Diana play for the Phoenix Mercury, and wish Emeka and Ben Gordon luck in the NBA draft this summer.

The men and women of the UConn Huskies have long been a source of pride for the State of Connecticut. Their success is a reflection of the very best qualities of our student athletes, and will no doubt inspire young boys and girls in our state and across the country to achieve their goals.

Not only do the huskies have the best players in the country, they have the best and most dedicated fans. For proof of this, one needs to look no further than the crowd of 300,000 excited UConn fans that lined the streets of Hartford for the Husky victory parade this past Sunday. The size of the crowd, roughly three times the city's own population, clearly demonstrates that the Huskies have a special place in the hearts and minds of the people of Connecticut.

I ask my colleagues to join me in paying tribute to the UConn men's and women's basketball teams and celebrating their success. They are truly a credit to their families, to their University, to the great state of Connecticut, and to the nation as a whole.

Mr. RYAN of Ohio. Mr. Speaker, I yield back the balance of my time.

Mr. SIMMONS. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Connecticut (Mr. SIMMONS) that the House suspend the rules and agree to the resolution, H. Res. 599.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. SIMMONS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

CONGRATULATING UNIVERSITY OF DENVER MEN'S HOCKEY TEAM FOR WINNING 2004 NCAA MEN'S HOCKEY NATIONAL CHAMPIONSHIP

Mr. ISAKSON. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 408) congratulating the University of Denver men's hockey team for winning the 2004 NCAA men's hockey national championship, and for other purposes.

The Clerk read as follows:

H. CON. RES. 408

Whereas on Saturday, April 10, 2004, the University of Denver men's hockey team won its 6th national hockey championship, their first such win since 1969;

Whereas the team was led by goaltender Adam Berkhoel, who finished the game with a shutout, only the 3rd shutout in hockey national championship game history; the first occurring in 1968 when the University of Denver beat North Dakota by a score of 4–0;

Whereas Adam Berkhoel made 24 saves in the 2004 championship game and was named Most Outstanding Player of the Frozen Four;

Whereas Gabe Gauthier scored the 2004 championship game's only goal in the first period, assisted by Connor James;

Whereas the Pioneers kept the Black Bears scoreless despite a 3-man advantage for Maine with 2 minutes to go in the 3rd period;

Whereas the roster of the Pioneers' 2004 team also included Max Bull, Ryan Caldwell, Matt Carle, J.D. Corbin, Lukas Dora, Jeff Drummond, Glenn Fisher, Jon Foster, Luke Fulghum, Jussi Halme, Michael Handza, Ryan Helgason, Jon James, Greg Keith, Danny King, Matt Laatsch, Nick Larson, Scott McConnell, Brock McMorris, Ted O'Leary, Jeff Rogers, Brett Skinner, Kevin Ulanski, and Adrian Veideman;

Whereas Head Coach George Gwozdecky and his coaching staff, including Assistant Coach Steve Miller, Assistant Coach Seth Appert, Director of Hockey Operations David Tenzer, and Volunteer Assistant Coach Chris LaPerle, deserve much credit for the outstanding determination and accomplishments of their team; and

Whereas the students, alumni, faculty, and supporters of the University of Denver Pioneers are to be congratulated for their commitment and pride in their 2004 national champion men's hockey team: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) congratulates the University of Denver men's hockey team for winning the 2004 NCAA men's hockey national championship;

(2) recognizes the achievements of all the team's players, coaches, and support staff and invites them to the United States Capitol Building to be honored;

(3) requests that the President recognize the achievements of the University of Denver men's hockey team and invite the team members to the White House for an appropriate ceremony honoring a national championship team; and

(4) directs the Clerk of the House of Representatives to make available to the University of Denver enrolled copies of this resolution for appropriate display and to transmit an enrolled copy of this resolution to each coach and member of the 2004 NCAA men's hockey national championship team.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. ISAKSON) and the gentleman from Ohio (Mr. RYAN) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia (Mr. ISAKSON).

Mr. ISAKSON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to rise today in support of H. Con. Res. 408, which congratulates the University of Denver's men's hockey team for winning the 2004 NCAA men's hockey national championship.

On Saturday, April 10, 2004, the University of Denver men's hockey team won its sixth national hockey championship by defeating the University of Maine 1 to nothing. The University of Denver had previously won five national titles in a 12-year span between 1950 and 1962, but this year's championship was their first since that time.

It was an exciting game, with the Denver Pioneers keeping the Maine Black Bears scoreless, despite a three-man advantage for Maine with 2 minutes to go in the third period of the match.

The game was just the third shutout in NCAA hockey championship history, and the announced crowd of 18,597 was the largest to watch a hockey game in the Fleet Center, which is the home of the NHL's Boston Bruins.

Adam Berkhoel, Denver's goalie, made 24 saves in the 2004 championship game and was named the Most Outstanding Player in the Frozen Four, which is the finals for the NCAA hockey matches.

The resolution before the House today congratulates the University of Denver men's hockey team, its players and coaches, for winning the 2004 NCAA men's hockey national championships, and recognizes the achievement of all the team's players, coaches, and staff.

Indeed, Denver University, the citizens of Denver and Colorado and all the students of the university are to be congratulated for their commitment and the great pride they take in this great accomplishment by winning the NCAA hockey championships.

Mr. Speaker, I reserve the balance of my time.

Mr. RYAN of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H. Con. Res. 408, a resolution congratulating the University of Denver for winning the NCAA hockey national championship. Just last month, the Pioneers captured the national championship after a hard fought Frozen Four. This championship culminated in an impressive season. College fans, student athletes, and the general public were treated to an exciting final game.

I want to extend my hearty congratulations to Head Coach George Gwozdecky. Also to be congratulated are a number of players, Adam Berkhoel, who made 24 saves. I also want to extend my congratulations to North Dakota, who, despite their loss, showed the quality of their school and their athletic talent through great sportsmanship.

Winning this championship has brought national acclaim to the University of Denver. I hope the Pioneers' fans and the university community treasure this moment for many years to come.

Mr. Speaker, I yield back the balance of my time.

Mr. ISAKSON. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. ISAKSON) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 408.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

CONGRATULATING KENNESAW STATE UNIVERSITY OWLS FOR WINNING 2004 NCAA DIVISION II MEN'S BASKETBALL NATIONAL CHAMPIONSHIP

Mr. ISAKSON. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 594) congratulating the Kennesaw State University Owls for winning the 2004 NCAA Division II Men's Basketball National Championship, and for other purposes.

The Clerk read as follows:

H. RES. 594

Whereas on March 27, 2004, the Kennesaw State University Owls defeated the University of Southern Indiana Screaming Eagles in Bakersfield, California, to win the 2004 NCAA Division II Men's Basketball National Championship;

Whereas 2004 marks the Kennesaw State University Owls' first NCAA Division II Men's Basketball National Championship;

Whereas the Kennesaw State University Owls won their final 26 consecutive games and achieved a 35–4 season record in the 2003–2004 season;

Whereas the Kennesaw State University Owls were undefeated in the Peach Belt Conference in the 2003–2004 season, and they became the first team from the Peach Belt Conference to win the Division II National Championship;

Whereas the Kennesaw State University Owls were led to victory by Head Coach Tony Ingle, Assistant Coaches Jeff Jones and Stace Tedford, Graduate Assistant Greg Matta, Bench Coach Ron Smith, Student Assistant Tony Ingle, Jr., and Head Athletic Trainer Karen Pfeifer;

Whereas the Kennesaw State University Owls' team of outstanding players, including Will Davis, Darrell Fisher, Terrence Hill, Israel Ingle, Georgy Joseph, Kenan Knight, Rey Luque, Kevin McDonald, Reggie McKoy, Taylor Patternson, Tobias Seldon, Cardale Talley, Justin Thompson, and Tommy Thompson contributed extraordinary performances both throughout the regular season and during the postseason in the Peach Belt Conference Tournament and the NCAA Division II Men's Basketball Tournament;

Whereas the Kennesaw State University Owls' senior guard Terrence Hill, who CBS named the game's Most Valuable Player, was critical to the team's championship, scoring a game-high 26 points and making 8 of 16 field goal attempts, including 4 of 7 attempts at 3-point shots;

Whereas Kennesaw State University, located in Kennesaw, Georgia, is headed by President Betty L. Siegel and has an enrollment of 15,600 students; and

Whereas the Kennesaw State University Owls men's basketball team has brought great pride to Kennesaw State University, the city of Kennesaw, and the State of Georgia: Now, therefore, be it

Resolved, That the House of Representatives—

(1) congratulates the Kennesaw State University Owls for winning the 2004 NCAA Division II Men's Basketball National Championship;

(2) recognizes the contributions of the Kennesaw State University Owls' players, coaches, staff, faculty, families, and supporters in winning the 2004 NCAA Division II Men's Basketball National Championship;

(3) commends the city of Kennesaw, Georgia, for its enthusiastic support of the Kennesaw State University Owls; and

(4) hopes that the high academic and athletic standards set by the Kennesaw State University Owls will continue to inspire fans and young players around the world by producing student athletes of a high caliber.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. ISAKSON) and the gentleman from Ohio (Mr. RYAN) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia (Mr. ISAKSON).

Mr. ISAKSON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first of all I want to thank the gentleman from Connecticut (Mr. LARSON), who about two debates ago acknowledged the Georgia Tech Yellow Jackets who unfortunately lost in the NCAA finals to the great University of Connecticut basketball team. Today, we are on the floor acknowledging the champions, but, really, all of those in higher education who compete in the NCAA.

I am pleased to author and ask this House to consider its bipartisan support for H. Res. 594, which commends the Kennesaw State University Owls men's basketball team for winning the NCAA Division II national championship.

Kennesaw State won the last 26 games of its season, finished with a record of 34 and 5, and defeated the University of Southern Indiana Screaming Eagles in Bakersfield, California, by a margin of 84 to 59 in the national championship game.

This great university and its great athletic program won the Peachbelt Conference Championship for the 2003–2004 season. Head Coach Tony Ingle, who was named the Naismith Co-Coach of the Year in Georgia, along with Paul Hewitt of Georgia Tech, led Kennesaw State University to a truly outstanding year.

All-American Terrance Hill, who was selected All-American, one of the top 15 NCAA basketball players in the United States of America, was also chosen the most valuable player in the final game against Southern Indiana.

The Kennesaw State University Owls have a great athletic program, and this victory is a great tribute to their effort; but I think it is important when we talk about athletics that we talk about it in the context of student athletics as well, and this resolution affords me an opportunity to talk a little bit about this great university, which is celebrating its 40th year.

Forty years ago, two representatives from the State of Georgia, Representative Joe Mack Wilson and Representative Al Burruss, both of whom are not with us now but did a great job for so many years in the legislature, spawned the idea that with Atlanta's growth it was important to have an urban commuter college to support the universities that were in the area; and thus Kennesaw State College, at that time, became one of the 34 units of the university system of Georgia.

Their first president, Dr. Horace Sturgis, started that college on a shoestring on property donated by the Fry family, leading citizens of the community of Kennesaw.

From its humble beginning, Kennesaw State has grown to university status, and now has almost 19,000 full-time residential and commuter students studying medicine, studying nursing, studying business, and studying education. The academic achievements of its graduates is renowned in Georgia, and its graduate executive MBA program has been recognized in national publications as one of the finest in the country.

Dr. Horace Sturgis, its first president, was succeeded by Dr. Betty Siegel, its second president, who continues as president of this university now for more than 20 years. It is under her leadership that participation in athletics and NCAA status have helped to raise the visibility of that university, while at the same time it has remained committed to outstanding academic achievement and providing outstanding academic studies for those residents of the greater metropolitan area, and now, truly, the entire Southeast.

Mr. Speaker, it is a privilege and pleasure for me to present H. Res. 594, commending Kennesaw State University's NCAA men's basketball champions, and also to commend all the universities and colleges in the NCAA who produce student athletes who go on into life to act as leaders in their communities and continue the great tradition of the NCAA.

Mr. Speaker, I reserve the balance of my time.

Mr. RYAN of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this resolution and want to thank the gentleman from Georgia, congratulating Kennesaw State University for winning the NCAA Division II men's basketball national championship.

Two months ago, the Owls captured this title, culminating in a very impressive season. Kennesaw State won their last 26 games. Unbelievable. College fans and student athletes and the citizens of the State of Georgia were treated to a very exciting basketball season.

I just want to extend my congratulations from the great State of Ohio. It is obvious that the gentleman from Georgia has great passion about the influence that student athletes can have on the future of our society and on the future of the State of Georgia, and I want to rise in support.

Ms. MAJETTE. Mr. Speaker, today I would like to offer my congratulations to the Kennesaw State University Men's Basketball team on winning the 2004 NCAA Division II National Championship. This is a tremendous accomplishment and the players and coaching staff of the Kennesaw State University Men's Basketball team are to be commended.

I would like to congratulate Head Coach Tony Ingle. Under his leadership, the Owls of Kennesaw State have achieved new levels of success. Coach Ingle has been named the Division II Bulletin/Moulten Coach of the Year, the National Association of Basketball Coaches Coach of the Year, and the Naismith

Awards Georgia Co-Coach of the Year. These accolades are a testament to his knowledge and experience in the sport of basketball as well as his strength as a leader. Coach Ingle has been able to take a promising young program under his wing and guide it to new heights.

I would also like to recognize the individual Owl players for their hard work and tremendous dedication. It takes incredible endurance and grueling physical and mental trials to attain a national championship. The players of Kennesaw State have not only endured, but excelled and thereby achieved one of the highest honors in college athletics. Their dedication serves as an example of devotion, and their commitment and perseverance is to be commended here today.

As we recognize this achievement, we must not forget that while working toward these goals, these athletes are college students, equally committed to completing their studies and gaining an invaluable education at one of our great institutions of higher learning. I would also like to offer my congratulations to Kennesaw State University. A strong support network is required for athletes to achieve the level of success that these students have attained. Kennesaw State University has provided this network, which includes faculty, members of the administration and the student body, in support of the men's basketball team as they worked toward this national title.

Finally, I would like to ensure that the parents of these student athletes receive their very just accolades. The importance of a parent's role in the success of a child cannot be underestimated. Whether waking up early to shuttle children to and from practice or driving great distances to cheer their kids on from the stands, parents sacrifice much so that their kids can achieve more. Through ups, downs, success and defeat, a parent's support is often the bedrock on which a student athlete stands.

Again, I would like to congratulate the Kennesaw State University Men's Basketball Team on winning the 2004 Division II National Championship and wish them well in all of their future endeavors.

Mr. RYAN of Ohio. Mr. Speaker, I yield back the balance of my time.

Mr. ISAKSON. Mr. Speaker, having no further speakers, I encourage all Members to vote in favor of H. Res. 594, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. ISAKSON) that the House suspend the rules and agree to the resolution, H. Res. 594.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m.

Accordingly (at 3 o'clock and 59 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. BIGGERT) at 6 o'clock and 30 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4227, MIDDLE-CLASS ALTERNATIVE MINIMUM TAX RELIEF ACT OF 2004

Mr. LINCOLN DIAZ-BALART of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 108–477) on the resolution (H. Res. 619) providing for consideration of the bill (H.R. 4227) to amend the Internal Revenue Code of 1986 to extend to 2005 the alternative minimum tax relief available in 2003 and 2004 and to index such relief for inflation, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. BIGGERT). Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed. Votes will be taken in the following order:

House Resolution 600, by the yeas and nays;

House Concurrent Resolution 380, by the yeas and nays; and

House Resolution 599, by the yeas and nays.

The first and third electronic votes will be conducted as 15-minute votes. The second vote in this series will be a 5-minute vote.

CONGRATULATING CHARTER SCHOOLS FOR THEIR ONGOING CONTRIBUTIONS TO EDUCATION

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 600, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. PORTER) that the House suspend the rules and agree to the resolution, H. Res. 600, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 396, nays 0, answered ''present'' 3, not voting 34, as follows:

[Roll No. 139]

YEAS—396

Abercrombie
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Ballance
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Becerra
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boswell
Boucher
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carson (OK)
Carter
Case
Castle
Chandler
Chocola
Clay
Clyburn
Coble
Cole
Collins
Conyers
Cooper
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
DeLauro
DeLay
Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Dooley (CA)
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Emanuel
Emerson
Engel
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Foley
Forbes
Ford
Fossella
Frank (MA)
Franks (AZ)
Frelinghuysen
Frost
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hill
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley (OR)
Hostettler
Houghton
Hoyer
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Kleczka
Kline
Kolbe
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Lynch
Majette
Maloney
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore
Moran (KS)
Moran (VA)
Murphy
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Renzi
Reyes
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo

Sánchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Saxton
Schakowsky
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spratt
Stark
Stearns
Stenholm
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Vitter
Walden (OR)
Walsh
Wamp
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

ANSWERED ''PRESENT''—3

Ackerman
Strickland
Tierney

NOT VOTING—34

Bell
Bono
Boyd
Brown, Corrine
Burr
Burton (IN)
Buyer
Carson (IN)
Chabot
Culberson
Delahunt
DeMint
Doggett
Edwards
English
Gephardt
Hulshof
Kanjorski
Knollenberg
Kucinich
McInnis
Murtha
Musgrave
Nethercutt
Platts
Portman
Reynolds
Rohrabacher
Slaughter
Solis
Tauzin
Toomey
Turner (OH)
Visclosky

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. BIGGERT) (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1855

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. SOLIS. Mr. Speaker, during rollcall vote No. 139 on H. Res. 600 congratulating charter schools, I was unavoidably detained. Had I been present, I would have voted ''yea.''

RECOGNIZING BENEFITS AND IMPORTANCE OF SCHOOL-BASED MUSIC EDUCATION

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 380, as amended.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. PORTER) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 380, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 402, nays 0, not voting 31, as follows:

[Roll No. 140]

YEAS—402

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Ballance
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Becerra
Bell
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boswell
Boucher
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carson (OK)
Carter
Case
Castle
Chandler
Chocola
Clay
Clyburn
Coble
Cole
Collins
Conyers
Cooper
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
DeLauro
DeLay
Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Dooley (CA)
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emanuel
Emerson
Engel
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Foley
Forbes
Ford
Fossella
Frank (MA)
Franks (AZ)
Frelinghuysen
Frost
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hill
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley (OR)
Hostettler
Houghton
Hoyer
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Kleczka
Kline
Knollenberg
Kolbe
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Lynch
Majette
Maloney
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore
Moran (KS)
Moran (VA)
Murphy
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Renzi
Reyes
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Saxton
Schakowsky
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stupak
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Vitter
Walden (OR)
Walsh
Wamp
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—31

Bono
Boyd
Brown, Corrine
Burr
Burton (IN)
Buyer
Cannon
Carson (IN)
Chabot
Culberson
Delahunt
DeMint
Doggett
English
Gephardt
Hulshof
Kanjorski
Kucinich
McInnis
Murtha
Nethercutt
Portman
Reynolds
Rohrabacher
Smith (MI)
Solis
Sullivan
Tauzin
Turner (OH)
Visclosky
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are reminded that there are 2 minutes remaining in this vote.

□ 1904

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. SOLIS. Mr. Speaker, during rollcall vote No. 140 on H. Res. 380, recognizing the importance of music education, I was unavoidably detained. Had I been present, I would have voted ''yea.''

CONGRATULATING UNIVERSITY OF CONNECTICUT HUSKIES FOR WINNING 2004 NCAA DIVISION I MEN AND WOMEN'S BASKETBALL CHAMPIONSHIPS

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 599.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from Connecticut (Mr. SIMMONS) that the House suspend the rules and agree to the resolution, H. Res. 599, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 401, nays 0, answered ''present'' 2, not voting 30, as follows:

[Roll No. 141]

YEAS—401

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Ballance
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Becerra
Bell
Bereuter
Berkley
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boswell
Boucher
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carson (OK)
Carter
Case
Castle
Chandler
Chocola
Clay
Clyburn
Coble
Cole
Collins
Conyers
Cooper
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
DeLauro
DeLay
Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Dooley (CA)
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emanuel
Emerson
Engel
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Foley
Forbes
Ford
Fossella
Frank (MA)
Franks (AZ)
Frelinghuysen
Frost
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hensarling
Herger
Hill
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley (OR)
Hostettler
Houghton
Hoyer
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Kleczka
Kline
Knollenberg
Kolbe
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Lynch
Majette
Maloney
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore
Moran (KS)
Moran (VA)
Murphy
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Regula
Rehberg
Renzi
Reyes
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Saxton
Schakowsky
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Vitter
Walden (OR)
Walsh
Wamp
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

ANSWERED ''PRESENT''—2

Gingrey
Hayes

NOT VOTING—30

Berman
Bishop (UT)
Bono
Boyd
Brown, Corrine
Burr
Burton (IN)
Buyer
Carson (IN)
Chabot
Culberson
Delahunt
DeMint
Doggett
English
Gephardt
Hulshof
Kanjorski
Kucinich
McInnis
Murtha
Nethercutt
Portman
Rangel
Reynolds
Rohrabacher
Solis
Tauzin
Turner (OH)
Visclosky

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. BIGGERT) (during the vote). Members are reminded there are 2 minutes remaining in this vote.

□ 1920

Mr. KING of Iowa changed his vote from ''nay'' to ''yea.''

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. SOLIS. Mr. Speaker, during rollcall vote No. 141 on H. Res. 599, congratulating the University of Connecticut Huskies, I was unavoidably detained. Had I been present, I would have voted ''yea.''

PERSONAL EXPLANATION

Mr. BURTON of Indiana. Madam Speaker, as today is primary election day in Indiana, I was delayed in my return to Washington, DC, and therefore unable to be on the House floor for rollcall votes 139, 140, and 141. Had I been here I would have voted ''yea'' for rollcall vote 139, ''yea'' for rollcall vote 140, and ''yea'' for rollcall vote 141.

PERSONAL EXPLANATION

Mr. DeMINT. Madam Speaker, I was absent during rollcall votes 139, 140, and 141. Had I been present, I would have voted ''yea'' on each of the votes.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 898

Mrs. MYRICK. Madam Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 898, the Lumbee Recognition Act.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON S. CON. RES. 95, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2005

Mr. MOORE. Madam Speaker, subject to rule XXII, clause 7(c), I hereby announce my intention to offer a motion to instruct on S. Con. Res. 95, Concurrent Resolution on the Budget for Fiscal Year 2005.

The form of the motion is as follows:

I move that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the House amendment to the concurrent resolution S. Con. Res. 95 be instructed to agree to the pay-as-you-go enforcement provisions within the scope of the conference regarding direct spending increases and tax cuts in the House and Senate. In complying with this instruction, such managers shall be instructed to recede to the Senate on the provisions contained in section 408 of the Senate concurrent resolution (relating to the pay-as-you-go point of order regarding all legislation increasing the deficit as a result of direct spending increases and tax cuts).

BIDDING FAREWELL TO ''MORNING EDITION'S'' BOB EDWARDS

(Mr. BLUMENAUER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BLUMENAUER. Madam Speaker, Friday marked the farewell to ''Morning Edition's'' Bob Edwards. PBS's ''Morning Edition'' has become the signature program for public radio across America, giving expression to things about which Americans care the most: war and peace, arts and culture, athletics, the dramas large and small that shape our everyday lives, and the global events that profoundly affect the way Americans look at themselves and others.

For 24½ years, Bob Edwards has been the voice of ''Morning Edition.'' Two

generations have grown up with him, four have been profoundly influenced. His has been a voice of civility, reason, thoughtful exchange, and good humor, exactly why most of us are not just devoted fans of public broadcasting, but heavily dependent upon it.

Thank you, Bob Edwards, for almost a quarter century of enriching our lives. The last show was poignant and insightful, everything we have come to expect from you. With profound sadness and regret at your departure, we have great expectations about what you will do next.

Best wishes, Bob Edwards.

PRESIDENT EXPLAINING AWAY TERRIBLE ECONOMIC RECORD IN OHIO

(Mr. BROWN of Ohio asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROWN of Ohio. Madam Speaker, President Bush came to Ohio today on about his 20th trip to campaign for reelection in our State, and the reason he comes back so often in Ohio is to try to explain away his terrible economic record.

Since George Bush became President, Ohio has lost one-sixth of its manufacturing jobs; 177,000 manufacturing jobs alone have left the State. Every single month of the Bush administration, we have lost manufacturing jobs.

The President's answer? More tax cuts for the most privileged people. If you make $1 million, you get a $123,000 tax cut, hoping that will trickle down and create jobs. It is not working. His other solution is more NAFTA-like trade agreements that hemorrhage jobs, that send jobs overseas.

We need to change the direction of this economy, to change the direction of this country. Workers should get their unemployment compensation extended. We should be giving breaks to those companies that manufacture in the United States, not ship jobs overseas.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. COLE). Under the Speaker's announced policy of January 7, 2003, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

MAKING THE BAN ON ASSAULT WEAPONS PERMANENT

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Mrs. MCCARTHY) is recognized for 5 minutes.

Mrs. MCCARTHY of New York. Mr. Speaker, this Sunday is Mother's Day; and while many of our colleagues will be spending time with their families and their wives, thousands of women will be coming down here to Washington again to have their voices heard. We are going to have an Assault on Washington to make sure the assault weapons ban stays in place. We only have until September 13 to make sure a vote comes up on this floor.

As you can see by the poster, when our children go back to school, when your kids go back to school, will assault weapons be going back too?

Mr. Speaker, on Sunday of last week, I went to a memorial service for our police officers that have died in the line of duty, and they were put on the Wall. Many of those police officers came up to me and they said, What is going on in Washington? Why in heaven's name would anyone down there want to have assault weapons back on the streets?

Well, the million moms, the grandmothers, their husbands, grandfathers will be here on Sunday. Our voices will be heard once again. But this is only going to be the kickoff; because from Sunday on, throughout the United States we are going to be touring the country and raising our voices and awareness. The American people have to realize, come September 13, assault weapons, Uzis, AK–47s, Bushmasters will be back on the street.

Do we want to go back there? Do we want to go back to the time when these guns were gunning down children in our communities, gunning down our police officers? Does anybody remember why we banned the assault weapons in the first place? Because too many people were dying.

The American people do not want assault weapons back on their streets. They can do something about that. Call the Speaker of the House. Call the President, who has promised to sign the bill if it gets on his desk. That is an empty promise. If we cannot have a vote here in the House to make sure the assault weapons ban is renewed and made permanent, they will be back on our streets. Even gun owners across this Nation agree that assault weapons should not be on the streets.

Mr. Speaker, we have to do an awful lot of work between here and the end of this session, but I am saying to my colleagues that we must all come together to make sure the assault weapons ban stays in place. We have to do this. It is common sense. It is not taking away the right of anyone to own a gun.

I know there are people out there that feel they should have an assault weapon. Well, unfortunately, when we see gangs in our communities growing every day, when we see drug lords coming into our communities every day, when they talk about having terrorists in our communities waiting who can go to a gun show or go into your local gun store now and buy assault weapons, is that what we wanted?

When I first got involved in this issue, it was for personal reasons. Many of the people that will be here on Sunday are victims. Many have lost their children, many have lost their husbands, many have lost their wives. This is something the American people can do, but we must hear from you.

Again, the American people on a grassroots level can make a difference. There are so many nurses out there, teachers out there, doctors out there that are behind us on making sure it gets through. But you cannot just say you want this. You have to call.

□ 1930

You have to call your Representative. You have to call your Senators. You have to make sure that they hear from you.

With this election season coming up, this should be an issue. We can save lives. We can save an awful lot of lives. Why should we go forward and let these assault weapons back on our streets, and then, all of a sudden, a tragedy happens in our school yard or on a train, or anywhere in this country? And again, the panic that comes here. We have to do something; we have to do something.

This is a bill that has worked. This is a bill that does work. I happen to think we should make it stronger by making it permanent. I happen to think the gun manufacturers should be held accountable for making copycats. But the main issue should be assault weapons of any kind should not come back onto our streets. This is something that we can do. I need your help. I need the American people's help. Come out on Sunday. Come out and support the assault on assault weapons bans. Protect our children.

ALCOHOL AWARENESS MONTH AND H. RES. 575

The SPEAKER pro tempore (Mr. COLE). Under a previous order of the House, the gentleman from Nebraska (Mr. OSBORNE) is recognized for 5 minutes.

Mr. OSBORNE. Mr. Speaker, this evening we honored the Connecticut men's and women's basketball teams for winning national championships, a truly remarkable accomplishment to have two teams from one school do this. Not long ago, the National Academy of Science released a report on preventing underage drinking. This seems like disparate events, but they are actually connected.

The National Academy of Science report recommended that colleges and universities ban alcohol advertising and promotion on campus in order to discourage alcohol use among underage students.

Research points out the problem of alcohol consumption on college campuses. First of all, 1,400 college students are killed annually in alcohol-related accidents, and we have all anguished over the fatalities in Iraq, over 700. Well, more than double that number will be killed on college campuses this year because of alcohol abuse.

The proportion of college students who say they drink to get drunk is rising. In 1993, roughly 40 percent of college students reported binge drinking.

By 2001, that figure had risen to 48 percent. Mr. Speaker, 70,000 students are victims of alcohol-related sexual assaults each year. Most of these are date rapes. More than 500,000 students suffer alcohol-related injuries annually.

Despite these statistics, a total of $53 million in 2001 and $58 million in 2002 was spent to place ads in college sports programs by the alcohol industry.

The 2002 NCAA basketball tournament had more alcohol ads then the Super Bowl, the World Series, college bowl games, and Monday Night Football combined. Alcohol advertising made up more than twice the percentage of ad spending on college sports of all other television programs in 2001 and 2002. Recent riots at the University of Connecticut and Iowa State, as well as some of the recruiting scandals we have heard about on college campuses, have been fueled largely by alcohol.

A spokesperson from the NCAA recently said, ''Alcohol advertising is not inconsistent with our mission.'' I beg to differ. The NCAA handbook states that NCAA policy should exclude ''advertisements that do not seem to be in the best interests of higher education.''

As a result of the mixed messages our colleges and universities are sending, I have introduced House Resolution 575 calling upon NCAA member schools to voluntarily ban advertising on college sports broadcasts. This is simply a resolution. It is something I hope that Members of Congress will get behind because we think we need to call attention to the inconsistency of policies that our colleges and universities are promoting.

Dean Smith, the former North Carolina basketball coach who set all kinds of coaching records said this. He said, ''If aspirin were the leading cause of death on college campuses, do you think chancellors, presidents, and trustees would allow aspirin commercials on basketball commercials on telecasts. They wouldn't, not for a minute.''

I recently speak to Coach John Wooden, who won 10 NCAA basketball championships in 12 years; and he wholeheartedly endorses taking alcohol advertising out of college sports. So I would agree with Dean Smith and Don Wooden, because over 36 years on college campuses, I saw case after case where alcohol was the biggest problem that we encountered.

Apparently others agree: 84 percent of Americans think advertising beer on college games is not in the best interests of higher education; 71 percent of Americans support a ban of alcohol ads on college games; 77 percent of parents say it is wrong for colleges to profit from alcohol advertising while trying to combat alcohol abuse on their campuses.

The problem outlined by the National Academy of Science study goes beyond the college campus. I think this is certainly worthy of note, Mr. Speaker. Underage drinking is a serious issue in our middle schools, in our high schools and, in some cases, in our elementary schools. We have over 3 million teenage alcoholics in our country today. By the end of the eighth grade, 47 percent of students have engaged in heavy drinking. Most eighth graders are 13 years old. Children who drink before age 15 are four times more likely to become alcohol-dependent than those who wait until after 15. Underage drinking kills 6.5 times more youth than all other illegal drugs combined; and yet this problem flies largely under the radar screen. Underage drinking costs the American taxpayers each year more than $50 billion. Despite these numbers, the Federal Government spends 25 times more on combating drugs such as cocaine, marijuana, and heroin than on preventing underage alcohol use.

I urge my colleagues to pay attention to this serious problem, as we are going to shortly introduce some legislation to combat this particular issue.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. GEORGE MILLER) is recognized for 5 minutes.

(Mr. GEORGE MILLER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

ORDER OF BUSINESS

Mr. EMANUEL. Mr. Speaker, I ask unanimous consent to take my Special Order out of order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

IMPORTATION, DISCOUNT CARDS, AND MEDICARE MISINFORMATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. EMANUEL) is recognized for 5 minutes.

Mr. EMANUEL. Mr. Speaker, I would like to review this week as it relates to the Medicare prescription drug bill.

It started with the Secretary of Health and Human Services announcing on Monday, given the confusion over the Web site that they had put up, that they were going to think about taking it down because there was such confusion out among seniors about the pricing and among the pharmaceutical companies about actually what, in fact, they were offering and whether there was a discount. The Web site was intended, as Tommy Thompson said, to drive prices down.

There was such confusion in the marketplace that on the first day, Health and Human Services Secretary Tommy Thompson said we are thinking of taking the Web site down. Then they launched the big discount card that is supposed to provide somewhere between a 10 to 20 percent discount on prices.

Every year for the last 6 years, prices of prescription drugs have gone up, on average, 17 percent, somewhere around five times the rate of inflation; and this year it is projected to go up 18 percent, and next year it is projected to go up 20 percent. The card was so confusing that at the Speaker's own town hall meeting, he got into an argument with a senior citizen who said, why do we not just do what Canada does and offer and, in fact, allow us to buy drugs in Canada where they are 30 to 80 percent cheaper? In fact, if you compare the discount that the drug card would offer like on Lipitor versus what the price is in Canada or Europe, even with the discount card, the prices for Lipitor in Europe are 129 percent cheaper than they are even with the discount card. Celebrex, another common drug, even with the discount price from the card, in Europe and in Canada, the price is 85 percent cheaper. Seniors know that.

Third, just this week, the Congressional Research Service found that, in fact, the cost of the bill for prescription drugs was never $400 billion, but $534 billion, and that the administrator, Mr. Foster, who intended to tell Congress, was told he was not allowed to and withheld the information from Congress; that in fact the Members who told him that have broken the law; broken the law.

I will tell my colleagues today, if that bill was on the floor, it would go down in resounding defeat, because people in Congress who thought they were getting all of the protection from the pharmaceutical industry have realized finally, having talked to their constituents, what is wrong with this bill. It does nothing to affect price. So we can have all the discount cards we want, we can have a Web site that is a failure, and now we have information out there that, in fact, people broke the law trying to pass this bill, and we now know what seniors have always told us. Since the bill did nothing to affect price, nothing to affect affordability, nothing to give them world-class drugs at world-class prices, which is the cheapest prices we could get, that in fact Congress was deceived and not given the information that was required to deal with that legislation.

Just today, at 5:30 in the evening, Secretary Tommy Thompson, having fought tooth and nail to oppose the notion of allowing people to buy drugs in Canada and in Europe and to bring competition to the market and bring choice to the market, at 5:30 this evening Tommy Thompson announced that he believes in the reimportation of prescription drugs, that we should pass legislation, and he would recommend that the President sign that legislation. So in the last 48 hours, I just want my colleagues to review this with me.

The Congressional Research Service has found out that members of the administration broke the law by withholding information from Congress. The Web site that they put up to help bring competition to the market, they

are going to bring the Web site down because it is confusing and they have the wrong prices up there. The discount card is so confusing that on a report on NPR this morning, if you listened to the official trying to listen to the senior citizen, the official said, ''A mail order's around a 90-day. That's a 3-month supply.'' Senior: ''Oh, okay.'' Official: ''So to compare the prices, multiply.'' The senior: Multiply the 3?'' The official: ''The 30-day by 3 to get your 90 days, yup. And not all of them have mail orders, so.'' Senior: ''Mmhumm.'' The official: ''And then this will tell how many pharmacies are in your area. How far would you like to go from our ZIP code to look for a pharmacy? You want to keep it within a mile?'' The senior starts laughing. The official: ''We do have other choices, there's a range here.''

This, to a senior citizen who is looking for a lifesaving drug on arthritis, heart, blood pressure, bone strengthening. They are supposed to sit there and try to figure this out. Rather than giving them a benefit and rather than trying to organize and bring prices down in the market, we drive them crazy.

So to top it off, Tommy Thompson now has come around to the view that in fact what we need and to deal with this is what all of us know who dared talk to any of our constituents, that we have got to deal with price. That is the only way to affect and help our senior citizens and our taxpayers, who now are going to be asked not to pay $400 billion, but $535 billion for a bill that if it was brought forward today would go down in resounding defeat.

I welcome Tommy Thompson's open mind and bipartisanship to come to realize what all of us knew in this Congress, that we need reimportation to bring down the prices of prescription drugs.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

NO APOLOGY REQUIRED

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Virginia (Mrs. JO ANN DAVIS) is recognized for 5 minutes.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, last week, several Members of this body issued statements criticizing Presidential adviser Karen Hughes, demanding an apology for comments she made on April 25, 2004. Unfortunately, my colleagues have distorted her remarks into a misrepresentation of her actual sentiment, which I fully support.

In a live interview on CNN on April 25, Ms. Hughes is quoted as saying, ''I think after September 11 the American people are valuing life more and realizing that we need policies to value the dignity and worth of every life.

''And President Bush has worked to say, let's be reasonable, let's work to value life, let's try to reduce the number of abortions, let's increase adoptions.''

She goes on to say, ''Unfortunately our enemies in the terror network, as we're seeing repeatedly in the headlines these days, don't value any life, not even the innocent and not even their own.'' That was on CNN ''Late Edition,'' April 25, 2004.

In response to her words, some of my colleagues have accused Hughes of equating those who support abortion with terrorists. They have requested an apology for this alleged use of ''cheap and distasteful politics.'' I find this gross misrepresentation of Ms. Hughes' comments disgusting and firmly stand behind her words.

Mr. Speaker, this demand for an apology is simply a political ploy designed to damage the pro-life movement and to promote the abortion industry and their pursuit of increased abortions. Abortion is a money-making business, and the pro-abortion movement will take any chance they can to derail those who promote life.

Planned Parenthood's budget for fiscal year ending June of 2002 showed total revenue of $692.5 million, and they had a profit of $12.2 million for that 1-year period alone.

Personally, I would like to thank Karen Hughes for her words because she was right; and, no, I will not apologize.

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Although Mrs. Hughes did not insinuate that these groups were terrorists, I find it amazing that these pro-abortion groups, like Planned Parenthood, have the gall to claim that they are ''offended'' at this accusation.

Offended? Let me read to you some of the signs that were displayed at the pro-abortion rally in DC a few weeks ago. These were signs that did not make it to the mainstream newspaper. From World Magazine, May 8 edition, their signs read, ''Abort Bush. We are pro-choice and we riot. Keep Bush's hands out of my pants.''

Offended? I am personally offended as every American should be. And these groups claim to speak for all women. It is these very same groups that have repeatedly called pro-life groups like Concerned Women for American ''terrorists.'' Yes, Planned Parenthood likes to use the word ''terrorist'' any time they deem it politically useful.

Recently, I saw on Planned Parenthood Federation's Web site a page entitled ''Eye on Extremism,'' and under the heading titled ''Terrorists and Extremist Organizations'' was a detailed listing of 14 leading pro-life organizations.

I am familiar with the majority over these groups and it is clear that Planned Parenthood is simply working on a smear campaign.

So I have a question for Planned Parenthood: How can such a claim be made against Hughes, an unsubstantiated claim I might add, when groups advocating family and pro-life policies are branded as extremists and terrorists? Planned Parenthood, are you going to apologize for these groups for, as you put it, ''cheap and distasteful politics.''

A national Right to Life poll has indicated growing opposition to abortion; 56 percent of women, 62 percent of African Americans, 79 percent of Hispanics, 61 percent of 18 to 29 year olds reject abortion in most circumstances. Americans recognize the value of life.

As Mrs. Hughes stated, in the post-9–11 world, we as Americans have placed a greater emphasis on the value of life. We grieve for the loss of every soldier in Iraq and Afghanistan, cling tighter to our close friends and family, and are more conscientious of our personal and national security. Additionally, we celebrate the birth of every baby and adoption of every child into a loving family because we value each life.

Mrs. Hughes' comments in the April 25th interview were right on target.

The demand for an apology is absurd, and I would like to know if Planned Parenthood is going to apologize to the groups that they list as terrorists on their Web site. I doubt it, because each child saved from an abortion is money that the abortion industry will not get. And that, unfortunately, is what this is all about.

The SPEAKER pro tempore (Mr. COLE). Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

EXCHANGE OF SPECIAL ORDER TIME

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from Oregon (Mr. DEFAZIO).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

PRESIDENTIAL MISTAKES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. BROWN) is recognized for 5 minutes.

Mr. BROWN of Ohio. Mr. Speaker, last month, not too long ago, the President was asked in a news conference, only his third news conference in prime time since he took office, What would your biggest mistake be after 9–11 and what lessons have you learned from it?

President Bush said, ''I'm sure something will pop in to my mind here in the midst of this press conference, with all pressure of trying to come up with an answer but it hasn't yet.''

Then on May 1, earlier this week, the President, joking about it, said, ''I was going to start off tonight telling some self-deprecating jokes.'' And the Republican crowd laughed. And then he said, ''But then I couldn't think of any mistakes that I had made to be self-deprecating about.''

Now, it is hard to believe that anyone in my State of Ohio who has lost his or her job, 177,000 manufacturing workers in Ohio have lost their jobs since President Bush took office, it is hard to think that any one of them thought that was very funny, that the President could not think of any mistakes that he made; mistakes that he could learn from, that he could correct and do something about.

It is hard to think that any veterans who have seen their benefits cut under this President think this was very funny. It is hard to think that those soldiers who do not have body armor in Iraq because the President and the Pentagon did not plan for it, that they think that is very funny, to say that he could not think of any mistakes. I do not think that too many Americans of the 43 million without health care think that is very funny that the President mentioned he could not think of any mistakes that he had made.

Now, there are a group of us coming to the floor tonight. The gentleman from Washington (Mr. MCDERMOTT), the gentleman from New York (Mr. NADLER), the gentleman from Ohio (Mr. STRICKLAND), the gentleman from New Jersey (Mr. PASCRELL), the gentlewoman from California (Ms. WOOLSEY) and the gentlewoman from California (Ms. LEE), that are going to talk about some of the mistakes, not to embarrass the President, in some sense not even to criticize the President, but just we hope to point some mistakes out tonight that the President has made so that he can correct them. Because we are all taught as children to learn from our mistakes.

If the President is unwilling to admit a mistake, if the President is unwilling to acknowledge that he even made any, and then if the President is willing to sit around and joke that he has not made any mistakes when we have lost this number of jobs in my State of Ohio and across the country, when our soldiers in Iraq are in harm's way because we have not provided body armor, because we are not providing the armor underneath the Humvees and on the doors of the Humvees to protect American troops, it is not really not much of a laughing matter.

Today the President was in Ohio and, again, the President continued the let us just kind of joke about this.

AP reports, ''With humor and sarcasm, President Bush is trying to make JOHN KERRY eat his own words. At every stop of his Midwest bus tour, the President is mocking Kerry to the delight of partisan audiences.''

I understand this is a Presidential race. I understand that politicians need to attack each other and make fun of each other and all of this, but in light of the fact that the President is unwilling to admit any of these mistakes he made, we, tonight, the five or six of us, would like to help him talk about, whether it is a mistakes he made with weapons of mass destruction or Medicare or veterans' benefits or the tax cuts, a millionaire gets $123,000 in tax cuts; whether it is job loss, whether it is totally forsaking both small business and the manufacturing base in this country.

The entire six Democratic-member delegation of Ohio wrote the President a list of questions as he arrived in Dayton, Ohio today in his Ask the President Forum that he is beginning to hold around the country. He did the first one in Dayton today.

We had some questions for the President about the new Medicare bill because we recognize that the Medicare bill was a mistake. First of all, the President allowed the drug companies and the insurance companies to write the bill. He also allowed the drug companies, that are going to make $150 billion additional profits from that bill. The insurance companies will get a $46 billion direct subsidy from this bill. But no surprise there, the President has already received tens of millions of dollars from the drug and the insurance industry for his election.

In fact, the word in the street in Washington, my colleagues and I have all heard, is that the President will receive a total of $100 million from the drug industry for his reelection. Of course, he is going to support the drug industry. But, frankly, we consider that a mistake, when you write a Medicare bill that helps the drug industry, it helps the insurance industry, and then maybe you get around to dropping a few dollars for seniors.

When they release this prescription drug discount card today, we asked the President a couple of questions. Is it true the Medicare law allows drug and insurance companies offering discount cards to change covered drugs and discounts weekly? Does this not mean that seniors may choose a card one week that will be worth little or nothing to them the next?

In other words, seniors sign up for one of these discount drug cards. If you sign up for one of the 50 or 60 or 70 cards, you are stuck with it the entire year, even though the drug discount card company can turn around and take your drug off the list, can raise the price, can cut your discount.

Mr. Speaker, the President also mentioned in this bill, this Medicare bill, there is also a prohibition on drug companies, on the government negotiating cheaper prices. We know we can get cheaper drugs in Canada, yet the President will not allow it. Something is wrong. I wish the President would acknowledge his mistake. Go back to the drawing board and write a drug bill for the seniors, not for the drug companies.

MISTAKES OF THE PRESIDENT

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. LEE) is recognized for 5 minutes.

Ms. LEE. Mr. Speaker, let me first thank the gentleman from Ohio (Mr. BROWN) for organizing tonight's series of statements about the consequences of the Bush administration's tragic and terrible decisions.

Now, last month, the President stated that he could not really think of a single particular mistake that he had made in office, though he conceded that he must have made some. Even worse, the President was either unable or unwilling to say what lessons he had learned from the process.

Now, tonight some of us are here to talk about the administration's decisions because, quite frankly, ''mistake'' is far too soft a word. It almost makes it sound like an accident. We are also here to talk about the consequences and the lessons that the entire world is learning from this administration.

Now, in the newspapers and on television in the past week we have all seen the horrifying pictures of American soldiers torturing, tormenting and humiliating Iraqi prisoners. We all know that this does not characterize the tens of thousands of brave men and women serving in Iraq, but we do note that it endangers their lives.

These pictures are horrifying, both because of the callous disregard for human rights that they show by individual American soldiers but also for the far more fundamental failures at the highest levels of leadership, failures that began with an administration that led the Nation to war under false pretenses.

The pictures are also horrifying for their consequences. What will happen to the next American soldiers or civilian captured? If we, the world's most powerful military country and greatest democracy, will not abide by the Geneva Convention and international law, then who will?

What will happen to our already devastated international reputation?

The Washington Post today reports that the State Department's Intelligence and Research Department is deeply concerned about a cascade of international criticism that could seriously affect our broader foreign goals.

Leaked portions of a 53-page report by Major General Antonio Taguba completed in February conclude that there were numerous, numerous instances of ''sadistic, blatant and wanton criminal abuses at Abu Ghraib'' prison.

I hope that this is not just the tip of the iceberg.

Individuals involved have stated that they were encouraged by military intelligence to engage in this abuse. Now, as one who has a background in psychology and mental health, I worry for our young men and women in uniform who are being dehumanized, dehumanized by a war that allows them to cross this threshold.

Now, many of the men and women and teenagers held in this prison, actually, the infamous prison which was known as a torture center for Saddam Hussein, they were picked up in random sweeps and at highway checkpoints.

People were held for months on little or no evidence, with no charges, no change at appeal, and now, it seems, in addition to that potentially widespread injustice, they may have been abused or even tortured.

The Department of Defense is investigating these charges, but he oversight quite frankly must be broader and the questions that are asked must be more sweeping. Congress absolutely has to exercise its oversight authority though a full scale investigation, a Congressional investigation.

Part of this examination also has to look at private contractors, some of whom will are running these prisons and some of whom are allegedly involved in these terrible acts. Human Rights Watch and other organizations have widely asked about the role of private contractors who seem to be operating entirely outside the boundaries of authority in a complete legal vacuum. They are exempt from prosecution by Iraqi courts. They are beyond the military chain of command and its court-martial authority, and they are outside the range of the United States courts.

This is one more consequence of turning over so much power and so much money to private contractors. This is one more example of a foreign policy and a military policy gone wrong. The United States has turned this prison especially, Abu Ghraib into a house of horrors. That failure is a metaphor for a foreign policy that has gone absolutely and tragically wrong. Our Nation is perceived in many circles as waging war on Islam. The pictures in the world's newspapers will only compound and confirm that perception. Those photographs build on an image of a Nation that ignores the United Nations, when it chooses to, of course, and turns to it when it gets in trouble.

They add to a portrait of a country that preaches about human rights but fails to uphold them. The pictures are just one more piece of evidence that this administration led our Nation to war without really a plan for its aftermath. And that utter failure, as I said, ''mistake'' is far too soft a word.

This policy has contributed to more than 500 American deaths since, mind you, since President Bush landed on that aircraft carrier and stood underneath that banner proclaiming ''Mission accomplished.''

Exactly what mission have we accomplished? We have not found any weapons of mass destruction, but we have seriously damaged our international credibility. We have not established any semblance of stability or safety in Iraq, although the deadline for the supposed Iraqi takeover of authority is just a month away.

We have not promoted the cause of democracy in the Middle East or anywhere else, but we have undermined the rule of international law.

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We have not built a strong network of friends and allies to advance our joint goals, but we have squandered the enormous goodwill that the world stretched out to us in 2001. Ultimately, we have not made the world or ourselves safer. The policies of the Bush administration have made the world a far more dangerous place.

Tomorrow, the State Department issues its annual report on U.S. efforts to support human rights and democracy across the globe. Just what is this report going to say about the Bush administration's failures in Iraq and its efforts to overthrow democracy in Haiti? Just what is this report going to say about the abuse of individuals and organizations?

ADEQUATE PROTECTION FOR OUR TROOPS

The SPEAKER pro tempore (Mr. COLE). Under a previous order of the House, the gentleman from Ohio (Mr. STRICKLAND) is recognized for 5 minutes.

Mr. STRICKLAND. Mr. Speaker, I appreciate being recognized.

Mr. Speaker, as my friend, the gentleman from Ohio (Mr. BROWN), said earlier, in a press conference recently on the 13th, the President was asked if he could identify any mistakes he may have made, and he was unable to do so.

I can tell him a mistake that he and his administration has made. They sent our young soldiers into harm's way when the war in Iraq began without adequate body armor. That is the truth. They cannot escape that fact. There were soldiers who were placed in harm's way without having the protection of this basic equipment.

The war began in March. I have written Secretary Rumsfeld over the last year two letters asking him to explain to me and to the American people why our soldiers were placed in harm's way without this protection.

This body armor that I am talking about became available, I think, for the first time in 1998. It is called the ''interceptive vest.'' It is made of Kevlar with ceramic plates in both the front and the back. It is so effective that it can stop an AK–47 bullet, and it has been credited with saving the lives of many of our soldiers who had them and could use them.

When we went into Iraq, after literally months during which we could have prepared to have had adequate equipment for our troops, we sent our soldiers into battle without this protection; and Mr. Speaker, it took Mr. Rumsfeld and the Pentagon, and, yeah, the buck stops in the Oval Office, the President, one full year from March when the war began until March of this year before they were able to send me a letter informing me that, at last, all of our troops were equipped with this body armor.

I asked how many young men or middle-age Reservists and Guardsmen may have lost their lives needlessly simply because this administration did not provide them with this basic protection. It is a question that I think needs to be analyzed and answered.

There is a continuing problem in the war zone. As I stand here in the Chamber of the people's House tonight, there are American soldiers in Iraq, in various cities in Iraq, who are using vehicles without proper armor. There is one company that the Pentagon has a contract with to provide up-armored Humvees for our military personnel. It is located in Fairfield, Ohio. It is called O'Gara-Hess and Eisenhardt. It is the company that has the ability and the contract with the Pentagon to produce these vehicles which provide a high degree of protection when our soldiers may drive over a roadside bomb, for example; and yet the Pentagon is only contracting for 300 of these up-armored Humvees per month, although thousands are needed in Iraq.

The company tells me that they are capable by November, if not sooner, of producing some 500 of these Humvees per month. What that means is if the President and the Secretary of Defense and those who make decisions regarding this matter at the Pentagon were willing to do so, they could have these up-armored vehicles in Iraq so that our troops would be protected much more quickly than they are willing to do.

I do not understand this. I simply do not understand why the President does not call Secretary Rumsfeld up and say, listen, there are reports that our troops need up-armored Humvees; I want this problem solved as quickly as possible. Do everything necessary; move heaven and Earth but get this problem solved.

A young West Point graduate from my district called me a few weeks ago. He had returned after spending 14 months in Iraq; and he said, Congressman, the Explorer you drive around is more armored and offers better protection than did the Humvee that I drove around the streets of Baghdad.

It troubles me that those of us who serve here in this Chamber and the President, who is the Commander in Chief, would allow this situation to continue when they can do something about it.

So if the President cannot think of any mistake he has made, I would offer this mistake. I would say to the President, you should not have sent our soldiers into battle without body armor, and you should not have our soldiers over there tonight without up-armored Humvees to provide them adequate protection.

THE IRAQ WAR JUST KEEPS GETTING WORSE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. MCDERMOTT) is recognized for 5 minutes.

Mr. MCDERMOTT. Mr. Speaker, America has suffered the worst defeat in memory, and not by any insurgents. The world is rightly shocked and appalled by the pictures from Iraq. Rogue U.S. soldiers have committed atrocities that sicken us. They have harmed Iraqi citizens. They have endangered every decent U.S. soldier, and they have turned more people against us. The world must know that America stands for justice, and that justice should be carried out quickly against those responsible for these despicable acts.

The Iraq war just keeps getting worse for America, Mr. President. For those who mistrusted us before, the pictures will inflame their rhetoric. For those who hate us, the pictures will impassion them to find new recruits.

Every decent American can only feel enraged that the sordid conduct of a few people will be portrayed worldwide as representative of our Nation.

Iraqis were insulted and humiliated, but seven officers have received only a reprimand, a slap on the wrist. They were not even demoted or discharged. The world will ask, is that what America calls justice? No, it is not; and this administration had better take this seriously.

The U.S. would have gone to war if our citizens had been treated like this in another country. Remember our outrage when they hung some of our people from a bridge. The administration's response is just one more mistake. It is completely inadequate.

Iraq has been a mistake from the beginning. The administration refused to get help and support from the international community, and the administration continues to spout rhetoric that no one in the whole world either believes or accepts. Every day, literally, the administration switches from one policy to another.

First, the Baathists were bad, aligned with Saddam and no friend to the U.S. Then the U.S. hired a Baathist general to try and get us out of the mess in Fallujah. Then the U.S. replaces the guy after Iraqis protest the general's role in Hussein's regime. Now a new guy is in; but the insurgents, heavily armed and fortified, have already rejected the new general.

Fighting has broken out in several cities, and U.S. artillery is shelling positions near the Baghdad airport. There have been more U.S. casualties, and U.S. soldiers remain in grave danger all over Iraq while the administration test-fires a few possible solutions.

Note, Mr. President, this is not a test. Iraq is not a laboratory. They are shooting real bullets, and we keep pretending we have a policy. Some say Iraq is not like Vietnam. Iraq looks more and more like Vietnam every day.

In southeast Asia, there was always more reassuring rhetoric from a Democratic President, by the way, than there was truth or policy to back it up. In Iraq, there is all this talk of growing a democracy; but in reality, we are seeding a civil war, with our soldiers' blood right in the middle of the violence.

What is the American administration going to say, We are working on it? The Pentagon said a few hours ago that 135,000 U.S. soldiers will remain in Iraq at least through 2005. In other words, the only thing being handed over on June 30 is a bill of goods, meant more for the American people and the election than the Iraqis.

It is time this administration faced the American people and the truth of their mistakes. Either get an international solution now, before more U.S. lives are lost, or get out and admit you should have never gone into Iraq in the first place. All the rhetoric in the administration's arsenal can start a debate, but it cannot stop a bullet.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. BLUMENAUER) is recognized for 5 minutes.

(Mr. BLUMENAUER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

EXCHANGE OF SPECIAL ORDER TIME

Ms. PELOSI. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from Oregon (Mr. BLUMENAUER).

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

30-SOMETHING WORKING GROUP

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. PELOSI) is recognized for 5 minutes.

Ms. PELOSI. Mr. Speaker, I rise to commend the tremendous leadership of two of our colleagues, the gentleman from Florida (Mr. MEEK) and the gentleman from Ohio (Mr. RYAN), and the 30-Something Working Group for taking the lead on this vital effort to talk to the next generation of Americans about issues that they care about.

Tonight, during the Special Order, our 30-Something Working Group has 1 hour to speak to the young people of America. It consists of 14 Members of Congress in their 30s, as it said. The gentleman from Ohio (Mr. RYAN) is in his 20s, just turned 30. All regions of the United States are represented in the group and all aspects and the beautiful diversity of our country: the gentleman from Oklahoma (Mr. CARSON); the gentleman from Alabama (Mr. DAVIS); the gentleman from Tennessee (Mr. FORD); the gentleman from Illinois (Mr. JACKSON); the gentleman from Rhode Island (Mr. KENNEDY); the gentleman from Wisconsin (Mr. KIND); the gentleman from Rhode Island (Mr. LANGEVIN); the gentleman from Washington (Mr. LARSEN); the gentleman from Utah (Mr. MATHESON); the gentleman from Florida (Mr. MEEK); the gentleman from Ohio (Mr. RYAN); the gentlewoman from California (Ms. LINDA T. SÁNCHEZ); the gentleman from Washington (Mr. SMITH); and the gentleman from New York (Mr. WEINER). How proud we are of them.

Democrats are committed to listening to and working with young people on issues they care about and that impact their lives, jobs, the economy, health care, higher education, globalization, and protecting the beautiful environment that is God's creation.

Over the past 8 months, our 30-Something Members have been on the road across America beginning a new dialogue with the next generation. Thirty-Something Members have traveled to Louisiana, Alabama, Massachusetts, Kentucky, Michigan, Florida, through the States that I have mentioned, their home States, talking to young people to hear their views on critical issues.

Two weeks ago, the 30-Something Working Group cohosted the Next Generation Democratic Summit. More than 250 18- to 30-year-olds came to Capitol Hill to discuss their concerns with Members of Congress and to share their insights about how to inspire other young people to be more engaged in government.

Today, we are launching another part of our effort to reach out to the next generation. This regular 30-Something hour is an exciting opportunity for House Democrats to have a national discussion with young Americans across the country. We certainly invite response from the young Americans.

Mr. Speaker, as my colleagues well know, all of us here in Congress have a responsibility to the next generation. We have received a precious gift, a privilege, of representing our districts in Congress and the wonderful responsibility to make the future better for the next generation. Not only do we have that responsibility as a Congress, but each of us has a responsibility to do that. Every decision that we make has an important bearing on the future. No one is impacted more by that than our young people.

So I am so very proud of our 30-Something Working Group and the leadership that they have assumed under the exceptional leadership of the gentleman from Florida (Mr. MEEK) and the gentleman from Ohio (Mr. RYAN).

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AMERICA NEEDS SMART SECURITY

The SPEAKER pro tempore (Mr. COLE). Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, 1 year ago on May 1, President Bush made a huge mistake when he stood in front of a banner that read ''Mission Accomplished'' and told the Nation that major combat operations in Iraq were over; huge error. The truth is that major combat operations are very far from being over. Of the 734 American soldiers who have died in Iraq, nearly 600 have died since the President claimed an end to major combat operations.

April of the year 2004 was just as devastating to our troop levels as April of the year 2003. To add insult to injury, the Bush administration continues to maintain its tight grip on the media, engaging in a brand of censorship that is at stark contrast with fundamental American values of freedom of speech and freedom of press, a mistake in every way in this country of ours.

First the Coalition Provisional Authority, which runs Iraq and which was created by the Bush administration, decided to create its own television operation to broadcast live to the United States 24 hours a day from Iraq. The point of C–SPAN Baghdad, as it was dubbed, was to put a positive spin on events and circumvent the major networks by transmitting directly to local and regional media outlets in the United States. This is not the first time Bush has attempted to control the media in Iraq.

Fearing that support for the Iraq war would fade if Americans caught sight of U.S. soldiers returning home in flag-draped caskets, the Bush administration banned all coverage and photography of dead soldiers' homecoming on military bases. Another gross mistake, our President has not attended any homecoming or burials to date.

There has to be a better way and there is, one that emphasizes brain instead of brawn, one that is consistent with American values, one that trusts Americans will do the right thing when they know the truth. I have introduced legislation to create a SMART security platform for the 21st century. SMART stands for Sensible Multilateral American Response to Terrorism. SMART treats war as an absolute last resort. It fights terrorism with stronger intelligence and multilateral partnerships. It controls the spread of weapons of mass destruction with a renewed commitment to nonproliferation, and it aggressively invests in the development of impoverished Nations with an emphasis on women's health and women's education in Third World countries.

SMART legislation promotes more effective conflict assessment and early warning systems, multilateral rapid response mechanisms, human rights monitoring, civilian policing and investment in civil programs and fair judicial systems. SMART security is about promoting a foreign policy that is open and honest, not one that is cloaked in secrecy and hidden agendas.

If we cannot trust our government to pursue policies that are best for America, then I ask, who can we trust? The Bush doctrine has been tried; and it has failed. It is time for a new national security strategy. SMART Security defends America by relying on the very best of America: Our commitment to peace and freedom, our compassion for the people of the world, and our capacity for multilateral leadership. SMART Security is tough, it is pragmatic and it is patriotic. SMART Security is smart, and it will keep America safe.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

A QUESTION OF CREDIBILITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PASCRELL) is recognized for 5 minutes.

Mr. PASCRELL. Mr. Speaker, page 23 of the Times today, the headline says, ''Agency Sees Withholding of Medicare Data From Congress As Illegal.'' That is pretty serious business.

So we have finally secret documents. We have backroom deals. We have intimidation and misinformation. We have threats. We have exclusion, possible bribery, propaganda, lying. I am not referring to the KGB, I am not referring to the Chinese authorities, I am not referring to Napoleon's France, a medieval court, or Imperial Rome. No, there are elements of government scandal right here in the Medicare issue.

All of these things describe a significant role in the narrow passage of the Medicare prescription drug bill. Members may wonder here who, in the United States of America, the freest country in the world, would employ such tactics to pass a controversial Medicare law; the Bush administration, that is who. The White House position of win at any cost eventually did lead to the new law, but what was the cost? The cost has been the credibility and reputation not only of the administration but that of the Congress, the integrity of this institution and the entire law-making process.

The American people must ask themselves, is this how my government actually works? Everyone knew a Medicare prescription drug benefit was going to be expensive. To the end, the Bush administration assured Congress their plan would cost $400 billion. However, it has since been discovered that the White House knew 6 months before the vote that their bill had a price tag of $140 billion more, a slight error of $140 billion.

Further, it has been reported that the Center for Medicare and Medicaid Services, their administrator, remember this name, Tom Scully, he since has gone and found himself a lobbying job. Well, old Tom threatened to fire the chief actuary who was responsible for calculating the cost of the bill. The actuary's name was Richard Foster. If he had made this information available to congressional Democrats, he was going to be fired. At the time, Mr. Scully was negotiating with health care interests that had large financial stakes in the Medicare bill. Not only about the bill though, Mr. Scully.

That is not to say Mr. Scully was in this alone. Last month, Mr. Scully told members of the Committee on Ways and Means that he had shared the information with Doug Badger, President Bush's health policy adviser, who is right in the White House, and James Capretta, associate director of the Office of Management and Budget, his analysis that the Medicare legislation would exceed its target goal.

Not only was this underhanded, not only was it deceitful, but according to the Congressional Research Service, this gag order was against the law, and they made this public just yesterday. There has been a violation of the law, and this House has done nothing, nor has the other House, nor have the folks down the street. When you break the law, something should happen.

According to the report, Congress' ''right to receive truthful information from Federal agencies to assist in its legislative functions is clear and unassailable.'' That is what it says.

The issuance by an officer or employee in a department or agency of the Federal Government of a gag order on subordinate employees to expressly prevent and prohibit those employees from communicating directly with Members of Congress or the committees of Congress would appear to violate a specific and express prohibition of Federal law.

McGrain v. Dougherty, a 1927 Supreme Court decision, states very clearly, as it does in other Supreme Court decisions, legislative bodies cannot legislate wisely or effectively, in the absence of information regarding conditions which the legislation is intended to effect or change. That decision by the Supreme Court goes back to 1927. Thus, ''Political gamesmanship must yield to the clear public interest of providing the people's elected representatives in the Congress with accurate and truthful information.''

Mr. Speaker, they have broken the law. I come to this floor always with bipartisan hands open. My legislation will show that. The gloves are off.

Mr. Speaker, you have been lied to; we have been lied to. The question is, what will we do about it? The question is, do not the American people deserve

more, and should the people demand more from us, regardless of which side we are on? We did not know all of the facts, and that bill would not have passed if we did know all of the facts.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. CONYERS) is recognized for 5 minutes.

(Mr. CONYERS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

EXCHANGE OF SPECIAL ORDER TIME

Ms. JACKSON-LEE of Texas. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from Michigan (Mr. CONYERS).

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

MISSION ACCOMPLISHED, I THINK NOT

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I watched the weekends events somewhat in horror, but also somewhat in recognition that our troops on the ground, our enlisted officers, Reservists and National Guard, operate under the most heinous conditions, and certainly the actions that we have seen in the abuse of Iraqi prisoners is not to be excused, but I lay the burden more on the policymakers and those who have extended the stays of those civilian troops, 6 months, 12 months and 18 months, those who made the statement a year ago May 1, ''mission accomplished.'' The burdens of disarray of the military in Iraq lay at our feet.

Mr. Speaker, I believe that we cannot, as a Congress, do nothing. I would hope that we will hear more potently from the President, the Secretary of Defense, and the Joint Chief of Staff on the solutions in the aftermath and the crisis of a so-called mission accomplished.

Although those acts were to be not tolerated, we must find the trail of hierarchy that created such havoc that our soldiers who were there to liberate, have turned into those who would perpetrate such acts. That is what I want to speak about this evening: Mission accomplished, I think not. Until we pass what I am now calling, and we are now reviewing and hoping to write as legislation for this House, the Welcome Home Act of 2004. Mission accomplished, I think not. Until we write legislation for those combat veterans who have come home from Iraq and Afghanistan, really, the Vietnam War of the 21st century.

And what do I believe is appropriate for those wounded and those individuals coming home from this war? First of all, an apology and explanation by this administration for the war and the present status of the conditions in Iraq and, yes, Afghanistan. Provisions for long-term mental health needs for those veterans, both wounded and those not wounded and their families; immediate treatment for trauma, mental trauma if you will, that will be ongoing and that we have already discovered in some of our military hospitals today; continuous educational opportunities for these young men and women, and maybe even the Reservists and the National Guard who now come home with a whole different attitude about life and their future; family counseling, so that the terrible murder of a military spouse of a returning veteran cannot happen again; enhanced opportunities for homeownership so our military families are not in cramped conditions after the military person leaves the particular branch and so they are not Nicole Goodwin, an Iraqi combat veteran who is now homeless, walking the streets of New York; health care for 10 years so that those ailments generated by the combat situation and the Veterans Hospital will not maintain and keep, we will have care; long-term health care and rehabilitation when the veteran's benefits run out; military whistleblower protections so that those individuals who have seen things in Iraq that should not happen, such as what happened in the prison and the abuse of prisoners or what is happening in terms of those individuals who are outside of their job description of which they were brought into the military, where carpenters are being police officers and truck drivers are being gunners, we need to find out what is wrong with this system and this war.

□ 2030

Provisions for those who are severely injured with long-term understanding of those severely injured and the families who lost loved ones. Who is attending to those families after the burial? Who is comforting them, and what are the resources being provided for those families? And so I would suggest that a lump-sum payment under the Welcome Home Act of 2004 be made to those families of the severely injured and those who lost loved ones out of the profits of the Iraqi oil fields.

Mr. Speaker, mission accomplished, I think not, until the Welcome Home Act of 2004 is both legislatively presented to this Congress, until we acknowledge the wrongness of this war by giving some dignity to those who are coming home, who are coming home to lonely places, to homelessness, to bad health care, to the inability to provide for their family. We must provide for these severely injured veterans as well as those families who have lost loved ones because, as we know, the toll of those dying continues to rise; and 736, Mr. Speaker, is not the last count that we will have. How can we claim a mission accomplished unless we present the Welcome Home Act of 2004 alongside a final resolution to the conflict in Iraq?

NATIONAL SECURITY

The SPEAKER pro tempore (Mr. COLE). Under a previous order of the House, the gentleman from New York (Mr. NADLER) is recognized for 5 minutes.

Mr. NADLER. Mr. Speaker, the President, as you can see from the poster, said at his press conference last week that he was not aware of any mistakes that he had made. Let me tell my colleagues and him a few mistakes he has made, three major mistakes:

First, in the immediate aftermath of 9/11, the Bush administration chose deliberately to mislead the people of New York about the safety of the air and the environment in the aftermath of that disaster. We now know from the Inspector General of EPA's report that the White House instructed the EPA to mislead the people of New York. The former administrator of EPA, Mrs. Whitman, said 2 days after the disaster the air is safe to breathe, when they had no test data to show that.

Because of that misleading, Federal, State, and city government followed policies that have resulted in catastrophe. We now know from recent medical reports that an absolute majority, most of the first responders, the heroes, the fire officers, the police officers, the construction workers who descended on Lower Manhattan to help with the rescue operations, most of them now, 2½ years later, have serious respiratory disorders which will probably plague them for the rest of their lives. We know that women who live within a mile, 1.6 kilometers, of the World Trade Center, today are giving birth to low birth weight babies at twice the natural rate because the White House chose to mislead the American people.

Second, the White House chose to get us into a useless, stupid war in Iraq to divert our attention from the war against us by the Islamic terrorists. We know that there were no weapons of mass destruction, contrary to what they told us in Iraq, no great stockpiles of weapons of mass destruction. We know the Iraqi people did not, as the White House told us they would, greet our troops as liberators. We know that when the President stood there before the sign and said mission accomplished and said that major combat was over, he was wrong. We know this administration did not plan adequately for an occupation. We know they sent too few troops there to properly secure the country. We know they fired General Shinseki because he had the impudence to say the truth in advance. We know that they disbanded the Iraqi army without having enough troop strength to replace it and they are now trying to reassemble it.

We know, in short, they got us into a quagmire and so thoroughly alienated

the rest of the world by the arrogant attitude of this administration that we cannot get any significant help, we cannot internationalize the conflict, we cannot share the burdens or at least we cannot do these things as long as George Bush is President because no one trusts him abroad anymore.

But perhaps the greatest mistake that this administration has made is that this administration has not and does not take seriously enough the terrorist war being waged against us by the Islamic terrorists. From before 9/11, when this administration ignored many warnings, to this very day, they refuse to spend the money necessary to protect the American people. Two months after 9/11, leaders in Congress proposed to spend $10 billion to protect our chemical and nuclear facilities and our transportation terminals against attacks that could kill or wound hundreds of thousands of people. President Bush said he would veto such an appropriation. It was not done. This administration refuses to spend the money to buy the weapons grade plutonium and uranium now in the former Soviet Union that can easily be smuggled to al Qaeda to make atomic bombs because they care more about tax cuts for the wealthy than about protecting the American people. It is a mistake not to prevent al Qaeda from going nuclear by buying that plutonium and uranium quickly.

This administration inspects only 2 percent of the 6 million shipping containers that come into this country every year, any one of which could hide a chemical or biological or nuclear weapon. It is a mistake not to insist that no container is placed on a ship bound for the United States until that container is inspected and certified and sealed by an American inspection team in the foreign port.

This administration will not spend the funds to protect our commercial aviation. It is a mistake not to place a missile deflection system on every commercial airliner as the Israelis are doing by this summer so that we do not have to worry about our airlines being shot out of the sky by shoulder-fired missiles. In short, it is a mistake not to place the priority where it belongs, on protecting the American people from terrorism instead of protecting tax cuts for the wealthy.

Mr. Speaker, if the President wants to know about some mistakes, here are some mistakes. Here are some mistakes that he can correct if he is willing to protect the American people at the cost of the tax cuts for the wealthy. His major mistake is his priority. Tax cuts for the wealthy, yes. Protect the American people from terrorism, no. That is some mistake.

REPORT OF 30–SOMETHING CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, the gentleman from Florida (Mr. MEEK) is recognized for 60 minutes as the designee of the minority leader.

Mr. MEEK of Florida. Mr. Speaker, it is an honor to address the House and the American people on this afternoon. I must say that this is not only a great opportunity but a historic opportunity to address the House. I was very honored to see and hear the Democratic leader, NANCY PELOSI, share her appreciation for the 30-Something Caucus that she created here in this House to address the American people on a weekly basis. And so this is our first evening coming together. We will have some Members that are 30-plus, maybe in their lower 40s, but all of the ladies that will come forth tonight, they are all in their 20s, so they do not quite want to admit that they are in the 30-Something Caucus, but we do have Members that have been in this body and as a part of this body on the Democratic side who came in at a very young age.

I think, Mr. Speaker, Members of the House and also the American people, it is very important that we have Members here so we have a diversity of not only representation but a voice as it relates to the future and especially for those individuals, I am 37 years old and I am going to be in a situation very soon, I have young children that are going to have to attend college. So what is happening right now in this House and what is happening in this country is so very, very important to me, not only as a Member of Congress but also to individuals that work hard every day.

I just wanted to rehash what the leader shared with us a little earlier today when she took the floor this evening, about maybe 30 minutes ago. She created a 30-Something Caucus, Leader PELOSI did, amongst House Democrats. There are 14. We work day in and day out to make sure that we talk about the issues and point out issues that are happening here in this House and making sure that we have results or recommendations for results. There is only so much that we can do in the minority; but if we continue to work hard toward those issues, then we can bring about the kind of change that is needed for the country, that means for individuals that are Democrats, Republicans and Independents. Also, this is going to provide an opportunity for us to be interactive with the American people through e-mail and also through other means of communications to make sure that we provide the best kind of representation that is possible, especially for individuals that are approaching college, parents that are thinking about sending their children to college, making sure that it is affordable and that it is there for them.

I would like to call on the gentlewoman from California (Ms. LINDA T. SÁNCHEZ), who has been such an outstanding Member of this body and also a good voice not only for her district in California which she represents, the 39th District, but being my freshman sister here in this 108th Congress.

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I am here this evening to talk about an issue that is very near and dear to my heart and that is the need for access to higher education. A long time ago, a college education was reserved for the well-to-do, not something that an ordinary citizen could readily achieve. But over time, that changed and now a college education is no longer a privilege of just a few but a necessity to achieve any kind of job security in our very fluid economy.

But, sadly, just as a college education has become an absolutely crucial component of obtaining a good job, the Bush administration is making it harder and harder to access and afford a college education. As a 30-something Member of Congress, and I will admit to the gentleman from Florida I am in my 30s, I am here to speak on behalf of young people who are struggling to achieve the American dream of a decent college education. Rather than burdening today's young people with overwhelming debt, there are several things that we can do to help. We need to slow down the tuition hikes and encourage States to maintain their commitment to higher education. And we should double the Pell grant award and make it available year round.

Finally, we should implement Senator JOHN KERRY's idea for $50 billion in tax credits to help Americans afford all 4 years of college. The typical loan debt has nearly doubled over the past 10 years for the average student, with 64 percent of students needing to borrow money to finance their college education. I too struggled to make college and law school a reality. As it turned out, all seven children in my family were fortunate enough to obtain a college degree. But we all did it with the assistance of Federal grants and Federal loans, loans, I might add, that I will be paying off until I am in my 60s.

Despite the fact that we came from immigrant parents who did not speak much of the language when they first got here and were of limited economic means, all seven of my brothers and sisters and I graduated from a college institution. Most amazingly, however, my mother returned to school after the youngest of her seven children started kindergarten and she went to night school to earn her 2-year degree and later transferred to a 4-year institution and graduated from college in her late 40s to become a bilingual education teacher. That is how strongly she believed in a quality education and in showing and demonstrating to us that education was truly the key to the American dream in this country.

I find that the current atmosphere that works against students who are trying to finance their way through school is really something that undermines many of the American values that we hold dear. Overwhelming debt

can force students to take on jobs to try to work their way through school to the detriment of their education, or in some instances students forgo college all together assuming that the expensive and exorbitant tuition hikes are far out of their reach. In the past year alone, tuition has increased an average of 14 percent at 2- and 4-year public institutions, and it has increased 6 percent at 4-year private schools. That is just in 1 year. That is not even counting the fact that the cost of living keeps rising and things like rent and food and books go up as well.

In response, President Bush has ignored the tuition problem, cut or frozen student aid, and levied higher taxes onto students. If we do not have an education President, then we definitely need to have an education Congress. I urge my colleagues on the other side of the aisle to break with their President and fight for education support for our young people. Let us send the President legislation making education more affordable and more accessible to all, and let us dare him to sign it. The bottom line is that the leadership in Congress needs to stop talking about education and actually do something about it.

I again thank the gentleman from Florida for allowing me to speak this evening.

Mr. MEEK of Florida. I thank the gentlewoman from California so very much. I want to say on just a few of her points, talking about the real cost of tuition, we talk about students, we talk about the cost of young people having to foot the bill, we talk about students leaving the college experience, the higher educational experience if they get through, if they can afford it, carrying on a great deal of debt that starts them off in the working world already in the hole. They went to school to be able to help America be stronger and also help themselves to be able to get the kind of job they need to be able to provide for their families and be able to buy a home.

□ 2045

And what she is saying is very real. She took part in the 30-Something or the Young Leaders conference that the gentlewoman from California (Ms. PELOSI) had, and we all participated in it. And I just would appreciate it if she could share a few of the stories that some of the students shared with her about their experiences about trying to afford college because many of them work here in this House, many of them attend school right now, and they are running into you know what trying to pay for college.

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I have heard from a number of young people all across the United States about the burden of taking on that debt and trying to even work their way through college at the same time that they are assuming debt. It is very common now that a degree that used to take 4 years in order to complete now takes 5 or 6. I have heard of people who have actually, once they have graduated, have been so saddled with the huge debt of trying to repay their student loans. They have had to move in with their parents because the job economy and the job prospects are not bright for them.

In many instances it can take several years for them to be self-sufficient, actually land a job to where they can be self-sufficient. Meanwhile, their student loan payments come due because they can only defer them for so long, and what we are finding is many young people, after they have worked to try to either get a 4-year degree or an advanced degree, meet somebody, fall in love, and marry, they are having to wait an average of 4 years longer to purchase their first home because of the staggering student loan payments that they have to make monthly, and it is a very sad thing because I was brought up with my parents telling me that education is the key to success in this country. If one gets a college degree and a good education, the world is their oyster, and that is simply not the case for many young people today.

Mr. MEEK of Florida. Mr. Speaker, we have two different educational experiences beyond high school now. We have our 2-year institutions that are community colleges that many working people have to use to be able to receive a higher education, not because they could not get into a 4-year institution. Many times they have to stay home, Mr. Speaker, to help pay bills. They cannot afford, because of a lack of income or a sick family member, to move away.

So they do their first 2 years at community colleges. Then we have another group of individuals that graduate from high school, moving on to a 4-year institution, and they also have to foot their own way through college, or a parent has to pick up an additional job or ask other family members to participate in helping to pay for one's educational experience.

And while the gentlewoman from California (Ms. LINDA T. SÁNCHEZ) is here, I want to make sure that we share with the American people what is going on in this Congress now. Many times people ask, Okay, Democrats, what do you stand for? I mean, it is one thing to describe the problem. It is another thing to make sure that we can talk about and act upon solutions. And I will tell my colleagues that as it relates to doubling the maximum Pell grant award to $11,600 by 2010, I must say that this is a commitment that should be fulfilled because right now we have the typical student that nearly doubled themselves in debt.

Sixty-four percent of them are $17,000 in debt when they walk across the stage, thinking that they are going to a job, that is, if they have a job, that may be able to help pay down that debt, and we have more students in America, young people, whose loans are falling in default, and one of the things that I picked up at the conference, so it is so very important that we listen, the banks are now marching to the Hill with the majority. Republicans are saying, well, we have a plan for student loans. And I get kind of concerned when banks start coming with a plan for students.

And I do not know, I am not speaking from experience, but I know people who have gone through this. Right now we have banks, Mr. Speaker, that if one overdraws, it is a $29 fee. These are the same individuals that are coming to the Hill that are getting the attention of congressional leaders that they have a plan for young people. They are trying to do away with making sure that students can have a fixed rate to be able to make sure that they can pay their loans down, and when we do not have this fixed rate, the Congressional Research Service that we call CRS said ''by eliminating the current consolidation low-fixed rate benefit would force a typical student who has borrowed within $17,000 in debt to pay an additional . . . ''

This is a tax, Mr. Speaker. I am going to put it this way. When we have a $7.1 trillion deficit, the highest deficit in the history of the republic, and at the same time we are providing tax cuts to millionaires who are not even asking for it because we can, this is what happens. We continue to fleece our future and fleece the dreams of these Americans. And I just want to mention, before I yield to the gentlewoman, that under the fixed rate as it relates to interest, $3,948. Under a variable rate, that is the banks' plan, the big banks' plan that I must say is getting wind behind the sails here in this Congress, which is the reason why I am glad the gentlewoman from California (Ms. PELOSI) has brought us together because she needs the opportunity to be the Speaker of this House so that we can get some legislation and make sure we insulate the protections that students have now, under a variable rate, $9,432.

So when we look at it, $3,948 under a fixed; under a variable where banks make more money, students pay longer, and more students go into default, $9,432, this is counterproductive. These are the things that we have to talk about, and these are the things that we have to legislate against.

Ms. LINDA T. SANCHEZ of California. Mr. Speaker, if I could add a couple of things on to that, not only are the banking institutions trying to change the law to move away from a fixed rate to a variable rate, they are also trying to pass along the costs of generating these loans, more of the costs, on to students. Right now when students trying to take out students loans, they are responsible for their loan generation fees which end up being about $500 on average. So that is a further burden that is added to the students. Now they are trying to pass more of those costs on to the students.

And, sadly, if we think about this in the long term, banks get these loans

guaranteed by the Federal Government. That is our tax dollars. And every time somebody defaults on a student loan, it is the taxpayers who are coming to the rescue to pick it up. The banks have very little risk for these loans, and yet they want to make the interest rates fluid so that they can generate more profit, all the while fully knowing that if the loan becomes unbearable for a student to pay back and they default, they do not have to worry about it because the taxpayers step in and pay the bill.

I just think that is wrong fundamentally to put that burden back on the taxpayers when we should be trying to move in the other direction to make these loans affordable for students so that they do not default so that the payback rate increases, which, again, is more sound for the economy and again saves taxpayers money in the long run.

So with that, I will yield back to the gentleman and allow him to continue on the discussion on higher education this evening.

Mr. MEEK of Florida. Mr. Speaker, we just had another colleague join us. But I want to share with the American people, like I said, we are interactive here. We want to make sure that we hear from the American people. We want to make sure that we take them up on their suggestions. And the gentlewoman from California (Ms. LINDA T. SÁNCHEZ) is welcome to stay as long as she can. I know we all have schedules. But we are here to listen, and we are here to act.

For the Democratic leader, and I must add, female leader of any major party, to come here tonight to put emphasis on a weekly commitment of being here in this Chamber to make sure that we do not continue to see young people and families in debt because we feel that we are giving them one thing, okay, we will give them a $200 or $300 tax cut, but at the same time, we are pulling the carpet out from under them to allow their family to educate themselves better, to be able to provide for their families.

I want to commend the gentlewoman from California (Ms. PELOSI) for pulling us together, letting us know that our purpose here in this Congress is very important.

I want to give an e-mail address out. I want to make sure that the American people know that they can communicate with us on the topics that we should talk about in the future or topics that we are talking about now and also personal stories that not only working families are going through, trying to make sure they put money aside for students to be able to receive affordable tuition or that they can be able to provide for their children, 30somethingdems@mail.house.gov. They can send us e-mails. They can send us battles that they are fighting. They can also send us recommendations so that we can legislate better on behalf of them.

We also have someone who is joining us who is also one of our anchors here tonight, and I am so glad. I know the American people, nine times out of ten, think there is probably not a lot going on here, but there is a lot going on and we are so glad the gentleman from Ohio (Mr. RYAN) can join us. He is from Ohio, Congressional District 17, one of the youngest members, if not the youngest member, of the 30–Something group that the gentlewoman from California (Ms. PELOSI) put together, and is a dear friend and colleague. Mr. Speaker, I yield to the gentleman from Ohio (Mr. RYAN).

Mr. RYAN of Ohio. Mr. Speaker, I thank the gentleman from Florida and the gentlewoman gentlewoman from California for bringing up these issues. I just recently moved up into the 30–Something. I was in the 29 something caucus all by myself before we started here.

A couple of issues. I missed the beginning of the special order here, but I have three universities in my district. I have a local campus, branch campus of one of those universities, and I think the one issue that I faced being in the State Senate in Ohio with tuition increases going up by 10, 15 percent across the board, is that the one issue that young kids and young students could sniff out more than anything else is when someone is trying to pull the wool over their eyes, when someone is trying to tell them one thing and do something else. And the last presidential election, the students, the college students, the technical students, of this country were promised by the President of the United States that he was going to raise the Pell grant award to $5,100 for all freshmen students. Now today the maximum Pell grants is still $4,050.

So we try to engage young students, we try to engage young people into the process, and we try to tell them that we care about their needs. But here once again in 2000 they were told one thing by a typical politician, as they would see it and they would call it, who would promise one thing and then something else happened. They did not deliver on the promise. And, again, I heard the gentleman from Florida reiterate, as has been reiterated many times here in this Chamber, that again we have the priorities for the top 1 percent. They are the people that we care about. We garner all the energy of this Chamber to help the top 1 percent. But we cannot make one move to help college students. And as he said, I am sure in Florida it is the same way as it is in Ohio: 10 percent this year, 10 percent next year, 13 percent the next year, 15 percent the next year for college education.

And these are the States that are getting hardest hit by the job loss. So they lose their job or they are underemployed; so they go from a job making 15 or 20 bucks an hour with health insurance down to 9 bucks an hour. Now they are at Sam's Club, now they are at Super-K, now they are at Kohl's or Bed, Bath & Beyond, trying to make ends meet for their family, and they have a 15 percent tuition increase to try to make ends meet for their kids.

So I am glad that the leader has also organized this. This is a great opportunity, I think, for us to try to address some of the issues here in the United States Congress and let people know out there, let young students know out there on a Tuesday night at nine o'clock, as they are flipping through watching Comedy Central or MTV or VH1, that they could maybe tune in here once a week, and they do not have to do it every night, but once a week find out there are Members of the United States Congress that are trying to address some of their needs.

I know we have some other speakers. I would be happy to stick around and talk a little bit.

□ 2100

Mr. MEEK of Florida. Mr. Speaker, reclaiming my time, I want to thank the gentleman for identifying this, and really this is about a discussion. We want everyone to share opening statements, but I think it is important that we talk about these issues.

Once again, I want to make sure this is not the report of the gentleman from Ohio (Mr. RYAN) or the report of the gentleman from Florida (Mr. MEEK) or the report of the gentlewoman from California (Ms. LINDA T. SÁNCHEZ) or the report of the gentleman from New York (Mr. MEEKS).

These are reports produced by the Congress. These are reports produced by reputable institutions in the United States of America that are looking out for costs to the American people and looking out for our future as it relates to a workforce.

Mr. RYAN of Ohio. Mr. Speaker, that is right. If the gentleman would yield further, I would say to the young students who may be watching this or may hear about this through their college newspapers, that they can check the statistics. We are not going to stand on the floor of the House of Representatives and try to lie to you. We are going to present to you statistics we have had verified, information we have had verified from members of our staffs and different organizations.

Check it out. It is not us saying it. It is not a Democrat or Republican issue. Unfortunately, the Congress has been controlled by the Republicans for a good many years, the White House has been in the hands of the Republicans for now 3½ years, and the Senate has been in Republican hands for a few years now. If they wanted to address the needs of college students in the United States of America, they had the opportunity.

Time and time again, we took the opportunity to engage the top 1 or 2 percent, to make sure they got hundreds of thousands of dollars back in some instances. So this is a priority issue for this Congress; and if you do not believe

us, go right ahead and check our facts, just the facts.

Mr. MEEK of Florida. Mr. Speaker, reclaiming my time, let me share one other thing with the gentleman. I want to make sure the American people understand we are listening, and we will continue to listen. Not only young people, but parents that are facing this problem and grandparents that are now having to reach into their honey pot, however big it may be, of money they put aside, hard-earned money they put aside to help educate their children. Because the future of the bloodline is to make sure we have an affordable education system.

Democrats, the gentlewoman from California (Ms. PELOSI) and all of us in this Chamber, stand united in ending the $500 unfair student loan tax, which is the origination fee that the gentlewoman from California (Ms. LINDA T. SÁNCHEZ) spoke about. That is the fee that banks celebrate. That is the cream on the top. That is the ''we are already going to make a load of money off of interest rates, but we are going to add another fee on.'' These are the things that individuals do not realize that are taxes that they are paying that they should not have to pay.

Also providing the Public Service Scholarships for up to $17,500, and loan forgiveness for high-qualified graduates to teach in our schools, in nursing, child welfare and other high-priority public service careers that are there, and at the same time doubling the maximum Pell grant award to $11,600 by the year 2011.

Mr. Speaker, I want to bring on the gentleman from New York (Mr. MEEKS). We spoke of the $7.1 trillion deficit. That is a lot of money. As we go to make tax cuts permanent, this means that the education opportunity for young people and for parents who want to educate their children, I know this time of night I am usually either eating or we are putting children to bed, and I am going to tell you what is on my mind. On my mind is, can I afford it? And let me tell you, this is not about me, because, guess what? Many of us in this Chamber, we are going to be okay. The gentleman from Ohio (Mr. RYAN), the gentleman from New York (Mr. MEEKS), the gentlewoman from California (Ms. LINDA T. SÁNCHEZ), we are going to be okay, because we are Members of Congress and we are respected members of our community and we have some level of influence. Individuals may want to help our children.

But what happens to that individual who is not a Member of Congress? What happens to that individual that works every day, that is punching in and punching out, trying to live honestly? How do they educate their children? That is where the rubber meets the road. That is why we need the opportunity.

My good friend and colleague, the gentleman from New York (Mr. MEEKS), no relation, he said that he is ''meek'' when he is in Miami and I am ''meeks'' when I am in New York. I thank the gentleman for joining us.

Mr. MEEKS of New York. I felt compelled to join. I wish I was part of the 30-Something Club. I just joined the 50-Something Club. But just sitting here listening, I want to compliment those who are members of the 30-Something Club because America really is dependent upon you. Therefore, it becomes important for those of us in Congress to make sure that life is better for our children than it was for us.

Now, I sit here as a Member of Congress, as the gentleman indicated. I have three daughters, two of whom are in college. As the gentleman said, they are going to be all right. But their father can relate to what you are talking about, because I come from a very poor home. I grew up in public housing, and my parents understood that in order for my family to be better that education was the key. But they could not afford it, so when it was time for me to go to college, the only solution for me was to take out school loans.

Guess what? Even that was not enough. So my parents, my father, took a second job, my mother went back to work, and they had to borrow personal money themselves.

Now, the point I am trying to make is that then when I graduated, I went on and was one of those guys that was ambitious. It was not only 4 years of undergraduate school, but, as some people know today, you do not stop simply with a BA necessarily. But if you want to go on to do other things, if you want to go to graduate school, in my case it was law school, there was an additional 3 years of student loans that I had to take and sacrifice that my parents had to make.

So when I was able to leave school and took a prominent job as an assistant district attorney, when you look at the salary that I was making, equal to my companion, one would think, but I had these tremendous school loans that I had to pay back. So while they could go on and live in a decent apartment, I had to go back to live with my parents, for two reasons: number one, I had to pay my loans; number two, I had to help them pay for their loans that they took out for my education.

So for the first almost 7 years of my adult life working as a prosecutor I was still living at home, simply because of economics, simply because I had to help myself and at the same time help my parents who made the kind of sacrifices they made.

We should do better than that in Congress. We should not want to continue that burden or give an extra burden to our young people. We are, in fact, the richest country on the planet; and then we give tax cuts just to the richest 1 or 2 percent of Americans and say to our young people, we are not going to think about you. Or we know, as the gentleman said, that we are $7.1 trillion in debt, and guess what? Those of us who are 50-something, we are not really going to have to pay it. We are going to leave those burdens to you guys who are 30-something and 20-something. So you are going to inherit the debt. But on top of the debt, you are going to inherit from this country, we are going to pile on school loans, so you can never get out of it.

Or are we trying to set up a system where you have an elitist class, where only the top 1 or 2 percent can afford to send their kids to college? Why? They will not have to take out any school loans, because their parents are able to afford it and pay for it all.

So this work becomes important, what you are doing. I take my hat off to our leader, the gentlewoman from California (Ms. PELOSI), for what she is doing; and I take my hat off to the gentleman from Ohio (Mr. RYAN), the gentleman from Florida (Mr. MEEK), and to the gentlewoman from California (Ms. LINDA T. SÁNCHEZ), who was here, because they are leading America, and America only changes when young people move.

That is why I hope people get into these Members' e-mail and start e-mailing and commenting and giving some comments, because to me the future of America lies only with the young people; and we need these people and their involvement and their ideas.

I will tell you as an older individual who just entered the 50-Something Club that you will have an ally in me and many others in this Democratic conference, particularly, that will push to make sure that your America is a better America for all than it is today.

Mr. RYAN of Ohio. Mr. Speaker, if the gentleman will yield further, I want to thank the gentleman, because the 30-somethings are always looking for some support from the 50-somethings, without a doubt. But I think the gentleman raised a couple of very good points.

The one point is, let us think about a young student today who may be just finishing up high school, or a sophomore or junior in high school, getting ready to go, or maybe a kid 10 or 12 years old. What kind of student loan burden are they going to have? If the colleges, public universities go 10 percent, 10 percent, 10 percent, 10 percent over the next 4 or 5 years, Pell grants are not adjusted for inflation, the same problems with the student loans, we tack on more user fees and everything else, and then the debt from the tax cuts. So by the time they get through law school, if they are 15 now, by the time they are 27, 28, 30 years old, they have all of that educational burden. Then they have the burden that we are putting on them from the past 2 or 3 years here.

Where is the economic machine going to move at that point when you have so much debt? We are really putting chains not only on our kids, but on the economy. That is one point I would like to make.

The other point I thought of is that not only are we strapping ourselves

with our debt, but we have less kids that are going to be on the border that we need to create the new economy. We do not know what the new economy is going to be. We know it is not industry. We know industry has been on the decline for the last 30 years, trade agreements we have signed and a variety of other issues, whatever they may be, technology. So what is the new economy going to be? The best thing we can do is just educate these young kids and say, you go out and create it. We do not know what it is going to be yet.

So I appreciate the gentleman stopping down, and hopefully he can make it down in the next weeks and months to come.

Mr. MEEKS of New York. Mr. Speaker, if the gentleman will yield further, I will add to that, if I may, initially, you can go back to my time and before, we were competing with individuals within our State or individuals within our tri-state region or even just individuals within our Nation. But the gentleman is so right. Right now our students have to compete with other students all across this globe because of the global economy and how it is now all intersected and interconnected.

What we are really talking about here is the national defense of America, and the national defense of America depends upon the education of our young people. If we close that opportunity down by making it unaffordable to them, then we are really putting our country in a great, great danger of not being able to continue the greatness that we have thus far.

Mr. RYAN of Ohio. The great investment of the GI Bill, which sprang our economy into the world domination we now have. I look at my grandparents' generation, who many accessed the GI Bill, doctors, lawyers and engineers.

The space program, it was not just about going to the Moon; it was about getting mathematicians and scientists and engineers and physicists. They were not all going to work for NASA, but they went out into the private sector and drove this economy forward throughout the '50s, '60s, and '70s when we had a lot of success. We need to make those investments again.

Mr. MEEK of Florida. What I am glad to hear and see, especially the gentleman from New York (Mr. MEEKS), many times I think people know the glory, but they do not know the story. The story is real. The story is, as one comedian said, you had to move back in with your parents, write your name on the orange juice container, and sleep in the den. But you had to do it.

The real issue is, especially for a majority of this Congress on the Republican side, standing firm to make sure that millionaires receive a permanent tax break, so that we would have in the very near future a $7.1 trillion deficit.

I am looking for the deficit hawks every day. I am saying, where are they? The folks that used to take the floor on the other side, the Republican side used to jump up and talk about the deficit every 2 minutes, when it was this Congress, the Democratically controlled Congress that balanced the budget. President Clinton balanced the budget that put forth the opportunities for young people.

And when we are talking about young people, I say to the gentleman from New York (Mr. MEEKS), we are talking about you. We are talking about what you have to pay, what your constituents have to pay, my constituents, towards educating their children in the real world.

In the real world, many of these individuals that we are talking about here tonight, they cannot walk into a conventional bank and say, I want to get a loan for my children's education. They have to go and mortgage their homes. They get a second mortgage. They even go into the sub-prime mortgages, which is the high interest rate, because it is their children. As a parent, you will do anything to make sure that your children have a better opportunity than what you have had.

Just for a minute, the gentleman from New York (Mr. MEEKS) shared with us where he came from and how he got here and what he had to do as a young prosecutor in New York.

I know the story of the gentleman from Ohio (Mr. RYAN). I remember when we first got here, the gentleman said, the last time I was here I was passing out papers in the hall and I worked for a Member of Congress.

I thought that it was not only quite amusing, but I want to make sure that people know we did not just drop out of the sky and end up here in Congress.

We also are Americans. We have gone through some things. We want to make sure that people like us do not have to continue to go through things, especially when we can provide and do better.

Mr. RYAN of Ohio. That is right. I think a lot of people out there listening now who are young students who may not be tuning in tonight but, may be in the future, I do not think if you cross-reference the stories of those of us who are standing here, probably many of the Members here, the stories would be much different.

□ 2115

You work hard, you go to college, you get a summer job, you work in a steel mill in the summer, you cut grass in the summer, you do what you can to help move things along, and you hope that you are blessed with families who help you, parents who support you, grandparents who want to step in and support you to make sure that you can have what you have. That is becoming less and less available.

I think part of the reason I am here is because I was blessed to have a family who was able to help me out. I was blessed to have a summer job. Kids today are not even going to be able to get a summer job, because the market is so terrible that people who have been unemployed for the last 7 or 8 months are taking the summer jobs FROM the college kids, so that job I got cutting grass at Trumbull County and I would drive the thing on the side of the highway and drop the arm down to cut grass to make 6 bucks an hour so you would have money in the summer so you were not a further burden, those jobs are not available. The summer employment working the steel mill on the midnight shift, those jobs are not available because no one is hiring.

So there is a connection to all of this. It is not just about the student loans, it is about the economy, it is about the tax decisions that we are making here, it is about the money we are spending, it is about the deficits, it is about the irresponsible fiscal policies that we have here that are all, that are all affecting this for all students and people who are going to get a 2-year degree, or do not even go to school at all. They are still affected by the job market.

Mr. MEEK of Florida. Mr. Speaker, just to the point, I have some information here. I am so glad the gentleman from Ohio segued into summer jobs. I worked in the summer and I worked every summer. I had to because my mom was like, you are going to go out and you are going to work. So right now, we have the Center For Labor and Market Studies at Northeastern University in Boston saying, right now we are experiencing the lowest job opportunity; summer jobs for teens this summer are expected to be at the worst since World War II, since the end of World War II. And I think it is so very, very important for us to see that and understand that.

Kids that are going to be released from school soon that are going to have all day and idle minds to sit at home or even to get in trouble. They are usually productive because we provide an opportunity for those individuals to go out and get a job to hopefully help mom, dad or grandpa, whatever the case may be, are not going to have that opportunity.

Not only the fact that we have a bad job growth experience right now in the United States, but the fact that companies that would usually carry out that goodwill gesture of saying, I am hiring some kids this summer, I am putting them to work, I am going to do the right thing, they cannot afford it. They cannot afford to do so, because they do not even have the job to give to a full-time person, their unemployment has expired and they do not have health care.

I just wanted to give that point out.

Mr. MEEKS of New York. Mr. Speaker, that has a lot of residual effect, actually, just on that, particularly for somebody who may come from a very poor neighborhood. Because what happens with a lot of those summer jobs, I am again being one of them and I could talk about some of my constituents, et cetera, they get exposed to different things they may never be exposed to by

that summer job, and that summer job gives them the motivation to continue to go to school to do something.

But one of the other things I wanted to say that the gentleman from Ohio indicated which is very important, which I think that a lot of those of us who are, especially the 60-somethings and the 70-somethings now, should have institutional memory, because the gentleman from Ohio touched upon the fact that when they went to school on the GI Bill, et cetera, that they were able to become doctors and lawyers and accountants, et cetera.

Well, let us take New York State, for example. Many of them back then had nothing to pay for school. Because if you went to the City University of New York or the State University in New York, tuition was free. That is what made us progress so quickly from the 1940s to the 1960s, because we began and understood the importance in investing in education of our young people and we made higher education in public institutions free.

And now, the gentleman gave the statistics or the gentlewoman from California (Ms. LINDA T. SÁNCHEZ) gave the statistics earlier on, how every year the percentage on tuition rates are going up in our public institutions, and we will not have any money to help subsidize our public institutions. Why? Because we are $7.1 trillion in debt. So, therefore, we cannot help anybody who cannot do anything, because there is not going to be any money.

Mr. MEEK of Florida. Mr. Speaker, I find comfort in the fact that we will be back next week to have a similar discussion, and each week we are going to try to move to another subject on the issues that have arisen that week. But I just want to pause 1 minute and make sure that folks know, because we want to continue to listen to the American people and what they have to say about this. Thirty-Somethingdems at mail dot house dot gov, that is 30somethingdems, all one word, D-E-M-S, at mail.house.gov. I want to make sure that we understand how this thing works.

I used to be a member of the State legislature in Florida for about 8 years prior to my arrival here. I want to make sure the American people understand, because Members of Congress definitely understand, but the majority, the Republicans are looking the other way. That is the reason why we need an opportunity, Democrats need an opportunity to stand for all Americans. We are not here talking about the Democratic young person or working family experience. We are talking about the American family experience. We are talking about where the rubber meets the road. We are not talking about a cable news show where you have 30 minutes on there and the dialogue is already slanted towards a particular position. We are talking about what is happening every day in America.

I have constituents, and these student loan individuals call every day, harassing them, terrorizing them. And then, better yet, we have the banks that are fueling these individuals to say, we do not want a fixed rate, we want a variable rate, and they will say, well, it is low at the beginning and then eventually it has ballooned to the point where the interest rate is a tax on individuals. So I just want to mention how these things work.

The gentleman from New York mentioned a $7 trillion deficit. So when we cut the Federal commitment to the States, the State governments, they look for the prey. Where can they cut? They are not like us. I mean we can go and, well, let us see, what credit card are we going to use today? We will use this one. We are just going to continue to charge. We are going to continue to knock on the door of the Bank of China saying, we need more money to pay down on the interest, not the debt, but just on the interest of the debt. They cannot do that.

So what they do, they go and they pull in the chancellor of the university system and say, hey, listen, it all rolls downhill and students end up footing the bill of additional tuition increases. So what does that mean, an increase? One may say, well, it is not bad. They are just students. No. It hits home. Because guess what? Parents have to help. I mean the gentleman from New York (Mr. MEEKS) talked about it. You have to come up again out of your wallet and guess what? You cannot afford to pull out your credit card every time. You have to go in this part of your wallet, which mine is empty at this particular time, you have to go into this part of your wallet and pull cash out or go to a family member or go to the credit union, or go to the title loan company, or go to a prime interest rate to make sure that your kid can stay in school.

I just want to make sure the American people understand how this thing rolls downhill. When a Federal commitment is cut, the State has to cut their commitment, tuition rates go up and, I must say, just on case in point, for individuals that have a fixed rate that we have now, that I must say, senior members of the Republican Party are joining in with the banks to come up with this variable rate scheme that is put on by the banks, I must add, that borrowers default 8 percent of the time when they are able to consolidate their loans and 24 percent of the time with when they fail to consolidate their loans.

So when you look at it, the 24 percent, guess who wins? Well, the American people lose because they back the loans. But the banks win because, guess what? They are able to do that $500 fee all over again.

Mr. Speaker, if the gentleman can, before we run out of time, which I think we have about 10 minutes left, the gentleman from Ohio has to talk about this scheme that books are higher here in the United States than they are overseas. But before that, I am sorry, the gentleman from New York (Mr. MEEKS) was in the middle of something.

Mr. MEEKS of New York. Mr. Speaker, I would love to hear about the books, because I could tell my colleagues, I happen to be able to help my daughter, but I know what the cost of the books are, because I have to pay for them and I have to go into that billfold that the gentleman from Florida went into. Sometimes mine is empty, but it is empty because I have to pay for those books. I want to hear about the cost of books.

Mr. RYAN of Ohio. Mr. Speaker, I would like to see the gentleman from Florida (Mr. MEEK) pull his wallet out again.

Mr. MEEK of Florida. Mr. Speaker, my son's birthday was yesterday and I pulled the wallet out. I have been married 12½ years and someone asked me for a 20 and I said, I have not seen one in 12 years. So I ended up opening my wallet and somehow gifts and things, and I am here and I am waiting for the end of the month.

Mr. RYAN of Ohio. Mr. Speaker, one issue before we get into the books, I want to talk about the GI Bill. I do not know how many stories, if this is anecdotal or what, but I have heard a lot over my lifetime about people who are in the greatest generation and they are telling the story of their life and they say, well, and then I went to medical school, or well, and then I went to become a lawyer. And I would always ask, well, why? And they said, well, I did not know what I was going to do and the GI Bill was going to pay for it, so I went.

Now, how many kids are out there right now who, if we gave them that opportunity, they would say, I do not know what to do, I have a bachelor's degree in political science, I know I cannot make a very good living off that. What are you going to do? I am going to go to law school, I am going to go to medical school, I am going to go do something that is important.

But I think one issue that we do want to touch on before we leave here is to talk a little bit about textbooks. And nothing, nothing in my educational career got me more hot under the collar than when I had to return a textbook that I paid, or my mother or my grandparents paid $120 for, and you bring it back at the end of the semester, and they will give you 5 bucks, 10 bucks back for it.

So we have a piece of legislation here, just to shout out to all of the college students, we did not forget you. We know this is a major issue, we know this is a major problem.

There are textbooks that are sold in the United States that are sold for half the price in England. So the gentleman from Oregon (Mr. WU), a Member of Congress here, has a bill that we are kind of jumping on that is going to ask

the General Accounting Office to investigate these high prices of college textbooks and the disparity of prices between textbooks sold in the United States and overseas. There is no way a textbook sold in the United States, written in the United States, published in the United States, copyrighted in the United States should be $100, and they are sold at a bookstore in England or in London for $50. There is no reason why that should happen. So we want to do an investigation. We want to see why that is.

We are also on the brink, and I think we dropped it last week, of having a piece of legislation that would give parents or students a $1,000 tax credit for the price of college books. That should cover a good portion of the books that people spend in a year.

Mr. MEEKS of New York. Mr. Speaker, it is interesting that the gentleman should say tax credit, very interesting, because this country, as we talked about earlier, about helping the rich, but showing the direction that we could move in.

I want my colleagues to listen to this. JOHN KERRY has what he calls a ''college opportunity tax credit.'' What this simply says, it will make 4 years of college affordable for all Americans. We are talking about all Americans here. He will provide a credit for each and every year of college on the first $4,000 paid in tuition, and that is the typical tuition cost and fees at our public institutions and universities. Senator KERRY's tax credit will be refundable to our most economically-vulnerable students and for those who receive other credits. That is the direction that we should be moving in.

That is why the gentlewoman from California (Leader PELOSI) was here leading the 30-Something hour. That is why I think that we have the gentleman from Ohio here and the gentleman from Florida here and the gentlewoman from California who was here and others that are involved, that is the direction of continuing the greatness of America by investing in our young to make sure that their tomorrow is brighter than our today.

Mr. MEEK of Florida. Well, I can tell my colleagues right now, this whole issue of taxes, who pays them and who does not pay taxes is the defining issue here. I think it is very important that the American people understand that I am so glad that we are here tonight talking about solutions. We have a bigger job, identifying and describing the problem, that is good, because we are the Congress, we are an investigative body, we are hopefully a body of action and correction. But I will tell my colleagues this: if we stand idly by and allow individuals to come in, rob future blood lines of families, Democrats, Republicans, Independents, you name it, like David Letterman said, if you live in Sioux City, Iowa, you should be able to receive a higher education, your grandchildren and your children.

I will say once again, there is no greater prayer or hope that your children do better than what you have done, and the grandparents' philosophy is that their grandchildren have a better opportunity than what they had. And right now the way we are going, that is not happening.

Now, we talk about how we are going to do certain things, we talk about promises, and I am so glad that the gentleman from New York mentioned what Mr. KERRY is talking about.

□ 2130

Mr. Bush, I can go forever talking about things that President Bush has said he was going to do that he has not; but tonight is not that night.

It is what he said that he would do for students, what he would do for working families, and he said that he would make good on his promise in the 2000 election, that he would raise the maximum Pell grant award to $5,100 for college freshmen. That is just for college freshmen.

The gentleman mentioned Senator KERRY wants to give a $4,000 tax credit every year. That is just not, we want to get you in school, but we are not necessarily concerned about you finishing school. Because, guess what, you got to take out that loan to make sure our friends at the banks are happy. That is what keeps this thing rolling.

Instead of producing young minds, making them bright, making our country strong, we have a number of visas where we are shipping in people constantly to do the work that Americans could do if they were trained and if they had an opportunity to get that education.

I am glad the gentleman from Ohio (Mr. RYAN) mentioned his lawn cutting. I used to be a State Trooper in Florida. The gentleman was in Ohio so I did not pass him out on the highway while he was cutting grass. So I am glad the American people know that we are not from Mars. We are from the ranks of working people.

I want to mention one other thing that is very, very important, that Americans that are able to receive good jobs, they are able to support our economy, also provide health care for their families, if they do not receive a college experience, fewer and fewer students are going to school today, are being denied education, more and more students are being denied education because of what? Cost and also the availability of classes and community college systems and the 4-year institutions because they are having to cut.

Some of the chancellors, God bless them, they say we cannot go up on tuition any more, but what do they do then? They cancel classes or courses.

Mr. RYAN of Ohio. Maybe one of these weeks we could talk about No Child Left Behind. And I do not want to get into a K through 12 debate now, but it is the same issue. In Ohio, for example, the State legislature did a study, No Child Left Behind underfunded by $1.4 billion. So now that means that the State, in order to fulfill their obligations to the Federal mandate, must come up with more money. Does that mean they will take more from the college subsidies for higher education that the State puts on? Does that mean more of an increase to the property tax of someone who is paying property tax in the State of Ohio? Where will we get this money?

I guess the thing I want to communicate is that this is doable. The beautiful thing about this democracy is that it belongs to us. And if young people want to participate in this system and in an election from Republican to Democrat, then they can do it. There are enough students out there to make this happen.

If you want the millionaires' tax cuts to go away or not necessarily even go away, just a portion of it going away to pay for this, that is doable. If you get active and you get involved, let us know, 30somethingdems@mail.house.gov.

Let us know what your ideas are. We need young people to participate in this process and replenish this system because it has become very stagnant down here. It has become a very small group of people who raise money, dump it into this institution, get the legislation they want. That legislation helps them make more money and they take their profits and it is a cycle that goes on and on. And the only thing that combats that is democracy and young people getting involved in the process.

Mr. MEEKS of New York. Just what we are talking about, showing that you have a plan and moving away, Senator KERRY talked about his College Opportunity Tax Credit, but he also understands the deficits that the universities are having. So he also has a plan. It is called the State Tax Relief and Education Fund where Senator KERRY will help States struggling to bridge deficits resulting from the Bush economic policies with $25 billion to stop educational cuts and tuition increases across the country.

So it seems to me we are moving in the right direction. He also is talking about service for college so that if, in fact, he will initiate an offer to Americans to earn the chance of the equivalent of the State's 4-year public college tuition in exchange for 2 years of service. Senator KERRY will set a goal within the next decade of enlisting 500,000 young people a year in service for college. Steps in the right direction. Educating our young people, making it affordable for them and strengthening our country. This is what America is all about.

Mr. RYAN of Ohio. If you are a young student sitting at home right now, watching this or hearing about these policies, what would you rather have? That is that democracy. It is that simple. What would you rather have, tax cuts? A millionaire getting $130,000 back or a program like this where you will get a credit for your textbooks; you will get ''I Have a Dream Scholarships'' for your community service;

help the States to make sure that they do not cut back; tax credits; increase in the Pell grants. What do you want?

If you are a student and you want certain things, then you have to get out and participate in the system.

Mr. MEEK of Florida. As we close here tonight, I want to thank the gentleman from Ohio (Mr. RYAN) and the gentleman from New York (Mr. MEEKS) and also the gentlewoman from California (Ms. LINDA T. SÁNCHEZ) for their assistance and help here today.

We ask American people to continue to tune in and communicate with us. I want to commend the gentlewoman from California (Ms. PELOSI) for putting this together. We thank the Speaker for the opportunity to address the House and the American people tonight.

CHANGING MEDICARE

The SPEAKER pro tempore (Mr. COLE). Under the Speaker's announced policy of January 7, 2003, the gentleman from New Mexico (Mr. PEARCE) is recognized for 60 minutes as the designee of the majority leader.

Mr. PEARCE. Mr. Speaker, I thank the body for allowing me to come and address them tonight.

America is absolutely a magnificent place. I was one of six children growing up on a small five acre farm just south of Hobbs, New Mexico. My father worked in the oil industry as a roustabout. We were not poor but we definitely did not have as much as many families have. And to have the six children graduate from high school and go on to college, and for each one of us to become successful in our own ways, to be blessed with the opportunity to serve in this House of Representatives, is truly one of the great blessings that this country offers.

My wife and I were able, about 14 years ago, to make a down payment on a business. And in this country we were able to pay that business off and able to build that business from four employees to 15 employees because of the tremendous opportunities that this country has.

One of the things that became obvious to many people in the last several years is that with all of the opportunities and with all of the hope that is there were still things that needed to be done.

Last year, as many as 75 percent of Americans said that we needed to pass a prescription drug bill. Mr. Speaker, when I got here to Congress, I began to look at the Medicare program. And one of the things that struck me was that both Democrat and Republican analysts, the economists, both forecast tremendous difficulties in the financial part of Medicare within the next 4 to 10 years, depending on which economists you talked with.

So it became obvious to me that we had two significant problems. We had a need for a prescription drug plan because America's seniors were having to choose between food and medicine, and we had a Medicare program that faced insolvency, some say earlier than the 2017 projected by the trustees of the Medicare program. At any rate, whichever figure that you use, the tremendous financial difficulties faced by the budget created by the Medicare problems needed facing.

As a business owner, I was not about to sit by idly and let that train wreck come toward me. We began to address the problem. So these were the two things that we put into a bill. The prescription drug bill and we began to reform Medicare in order to have Medicare available to the next generations and to the generations beyond that.

Now, we wanted to craft a bill that was entirely voluntary. That was very important. Many of our seniors wanted a choice. They said we want a choice but do not mandate the choice. Make the choice voluntary. So that was one of the elements that we put into this bill, that it was entirely voluntary. Seniors can choose to participate or they can choose to stay exactly as they have been.

Now, in my own marriage we are a couple that would probably split our choices because I do not like change. I am like the seniors that do not want change, but my wife every day reads all she can about medical literature. She reads all she can about the different medicines that are available. Myself, I just want to know what ones I am supposed to take and I will keep taking it. So I think that in our marriage that my wife and I represent the two different choices that seniors told us that they would like to have in, and this bill allows both camps to have it the way they would like to.

Now the reform process that we have put into place was significant. For the first time under Medicare, we are able to give physicals, people entering into the Medicare program will have physicals. And if there are problems that are noted, then Medicare can pay for those problems to begin curing because another reform that we have put in is that for the first time we are allowing disease management instead of waiting until the problem becomes catastrophic, which was the old method under Medicare. We are now proactive in dealing with the illnesses out front in allowing the physicals, but then also allowing disease management.

Now, under this program, another reform that we put into place is that we now allow screenings for cancer. We allow screenings for diabetes. We all know that if you screen and detect early, that the cost of cure and the cost of remedy is less than if you wait until the catastrophic point. Not only is the cost less, Mr. Speaker, also the survivability is much greater. So there are many reasons that we felt reform was desperately needed in this plan and we have addressed those one by one and put deep reforms into this plan so that Medicare could begin to lower its costs currently while offering better care, greater survivability, and offering financial stability into the next generation and the generations beyond.

Now, I mentioned that we wanted competition in this bill and we got competition. Seniors are going to be allowed to choose private parties if they would like that, but they are allowed to stay in Medicare as they know it if that is what they want.

Now, there has been much hubbub, Mr. Speaker, many of our friends on the other side of the aisle declare that this bill is full of corporate welfare. Now, what they are trying to cover up is that we have made some very good decisions. Many of the seniors in this country have retiree benefits. My father is an example. He retired from Exxon and has medical benefits through that retirement plan. Almost always when seniors tell me that they want us to not mess with their retirement benefits, they are hoping that their company will continue retirement benefits into the future.

What we did in this bill, Mr. Speaker, that is described as corporate welfare, is we gave an incentive to those companies who have retiree benefits. We are willing to pay almost a quarter or maybe a little bit more if the companies will keep those plans in place.

Now, we will tell you, Mr. Speaker, that before we put in plan into place in the bill, 40 percent of the Nation's companies that offer retiree benefits were scheduled to drop them or delete them. After we passed the bill, that 40 percent dropped to 16 percent.

Now, keep in mind that if the retirement benefit has dropped, is dropped by companies, that the Federal Government will pick up 100 percent of the costs as those people transition from retiree benefits over into Medicare.

To the Republicans in the House, it made sense that we would do what we could to encourage companies to hold those retirement benefits because our seniors liked them, but also they are cheaper for the Federal Government. So it can be described as corporate welfare if you would like, but the greater and deeper understanding is that we wanted to create an incentive which would allow companies just the possibility of extending retirement benefits.

One of the most dramatic things we did under the bill, Mr. Speaker, is we put a health savings account in. Health savings accounts are a fairly simple process. It is a medical IRA. You can put money in tax fee at any age. You build up interest on it tax free. You can take the money out tax free at any age if you use it for medical purposes. And then you can pass it on to the next generation if you do not use it, and the next generation has a head start on the cost of their medical care.

Mr. Speaker, the health savings account can, by itself, revolutionize the way we buy and spend our health dollars in this country today. The health savings account can be used for medical purposes which are described very broadly in this bill. It can be used to

pay for premiums. You can buy your insurance through your health savings account.

□ 2145

You use it to pay for deductibles. You can use it to pay for office visits, emergency room or prescription drug costs.

Mr. Speaker, I would tell you that my company that my wife and I had built, if we still had that company, I will tell you that we would give the bonuses that each year we gave to our employees, instead of writing the check to the employee, we would have put it into their health savings accounts. Typically, we would have put $2,500 or $3,000 into our employees' accounts each year. Then it probably also would have lowered their take-home pay, and we would put that money over into the health savings account so that we reach the maximum of $5,000 per year per account.

After we had put 5 to 10 or $15,000 into the account, we would then start shopping for insurance which instead of having a $500 deductible, it would have had a $2,500 deductible or $3,000 deductible. It is at that point that the insurance costs begin to collapse, usually to about one-quarter of what they are. So that $3,000 deductible, maybe the insurance rates might fall from $500 per month down to $100 or $150 a month.

As we compress the cost of health insurance, Mr. Speaker, more of our young couples will opt back into buying health insurance; and the young people in the system, those who use it the least, make our health insurance system more stable.

Again, another thing that, of course, we did in this plan is we built the prescription drug benefit into it. Basically, we wanted to make sure that the people of low incomes were treated as well as we could, and then people of higher incomes would receive a different treatment. We simply split that up in order to allow the government to pay for it. If we had given the same prescription drug benefit to all people, as our friends on the other side of the aisle have suggested, the cost would have been driven from about $400 billion to $1 trillion. We felt like that for the future generation's sake that we must watch the cost on this bill as much as possible.

So for our seniors, at 150 percent the rate of poverty and less, that is about $18,000 for a married couple, we have no gap in coverage. They are covered at 75/25. That is, government pays 75 percent; the participant pays 25 percent. And that is up to about $5,200, at which point we said we think that is catastrophic coverage and we will begin to cover it at 95 percent of everything above that upper threshold, the cap of the program.

The cap is available to all income levels because we did not think anyone should risk losing their house and home. If you have more than $18,000, if you are more than 150 percent the rate of poverty, then we have a different program. Up to $2,200, you again have the 75/25 split, the government picking up 75 percent, the participant 25 percent; but then there is the gap in coverage that has been so demonized by our friends on the other side of the aisle. We put the gap in simply to allow the bill to be paid on this, the Medicare bill to be paid by the government.

My mom is an example of someone who falls into the gap. So I called her before we voted the first time on this, Mr. Speaker, because I, like other Members, still go home for Thanksgiving dinner and need to talk to my mom when I get there. I felt it best to address the issue up front. So we called her and asked. Her response to me was, Son, we have been blessed more than most people. We are not rich, we are not wealthy, but we have a pension that comes in from Exxon. We think that if we can pay more we should pay more.

It helped me to make up my mind on this bill, to vote for that famous gap that people are talking about, which simply is an effort to make this bill affordable to this generation and the next generation, but the prescription drug benefit again is voluntary. You have the ability to opt in or the ability to opt out of it, but it is available for all.

Now then, that program starts in 2006, Mr. Speaker; and so we wanted to do something for our seniors that are currently facing the desperate need to pay for their prescription drugs. We have this year and next year a $600 card for those people at 150 percent the rate of poverty or less. Those people get the $600 card, which is just like a credit card and can be used to pay for their prescriptions. We felt that the people on the lowest end of the income spectrum needed attention immediately, and we did give that.

Also, one of the reforms that we built into this Medicare bill was income as it relates to Medicare. It is a very high income relating but still not only in the prescription drug bill; but in the Medicare portion of it, we felt like it was needed to begin to control costs so that Medicare is available to the next generation and the generation beyond.

There were some leveling mechanisms that we also put into this bill. Mr. Speaker, I campaigned, talking about the need to reimburse all States equally. Before this bill, an urban State received higher reimbursement than a rural State for the same procedure. If a person went into a hospital in New Mexico and had a procedure done, Medicare would reimburse at a lesser rate than if they went into the hospital in New York City. I campaigned saying that we needed to level those two amounts, the reimbursement amounts, and we did that 100 percent for the hospitals. The hospitals in rural areas now receive the same reimbursement for procedures that hospitals in urban areas previously did.

I will tell you, Mr. Speaker, that another important thing in this bill for New Mexico was the fact that we addressed the border question. By immigration law, when a person comes to the border, immigration law says that the nearest hospital will take that person and cure any medical deficiencies that they have. If the Federal Government is going to mandate that, and my district is on the border, then the Federal Government needs to help pay the bill, because I have hospitals in my district that have been greatly penalized by this requirement that should face all of us if it is a Federal law but instead was being faced just by the border hospitals. There is $1 billion in this bill, Mr. Speaker, that helps to defray the cost during the next 4 years that border hospitals have faced dealing with this immigration question.

Mr. Speaker, we also recognize that disproportionate share hospitals, the DSH hospitals, should receive greater reimbursement in this because they deal with a greater percentage of Medicare patients. If that is the case, then DSH hospitals, the disproportionate share hospitals, are receiving also a little more help under this bill.

Mr. Speaker, we have done dramatic work in this bill. I will tell you that the enrollment process for the prescription drug card began just yesterday. First of all, let me share, Mr. Speaker, with the House the enrollment process. You can get enrollment information from your local pharmacy or on the Web site, www.medicare.gov. That is www.medicare.gov, or you can call a toll free number of 1–800–MEDICARE, and you should receive packets in the mail from your local drug card sponsors. You can log on to the www.medicare.gov or call the 1–800–MEDICARE number to find out if you qualify for a prescription drug card and which card will benefit you the most.

To enroll in a Medicare-approved discount card program, beneficiaries must first select the discount drug card that best meets their needs. They then will submit basic information about the drug coverage status to select a drug discount card program. You will turn in your ZIP code, the drugs that you are currently taking, and how far you are willing to drive to your pharmacy, and then you are told how much that it is going to cost you.

Mr. Speaker, I received information just yesterday about the first person who was able to sign up for one of these cards. This person was 85 years old. She lives in New Mexico. She gets a $400-a-month Social Security check. Her prescription cost is $409 per month. Mr. Speaker, she is the target that we had in mind when we built this bill: people of low incomes, modest means, who are paying almost everything out for medicines that they take in.

She called the 1–800–MEDICARE to find out if she would benefit from a prescription drug card. She told them which medications she used, how much she paid for them, which pharmacy she wanted to go to, how much her Social Security check was, and what current

benefits she had. They used all of her information to determine which prescription drug card would benefit her.

Mr. Speaker, I myself felt like we had passed a good bill; but when I got the information from this lady in our State in New Mexico, I knew that we had done a good job.

Mr. Speaker, we have not yet gotten into the heart of the competition; yet this woman in New Mexico, a retiree, 85 years old, $409 a month in medications, with her card, her cost is going to be $13.61. Mr. Speaker, this is the value of competition. It is this competition that the Republicans in this House wanted to unleash and to get active in people's lives, allowing competition, not the government, to drive down the prices that we find our seniors paying.

Mr. Speaker, I will tell you that there was great debate. People wanted the Federal Government to negotiate for prices. Much was made of the fact that we did not have the government negotiating prices. Three of the letters that are most hated in the alphabet by our seniors are HMOs. When I go to town hall meetings, I hear the anger at HMOs because the HMOs have someone sitting in a room somewhere that is not a physician, who is telling them what medical procedures they can have and what prescriptions they can have.

Mr. Speaker, I will tell you that in the debate of whether or not the Federal Government should be buying medications and redistributing them, I felt like the competitive model was going to be the most powerful, and when I see that the competitive model that we have unleashed in this bill drives the cost from $409 a month to $13.61 per month, I know that we have chosen correctly. I do not think that the government could buy and distribute medicines that well. If we think the government can do it, then we think that the postal service is going to work efficiently tomorrow. I myself do not feel that way.

Mr. Speaker, I am joined tonight by good friends and colleagues of mine. We have got the gentleman from Georgia (Mr. GINGREY) and the gentlewoman from Florida (Ms. GINNY BROWN-WAITE). I would welcome them to the discussion and would ask that the gentlewoman from Florida (Ms. GINNY BROWN-WAITE) take the floor, make any comments that she would have, and then allow her to turn the floor to the gentleman from Georgia (Mr. GINGREY), who is a physician; and I would like to continue this discussion of the Medicare bill and the things that they are finding in their districts.

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I thank the gentleman from New Mexico for yielding.

Coming from Florida, we obviously have a large number of seniors; and particularly in my district, we do not have wealthy seniors. The interim prescription drug card that is available, that began to become available yesterday, is a great benefit for so many of my constituents.

A lot of times there is a great fear of the unknown, and I think it is exactly what happened. I think that some of our colleagues on the other side of the aisle in the Democrat Party had so frightened seniors that these cards were not going to be sufficient and that sufficient savings were not going to take place.

I have heard very positive comments from seniors in my district that the Web site is easy to navigate on. I actually, like you, also called Medicare because I wanted to make sure that there was not a big backlog or a long waiting period before you got a real person on the line, and that absolutely is not the fact. It is a very efficient system. There are operators standing by, and that number again is 1–800–MEDICARE, and you simply tell them your ZIP code and the number of prescriptions that you are taking now, and they will help you to navigate through which card is best for you.

I think it is important that Americans realize that, first of all, this is a voluntary prescription drug plan. It is not mandatory.

□ 2200

When one looks at the prescription drug cards, certainly it is not a one-size-fits-all scenario, nor should it be. Many people in my district have Tricare for life and/or they have retirement benefits from when they were employed, and they are happy with those. We want them to keep them. That is very important. I know that I worked with the two gentlemen here this evening, one from Georgia and the other from New Mexico, to make sure that we encouraged employers to continue to offer those benefits. How do we encourage them, with a tax-free subsidy.

I believe that the number of employers who will stop health care coverage to retirees, that the number of those that will stop will severely dwindle. I recently had a constituent come to me, and I am originally from New York. He had worked for a major power company there. He was so afraid that they were going to drop their coverage. Well, I called the power company for him as I told him I would do, and asked them exactly what their plans were, and explained the 28-cent subsidy tax free that they will receive. They have looked at the tax-free subsidy, they have no intention of dropping their coverage, and the constituent is very happy to know that the company that he had spent well over 35 years working for is going to continue the retiree coverage. As we worked on this bill, I know to many of us that was a very important factor.

I also visited the Web site, and here are a few examples of what I found on the Web site. For example, Lipitor, a common drug used to curb high cholesterol, according to the Medicare Web site, 17 Medicare discount cards are available to constituents living in, for example, Brooksville in my district, who take Lipitor. Most of the cards are accepted at over 8 different pharmacies within a 10-mile radius. Today, for example, seniors living in Dade City, Florida, are paying up to $87 for a 30-day supply of Lipitor. However, beginning in June, some of the cards will offer a 30-day supply for as low as $67. Many of the cards have no enrollment fee. That is a savings of $20 a month.

Another very common drug is Zyrtec, which is taken for allergies. Seniors in Crystal River are paying $86. According to the Medicare.gov line, one prescription discount card will only charge $58 a month for Zyrtec with no enrollment fee, and that means a $28 a month savings. There are many other examples of some of the other prescription drugs that also have savings, and I added some of them up. For example, Zyrtec, Lipitor, and Prevacid, which is used for acid reflux disease, the Prevacid, they actually will save $50 a month on by using the prescription drug cards. When we add all of this up, that is a savings of $350 a year, and that is if they are not low income. It is $350 this year, and $700 in 2005, and that is just for one prescription. If a senior took all three of these, they would save almost $600 this year. When you combine 2004 with 2005, it would be $1,100.

That is why I absolutely cannot understand why our colleagues on the other side of the aisle who are supposed to be so concerned about the poor in our Nation have absolutely no concept of the benefits that this prescription drug bill will bring to every constituent.

As I went around in my district when we were off during April, I had many town hall meetings, and there were some things I said to people who said I do not need the plan, I have a great plan or I am on Tricare, I am covered for life, I am fine, no thank you. I said to them, well, for your friends and neighbors or maybe later in life you decide this is a good plan for you, but there are some great benefits in there for those on Medicare. For example, they will have a Welcome to Medicare physical exam that never before has been available.

There was scheduled by a previous Congress, not one that any of the three of us belonged to, but there was scheduled to be a Medicare home health copay. That copay for home health care, which is so necessary when someone comes out of a hospital setting, and they are coming out of hospitals a whole lot sooner now, and they go to the home, and having home health care is such a blessing because it helps them to be in their home where they will recuperate better and also have medical supervision. There was a copay scheduled to be to go into effect. The copay scheduled has been scrapped by the Medicare Modernization Act.

Additionally, there was a $1,500 physical therapy, occupational therapy and speech therapy cap, a total of $1,500 a year for all the therapies. If you broke your wrist, $1,500 worth of therapy

might be okay; but Lord, if you have a stroke, you need all three of those therapies. You need physical, occupational and speech therapy, and $1,500 was just the tip of the iceberg for the needs of those who had had a stroke. We eliminated that very arbitrary and cruel $1,500 therapy cap which another session of Congress had imposed.

Additionally, doctor reimbursement. Physician reimbursement was scheduled to be cut by 4.5 percent. I was hearing, as were many of my colleagues in Congress, hearing that doctors were going to withdraw from Medicare because they had an unusual phenomenon of their Medicare reimbursement was going down and their expenses were going up, certainly including malpractice insurance. Those two storms, if you will, of rising costs and lower reimbursement were a problem on the horizon that this bill took care of. We did not cut physician reimbursement, we actually increased it by 1.5 percent so physicians are staying in the Medicare program.

With so many seniors in Florida, it is so important that we have adequate physicians, and it is funny the gentleman should mention the HMOs. In my area, so many of my constituents love HMOs. I actually was at an event last night in Lake County, and she said to me, What are you going to do to get some HMOs here? They had lived in another county that had a lot of HMOs, and she really appreciated HMOs and wanted to know when we were going to have an HMO in Lake County. I explained that is not something that the government mandates, but here is an example of somebody who is very happy with an HMO, and I have heard that from many of my constituents.

But for those who live in counties where HMOs are, this bill also increased the reimbursement to HMOs and mandated that they either increase the benefits to those subscribers who are in HMOs or that they cut the costs. In my area, in the Tampa Bay area, we have a variety. Some added services, and others cut the monthly subscription fee. So many people are very glad that the HMOs are being adequately reimbursed in this bill for those who love the HMO concept.

Mr. PEARCE. Mr. Speaker, I yield to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. Mr. Speaker, I appreciate the gentleman from New Mexico (Mr. PEARCE) bringing this timely discussion before Congress. As the gentleman has so carefully pointed out, it was yesterday, the very first day that seniors would have an opportunity to go, as the gentleman mentioned, on the Web site or pick up the telephone and just dial 1–800–Medicare, and find out which prescription drug discount cards are offered in their area. You just put in the ZIP Code. For me it is 30064 in Cobb County, Georgia. You find out which cards are offered in your area, and where is the closest drugstore which accepts one of these prescription discount drug cards. We had a great turnout. We probably had 60 seniors at the senior center in my district, the 11th Congressional District of Georgia. I think they were very pleased. There were some great questions.

And certainly this bill, if you look at the whole of it, and my colleagues have explained it very well tonight, yes, it can be a little bit confusing and that certainly is true. A lot of people, as mentioned, do not like change, and it is going to take a little while to get used to this, but help is there. The Secretary of HHS has hired an additional 1,400 people on the Medicare system just to man these call centers. Yes, those jobs are new jobs created in this country, they are not outsourced jobs. These people are sitting in front of a computer, and seniors who are not so comfortable sitting in front of a computer, all they have to do is respond to the questions, and they will get a list of the cards and they will put in the medications they are on, maybe it is 3 or 5, and the dose, and how many times a day they take those medications, and they will be able to compare.

If there are three cards available in their area, they will know how much discount they get on each one of those prescriptions. Obviously, they will want to choose the card that gives them the best deal.

I want to commend the gentlewoman from Florida (Ms. GINNY BROWN-WAITE) because when we first were discussing this bill, how about these pharmaceutical companies that offer discount cards, and usually they give these discounts and incentive programs to those people that the gentleman from New Mexico (Mr. PEARCE) was talking about, those that are on a fixed income, living at or near the Federal poverty level, so the pharmaceutical companies have helped in that regard. Typically, though, they only offer discounts on the drugs that they sell.

What I tell my seniors, as they look for the Medicare discount card, and maybe it covers 2 out of the 3 medications that they are on that gives a good discount, but on the third, if it does not, it may be that they have a discount card from that pharmaceutical company that makes that drug, and so they can use their cards in combination. Much credit for that goes to the gentlewoman from Florida (Ms. GINNY BROWN-WAITE) because she made sure that these companies submitted letters. As we were debating passage of the Medicare bill with the prescription drug benefit part D, she ensured that these companies pledge not to drop these programs, and I certainly commend her for that.

Mr. Speaker, one thing more I want to say about this bill. You have heard the expression that a group can accomplish great things, a team can accomplish an unlimited number of things if nobody cares who gets the credit. Now that is true, but I am, unfortunately, learning more and more in politics all too often it is really about who gets the credit. Politicians care too much, especially in a Presidential election year. Some of the opposition we are getting from the other side of the aisle as we debated that bill, and even now, it reminds me of the 2000 Presidential election.

I would say to them, do not go back to that sore-loser mentality. Get over it. Republicans and this President passed a bill that you guys were never able to pass. You made a promise, but you did not deliver on it, and now you are mad because this President did deliver on his promise, and this Republican-led Congress have finally given the seniors something that they have desperately needed.

□ 2215

But I would say to my colleagues on the other side of the aisle, join with us, take some of the credit. Indeed, a number of my colleagues on the other side of the aisle voted to support the bill. But to continue to scare seniors, to talk about this new Medicare Modernization and Prescription Drug Act that my two colleagues have so carefully outlined the benefits of, to say that that is a fraud on the seniors and it is just an election-year ploy or a sellout to the pharmaceutical industry, this is unconscionable, to scare these seniors. And when we talk to them in our districts, of course, we have to spend maybe the first 15 minutes of the hour trying to overcome some of that negative, inaccurate Mediscare rhetoric.

I would say to my colleagues, it is time. Embrace this bill. It is a wonderful thing. It is not perfect. Few bills are. I do not think I have ever seen any that did not need at some point some tweaking. But it is a great step in the right direction; and as the gentleman from New Mexico has so clearly stated, it gives the best benefit for the seniors who need it the most. In fact, it is an absolute godsend for seniors who have to choose between medication and food and utilities and a roof over their head. That is the safety net.

Yes, we wish we could do more; but as has already been stated, instead of costing, whether you estimated this at $400 billion or $520 billion, what the Democrats wanted to do on the other side of the aisle would have cost $1.75 trillion. Of course, we would like to be able to afford to do these things, but at a time when we are trying to win the war in Iraq and equip and protect our troops and shore up our Department of Homeland Security, there is just not enough money to do that.

I would say to my colleagues, get on board, join with us, take some of the credit and you will deserve it.

Mr. PEARCE. I thank the gentleman for his comments and the gentlewoman for her comments. They both pointed out many things that we really should be discussing. I have seen the Mediscare tactics that are used in my State. In fact, State officials are going around and trying to convince senior

groups that in fact this is not a good plan, but they are sledding against heavy opposition because the seniors themselves have been reading the bill. The seniors have looked at the endorsements of this bill. I think the endorsements were a very key part of not only passing the bill but feeling comfortable with passing it.

We are endorsed, of course, by the AARP. Almost all of the hospital associations endorsed this. The physician associations endorsed this. The prescription manufacturers endorsed it. One group after another and maybe either the gentlewoman from Florida or the gentleman from Georgia can tell me exactly, but I think there were over 130 endorsements of groups that cater to seniors and watch out for seniors, saying at the end of the day, this bill is a good bill. So it was with some comfort that I voted for it.

There are questions that come up about this bill when we are talking, people get concerned about the reimportation and why we cannot reimport drugs from other countries and why we did not put the reimportation of drugs into this bill. Mr. Speaker, I would remind this body that about 2 weeks ago we saw on the evening news, in China, a firm that was distributing counterfeit formula for infants, and we began to see hundreds of infants dying and hundreds of infants sick because there was a counterfeit drug used. I will tell you, Mr. Speaker, the last question that you have to ask is if we allow the wholesale reimportation of drugs, are we going to have those same counterfeit problems on our shelves here as China saw? At the crux of the problem is the security that we face when we purchase anything from our drug stores on the shelves of our stores. Mr. Speaker, that is one of the most important concepts that seniors ask about and there was a very good answer and a very sad answer given on that evening news report.

The one piece of legislation that as we look at our medical facilities, as we look at our medical costs, as we look at the ability of physicians and hospitals to provide care, the one thing that we need to have passed, Mr. Speaker, and I am sure the gentleman from Georgia will concur, is we need medical liability reform. The personal injury lawyers are driving up the costs of medicine, but they are driving providers out of business. We have been told, Mr. Speaker, in my district in one town we may not have an OB-GYN left in the town and it is a town of about 75,000, that there will not be an OB-GYN left in that town by the end of the year because of the threat of lawsuit. Mr. Speaker, one of the desperate problems that we must cure is the lawsuit abuse that is occurring in this country. No one person would watch while there was no remedy in our courts. What is going on right now is not a remedy. It is considered a lottery. The trial lawyers feel like they have a lottery, and they have access to everyone who provides medical coverage in this country, and it is literally driving the costs up too high to continue to practice.

I yield to the gentleman if he would like to discuss this.

Mr. GINGREY. I appreciate the gentleman yielding. Of course, that is a peripheral issue; but certainly it is an issue of great concern. I thank my colleagues, Mr. Speaker, on both sides of the aisle in the House when over a year ago, in fact, H.R. 5, the HEALTH Act of 2003, was passed in this Chamber. What I will always stress, Mr. Speaker, is that the medical liability reform issue, tort reform, if you will, is really all about balancing the playing field, leveling the playing field. I think that is our responsibility as Members of this Congress, to always try to have a balanced playing field and not to give one side a tremendous, unfair advantage to the detriment of the majority. I think that is what is happening now in our legal justice system, particularly in regard to the practice of medicine.

Again, I do not, Mr. Speaker, try to paint with a broad brush every good attorney in this country and some of whom, yes, practice personal injury law and represent their clients well, but there are so many frivolous lawsuits; and as the gentleman from New Mexico says, it is causing us huge problems of access. The bottom line is not so much the physician's bottom line, but it is the patient's bottom line. Of course, when a doctor stops his practice, Mr. Speaker, as the gentleman mentioned so many are doing in his district in New Mexico, it is not just a loss of a physician. It is also maybe a loss of 15 or 25 jobs in his or her office. It is a huge issue.

I appreciate the fact that the gentleman mentioned it in the context of talking about health care, talking about the Medicare Modernization and Prescription Drug Act. It is all interrelated. This President and this Congress can understand that, this Republican leadership, Mr. Speaker. That is why we wanted to get these things accomplished. We are unfortunately continuing to wait on the other body. But we did get this Medicare bill passed, in fact, by a large majority of the other body.

As I was saying earlier, it is time for our colleagues to get on board. Take some of the credit for some good that you have done even though we had to drag you kicking and screaming. I do appreciate the gentleman bringing it up.

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, it has been said that the cost of litigation drives up health care costs by 25 to 30 percent. It not only drives up physicians' costs and hospital costs but also pharmaceutical company costs because so many times there are extremely expensive lawsuits that are out there. Whether the lawsuit goes completely to court or whether it is settled out of court, all of this drives up the cost of health care. A lot of times, constituents will say to me, well, that medicine was actually patented 5 years ago. Why are they continuing to increase the price? It is a lot of times because of litigation that is ongoing that drags on for absolutely years.

When I was a State senator in Florida, I accomplished some tort reform in the area of nursing homes because we had nursing homes leaving the State. Accomplishing tort reform is a very difficult job. There is a very delicate balance there. You want to make sure that those who are harmed by an egregious act, that there is a method for compensation for them. But the number of frivolous lawsuits has gotten so out of hand. My constituents will come to me and say, isn't there some sort of law against filing frivolous lawsuits? In Florida we actually have a law. Does the gentleman know how many times judges have imposed fines on attorneys for filing frivolous lawsuits? There was one judge. It was an amount of money that he fined the lawyer that he could take it out of his wallet and hand it to the judge that day. Obviously, there is not enough of a financial disincentive there to thwart the number of lawsuits that are filed. Again, this drives up the cost of prescription drugs.

But getting back to the prescription drug bill, passage of this bill is one way that we can help so many low-income seniors. My mother-in-law was only on Social Security. The pharmacist came to us, gave me a call and said, you know, she's not refilling her prescriptions often enough. My husband and I took over and assisted with helping her with her prescription drug costs. But there are so many families out there who cannot or will not for some reason help their elderly parents or grandparents. The passage of this bill gives seniors dignity because they do not have to turn to their children. I think that is an important concept that we may have not promoted enough and that certainly the other side is missing. For somebody who only has Social Security, you cannot afford car payments and insurance payments and your rent and food and buy those prescription drugs. Believe me, my mother-in-law is not atypical. There are so many seniors who are in exactly that situation, older teachers who outlived their pension, just a lot of seniors who only have Social Security or very, very small pension amounts. They will fall into this category of a single person with $12,568 or a couple of $16,861. There are so many people who will benefit from this.

I say shame on the Democrats in this House for not promoting this bill in their districts, for again engaging in the Mediscare tactics of the past.

Mr. GINGREY. Just on that thought, the other side of the aisle always takes a lot of credit for being the party of women's rights. Yet they are certainly overlooking a tremendous women's right in regard to this particular bill, and I think the gentlewoman from Florida was just alluding to that.

Women live 4 or 5 years longer, maybe 85 years compared to us male counterparts, about 81 years. Many of them who work get into the workforce a little bit late in life, maybe they are choosing to raise a family, to be a mom, to be a grandmom; and they never quite catch up in their income level, even though in some instances they are doing the same work. And so more of them, a disproportionate share of women are the ones who are living and many times single at or near that Federal poverty level. They have got, Mr. Speaker, a great deal of health care needs, of course, and a lot of prescriptions, whether it is something for osteoporosis or high blood pressure, cholesterol or maybe even chemotherapy to control cancer. They are in desperate need.

So I say to my colleagues across the aisle, if you want to truly be the party of women's rights, then you certainly ought to support this bill.

Mr. PEARCE. I thank the gentleman for his comments and the gentlewoman for her comments. Women are the great beneficiaries, and a tremendous number of the people who will participate in this prescription drug program under Medicare will be women because many of them fall in the lower income strata and many will qualify for the 100 percent coverage throughout the spectrum, but they have been made afraid that they are going to be the ones falling into the gap.

□ 2230

The only people who fall under the gap are those who can afford it. Those with the most desperate needs get coverage all the way up and down the spectrum, Mr. Speaker. So that is an important distinction to make.

One of the things that we have not yet talked about that the prescription drug bill did, it did three things to kind of give the prescription drug makers a wake-up call. None of us would choke the prescription drug manufacturers down to nothing because they are making magnificent miracle-like drugs that are extending life and extending the quality of life. But we did three things in this bill to really get the attention of the prescription drug manufacturers just a little wake-up call, if the Members would.

First of all, we cause generics to come to the market sooner in this bill. Secondly, we give incentives for people who will use the generics to convert useage over from the more expensive prescriptions into the generic field. But the third thing that we did was to stop an abusive pattern of constantly extending patents which kept competitive prescription drugs from coming to market. A prescription drug maker gets a patent when they reinvest in a new drug. When they do the research and development and create a new pharmaceutical, they have a patent period, and what they are doing is just indefinitely extending the patent. They would go to a second patent period, a third, a fourth, a fifth, and a sixth by minor changes in their patent application. It was legal, but it was not right.

So what we begin in this bill is saying that they get one patent period, they get one extension, and no more. The effect of that is it is going to bring those competing products to the market sooner. So we did three things in this bill, Mr. Speaker, to really address the seniors' frustration with their prescription drug makers to let them know that we appreciate what they do, they do good work, they are good companies, they are good corporate citizens, but to please look at their practices just a little bit.

Access and affordability are the two parameters of care. It does not matter if one has affordability if they do not have access. This bill attempted to cure access as well as affordability. And, Mr. Speaker, I think that we have done well in our job.

I thank the gentleman from Georgia and the gentlewoman from Florida for coming out tonight. This is a very important topic, and since yesterday was the initiation point of the ability to sign up for the drug cards, those discount cards, we felt like it was important to remind the people of this House exactly what that means and what the bill means. We wanted to have a review of the process which was directed at again the two basic overarching problems. One is the need for a prescription drug benefit in this country because our seniors were having to choose between food and medicine.

The second need we were addressing is the financial difficulty that Medicare faces in a very near-term future, extending on into the very distant future. This Medicare bill and this prescription drug bill began the process of reforming the Medicare program to where its financial viability is greater to where the next generation and the generation beyond that has access to the Medicare bill. But we also put in a prescription drug benefit that has the potential to dramatically lower the prescription drug cost that our seniors will face.

Mr. Speaker, I for one am proud of the work that we have done. And as I have visited with seniors around my district, and we have had 10 or 12 town hall meetings in my district about the prescription drug bill, I find that seniors are energized and excited about what we have done here in our legislation. They are excited about what it does currently for seniors, but they are also excited about the reforms that we have made to where their children and grandchildren will hopefully have access to the Medicare plan which they have grown to love and to trust.

Mr. Speaker, I share with the gentleman from Georgia (Mr. GINGREY) and the gentlewoman from Florida (Ms. GINNY BROWN-WAITE) the pride in what this body has done.

IRAQI DETAINEES AT ABU GHRAIB PRISON

The SPEAKER pro tempore (Mr. COLE). Under a previous order of the House, the gentleman from New York (Mr. MEEKS) is recognized for 5 minutes.

Mr. MEEKS of New York. Mr. Speaker, it is hard to decide where to start in expressing one's outrage about the revelations, including the graphic photographs, that our military personnel literally tortured Iraqi detainees at a prison near Baghdad. It is even harder to know where the responsibility ends for conduct that obviously violates the Geneva Convention on care for prisoners of war and Geneva Convention on the obligations of an occupation authority.

For any decent-minded American, whether he or she supports the war or opposes the war, to remain silent about this conduct is to be complicit with this conduct. To refuse to condemn it in the strongest terms possible, to be reluctant to hold accountable not only those who did this but also those who permitted it, those who ordered it, those who created an atmosphere that encouraged it, and those who sent the signals that everything and anything goes, no matter how far up the chain of command, it jeopardizes our relationship with the entire Arab and Muslim world. We should all fear for every American soldier and civilian in Iraq whose life has been placed in jeopardy by this irresponsible behavior and, frankly, the irresponsible conduct of this war.

Before these revelations, it was manifestly clear that our Iraq policy was in deep, deep trouble. It was already clear that we faced a widening and deepening resistance. It was already clear that the administration's characterizations of the resistance as ''dead-enders,'' ''remnants of Saddam's regime,'' and ''terrorists from the outside'' did not coincide with reality. These allegations, revealed first last week by 60 Minutes II, then detailed by investigator reporter Seymour Hersh of the New Yorker Magazine, and substantiated in a courageous report by Major General Antonio M. Taguba, may have made our situation irrevocably untenable.

Think of the predicament now facing U.S. occupation this way: What would anyone anywhere in the world want to do to someone who had done such despicable acts to a family member?

The President and other senior administration and Pentagon officials have been quick to say that only a few participated in these deeds. My question is who are the few? Over the weekend, the mistreatment was said to involve only six or seven military police. Now at mid week, we are told that 17 U.S. soldiers are under investigation for their role in the abuses, including seven supervising officers who will receive an official reprimand or admonishment, six enlisted personnel who are charged with criminal offenses in

March, and another four who are under criminal investigation.

Against this backdrop, General Richard Myers, the chairman of the Joint Chiefs of Staff, said this past Sunday that he had not read the Taguba report. It has taken until today for Secretary of Defense Donald Rumsfeld to make a statement, and according to a Pentagon spokesman, as late as today, Mr. Rumsfeld had not read the report either.

National Security Adviser Condoleezza Rice is the coordinator of our overall efforts in Iraq. She has been silent as well. Secretary of State Colin Powell says that the entire military should not be condemned for the actions of only a few.

No one is condemning the entire military, but once again I ask who are the few? Does it include those, whoever they are, who told the military police to ''soften up'' the detainees for interrogation? I cannot accept, especially when we hear that military intelligence and private contractors ordered the actions, that these military police officers just happened to choose acts that are offensive in any culture, but are especially humiliating to males in the Arab and Islamic cultures.

And logic leads me to believe the psychological implications were well understood, and the acts imposed on the detainees were deliberately selected.

It is fair to ask what else may be going on? Has there been such a heavy reliance on private military contractors precisely to evade criminal liability? Have not Iraqis been given new reason to view the United States war on terrorism as a war on terrorism against them, their religion, and their culture?

Congress needs to conduct a probe of the incidents and their wider ramifications. Congress and the American people must answer to questions that we can be sure that the people of Iraq and all Muslim lands are asking. While the full weight of punishment should be brought on all of those implicated, the American people, as a whole, need to appreciate how much higher the mountain now is that the President must climb to win the hearts and minds of the Iraqi people and to persuade the Middle East to follow the model of American democracy. Under his leadership things continue to go from bad to worse to terrible.

IRAQ WATCH

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, the gentleman from Hawaii (Mr. ABERCROMBIE) is recognized for half the time remaining before midnight, approximately 40 minutes.

Mr. ABERCROMBIE. Mr. Speaker, I come before the House this evening in this special order representing those of us who have participated in what we have termed ''Iraq Watch.''

For some period of time now, several of us have come before this House to try to analyze in a hopefully dispassionate way but in an informative way what is taking place in Iraq and what the implications are for us here in the House of Representatives, and by extension for the Nation in terms of the political ramifications.

I come here tonight by myself because the other members of Iraq Watch, the gentleman from Pennsylvania (Mr. HOEFFEL), the gentleman from Massachusetts (Mr. DELAHUNT), the gentleman from Ohio (Mr. STRICKLAND), the gentleman from Washington (Mr. INSLEE), and others who have joined us periodically are otherwise occupied this evening. But I come here representing those who have participated because of the seriousness of the issues that are now confronting us with respect to Iraq.

I have before me, Mr. Speaker, a copy of the May 3, 2004, issue of the New Yorker Magazine entitled ''Torture at Abu Ghraib.'' I cite this, Mr. Speaker, because I am afraid we are going to hear this phrase on more than one occasion in the days to come. It is written by Seymour Hersh, subtitled ''American Soldiers Brutalized Iraqis, How Far Up Does the Responsibility Go?'' I am citing this to the Members this evening, Mr. Speaker, because this is the only comprehensive report that I, as a member of the Committee on Armed Services, and as a Member of the House, have been able to get. I was intrigued by it because it mentions two reports. The speaker before me, the gentleman from New York, mentioned a report written by Major General Antonio Taguba, who happens to be by coincidence from Hawaii, but he did not mention nor have many other venues that I have observed, television, radio, newspapers, articles, et cetera, another report. The report from General Taguba being completed in February of this year, but that followed on a report that was written and submitted in November of last year, November of 2003, by the Provost Marshal of the Army, the chief law enforcement of the Army, General Provost Marshal Donald Ryder.

□ 2245

I think that I can begin to account for the tone, at least the summary of the tone as far as it has been delivered to us, which is one of outrage. I withdraw that. That is my characterization.

But let me put it this way: I believe it is fair to say if Mr. Hersh's summary is correct, that General Taguba's report was, at a minimum very, very intense, and that Mr. Hersh stated as follows: Its conclusions about institutional failures in the Army prison system were devastating. I think that is a fair summary.

The reason I am citing this to you, Mr. Speaker, is that at a meeting this afternoon, at a briefing this afternoon, convened under the direction of the gentleman from California (Mr. HUNTER), chairman of the Committee on Armed Services, under his auspices, officers appeared. Given the nature of the hearing, the secret nature of the hearing, again, for good and sufficient reason, I cannot cite to you and will not cite to you the exact dialogue that took place, nor those who were involved in it.

But, suffice to say, it was confirmed to me in that hearing, I should say in that briefing, that there was indeed a report given to General Sanchez, the Supreme Commander in Iraq, in November of last year, and that General Ryder, according to Mr. Hersh, indicated in November, and this is important. The reason we are going through this now and the reason I am going through this recitation is these incidents did not just happen. They did not just appear out of nowhere.

This is not something that the Army was aware of only in February of this year, that there was some kind of shock recognition by the Army that this was taking place in February. Because General Ryder clearly warned, quoting now from the Hersh article, ''that there were potential human rights training and manpower issues system-wide that needed immediate attention.''

It also discussed serious concerns about the tension between the missions of the military police assigned to guard the prisoners and intelligence teams who wanted to interrogate them.

Again, I will go on, another quotation: ''Army regulations limit intelligence activities by MPs to passive collection.''

I think this is an important point, because I see some of these National Guard people who have been identified and who have had their pictures on television and are being pointed out and being looked to for responsibility. I think it is important for those who may not be familiar with the situation in prisons, Army prisons, military prisons, that Army regulations limit intelligence activities of MPs to passive collection.

Something obviously went awry here. There was evidence, according to the Ryder report, evidence going back as far as the war in Afghanistan. Now we are going back even previous to 2003. We are talking about post-9/11 and the attack on the Taliban forces in Afghanistan.

According to the Ryder report, as reported by Mr. Hersh, the MPs had worked with intelligence operatives to ''set favorable conditions for subsequent interviews,'' a euphemism, according to Mr. Hersh, for breaking the will of prisoners.

Now, Mr. Hersh indicates that the Ryder report called for the establishment of procedures to ''define the role of military police soldiers, clearly separating the actions of the guards from those of the military intelligence personnel.''

I am citing this detail to you, Mr. Speaker, because I think it is very important to establish a context here.

General Ryder is the Provost Marshal of the Army. He is the chief law enforcement officer of the Army, and he in his report indicated serious questions with regard to the management and operation of the prison system, and indicated serious reservations about the kinds of expectations of the MPs with regard to military intelligence activity.

Major General Taguba in his report, and, again, I am relying on the Hersh document because, to the best of my knowledge, these reports were not made available even to the intelligence committees, let alone to the Committee on Armed Services, either in the other body or in the House of Representatives.

General Taguba was reported as saying, ''Unfortunately, many of the systemic problems that surfaced during Major General Ryder's assessment are the very same issues that are the subject of this investigation.''

It amounts to an indictment, Mr. Speaker. I do not know any other way to put it. That is why I say I feel so badly coming down here today. Believe me, this brings no sense of satisfaction to me, to have to report this to you.

If the Army was aware at the highest levels of the difficulties and challenges that existed, let alone the possibility of abuses or even undermining of good order within the Army in terms of what is expected of its personnel in the prison system, and was aware of that in the fall of 2003, it can hardly have come as a surprise then if General Taguba was exercised by what he found taking place in February of 2004.

If indeed General Taguba's report is as detailed and as explicit and its recommendations as clear as it appears to be in the summary given to us in Mr. Hersh's article, how is it possible for the Secretary of Defense, who, after all, is in charge of the uniform military, and the Speaker is well aware of our constitutional circumstances here. The civilian authority is in charge with regard to what the policies of the United States military are going to be. How is it possible for the requisite authority in the Department of Defense not to be aware of what these issues were?

It is very difficult for me to believe that General Sanchez kept this to himself, or that General Sanchez failed to act on the clear warning that General Ryder, his chief law enforcement officer, expressed to him in writing in November of last year. It is difficult for me to believe that there was not some awareness in the Department of Defense that there were possibilities here for disaster, political and military disaster.

Mr. Speaker, it is fair, I suppose, for someone to ask, well, yes, of course we can see why you might be upset as a Member of Congress that you were not informed. And I am, I can assure you of that. In fact, I will cite to you, Mr. Speaker, in a few moments a letter received by the ranking member of the committee, the gentleman from Missouri (Mr. SKELTON), from the Secretary of Defense, that at best misleads, deliberately misleads the ranking member in questions that he had about private contractors, and at worst is a deliberate subterfuge and challenge to this Congress. Not to Democrats or Republicans. I am talking about a challenge to Congressional authority.

I tell you, Mr. Speaker, we are walking on the edge of fascism in this country if the executive or executive departments think that they are able to make decisions absent the direction and will of the Congress of the United States. For good or for ill, Mr. Speaker, you and I are elected by the people of this country. Secretary Rumsfeld is not elected by anybody. He is an appointment and serves only because he has been approved by the Congress of the United States, in this instance the will of the other body as embodied in their charge in the Constitution.

For good or for ill, the people of this country have put their faith and trust in us to make those decisions. We have clear jurisdictional lines in the Committee on Armed Services. We have clear admonition under the Constitution as to what our duty is and our obligation is under that Constitution with respect to funding and managing the United States military.

For any executive, or anyone in the executive branch, to assume that he or she can take legislative authority unto themselves, particularly when it comes to oversight, is something that is anathema to the constitutional order. Executive authority, ruling by executive authority, has a fascist tinge to it that I find very, very troubling. I do not think it can be excused by the idea that we would be better off without knowing.

I do not know if this is true, Mr. Speaker. I have only the media representations to me, seen in fleeting images and heard in passing tonight. But if I understood correctly and if the information is correct, the President of the United States found out about this from the media. The President of the United States was not informed that these issues were already underway and about to break in the public press.

We are told, at least I am informed, again by media presentation, because we have not had any briefing or explanation of this in the Committee on Armed Services to my knowledge or to the Congress as a whole, that General Myers, the Chairman of the Joint Chiefs of Staff, in fact asked a broadcast network, I believe the CBS network, not to publish or broadcast news of these events that it had before it and was prepared to bring forward.

This is a startling development in our country, that this kind of censorship can take place, because we are not talking here about putting members of the United States military in harm's way because of the revelation of immediate plans of attack or the assumption of military planning that would otherwise bring aid and comfort or information to forces that might attack us or do us harm. This was not an instance of that.

On the contrary, if what has been presented so far is true and is an accurate reflection of what took place, these are clear violations of regulations in the good order in the United States military and a severe blow to the activities of the United States with respect to the reconstruction of the physical facilities in Iraq and the establishment of civil government in the wake of the collapse of the Hussein regime.

It strikes me that when the ranking member makes a request, as he did on April 2, and the ranking Member, as you know, is the senior minority member, in this instance the gentleman from Missouri (Mr. SKELTON). He serves as the senior Democratic member on the Committee on Armed Services under the leadership of the gentleman from California (Mr. HUNTER).

On April 2 Mr. SKELTON wrote a letter to Mr. Rumsfeld, the Secretary of Defense. I would like to quote it to you in some length.

''Dear Mr. Secretary. I would like to first extend my sympathy and display over the recent brutal killings in Fallujah. All of the killings in Iraq, both of our troops and of contractors and civilians, have been unacceptable and tragic, but the murder and desecration of the four Americans working for Blackwater USA was particularly barbaric. I would hope that plans are being prepared for a measured but powerful response. One of the issues raised by this tragedy is the role played by private military firms such as Blackwater.

□ 2300

''Media reports indicate at the time of the ambush the personnel in question were providing security for a food delivery convoy. I understand that Blackwater provides personal security for Ambassador Paul Bremer. I would like to request that you provide my office with a breakdown of information regarding private military and security personnel in Iraq.''

That bears repeating, Mr. Speaker: ''I would like to request you provide my office with a breakdown of information regarding private military and security personnel in Iraq. Specifically, I would like to know which firms are operating in Iraq, how many personnel each firm has there, what specific functions they are performing, how much they are being paid, and from which appropriations account. Additionally, I would like to understand what the chain of command is for these personnel, what rules of engagement govern them, and how disciplinary or criminal accusations are handled, if any such claims are levied against them.''

This is in April, early April. These questions, these measured, sober, serious questions regarding the privatization of this war are being asked by the

senior minority member of this House of the Committee on Armed Services.

''Firms like Blackwater are clearly serving important functions in Iraq and putting themselves at risk. It is important that the Congress have a clear sense of the roles they are playing so that we can conduct effective oversight. I appreciate your assistance in this matter. Sincerely, IKE SKELTON, Ranking Democrat.''

I think by any measure, Mr. Speaker, this would be seen as a letter that, as I have already indicated, is sober and serious and measured in its content and specifically and particularly on the mark with respect to the role and responsibility of private contractors.

Why am I bringing that up? Because it appears, Mr. Speaker, that there are serious instances of perhaps a blurring of institutional and responsibility lines, with private contracting, military intelligence, and the conduct of the prison guards and those in charge of the Army prisons.

Why I am particularly exercised even more than I was this afternoon? Because I thought this afternoon, well, we have to try and determine where we are going to go, and I put out a release to that effect in order to answer to my constituents as to what the thoughts were on this issue at this time. I thought, well, we better be careful about making grand pronouncements about what we need to do and where we are going to go until we find out all of the facts and see where they lead. But I will tell my colleagues, Mr. Speaker, I have come to the conclusion that the Secretary of Defense has to think very seriously about resigning. I have come to that conclusion only since this afternoon, late this afternoon, early this evening, rather, when I became aware of the answer to the gentleman from Missouri (Mr. SKELTON) dated May 4, the date that I received this, May 4 is printed on here; whether it was written May 4 or whether it was received in the office of the gentleman from Missouri (Mr. SKELTON) on May 4 is difficult for me to determine. It may be that that is a stamp to indicate to my office that it was received in my office on May 4.

But here is the answer given by Donald Rumsfeld, the Secretary of Defense: ''Thank you for your letter of April 2 regarding private security personnel. A discussion paper provided by the Coalition Provisional Authority responding to the points that you raised is attached,'' and it is.

Now, here is the answer given by the Secretary of Defense with regard to private companies, knowing, knowing now, this is April, knowing about the report of November 5, knowing about the 30-plus or 35 investigations under way, according to reports that we have received in the press, which I think reflect accurately some of the conversation that was held this afternoon. Multiple, let me put it this way, multiple investigations under way. Knowing that, knowing that he had the report of General Taguba before him, knowing that this material had been deliberately asked to be censored and withheld from publication in the network news.

Here is what he says: ''Some private security companies called PSC, private security companies, under contract in Iraq provide, one, personal security services for senior civilian officials, as well as some visiting delegations. Two, they also provide physical security for nonmilitary facilities inside the green zone and convoy protection for nonmilitary goods. Three, they provide protection for government support teams consisting of Coalition Provisional Authority personnel and government contractors who team with local Iraqi officials to develop local government structures and functions.''

Not a word, Mr. Speaker, about the role of private contractors and military intelligence or in the prison system. How is it possible for the Secretary of Defense not to mention this, given the context in which this answer was given to the gentleman from Missouri (Mr. SKELTON)? That is why I am so exercised about the contempt that the Secretary is showing for the Congress and yes, indeed, for the President of the United States. How is it possible for the Secretary of Defense to face Mr. Bush, let alone this Congress, and say that he deliberately, I cannot think of any way else to characterize it, deliberately kept us from understanding what it was that these private contractors were doing in this prison context.

He goes on to say: ''It is my understanding that most of these private security companies doing business in Iraq do not work directly for the U.S. Government.'' Well, who are they working for then? They work under subcontracts to prime contractors to provide protection for their employees, as if there is some benign presence. We are in the middle of a war on terror, we are told. We are in the middle of a war in Iraq. The Speaker is well aware that I characterized this more than a year ago in May when we returned, when we were among the first group to go with the gentleman from California (Mr. HUNTER), some of us went with him, among the first group to enter Baghdad after the initial attack on Baghdad and some of us said, yes, there was an attack on Baghdad and now the war is starting.

Unfortunately, that has proven to be only too true, for the Secretary of Defense to pretend in the middle of a war situation in which our troops are put at risk, that somehow, there is this semi-benign presence in Iraq, of private contractors to go about their business without the supervision or the oversight of the Department of Defense and the United States military. I mean, it is an insult.

''A draft CPA order, Coalition Provisional Authority order, on regulating the private security companies which will require certain data from each firm has been prepared with input from the Iraqi Ministry of the Interior.''

I mean, the contempt of this letter is incredible.

''The Iraqi Ministry of the Interior and Ministry of Trade will be largely responsible for the administration of this and any revisions that may be promulgated by the Iraqi interim government after June 30. Finally, the Department of Defense is drafting uniform guidance regarding private security companies employed in Iraq under contract using U.S. appropriations.''

It is as if it does not even exist at this point.

''I hope this is useful. We can provide additional information or briefing if you would like.''

Then we have a summary here in the attachment which includes a list, Mr. Speaker, of the private security companies operating in Iraq.

Now, I believe that there was a company called CACI. I do not precisely have that because I do not have the report here; I am looking for it in this list of private security companies operating in Iraq. Perhaps it is listed here, but I cannot find it among the 60, the 60 companies that are listed here. It may be that I am not sufficiently conversant with the actual names and acronyms of the security companies that were working intelligence privately in Iraq. I would be more familiar with it had we been briefed on it, had we been given the information, as is not only our right, but our obligation to have in the Committee on Armed Services.

□ 2310

I cannot find it. It is very, very difficult for me to believe that we are in a situation, post-Watergate in which it is necessary to know the answer ahead of time in order to ask the right question. It seems to me the questions posed by the gentleman from Missouri (Mr. SKELTON) are clear enough. It seems to me that the answer here, while probably technically correct, leaves out valuable information. This is clearly not an exhaustive list of the private companies that were involved.

I concentrate on this, Mr. Speaker, because I think we face a serious crisis here in the Congress. If we are going to allow the executive to conduct this war in our name, the name of the people of the United States, and we constitutionally have not only the authority, but the responsibilities of legislating the policies associated with arming and supporting our military, our United States military as well as establishing the policies of this Nation to be carried out by the executive. The executive does not tell us what to do. We again, for better or for ill, are given and required by the Constitution to exercise that legislative authority.

The legislation we have put together, the policies that we have assume by virtue of a majority activity in both Houses of this Congress, are what constitutes the policies of this country that will be carried out by the executive. The executive can inform of his or

her desires in this regard, but we are the ones that have to decide this. We are the ones that have to exercise the oversight.

So I say to you, Mr. Speaker, that these are very, very serious allegations. No question about that. I do not come here this evening speaking with any kind of relish or enjoyment of what is required of us here. But I can tell you I was a probation officer in my life. I have been an officer of the court. I have had professional responsibilities in county jails, in San Quentin Prison. I know what it is like to have to conduct drug tests. I know what it is like to appear at a booking desk every morning year in and year out. I know what is involved in investigations in arrests and prosecutions.

I know what is involved in making reports on what needs to be done and how it should be done and what the conducts of officers of the courts are with respect to the management and maintenance of jails and prison systems.

I have legislative responsibilities with regard to how prison systems are run and under what circumstances and what is required of the personnel as a legislator. I have been the chairman of a committee with responsibility for the police departments in Honolulu, the Honolulu Police Department, under the jurisdiction of the committee that I was privileged to serve on and chair in the city and counties of Honolulu. I understand what is at stake in prison system, and I know this from my own personal experience, what is required in a prison system is, first of all, certainty, certainty.

You must know from the top to the bottom exactly what the rules are. Certainty and activity. Those are the two fundamentals. Once you have those established in a prison system, then you know where you stand. Nobody can talk to me about failure to train some National Guard operatives on the jail cell level and tell me that they were operating on their own. That does not happen, Mr. Speaker. It does not happen in the county jail. It does not happen in a state prison. And it does not happen in a Federal prison system. Certainty from top to bottom is required. If it does not exist that is failure of leadership that has to be accounted for and responsibility has to be taken.

So far as I can see right now, there is some reprimands being handed out. There are some court-martials being held at the lowest possible level. And yet we have two reports, the Ryder report and the Taguba report, that I do not believe for a moment did not see the light of day at the general officer level and at the highest levels of the Department of Defense.

If it is true that the President of the United States was not informed by his Secretary of Defense as to what the situation was and what was likely to happen, that is dereliction of duty on the part of the Secretary vis-a-vis the President of the United States. It is far worse in my estimation that you let down the person who has entrusted you, entrusted you with the responsibility for carrying out the executive policies of this Nation.

It is bad enough that the Congress of the United States was not informed. But they have the President of the United States left in the dark on something that was sure to have incredible negative ramifications with respect to Iraq and the position of the United States is unforgivable. It is intolerable. But I know as sure as my own experience indicates, that it is not possible for the leadership at the levels that I have discussed not to have been aware that at minimum the possibilities of this disaster was there and needed to be addressed. At a minimum. And worse, that they knew it was going on and tolerated it.

We need to have a full exposure of exactly who knows what. Not because, Mr. Speaker, I wanted to have some kind of a media field day or some kind of a tabloid extravaganza, but because the very responsibility of this Congress is at stake. Either we are informed, Mr. Speaker, about what the situation is and where we are going so that we can make a decision with regard to oversight or we are not.

So, Mr. Speaker, in conclusions, I want to ask you in your role as Speaker, to acknowledge the facts that this is a requirement of the Congress of the United States, that we exercise oversight on behalf of the people of this Nation and the values of this Nation. If we do not do it, Mr. Speaker, who is going to do it?

It is apparent that no one wants to take responsibility in the Department of Defense. No one wants to take responsibility in the military at the present time. No one is exploring right now exactly what the boundaries were or were not. No one is examining the role of private security corporations in the intelligence gathering on behalf of the United States military and on behalf of the security interests of this Nation. No one asked me about it, I can assure you on the Committee on Armed Services as to whether I thought that was a good idea. I cannot speak about the Permanent Select Committee on Intelligence, but I am hard pressed to think that the Permanent Select Committee on Intelligence, Republican or Democrat, this has nothing to do with the partisan nature of any kind of political discussion we might be having, but it is difficult for me to believe that anybody on the Permanent Select Committee on Intelligence sanctioned such a thing or that there was knowledge of it in the Permanent Select Committee on Intelligence or that it would not have been shared with the Office of the Speaker at a minimum with the leadership of both sides of the aisle.

We have to have an understanding of whether our role as overseers of the United States strategic interests is going to be honored. If we do, then perhaps we can reestablish some credibility. If we do not, then I fear that the role that Secretary Rumsfeld has assumed for himself, namely, chief operating officer of the United States, without any responsibility to the chief executive of this Nation, the President of the United States, or any responsibility to the Congress of the United States. He gets to decide what we will do and what we will not do. He gets to decide whether or not this country is going to be put into a series of circumstances and situations that are totally untenable in terms of the values of this Nation or what the goals and aspirations we have with regards to our security interests and the peace of the world.

I think that we need to have a clear understanding that unless the Secretary can answer these questions he has to consider resigning. He has to consider whether or not we are going to have a cleansing of the way in which this war is being conducted, in the manner in which it was being reported to us in the Congress and by extension to the people of the United States.

□ 2320

I appreciate the fact, Mr. Speaker, that these are difficult questions, that I have only been able to present a summary of what is at stake here; and I appreciate your patience and forebearance as I have enunciated it.

I do think very, very clearly, Mr. Speaker, that there this is something that has to be addressed, and I would hope that the leadership of the House, both majority and minority, will settle on the proper venue, which I personally believe to be the Committee on Armed Services, but perhaps a joint committee situation, in which these issues are explored; and I hope that the Secretary of Defense will be able to answer adequately what his responsibility and obligation is.

HORSE SLAUGHTERING FOR HUMAN CONSUMPTION

The SPEAKER pro tempore (Mr. COLE). Under the Speaker's announced policy of January 7, 2003, the gentleman from Kentucky (Mr. WHITFIELD) is recognized until midnight, approximately 40 minutes.

Mr. WHITFIELD. Mr. Speaker, the first Saturday in May is a special day in the heart of anyone who considers themselves to be a Kentuckian. It is also a special day in the heart of anyone, whether they live outside of Kentucky or not, whether they are a citizen of some other country of the world, but if that person has a special affinity for a breed of horse called the thoroughbred, the first Saturday in May is a special day because it is on that day that the Kentucky Derby is raced each year.

This past Saturday, the 130th running of the Kentucky Derby was held in Louisville, Kentucky, and a chestnut colt by the name of Smarty Jones

won the race this year. His jockey was Stewart Elliott. His trainer was John Servis. His owners are Pat and Roy Chapman; and as you would expect, winning a race of such importance, they were quite ecstatic. They were happy; they were enthusiastic; they had a large celebration.

I have in my hand a picture of another chestnut colt who won the Kentucky Derby in 1986. This horse was the son of a famous sire called Naginski II. The name of this horse is Ferdinand. The jockey on this horse in 1986 was Willie Shoemaker, and the House of Representatives 6 weeks ago did a resolution in honor of Willie Shoemaker. The trainer of Ferdinand in 1986 was a gentleman named Charlie Wittingham of California. The owners of Ferdinand were Mr. and Mrs. Howard Keck of California; and on that first Saturday in May in 1986, the Keck family and their friends and the trainer and the jockey celebrated with great enthusiasm, in the same way that Smarty Jones and the Chapmans celebrated Smarty Jones winning that race.

When Ferdinand won that race in 1986, the next year, 1987, he went on to win the Breeders' Cup by defeating the 1987 winner of the Kentucky Derby, a horse named Ali Sheba; and in 1987, Ferdinand also was selected Horse of the Year.

When Ferdinand retired from racing, he was the fifth leading money winner in the history of racing, winning over $3.7 million; and like most horses of his caliber, he was retired for breeding purposes because he had a champion pedigree and he had a champion heart.

On the death of Howard Keck, Ferdinand was syndicated and sold to a Japanese company called J.S. Company, owner of a breeding farm in Japan called Arrow Stud Farm which is located on the northern island of Hokkaido, Japan; and Ferdinand went there in 1994, and he was there for about six breeding seasons.

Initially, he was very popular; but over time, he lost popularity in Japan, and Arrow Stud, either working with or in conjunction with a horse trainer named Watanabe, gained possession of this horse, Ferdinand; and to make a long story short, Ferdinand was slaughtered in a Japanese slaughterhouse. So this was the fifth leading money winner of all time, won the 1986 Kentucky Derby, was 1987 Horse of the Year, won the Breeders' Cup and was slaughtered in Japan.

Interestingly enough, the Keck family of California, before they realized that Ferdinand had been slaughtered in 2002, did everything possible to locate Ferdinand; and they wanted to bring him back to their farm in California for retirement, and finally they found out, it was acknowledged that Ferdinand was slaughtered in Japan.

Other than the Keck family and those who followed the horse industry, this was just another story with a tragic ending. However, it was a story that ended up in the newspapers and periodicals around the world, and from those stories, we suddenly came to realize that in the United States horses are being slaughtered in two locations for human consumption; and the horse meat is being exported to Japan, Italy, France, and Belgium.

There are only two places that this is occurring today. One plant is owned by a French family operating in Kaufman, Texas. The other plant is owned by a Belgian family operated in and around Fort Worth, Texas; and each year they are slaughtering about 45,000 horses in those two plants.

What makes this quite interesting is that the former Attorney General of Texas, who now is in the United States Senate, Mr. JOHN CORNYN, was asked in 2002 for a legal opinion on whether or not the slaughter of horses for human consumption in Texas violated Texas State law. In his opinion, which he rendered in August, Mr. CORNYN, as Attorney General of Texas, issued a ruling that, yes, it is a violation of Texas State law to slaughter a horse, possess a horse, transport a horse for human consumption. He also went on to say it is a criminal offense; and yet, despite this opinion, the two plants in Texas, one owned by a French family, one owned by a Belgian family, filed a lawsuit, and they continued to slaughter horses for human consumption in Texas.

Unlike cattle and pigs and other types of animals, horses in the history of the United States have never been a part of the food chain; and for that reason, Members of the United States Congress, under the leadership, and he has provided tremendous leadership, of the gentleman from New York (Mr. SWEENEY), a Republican, and the gentleman from South Carolina (Mr. SPRATT), a Democrat, both of them introduced legislation to prohibit the slaughter or transport with intent of slaughtering horses for human consumption.

This legislation, as one would expect, has the support of a lot of so-called animal rights groups; but as a Representative of a rural district in Kentucky where we have a lot of livestock, I have never been particularly involved with so-called animal rights groups.

□ 2330

But in addition to animal rights groups, we have a large list of businesses who are supporting this legislation because horses have never been a part of the food chain in America. I want to just read a few of them: Blue Horse Charities; Churchhill Downs; Eaton Sales; Fasig-Tipton Company, one of the largest thoroughbred auctioneers in the country; John Gaines, the founder of the Breeders' Cup World Thoroughbred Championship; the Hambletonian Society; the National Thoroughbred Racing Association; the National Steeplechase Association; the New York Racing Association; the Texas Thoroughbred Association opposes slaughter. And I could go on and on and on.

So we have all of these groups that are supporting this legislation to stop the slaughter of horses for human consumption by a French family and a Belgian family to be exported to Europe. And there are only two organizations willing to publicly state that they oppose the legislation to stop the slaughter. One of them is the American Quarter Horse Association headquartered in Amarillo, Texas, although I can tell you we have hundreds of letters from quarter horse owners from around the country who support this legislation; and then the other group, the American Equine Practitioners political arm, has said they oppose this legislation, although we have hundreds of letters from veterinarians from around the country who provide care for horses, say they support this legislation.

Now, one of the sad things about this whole episode of slaughtering horses is that the United States Department of Agriculture has regulations that supposedly regulate the method by which these horses are transported to slaughter. They allow them to be transported in double-decker trailers even though the regulations state that we recognize that many horses will be injured in this process, and they allow stallions to be placed with other stallions which any horseman knows should never be done. Stallions placed with mares, stallions placed with foals, crowded in double-decker trailers.

The Department of Agriculture regulations state we recognize that many of these horses do not have enough head room and so they are bent over. They arrive at the slaughterhouse injured, some dead. They are allowed to be transported up to 28 hours without food, water, or drink; and yet any commercial transporter of horses will tell you that a horse should never be transported for over 7 hours without food, water or exercise, and yet the Federal Department of Agriculture regulations allow 28, up to 30 hours; and even then it frequently is not enforced.

So moving the horses to slaughter is a very inhumane action. And then at the slaughterhouse, the execution is carried out with a captive bolt administered by unprofessionals or nonprofessionals. The horses' heads are not held, and frequently they have to do three or four jolts before the horse is stunned enough to have his throat slit. It is not a very welcoming site.

And yet because of the method by which this is carried out, the only two entities performing slaughter of horses today are a Belgian company and a French company. In the United States Congress right now without much effort we already have 214 cosponsors of this legislation to stop this practice, primarily because of the efforts of the gentleman from New York (Mr. SWEENEY) and the gentleman from South Carolina (Mr. SPRATT), and I might also say that we do have a very strong coalition working together; and Bo Derek, who is an owner of horses,

has become involved in this issue and has made a big difference as well.

I went with the President of the American Equine Practitioners, who is a veterinarian who opposes this legislation, to the United States Senate; and we had a meeting with JOHN ENSIGN, the Senator from Nevada, who is a veterinarian, and he listened to the debate on the issue. When the debate was over, JOHN ENSIGN made a decision that he was going to introduce this legislation on the Senate side, and has done so with a cosponsor, MARY LANDRIEU, the Democrat from Louisiana. They have a number of cosponsors over there.

So this is legislation that is picking up some real support. I want to take this opportunity to inform Members that it is our intention to continue to push this legislation even though we face many obstacles still within certain points within the House of Representatives. But when this is over, we are going to have in the neighborhood of 230, 240, 250, at a minimum, cosponsors of this legislation.

Now, there is a writer named Matthew Scully, who is a former literary agent of the National Review and an occasional speech writer for President Bush; and he recently wrote a book entitled ''Dominion.'' And in his book, Mr. Scully affirms man's dominion over animals, which is certainly true; we have dominion over animals. But he also reminds us of our responsibility to animals. To quote Mr. Scully: ''The care of animals brings with it often complicated problems of economics, ecology, and science. But above all, it confronts us with questions of conscience. Many of us seem to have lost all sense of restraint towards animals and understanding of natural boundaries, a respect for them as creatures with needs and wants and a place and a purpose of their own. Too often, to casually, we assume that our interests always come first, and if it is profitable or expedient, that is all we need to know. Sometimes we are called to treat animals with kindness, not because they have rights, not because they have power, not because they have any claim to equality, but in a sense because they do not, because they all stand unequal and powerless before us.

''It is true that the welfare of animals is not high on most people's priority list and kindness to animals is among the humbler duties of human charity, though for just that reason among the more easily neglected, and it is true there will always be enough injustice and human suffering in the world to make the wrong done to animals seem small and even insignificant.''

Matthew Scully goes on and says perhaps that is part of the animal's role among us, to awaken humility and compassion.

□ 2340

We have the power, we have the rights, we have the dominion over animals; and that is precisely why I believe that the gentleman from New York's bill and the gentleman from South Carolina's bill is so important, because it will be the first time that I know of that we have had a debate in the United States Congress on this important issue facing our old friend. At the horse park in Lexington, Kentucky, there is an inscription that says, ''Civilization was built on the back of a horse.'' So we are going to have a debate in this Congress on whether or not a French company and a Belgian company should violate Texas State law to slaughter our horses to export to Belgium, Italy, France, and Japan horse meat for human consumption, particularly when you consider that horses have never been a part of the food chain in our country.

As we approach the midnight hour and these Special Orders come to a close, I want to once again reiterate that a lot of what has happened on this legislation was the result of what happened to the horse Ferdinand in Japan at Arrow Stud Farm. Under the continued leadership of the gentleman from New York (Mr. SWEENEY) and the gentleman from South Carolina (Mr. SPRATT) and the 214 cosponsors as of today of this legislation and Senators JOHN ENSIGN and MARY LANDRIEU and the other Senators who have introduced this legislation on the Senate side, it is our intent to pursue our goal of making it illegal to slaughter horses in the U.S. for human consumption.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. CARSON of Indiana (at the request of Ms. PELOSI) for today on account of official business.

Mr. KANJORSKI (at the request of Ms. PELOSI) for today on account of official business.

Ms. SOLIS (at the request of Ms. PELOSI) for today and the balance of the week on account of official business in the district.

Mrs. BONO (at the request of Mr. DELAY) for today and the balance of the week on account of illness.

Mr. ROHRABACHER (at the request of Mr. DELAY) for today on account of caring for his newborn children.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. PASCRELL) to revise and extend their remarks and include extraneous material:)

Mrs. MCCARTHY of New York, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Ms. LEE, for 5 minutes, today.

Mr. STRICKLAND, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Mr. BLUMENAUER, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. PASCRELL, for 5 minutes, today.

Mr. CONYERS, for 5 minutes, today.

Mr. MEEKS of New York, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mr. NADLER, for 5 minutes, today.

(The following Members (at the request of Mr. OSBORNE) to revise and extend their remarks and include extraneous material:)

Mr. OSBORNE, for 5 minutes, today.

Mr. BURTON of Indiana, for 5 minutes, today and May 5 and 6.

Mr. HENSARLING, for 5 minutes, May 5.

Mrs. JO ANN DAVIS of Virginia, for 5 minutes, today.

Mr. MARIO DIAZ-BALART of Florida, for 5 minutes, May 5.

(The following Member (at her own request) to revise and extend her remarks and include extraneous material:)

Ms. PELOSI, for 5 minutes, today.

BILL PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House reports that on April 30, 2004 he presented to the President of the United States, for his approval, the following bill.

H.R. 4219. To provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.

ADJOURNMENT

Mr. WHITFIELD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 41 minutes p.m.), the House adjourned until tomorrow, Wednesday, May 5, 2004, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

7935. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule — Eligibility of Suspended Health Care Providers to Receive Payment of Federal Employees Health Benefits Program Funds; Financial Sanctions of Health Care Providers Participating in the Federal Health Benefits Program (RIN: 3206-AJ42) received March 25, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

7936. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule — Prevailing Rate Systems;

Redefinition of the North Dakota and Duluth, MN, Appropriated Fund Wage Areas (RIN: 3206-AJ78) received March 31, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

7937. A letter from the Assistant Secretary for Fish, Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Safe Harbor Agreements and Candidate Conservation Agreements with Assurances; Revisions to the Regulations (RIN: 1018-AI85) received April 29, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7938. A letter from the Assistanat Secretary, Land and Minerals Management, Department of the Interior, transmitting the Department's final rule — Oil and Gas an Sulphur Operations in the Outer Continental — Relief or Reduction in Royalty Rates — Deep Gas Provisions (RIN: 1010-AD01) received April 27, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7939. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — New Mexico Regulatory Program [NM-043-FOR] received April 9, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7940. A letter from the Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Final Determination of Threatened Status for the Beluga Sturgeon (Huso huso) (RIN: 1018-AI11) received April 15, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7941. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Trip Limit Reduction [Docket No. 001005281-0369-02; I.D. 031804A] received April 27, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7942. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area [Docket No. 031124287-4060-02; I.D. 040804B] received April 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7943. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area [Docket No. 031124287-4060-02; I.D. 040504B] received April 22, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7944. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Amendment 16-2 [Docket No. 031125288-4102-02; I.D. 110303A] (RIN: 0648-AR35) received April 22, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7945. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Update on Future of the EP Determination Letter Program [Announcement 2004-32] received April 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7946. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Request for Comments on Revenue Procedure for Pre-Approved Plans [Announcement 2004-33] received April 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7947. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Split-Interest Trust Distributions to Private Foundations: Distributable Amount [Notice 2004-36] received April 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7948. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Distributions to Private Foundations from Trusts or Estates; Net Investment Income [Notice 2004-35] received April 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7949. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Partner's Distributive Share: Foreign Tax Expenditures [TD 9121] (RIN: 1545-BD11) received April 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7950. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property (Rev. Rul. 2004-44) received April 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7951. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Guidance under Section 1502; Stock Basis after a Group Structure Change [TD 9122] (RIN: 1545-BC28) received April 27, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7952. A letter from the Regulations Officer, Social Security Administration, transmitting the Administration's final rule — Title II Cost of Living Increases in Primary Insurance Accounts (RIN: 0960-AF14) received April 22, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LINDER: Committee on Rules. House Resolution 619. Resolution providing for consideration of the bill (H.R. 4227) to amend the Internal Revenue Code of 1986 to extend to 2005 the alternative minimum tax relief available in 2003 and 2004 and to index such relief for inflation (Rept. 108–477). Referred to the House Calendar.

Mr. HYDE: Committee on International Relations. H.R. 4011. A bill to promote human rights and freedom in the Democratic People's Republic of Korea, and for other purposes; with an amendment (Rept. 108–478, Pt. 1). Ordered to be printed.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 4011. Referral to the Committee on the Judiciary extended for a period ending not later than July 6, 2004.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. TURNER of Texas (for himself, Mr. ANDREWS, Mrs. CHRISTENSEN, Mr. DICKS, Ms. HARMAN, Mr. HOYER, Ms. JACKSON-LEE of Texas, Mr. LANGEVIN, Ms. LOFGREN, Mr. LUCAS of Kentucky, Mr. MEEK of Florida, Ms. NORTON, Mrs. LOWEY, Ms. MILLENDER-MCDONALD, Mr. PALLONE, and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 4258. A bill to promote technological advancements that will dramatically reduce the timeframe for the development of new medical countermeasures to treat or prevent disease caused by infectious disease agents or toxins that, through natural processes or intentional introduction, may pose a significant risk to public health now or in the future; to the Committee on Energy and Commerce, and in addition to the Committees on Armed Services, and Homeland Security (Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PLATTS (for himself, Mr. TOM DAVIS of Virginia, Mr. WAXMAN, Mr. TOWNS, Mrs. BLACKBURN, Mr. COX, and Mr. TURNER of Texas):

H.R. 4259. A bill to amend title 31, United States Code, to improve the financial accountability requirements applicable to the Department of Homeland Security, to establish requirements for the Future Years Homeland Security Program of the Department, and for other purposes; to the Committee on Government Reform, and in addition to the Committee on Homeland Security (Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BALDWIN (for herself, Mr. BURTON of Indiana, and Ms. LEE):

H.R. 4260. A bill to provide for the reduction of mercury in the environment; to the Committee on Energy and Commerce.

By Mr. CUMMINGS (for himself, Mr. BISHOP of Georgia, Ms. CORRINE BROWN of Florida, Mr. CONYERS, Mr. MEEKS of New York, Ms. JACKSON-LEE of Texas, Ms. KILPATRICK, Mr. RUPPERSBERGER, Mr. WYNN, Mrs. JONES of Ohio, Ms. LEE, Mr. VAN HOLLEN, Ms. MILLENDER-MCDONALD, Mr. PAYNE, Mr. RUSH, Mr. HASTINGS of Florida, and Mr. BALLANCE):

H.R. 4261. A bill to authorize the Secretary of Education to make grants to States to establish statewide screening programs for children who are 5 to 7 years of age to prevent reading failure; to the Committee on Education and the Workforce.

By Mr. GUTIERREZ (for himself, Mr. MENENDEZ, Ms. PELOSI, Mr. CONYERS, Ms. JACKSON-LEE of Texas, Mr. BERMAN, Ms. LINDA T. SANCHEZ of California, Mr. GRIJALVA, Mr. FARR, Mr. ABERCROMBIE, Ms. SCHAKOWSKY, Mr. FILNER, Ms. SOLIS, Mr. RODRIGUEZ, Ms. ROYBAL-ALLARD, Mr. BACA, Mr.

HINOJOSA, Mr. ACEVEDO-VILÁ, Mr. GONZALEZ, Mr. RANGEL, Mrs. NAPOLITANO, Mr. BECERRA, Mr. PASTOR, Mr. CROWLEY, Ms. LOFGREN, Mr. SERRANO, and Ms. VELÁZQUEZ):

H.R. 4262. A bill to provide for earned adjustment to reward work, reunify families, establish a temporary worker program that protects United States and foreign workers and strengthen national security under the immigration laws of the United States; to the Committee on the Judiciary.

By Mr. FRANK of Massachusetts (for himself, Ms. PELOSI, Mr. CAPUANO, Mr. COOPER, Mr. CROWLEY, Mr. DAVIS of Alabama, Mr. DELAHUNT, Mr. ISRAEL, Mrs. LOWEY, Mr. LYNCH, Mr. MCGOVERN, Mrs. MALONEY, Mr. MARKEY, Mr. MENENDEZ, Mr. GEORGE MILLER of California, Mr. NADLER, Mr. NEAL of Massachusetts, Mr. OLVER, Mr. SABO, Ms. LORETTA SANCHEZ of California, Mr. SANDERS, Mr. SANDLIN, Mr. SHERMAN, Mr. TIERNEY, and Mr. WAXMAN):

H.R. 4263. A bill to clarify the calculation of per-unit costs payable under expiring annual contributions contracts for tenant-based rental assistance that are renewed in fiscal year 2004; to the Committee on Financial Services.

By Mr. GREEN of Wisconsin (for himself, Mr. GALLEGLY, Mr. COBLE, Mr. BARTLETT of Maryland, Mr. ANDREWS, Mr. MEEHAN, and Mr. WEXLER):

H.R. 4264. A bill to amend title 18, United States Code, to strengthen prohibitions against animal fighting, and for other purposes; to the Committee on the Judiciary.

By Mr. GREEN of Wisconsin:

H.R. 4265. A bill to provide that when a company makes a charitable donation of equipment, the company is generally not liable for harm later caused by that equipment, and for other purposes; to the Committee on the Judiciary.

By Mr. HOLT:

H.R. 4266. A bill to reduce until December 31, 2006, the duty on potassium sorbate; to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 4267. A bill to reduce until December 31, 2006, the duty on sorbic acid; to the Committee on Ways and Means.

By Ms. NORTON (for herself, Mr. WAXMAN, Mr. HOYER, Ms. SOLIS, Mr. MARKEY, Mr. MORAN of Virginia, Mr. WYNN, Mr. FATTAH, and Mr. VAN HOLLEN):

H.R. 4268. A bill to amend the Safe Drinking Water Act to ensure that the District of Columbia and States are provided a safe, lead free supply of drinking water; to the Committee on Energy and Commerce.

By Ms. NORTON (for herself, Mr. TOM DAVIS of Virginia, Mr. WOLF, Mr. HOYER, Mr. MORAN of Virginia, Mr. WYNN, Mr. CUMMINGS, and Mr. VAN HOLLEN):

H.R. 4269. A bill to establish an annual Federal infrastructure support contribution for the District of Columbia, and for other purposes; to the Committee on Government Reform.

By Mr. OWENS:

H.R. 4270. A bill to amend the Occupational Safety and Health Act of 1970 to modify the provisions relating to citations and penalties; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of New Jersey (for himself, Mr. OBERSTAR, Mr. HYDE, Mr. KING of New York, and Mr. PAYNE):

H.R. 4271. A bill to require the Secretary of State, in consultation with the heads of other appropriate departments and agencies, to conduct an economic impact study on the dual gateway policy of the Government of Ireland before the United States takes any action that could lead to the discontinuation of the policy; to the Committee on International Relations.

By Mr. SMITH of Washington:

H.R. 4272. A bill to amend the Military Construction Authorization Act for Fiscal Year 2002 to modify the terms and scope of a land exchange involving Fort Lewis, Washington, authorized between the Secretary of the Army and the Nisqually Tribe and affecting the interests of the Bonneville Power Administration; to the Committee on Armed Services.

By Mr. YOUNG of Florida:

H.R. 4273. A bill to establish formally the United States Military Cancer Institute, to require the Institute to promote the health of members of the Armed Forces and their dependents by enhancing cancer research and treatment, to provide for a study of the epidemiological causes of cancer among various ethnic groups for cancer prevention and early detection efforts, and for other purposes; to the Committee on Armed Services.

By Ms. LOFGREN:

H.J. Res. 96. A joint resolution proposing an amendment to the Constitution of the United States regarding the appointment of individuals to serve as Members of the House of Representatives when, in a national emergency, a significant number of Members are unable to serve due to death, resignation, or incapacity; to the Committee on the Judiciary.

By Mrs. CAPITO (for herself, Mr. GEORGE MILLER of California, Ms. SLAUGHTER, Mrs. MILLER of Michigan, Ms. GINNY BROWN-WAITE of Florida, Mrs. BLACKBURN, Mrs. BIGGERT, Ms. PRYCE of Ohio, Mrs. BONO, Mrs. NORTHUP, Mrs. WILSON of New Mexico, Ms. ROS-LEHTINEN, Mrs. MYRICK, Mrs. JOHNSON of Connecticut, Mrs. KELLY, Ms. SOLIS, Ms. MILLENDER-MCDONALD, Ms. KAPTUR, Ms. CORRINE BROWN of Florida, Mrs. JONES of Ohio, Mrs. MCCARTHY of New York, Ms. JACKSON-LEE of Texas, Ms. ROYBAL-ALLARD, Ms. DELAURO, Mrs. MALONEY, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. HARMAN, Ms. WATERS, Ms. MCCARTHY of Missouri, Ms. BALDWIN, Ms. NORTON, Ms. BERKLEY, Ms. PELOSI, and Mrs. LOWEY):

H. Con. Res. 413. Concurrent resolution honoring the contributions of the women, symbolized by ''Rosie the Riveter'', who served on the homefront during World War II, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CONYERS (for himself, Mr. SENSENBRENNER, Mr. PAYNE, Ms. LORETTA SANCHEZ of California, Mr. HASTERT, Ms. PELOSI, Mr. BLUNT, Mr. HYDE, Mr. COBLE, Mr. BERMAN, Mr. SMITH of Texas, Mr. GOODLATTE, Mr. NADLER, Mr. GALLEGLY, Mr. SCOTT of Virginia, Mr. CHABOT, Mr. WATT, Mr. JENKINS, Ms. LOFGREN, Mr. BACHUS, Mr. HOSTETTLER, Ms. JACKSON-LEE of Texas, Mr. KELLER, Ms. WATERS, Ms. HART, Mr. DELAHUNT, Mr. PENCE, Mr. WEXLER, Mr. FORBES, Ms. BALDWIN, Mr. FEENEY, Mr. WEINER, Mr. SCHIFF, Ms. LINDA T. SÁNCHEZ of California, Mr. SHIMKUS, Mrs. JONES of Ohio, Mr. FARR, Mr. MCDERMOTT, Mr. TIERNEY, Ms. WATSON, Mr. MEEKS of New York, Mr. ISRAEL, Mr. MORAN of Virginia, Mr. WOLF, Mr. CASTLE, Mr. GOODE, Mr. WILSON of South Carolina, Ms. ROS-LEHTINEN, Mr. MORAN of Kansas, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MENENDEZ, Ms. KAPTUR, Mr. ROTHMAN, Mr. SANDERS, Ms. LEE, Mrs. MALONEY, Mr. HOEFFEL, Mr. STARK, Ms. MAJETTE, Mr. BECERRA, Mr. SCHROCK, Mr. DOGGETT, Mr. DEMINT, and Mr. MOORE):

H. Con. Res. 414. Concurrent resolution expressing the sense of the Congress that, as Congress recognizes the 50th anniversary of the Brown v. Board of Education decision, all Americans are encouraged to observe this anniversary with a commitment to continuing and building on the legacy of Brown; to the Committee on the Judiciary.

By Mr. YOUNG of Alaska:

H. Res. 618. A resolution recognizing the importance of The Call of the Wild on the occasion of the 101st anniversary of the publication of the novel by Jack London; to the Committee on Government Reform.

By Mr. COX:

H. Res. 620. A resolution commemorating the 50th anniversary of the landmark United States Supreme Court decision in the case of Brown v. Board of Education; to the Committee on the Judiciary.

By Mr. GREEN of Wisconsin (for himself, Mr. HOLDEN, Mr. STRICKLAND, and Mr. SWEENEY):

H. Res. 621. A resolution supporting the goals and ideals of National Correctional Officers and Employees Week; to the Committee on the Judiciary.

By Mr. HEFLEY (for himself, Mr. TOM DAVIS of Virginia, Mr. WAXMAN, and Mr. STUPAK):

H. Res. 622. A resolution supporting the goals and ideals of Peace Officers Memorial Day; to the Committee on Government Reform.

By Mr. LARSON of Connecticut:

H. Res. 623. A resolution regarding the potential incapacity of Members of the House of Representatives; to the Committee on House Administration.

By Mrs. MYRICK:

H. Res. 624. A resolution supporting the goals and ideals of National Transparency Day, which promotes the financial transparency of charitable organizations; to the Committee on Ways and Means.

MEMORIALS

Under clause 3 of rule XII,

319. The SPEAKER presented a memorial of the Legislature of the State of Maine, relative to H.P. 1458 Joint Resolution memorializing the President and Congress of the United States to not cut the budget for emergency responders; to the Committee on Transportation and Infrastructure.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. CARTER introduced a bill (H.R. 4274) for the relief of Rona Ramon, Asaf Ramon, Tal Ramon, Yiftach Ramon, and Noah Ramon; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 25: Mr. STEARNS.

H.R. 58: Mr. BALLANCE.

H.R. 97: Mr. JOHN, Mr. BURNS, and Mr. LANTOS.

H.R. 111: Mr. CHANDLER.

H.R. 206: Mr. FILNER.
H.R. 290: Mrs. CAPITO, Mr. TOWNS, Mr. LATOURETTE, and Mr. COOPER.
H.R. 296: Ms. BALDWIN.
H.R. 300: Mr. REHBERG.
H.R. 303: Mr. WELDON of Pennsylvania.
H.R. 572: Mr. FROST.
H.R. 579: Mr. DEMINT.
H.R. 677: Mr. LARSEN of Washington, Mr. MEEK of Florida, and Mrs. TAUSCHER.
H.R. 685: Ms. LEE.
H.R. 713: Mrs. JO ANN DAVIS of Virginia.
H.R. 745: Mr. MEEK of Florida, Mr. ORTIZ, and Mr. MORAN of Virginia.
H.R. 775: Mr. MANZULLO.
H.R. 857: Mr. BROWN of South Carolina, Mr. KINGSTON, Mr. SIMPSON, Mr. ROGERS of Kentucky, Mr. KELLER, Mr. YOUNG of Florida, Mr. BRADLEY of New Hampshire, Mr. BALLENGER, Mr. EHLERS, and Ms. HARRIS.
H.R. 887: Mr. LIPINSKI.
H.R. 1057: Mr. SANDLIN, Mr. GREENWOOD, Mr. WEINER, Mr. BROWN of South Carolina, and Mr. COLE.
H.R. 1105: Mr. DAVIS of Alabama.
H.R. 1117: Mr. CALVERT, Mr. GILLMOR, Mr. NEUGEBAUER, and Mr. ROYCE.
H.R. 1155: Mr. SIMMONS.
H.R. 1160: Mr. THORNBERRY.
H.R. 1205: Mr. WYNN, Mr. FATTAH, Mr. DAVIS of Alabama, and Mr. BECERRA.
H.R. 1281: Mr. OSBORNE.
H.R. 1322: Ms. LINDA T. SÁNCHEZ of California.
H.R. 1345: Mr. JEFFERSON and Mr. CHANDLER.
H.R. 1422: Mr. SCOTT of Virginia and Mr. BOUCHER.
H.R. 1472: Mr. EVANS.
H.R. 1700: Mr. FILNER and Mrs. MCCARTHY of New York.
H.R. 1731: Mr. GALLEGLY.
H.R. 1735: Mr. THOMPSON of Mississippi, Mr. SIMMONS, Mr. MCDERMOTT, and Mr. MARKEY.
H.R. 1793: Mr. SULLIVAN and Mrs. MUSGRAVE.
H.R. 1795: Mr. GOODE.
H.R. 1873: Mr. FILNER and Mr. BAIRD.
H.R. 1919: Ms. BORDALLO, Mr. DOYLE, Mr. GONZALEZ, and Mr. BRADLEYof New Hampshire.
H.R. 2037: Mr. SERRANO.
H.R. 2068: Mr. KILDEE, Ms. NORTON, Mrs. CAPPS, Mr. BRADY of Pennsylvania, Mr. BOUCHER, Mrs. DAVIS of California, Mr. HASTINGS of Florida, and Mr. MATSUI.
H.R. 2069: Mrs. CAPPS and Mr. BRADY of Pennsylvania.
H.R. 2107: Mr. CHANDLER and Mr. LARSEN of Washington.
H.R. 2118: Ms. NORTON.
H.R. 2157: Mr. RODRIGUEZ and Mr. ISRAEL.
H.R. 2193: Mr. CARDOZA.
H.R. 2206: Ms. WATERS and Mr. CUNNINGHAM.
H.R. 2239: Mr. BECERRA, Mr. NEAL of Massachusetts, Mr. BALLANCE, Ms. SOLIS, Mr. BISHOP of Georgia, and Mr. LAMPSON.
H.R. 2293: Mrs. MUSGRAVE.
H.R. 2404: Mr. BROWN of Ohio, Mr. NADLER, Mr. LAHOOD, and Mr. ACKERMAN.
H.R. 2426: Mr. BECERRA.
H.R. 2442: Mr. HILL, Mr. HASTINGS of Florida, Mr. DAVIS of Illinois, Ms. ESHOO, Mr. RUSH, Ms. BALDWIN, Mr. BAIRD, Mr. CAPUANO, Mr. STUPAK, Mr. OLVER and Mr. BRADY of Pennsylvania.
H.R. 2509: Mr. MCHUGH.
H.R. 2524: Mr. MCGOVERN.
H.R. 2525: Mr. GONZALEZ.
H.R. 2527: Mr. MCGOVERN.
H.R. 2536: Mr. PRICE of North Carolina.
H.R. 2718: Mr. THOMPSON of Mississippi.
H.R. 2727: Ms. HARMAN.
H.R. 2728: Mr. MCKEON and Mr. PAUL.
H.R. 2729: Mr. MCKEON.
H.R. 2730: Mr. MCKEON and Mr. PAUL.
H.R. 2731: Mr. MCKEON and Mr. PAUL.
H.R. 2797: Mr. RANGEL.
H.R. 2890: Mr. CALVERT.
H.R. 2929: Mr. SHADEGG and Mr. BASS.
H.R. 3066: Mr. SHERWOOD.
H.R. 3069: Mr. RENZI and Mr. HERGER.
H.R. 3090: Mr. OLVER and Mr. CLYBURN.
H.R. 3109: Mr. BLUNT and Mr. MCCOTTER.
H.R. 3203: Mr. FOSSELLA.
H.R. 3204: Mrs. CHRISTENSEN and Ms. PELOSI.
H.R. 3281: Mr. SMITH of Washington, Mr. PASCRELL, Mr. WEXLER, Mr. EHLERS, and Mr. PRICE of North Carolina.
H.R. 3283: Mr. PORTMAN.
H.R. 3309: Ms. ROS-LEHTINEN and Ms. DELAURO.
H.R. 3324: Mr. OLVER.
H.R. 3337: Mrs. CAPPS.
H.R. 3360: Mr. LAMPSON, Mr. ANDREWS, and Mr. VAN HOLLEN.
H.R. 3361: Ms. SOLIS, Mr. DAVIS of Illinois, and Mr. MATSUI.
H.R. 3386: Mr. OBERSTAR.
H.R. 3422: Mr. DAVIS of Illinois.
H.R. 3424: Mr. KENNEDY of Rhode Island.
H.R. 3474: Mr. JENKINS, Mr. BISHOP of Utah, and Mr. RAMSTAD.
H.R. 3476: Mr. RYUN of Kansas, Mr. BRADLEY of New Hampshire, Mr. ANDREWS, and Mr. MANZULLO.
H.R. 3513: Mr. MOORE.
H.R. 3604: Mr. MCCRERY and Mr. BISHOP of Georgia.
H.R. 3615: Mr. DAVIS of Illinois, Mr. CUMMINGS, Mr. MCGOVERN, Mr. BLUMENAUER, Mr. HOEFFEL, Mr. HOLT, Mr. FALEOMAVAEGA, Mr. KANJORSKI, Mr. TURNER of Texas, Mr. GREEN of Texas, Mr. MOORE, and Ms. MAJETTE.
H.R. 3684: Mrs. TAUSCHER, Mr. NETHERCUTT, Mr. SCHIFF, and Mr. WYNN.
H.R. 3729: Mr. DAVIS of Florida, Ms. LOFGREN, Mr. MICHAUD, Mr. ALLEN, Mr. PAYNE, Ms. HART, Mr. NADLER, Mr. MORAN of Kansas, Mr. TERRY, Mr. DAVIS of Illinois, Mr. MENENDEZ, Mr. HINOJOSA, and Mr. MCCOTTER.
H.R. 3755: Mr. NETHERCUTT, Mr. FILNER, Mr. NEUGEBAUER, Mr. GORDON, Mr. ALEXANDER, and Mr. FOSSELLA.
H.R. 3780: Ms. MAJETTE.
H.R. 3801: Mr. ISAKSON, Mr. DUNCAN, Mr. BURTON of Indiana, Mr. DEMINT, Mr. NEUGEBAUER, and Mr. CANNON.
H.R. 3815: Ms. MCCARTHY of Missouri, Mr. LAMPSON, and Mr. CUNNINGHAM.
H.R. 3834: Mr. HAYWORTH.
H.R. 3865: Mrs. CHRISTENSEN.
H.R. 3880: Mr. FROST and Mr. POMEROY.
H.R. 3908: Mr. LATOURETTE.
H.R. 3916: Mr. COSTELLO, Mr. HOUGHTON, and Ms. PELOSI.
H.R. 3933: Mr. PITTS.
H.R. 3936: Mr. SCHIFF.
H.R. 3951: Mr. RYAN of Ohio.
H.R. 3960: Mr. CUMMINGS and Mr. CONYERS.
H.R. 3965: Ms. LEE.
H.R. 3980: Mr. LINCOLN DIAZ-BALART of Florida, Ms. LOFGREN, Mr. UDALL of Colorado, Mr. MEEK of Florida, Mr. DEUTSCH, Ms. CORRINE BROWN of Florida, Mr. HASTINGS of Florida, and Mr. DAVIS of Tennessee.
H.R. 3988: Mr. ANDREWS, Ms. BORDALLO, Mr. CLAY, Mr. DAVIS of Illinois, Mr. FORD, Mr. FRANK of Massachusetts, Ms. MCCARTHY of Missouri, Ms. MILLENDER-MCDONALD, Mr. PALLONE, Mr. RANGEL, and Mr. THOMPSON of Mississippi.
H.R. 3991: Ms. ROYBAL-ALLARD.
H.R. 3996: Mr. FARR and Mr. WEXLER.
H.R. 4008: Mr. CALVERT.
H.R. 4011: Mr. COLE, Mr. ROHRABACHER, Mr. SHIMKUS, and Ms. BORDALLO.
H.R. 4023: Mr. LARSON of Connecticut.
H.R. 4026: Mrs. BLACKBURN and Mr. LAHOOD.
H.R. 4048: Mr. BRADLEY of New Hampshire, Mr. DEMINT, and Mr. BURTON of Indiana.
H.R. 4051: Mr. BRADLEY of New Hampshire.
H.R. 4061: Mr. WELLER, Mr. SHIMKUS, Ms. SCHAKOWSKY, Mr. STARK, Mr. RAMSTAD, Mr. WOLF, Mr. BELL, Mr. LINCOLN DIAZ-BALART of Florida, Mr. EHLERS, Mr. PENCE, Ms. KAPTUR, Mr. WYNN, Mr. RANGEL, Mr. SMITH of New Jersey, Mr. WHITFIELD, Mrs. BONO, Mr. WAXMAN, Mr. KING of New York, Mr. SULLIVAN, Ms. NORTON, Mr. GRIJALVA, Mr. WAMP, Ms. ROS-LEHTINEN, Mrs. BIGGERT, and Mr. ACKERMAN.
H.R. 4072: Mr. ROTHMAN and Ms. BORDALLO.
H.R. 4076: Ms. SCHAKOWSKY.
H.R. 4095: Mr. RUPPERSBERGER.
H.R. 4103: Mr. BLUMENAUER and Ms. JACKSON-LEE of Texas.
H.R. 4104: Mr. CASE, Mr. MCCARTHY of Missouri, and Mr. FORD.
H.R. 4147: Mr. DAVIS of Illinois, Mr. MEEKS of New York, Ms. MILLENDER-MCDONALD, and Ms. WATSON.
H.R. 4169: Mr. RENZI, Mr. WEXLER, and Mr. WELLER.
H.R. 4178: Mr. NADLER, Mr. MCDERMOTT, Mr. BRADY of Pennsylvania, Mr. RANGEL, Mr. CAPUANO, Mrs. JONES of Ohio, Mr. ISRAEL, Mr. JOHN, Ms. MCCARTHY of Missouri, Mr. JEFFERSON, Mr. FORD, Mr. HONDA, Mr. LAMPSON, Ms. LOFGREN, Mr. KENNEDY of Rhode Island, Mr. CONYERS, Ms. JACKSON-LEE of Texas, Ms. LEE, Mr. BROWN of Ohio, Mr. STARK, Mr. CARDIN, Mr. HOLDEN, Mr. FILNER, MS. CARSON of Indiana, Mr. RODRIGUEZ, Mrs. CHRISTENSEN, Mr. FROST, Mr. MORAN of Virginia, Mr. RUPPERSBERGER, Mr. BISHOP of Georgia, Mr. ROTHMAN, Mr. MOORE, Mr. MEEKS of New York, Mr. WAXMAN, Mr. ROSS, Mr. CUMMINGS, Mr. DICKS, Mr. HASTINGS of Florida, Mr. FARR, Ms. NORTON, Mr. REYES, Ms. MAJETTE, Ms. MILLENDER-MCDONALD, Mr. OWENS, Ms. CORRINE BROWN of Florida, Mr. WYNN, Mr. TOWNS, Mr. THOMPSON of California, Mr. DINGELL, Ms. WATERS, and Mr. RUSH.
H.R. 4180: Mr. STENHOLM.
H.R. 4182: Ms. LINDA T. SÁNCHEZ of California and Mr. DICKS.
H.R. 4185: Mr. BEREUTER.
H.R. 4205: Mr. WAMP and Mr. CALVERT.
H.R. 4207: Mr. NADLER, Mr. STARK, Ms. MCCOLLUM, Mr. HASTINGS of Florida, Mrs. MALONEY, Mrs. CHRISTENSEN, Mr. GEORGE MILLER of California, Mr. LAMPSON, Ms. KILPATRICK, Mr. BISHOP of Georgia, Mr. LANTOS, Mr. FALEOMAVAEGA, Mr. THOMPSON of Mississippi, Mr. CLAY, and Mr. GREEN of Texas.
H.R. 4212: Mr. TURNER of Texas.
H.R. 4217: Mr. RENZI, Mr. SPRATT, Mr. PASTOR, Mr. MOLLOHAN, Mr. GRIJALVA, and Mr. ACEVEDO-VILÁ.
H.R. 4227: Mr. WICKER, Mr. FOLEY, Mr. MCCOTTER, Mr. ROGERS of Alabama, Mrs. KELLY, Mr. WILSON of South Carolina, Mr. BARRETT of South Carolina, Mr. ROGERS of Michigan, Mr. SIMPSON, Mr. DEMINT, Mr. SHIMKUS, Mr. HENSARLING, Mr. CRANE, Mr. BRADY of Texas, Mr. DOOLITTLE, Mr. OTTER, Mr. GILCHREST, Mr. ENGLISH, Mr. CANTOR, Ms. PRYCE of Ohio, Mr. BOEHNER, Mr. HOUGHTON, Mr. CHOCOLA, Mrs. MILLER of Michigan, Mr. FOSSELLA, Mr. BLUNT, Mr. HASTINGS of Washington, Mr. LATOURETTE, Mr. FRELINGHUYSEN, Mrs. BIGGERT, Mr. ISAKSON, Mr. UPTON, Mr. PORTER, Mr. RAMSTAD, Mr. KING of Iowa, Mr. BACHUS, Mr. BRADLEY of New Hampshire, Mr. COLLINS, Ms. HART, Mr. JOHNSON of Illinois, Mr. WAMP, Mrs. BLACKBURN, Mr. SHUSTER, Mr. SCHROCK, Mr. GIBBONS, Mrs. MYRICK, Mr. MILLER of Florida, Mr. KINGSTON, Mrs. MUSGRAVE, Mr. MURPHY, Mr. STEARNS, Mr. WELDON of Florida, Mr. WOLF, Mr. TERRY, Mr. WELLER, Mr. BAKER, Mr. WALDEN of Oregon, Mr. NORWOOD, Mr. SAM JOHNSON of Texas, Mr. SESSIONS, Mr. BURR, Mr. BEAUPREZ, Mr. KING of New York, Mr. CANNON, Mr. PENCE, Mr. OSE, Mr. SENSENBRENNER, Mr. KNOLLENBERG, Mr. FLAKE, Mr. GILLMOR, Mr. KLINE, Mr. JONES

of North Carolina, Mr. RYUN of Kansas, Mr. COLE, Ms. HARRIS, Mr. BOEHLERT, and Mr. HERGER.

H.R. 4233: Mr. LANGEVIN and Mr. BROWN of Ohio.

H.R. 4235: Mr. SCHIFF, Mrs. LOWEY, Mr. MARKEY, Mr. RODRIGUEZ, Mr. ISRAEL, Mr. CARDOZA, and Mr. WEINER.

H.R. 4239: Mr. AKIN.

H.R. 4246: Mr. PEARCE and Mr. HOLT.

H.J. Res. 94: Mr. CALVERT.

H. Con. Res. 98: Mr. BEAUPREZ.

H. Con. Res. 247: Mr. DELAHUNT.

H. Con. Res. 252: Mr. KENNEDY of Rhode Island.

H. Con. Res. 276: Mr. DAVIS of Illinois.

H. Con. Res. 285: Mr. GINGREY.

H. Con. Res. 298: Mr. ISTOOK and Mr. CRANE.

H. Con. Res. 336: Mr. WU, Mr. MILLER of North Carolina, Mr. BELL, Mr. PRICE of North Carolina, Mr. LARSON of Connecticut, Mr. REYES, Mr. LIPINSKI, Mr. THOMPSON of California, and Mr. HINOJOSA.

H. Con. Res. 371: Mr. PLATTS.

H. Con. Res. 380: Mr. PORTER, Mr. ETHERIDGE, Mr. FOLEY, and Mr. RYAN of Ohio.

H. Con. Res. 384: Ms. WATERS, Ms. CORRINE BROWN of Florida, Mr. DEFAZIO, Mr. SERRANO, Ms. SLAUGHTER, Mr. SANDLIN, Mr. STARK, Mr. KUCINICH, Mr. THOMPSON of Mississippi, Mr. CUMMINGS, Mr. GONZALEZ, and Mr. MARKEY.

H. Con. Res. 392: Mr. TIERNEY and Mr. OBERSTAR.

H. Con. Res. 396: Mr. WAXMAN and Mr. PRICE of North Carolina.

H. Con. Res. 398: Mr. CARTER, Ms. HARMAN, Mr. CARSON of Oklahoma, Mr. KING of New York, Mr. PITTS, Mr. MCCOTTER, Mr. SMITH of New Jersey, Ms. BERKLEY, Mr. PENCE, Mr. ENGEL, Mr. BURTON of Indiana, Mr. BEREUTER, Mr. WELLER, Mr. SCHIFF, Mr. HOEFFEL, Mr. LAMPSON, Mrs. BIGGERT, Ms. HOOLEY of Oregon, Mr. ETHERIDGE, Mr. CRAMER, Mr. SOUDER, Mr. FEENEY, Mr. SULLIVAN, Ms. HARRIS, Mr. NUNES, Mr. MARKEY, Mr. BOOZMAN, Mr. PORTER, Mr. WEINER, Mr. WEXLER, Mr. FRANK of Massachusetts, Mr. RAMSTAD, Mr. CHANDLER, Mr. TERRY, Mrs. TAUSCHER, Mrs. KELLY, Mr. PRICE of North Carolina, Mr. STRICKLAND, and Mrs. BLACKBURN.

H. Con. Res. 403: Mr. BROWN of Ohio, Mr. GOODE, Ms. CARSON of Indiana, Ms. MILLENDER-MCDONALD, Mr. STARK, Mr. CAPUANO, Ms. ESHOO, Mr. DAVIS of Illinois, Mr. BERMAN, Mr. BURTON of Indiana, Mr. WEXLER, Ms. MAJETTE, Mr. WELLER, Mr. WAXMAN, Mr. ETHERIDGE, Mr. DELAHUNT, Mr. SHAYS, and Mr. GEORGE MILLER of California.

H. Con. Res. 410: Mr. BURTON of Indiana.

H. Con. Res. 412: Ms. GRANGER.

H. Res. 38: Mr. RANGEL.

H. Res. 402: Mr. MCCOTTER and Ms. MCCARTHY of Missouri.

H. Res. 466: Ms. EDDIE BERNICE JOHNSON of Texas.

H. Res. 560: Mr. SCHIFF, Mr. LYNCH, Mr. SIMMONS, Mr. SCOTT of Georgia, Mr. SKELTON, Mr. ENGLISH, Mr. VAN HOLLEN, Mr. DAVIS of Tennessee, Mr. CUMMINGS, Ms. LEE, Mr. MATSUI, Mr. LANTOS, Mr. PAYNE, Mr. RODRIGUEZ, Mr. MORAN of Virginia, Mr. FROST, Mr. MCNULTY, Mr. HINCHEY, Mr. ACEVEDO-VILA, Mr. KILDEE, Mr. MILLER of Florida, Mr. GONZALEZ, Mr. CLAY, Mr. COSTELLO, Mr. JACKSON of Illinois, Mr. PASTOR, Mr. ROSS, Mr. BISHOP of New York, Mr. VITTER, and Mr. ROTHMAN.

H. Res. 568: Mr. TERRY and Mr. BURGESS.

H. Res. 570: Mr. ACEVEDO-VILÁ, Mr. CONYERS, and Mr. CAPUANO.

H. Res. 579: Mr. PRICE of North Carolina.

H. Res. 596: Mr. BERMAN.

H. Res. 598: Ms. HARRIS, Mr. LAMPSON, Mr. LARSEN of Washington, Mr. ABERCROMBIE, Mr. COBLE, Mr. SHIMKUS, Mr. FILNER, Mr. SANDLIN, Ms. MILLENDER-MCDONALD, Mr. UPTON, Mr. COLE, Mr. PORTER, Mr. BURNS, Mr. MCCOTTER, and Mr. PICKERING.

H. Res. 600: Mr. WILSON of South Carolina, Mr. CASTLE, Mr. ROGERS of Michigan, Mr. CHOCOLA, and Mr. HOEKSTRA.

H. Res. 601: Mr. LIPINSKI.

H. Res. 604: Mr. LAMPSON, Mr. GUTIERREZ, Ms. MILLENDER-MCDONALD, Ms. CARSON of Indiana, Mr. MEEKS of New York, Mr. FALEOMAVAEGA, Mr. CONYERS, and Mr. DAVIS of Florida.

H. Res. 605: Mr. FROST, Mr. MATSUI, Mr. PORTER, Mr. MILLER of Florida, Mr. PUTNAM, and Mr. MCCOTTER.

H. Res. 608: Mr. BLUNT, Mr. PORTMAN, Mr. DREIER, Mr. SIMMONS, Mr. WILSON of South Carolina, Mr. PICKERING, Mr. BURR, Mr. CRANE, Mr. CARTER, Mr. OTTER, Mr. GREENWOOD, Mr. NORWOOD, Mr. BACHUS, Mr. TERRY, Mrs. MALONEY, Ms. GINNY BROWN-WAITE of Florida, and Mr. GALLEGLY.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 898: Mrs. MYRICK.

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Senate

The Senate met at 9:45 a.m. and was called to order by the President pro tempore (Mr. STEVENS).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Sovereign Master of the universe, Your kingdom cannot be shaken, for You are King of Kings and Lord of Lords. We praise You that more things are wrought by prayer than this world can imagine. Thank You for inviting us to ask and receive, to seek and find, and to knock for doors to open.

Forgive us when we have forfeited Your blessings because of our failure to ask. Forgive us also when we have lacked the humility to turn from evil and seek Your paths. Remind us that righteousness exalts a nation, but sin is an equal-opportunity destroyer. Remind us also that earnest prayer unleashes Your power.

May this prayer that opens today's session be a springboard for intercession throughout this day. Help our lawmakers to pause repeatedly during their challenging work to ask You for wisdom and guidance. Empower the members of their staffs and all who labor for liberty to harness prayer power continuously.

Do for this great Nation immeasurably more than we can ask or think, for the kingdom, the power, and the glory belong to You alone. Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The acting majority leader is recognized.

SCHEDULE

Mr. MCCONNELL. Mr. President, this morning the Senate will begin a period of morning business for up to 1 hour. The first half of that time will be under the control of the majority leader or his designee, and the second half will be used by the other side of the aisle.

Following morning business, the Senate will resume consideration of S. 1637, the FSC/ETI JOBS bill. The debate until 12:30 will be equally divided between Senators GRASSLEY and BAUCUS or their designees.

During yesterday's session, three amendments were offered and debated. I thank Members for coming forward on Monday and allowing us to make some progress on the bill. This morning we expect a Republican alternative to the overtime amendment to be offered, and Members may have additional debate on that issue. Therefore, we anticipate that we will begin to schedule votes on FSC amendments this afternoon and, therefore, we do not expect any votes prior to the policy luncheons.

As a reminder, the Senate will recess from 12:30 to 2:15 for the weekly policy luncheons.

Finally, we hope to have cooperation on both sides as we try to finish the JOBS bill this week. With the rising level of WTO sanctions, it is long past time to complete this measure and, therefore, Members need to show restraint in offering their amendments. I thank everyone in advance for their cooperation as we try to finish this bill this week.

I reserve the remainder of the leader time.

The PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE DEMOCRATIC LEADER

The PRESIDENT pro tempore. The Democratic leader is recognized.

FINISHING FSC/ETI

Mr. DASCHLE. Mr. President, I share the view just expressed by the distinguished assistant Republican leader with regard to finishing the FSC bill. It is my understanding they have probably twice as many amendments as we do. I know both sides are attempting to work down the list.

We have had some success in the last 48 hours with regard to our list, and we are hopeful our colleagues on the other side of the aisle will have an equal opportunity to demonstrate their success in reducing the number of amendments to be offered. We can finish this bill easily this week.

Our amendments have all been vetted, and it is my understanding that every author of each amendment on our side has also agreed to a time limit. So we not only have short time limits and a reduced number of amendments from what was originally entered into with the time agreements and the unanimous consent agreement having to do with the consideration of this bill, but I think if we can continue to show that degree of cooperation, certainly we can finish the bill easily this week and perhaps move on to other business.

So I join with the Senator from Kentucky in expressing the hope we will continue to work to accomplish that this week.

TORTURE IN IRAQ

Mr. DASCHLE. Mr. President, I had not intended to speak to the appalling news in the last several days about the mistreatment of prisoners in Iraq. But I must say I come to the floor with grave concerns about the news, about the events, about the message it sends, about the extraordinary impact this violation of human rights can have on our efforts to succeed in that country, and about our appalling inability to explain how this happened.

While I certainly am not in a position today to speak with any clarity or

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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definitive character with regard to the facts, let me say that I don't know that there has ever been a time when we needed a better understanding of how this could have happened, why it happened, how widespread these practices may have been, what the administration has done about it, what they intend to do about it, why the President was not informed, why the Defense Secretary was not informed until just recently, why no one has seen the report, why the Intelligence Committees were not informed, and why, in other words, has there been this extraordinary disconnect, this unbelievable failure of communication and of oversight.

We need answers. I hope no later than the end of this week the Secretary of Defense can come to the Senate, as he does with some regularity, and explain to us what they know, what happened, and what is going to be done about it.

We must do everything we can to ensure that we understand the circumstances surrounding these appalling acts. We must also be provided with a very specific and detailed response that spells out the measures taken to discipline those responsible and outlines what steps will be taken to ensure this never happens again.

Somehow, we have to say to the international community that this is not the United States of America. I think it is imperative that the Senate itself speak to this issue in some manner. We should send a clear signal through a resolution or some other collective and forceful means that expresses how important it is to adhere to the international standards respecting the human rights of every person.

We cannot be silent. We must learn, respond, and speak out. I hope all that will be done at the earliest possible time.

FIRST DAY OF MEDICARE DRUG CARD ENROLLMENT

Mr. DASCHLE. Mr. President, I want to use the remainder of my leader time to comment on the Medicare temporary drug discount card.

For nearly a decade, Congress has been debating how to provide seniors with meaningful help when it comes to the skyrocketing cost of prescription drugs.

This temporary program represents the first tangible result of that long debate. Until the Medicare prescription drug benefit takes effect in 2006, this is the only assistance seniors will receive.

The administration has introduced this program with great fanfare. Unfortunately, the hype masks the disappointing truth. This program provides far more confusion than real savings. As a result, it represents yet another missed opportunity in our longstanding effort to bring the cost of medicine within the reach of seniors who need it.

Among the many shortcomings in the program are three critical flaws. First, the discount program forces seniors to go through a baffling number of calculations and decisions.

In order to decide whether the discount program is right for them and, if so, which card to choose, seniors need to ask themselves: First, will the card offer discounts on the drugs I need? Second, is my neighborhood among those where this card is available? Third, does my pharmacist accept the card? Fourth, which of the several cards offered will provide the best discount on the drugs I am personally taking? Are the discounts offered worth the enrollment fee? Could I get a better deal through a separate discount plan offered outside of Medicare? Will I qualify if I am in Medicaid?

The questions go on and on and on. The dizzying array of possibilities and permutations are shown in a number of the pieces of material that have been offered by CMS. I must say the charts and information provided are equally as confusing.

One reason it is so confusing today is that seniors have nowhere to turn for reliable information. The Center for Medicare and Medicaid Services has built a Web site, but it has already been found to have incorrect prices on many of the drugs Medicare recipients rely upon the most.

Unless seniors have faith in the information on which they are basing their decisions, the fact they are given options will mean absolutely nothing.

Second, the program unfairly locks seniors into their choices until the end of the year, even though the card sponsors can change the rules anytime they wish.

Assuming that a Medicare recipient is able to get the information he or she needs to make a smart choice on a plan that could help, it may not matter. At any time, card sponsors can withdraw the discount they were offering on any drug. Meanwhile, even though the rules could change at any minute, Medicare recipients are actually locked into the choice they made until the next enrollment period comes. So they make their decision based on facts provided to them, and they are locked into that decision for the coming year. But those facts can change at any time—the day after, for example—and the Medicare recipient is now committed. Those facts for that recipient could change. This is an extraordinary invitation for abuse. It puts seniors, especially those with serious health conditions, in a very vulnerable position.

Last week, the Secretary of Health and Human Services suggested that seniors wait before enrolling because more information will soon be available.

Because enrollment begins today and the administration has not included this warning in its widespread advertising, I have urged Secretary Thompson to allow Medicare recipients at least a 30-day grace period to enable them to change their decisions should it turn out that another plan could offer a better discount.

In the wake of the confusing and contradicting information seniors are receiving about these cards, the very least HHS can do is to offer them the flexibility to make the right choice once the right information becomes available.

Finally, and most importantly, the program simply doesn't provide much of a discount. A recent analysis found that prices under the new drug cards would be no lower than prices currently available to Medicare beneficiaries.

Furthermore, whatever discounts the cards may provide have already been factored into drug company pricing strategies.

The Wall Street Journal recently reported that several of the drugs seniors use the most have actually seen prices increase more than three times the rate of inflation since this program was announced.

In fact, drugmakers have already raised prices so much that the so-called discounts offered by this program will do little more than return the drugs to their original price.

To add insult to injury, the new law only requires the card sponsors to pass along to beneficiaries a share of the discount that they do negotiate.

That is not good enough, so I have introduced legislation that would require them to pass along at least 90 percent of the savings to seniors. Medicare should not be in the business of propping up profits at the expense of seniors.

After wading through the stupefying process, with its myriad questions and calculations, the fact of the matter is many seniors will not see their drug costs go down 1 penny.

Regrettably, this was entirely predictable. Instead of relying on commonsense solutions we know could bring down the cost of drugs for every senior, Congress created a mystifying maze of computations, replete with new vendors, changing rules, shifting prices, and unreliable information. There is a better way.

Not long ago, I was contacted by a couple from Trent, SD, who, until January, spent $525 every month to pay for 17 different pills the wife had to take for her diabetes and high blood pressure.

As the cost of the drugs rose higher and higher, it became more difficult to pay their monthly bills, much less enjoy the retirement they worked and saved for. So in order to make ends meet, the husband, at the age of 84—at the age of 84—started a paper route. Once a week, he spent a day delivering a weekly magazine to a number of small towns around Trent. He does not make much, certainly not enough to cover the cost of his wife's prescription drugs, but the added income relieved a little of the sting, and most of the urgent bills could be paid.

In January, the couple called a pharmacy in Canada. They had heard drugs cost less on the other side of the border, and he was curious if they could save a little money.

What they learned stunned them. The same drugs that cost $525 per month at their local pharmacy cost less than $100 in Canada. Over the course of the year, the couple will save over $5,000.

This couple's experience points the way to two commonsense steps Congress could take to guarantee lower drug prices for all Americans.

First, we must make it possible to safely and legally reimport drugs from countries with lower drug prices. Pharmaceutical companies charge American consumers the highest prices in the world. Some medicines cost American patients five times more than they cost patients in other countries.

In effect, our citizens are charged a tax simply for being American. As a result, millions of Americans are having trouble affording lifesaving medication.

Last month, Senators reached a bipartisan agreement to introduce a bill that would allow reimportation of prescription drugs. I want to thank Senators DORGAN and MCCAIN for their extraordinary leadership, and also those who joined with us—Senators SNOWE, KENNEDY, and LOTT, and others on both sides of the aisle.

This is the same medication, manufactured at the same facilities, and inspected by the same rigorous safety standards. It is absurd, even cruel, to force Americans to pay wildly inflated costs, driving hundreds of thousands of Americans into poverty, just to pad the profits of pharmaceutical companies.

Second, it is time to give the Government the same negotiating leverage it has on every other product it buys. When the Government buys computers or automobiles or equipment for our soldiers in uniform, it uses its purchasing power to get the taxpayer a better deal. We should have the same ability to negotiate for drugs on behalf of 41 million Medicare beneficiaries.

The administration has repeatedly opposed this commonsense price-reducing measure and insisted on a provision in the Medicare law that expressly prohibits the Federal Government from using leverage to bargain for lower drug prices.

Let's be clear, if we have the power to save taxpayers money and choose not to use it, we are, in effect, throwing taxpayers' money away. This is foolish and irresponsible. It helps no one but the drug companies who can count on their bloated profits. By defending the system, the administration is merely showing whose side they are truly on.

America's seniors deserve better. The question isn't how we bring down drug costs for seniors. We know how. Rather the question we face is whether we truly want to bring down costs for seniors. The administration and many of our Republican colleagues have given their answer. Over the next several months, seniors are going to see this drug card program is not up to the task of controlling the spiraling drug costs.

Instead of helping seniors afford the drugs they need, it is designed to help drug companies reap the profits to which they are accustomed. Seniors need a real Medicare prescription drug benefit that puts their needs first.

We are going to try to continue to work across the aisle, as we did with the reimportation bill, to find a way to bring down these costs, to find a way to empower the Government to work on behalf of all seniors to negotiate better prices.

There is an answer to the high cost of prescription drugs. The program being introduced today and unveiled this week is not it. We can do better than this, and I hope we will.

I yield the floor.

MORNING BUSINESS

The PRESIDING OFFICER (Mr. THOMAS). Under the previous order, there will now be a period for the transaction of morning business for up to 60 minutes, with the first 30 minutes under the control of the majority leader or his designee, and the second 30 minutes under the control of the Democratic leader or his designee.

The Senator from North Carolina.

OVERTIME RULES

Mrs. DOLE. Mr. President, this morning I want to praise the work of Elaine Chao and her staff on the final regulations to strengthen overtime rules for all Americans. Elaine Chao worked with me when I served as Secretary of Transportation, and I know her to be a public servant of the highest intelligence and integrity.

Secretary Chao has identified the problems with outdated regulations and has taken the action necessary to rectify them. I admire her principled stand on such a controversial issue, and I commend her for her foresight in recognizing and working to fix the problems.

The Fair Labor Standards Act regulations have not been revised since 1954, but labor forces, as well as employers, have changed dramatically over that 50-year period. These updates take into account the economic demands of technological advancements, salary growths, and shifts in the labor force that have occurred in the past half century, and they modernize these regulations for a modern workforce.

Updating the rules is crucial to the 6.7 million Americans making $23,660 or less a year because until now only workers earning less than $8,060 annually were guaranteed overtime. The final rule provides a greatly needed increase, and, in addition, 1.3 million white-collar workers will benefit from their new earnings. The benefits do not stop there. More than 5 million workers will enjoy an ironclad guarantee of overtime rights, regardless of job duties, under this final rule.

As a woman well acquainted with labor issues across this Nation, I have watched the increase of Fair Labor Standards Act class action suits over the years with growing concern. To my dismay, the number of suits has almost tripled—tripled—since 1997. Even worse, these lawsuits are estimated to cost our economy approximately $2 billion a year. The vague language in the laws has allowed an opportunity for class action attorneys to render a defense extremely expensive and difficult to counter, regardless of how well the employer complies with the law.

These suits have placed even greater pressure on our already overburdened judicial system, and they reinforce the need for these rules.

Certain groups out to prevent the Department of Labor from improving the rules and making the necessary clarifications have greatly exaggerated the effects of the rule. Fortunately, their efforts were unsuccessful.

Critics expressed concern about who is and who is not potentially affected by the new rules—why, for instance, a first responder's overtime is protected. There is no question that America has a profound sense of the significance of our first responders, especially following the events of 9/11. This new protection extends to all of our first responders, our police officers, firefighters, paramedics, nurses, and emergency medical technicians.

For those who feared team leaders could be unfairly disadvantaged under the proposed rules, let me assure you the final rules make it clear blue-collar workers who are team leaders are guaranteed overtime pay. Additionally, white-collar team leaders will enjoy greater protections than they do today.

I hope my colleagues on both sides of the aisle will give careful consideration to the clear benefits these final rules will afford our Nation before voting. I believe these final rules are the product of constructive feedback that is afforded to all proposed rules through the public comment period. In this case, I am told 75,000 to 80,000 comments were received and analyzed. With the new rules in place, workers will clearly know their rights and employers their responsibilities.

Again, I thank Secretary Chao for her extraordinary leadership and vision in making millions of low-income workers eligible for overtime, updating the antiquated and confusing rules and regulations, and taking this important step toward eliminating the billions of dollars in lawsuits related to overtime cases.

I quote from today's Washington Post:

> What's needed now is not to block these regulations but to ensure that they are vigorously enforced with an eye to protecting the vulnerable workers the law was intended to benefit.

I urge all my colleagues to support this rule and vote no on the Harkin amendment.

I yield the floor.

The PRESIDING OFFICER. The minority whip.

ORDER OF PROCEDURE

Mr. REID. I appreciate my friend from Minnesota yielding for a unanimous consent request.

Under the time controlled by the Democrats, Senator STABENOW would have the first 10 minutes, Senator DURBIN the second 10 minutes, and Senator LAUTENBERG the third 10 minutes, or if one of them is not here they would each get 10 minutes of our time. I ask unanimous consent that that be the order for the Democrats.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Minnesota.

MEDICARE'S NEW PRESCRIPTION DRUG PROGRAM

Mr. COLEMAN. Mr. President, I had the opportunity yesterday to be in Eden Prairie, MN, at a senior citizens center to talk to people gathered there about the opportunity they now have to obtain a discount card to lower the cost of prescription drugs. This is done less than 6 months after the law was changed. I want to applaud Secretary Thompson and the folks from CMS for moving so quickly.

What I find so troubling is I was on the Senate floor yesterday and I heard the distinguished Senator from Massachusetts and today the distinguished minority leader talking about how terrible this is and lambasting something that is just beginning. I ask that we put aside the partisan rhetoric and see if we can work together to give seniors an opportunity to get prescription drugs at lower costs. The card in question is one, by the way, if one is a senior at the lower end of the economic ladder and as an individual they have an income of under $13,000—I think it is about $12,500 for an individual and about $16,500 for a couple—that discount card has contained within it a $600 credit. That $600 credit will cover the cost of prescription drugs from now until the end of the year and then $600 starting again in January; so, in fact, it is $1,200 for 18 months. With this card, seniors have an opportunity to get a list of the pharmacies at which they shop, get a list of the drugs they need, and then be able to price compare.

I am not very computer literate, but many of us have complained about the complexity of the Medicare law. There is certainly a lot of debate about the complexity of the statute, but there is very little debate about the simplicity of the process that is involved in seniors figuring out what their options are under this card. If seniors call 1–800–MEDICARE, they can speak with someone, tell the folks at Medicare where they live, what their income is, what drugs they need. They will be given a list with a whole range of opportunities, and then they can pick the program that is at the lowest cost to them.

If a senior is computer literate themselves or they have a kid or even a grandkid who understands how to work computers, or in our case we had folks from AARP and from the Board of Aging—they were all there to work with these seniors—it makes it very simple.

For those who talked about mystifying phases of confusion, why do we not just give it a chance to work. Can we not put aside partisan rhetoric and lambasting for a little bit of time and simply come together to say seniors deserve lower cost prescription drugs?

I would like to see an opportunity for seniors to get safe drugs from anywhere, and if we can figure out a way to do a pilot project to get drugs from Canada, I would support that. We know that is not the panacea, that is not the cure all. We have passed a bill now that for the first time gives seniors the opportunity to get prescription drug coverage. Over 187,000 in Minnesota will get that coverage, and over 119,000 will have this $600 benefit.

I was taken aback by the comments of the Democratic leader when he talked about the Federal Government as a model in regard to military procurement and getting things at low cost. Goodness gracious, we have all heard the stories of $500 wrenches and toilets. There is a better way to do it.

We have an opportunity now for seniors to be able to price shop. We have urged our seniors and I urge seniors, do not get the card right away, do not make their choice right away. Window shop for a couple of weeks, 10 days, figure out what is the lowest cost, and do the price comparison.

We have an opportunity, and I hope we take it, to put aside the political hits and being negative about things even before the program is given a chance to work.

ECONOMIC RECOVERY

Mr. COLEMAN. I do want to talk briefly about the economy and perhaps from the same perspective. I begin my remarks on the progress of the American economy with an observation of H.L. Mencken in 1921. He said:

> The whole aim of practical politics is to keep the populace alarmed (and hence clamorous to be led safely) by menacing it with an endless series of hobgoblins, all of them imaginary.

Much of the economic commentary we are hearing from the other side of the aisle in the Senate and out on the campaign trail seems to fit this description very well.

Among the hobgoblins: that the President is encouraging companies to move overseas; that his tax cuts are intended to primarily help his rich friends; and that this is the worst economy in who knows how long.

There is just one problem with these and other claims: The facts. They are alarming for sure, but they are also imaginary.

The economy is strong and growing, posing annual growth rates of 8.2 percent, 4.1 percent, and 4.2 percent in the last three-quarters. Jobs are being created, 308,000 last month. The recalculation of job creation the first 2 months in this year is another 200,000. I believe the figure is 750,000 in the last 7 months. Housing sales are at an all-time high level, and so is home ownership. Inflation is low. Mortgage rates continue to be low. I wonder which of these economic indicators the Senator from Massachusetts wants to be less positive.

The truth is, we should not be comparing our economy to perfection and asking: Why not? We should be comparing our economy to reality and asking: Why?

We had the tech bubble burst, a bubble that should never have been allowed to inflate so high. We had corporate scandals. We had corporate greed. We had Enron and WorldCom. They were certainly nonpartisan, but they were encouraged by the get rich quick ethic of the 1990s. They were reprehensible and we have dealt with them.

We had the attacks on September 11. My colleagues across the aisle talk about losing jobs and what a terrible economy. Every single time we have to reflect, we remember September 11 and the devastating impact that had both on our hearts, on our souls, on our confidence, and on our economy. Now we have the daily war on terror.

If that picture had been drawn for us 5 years ago, how many would have predicted the economy would be in as good shape as it is? The reason is sound monetary policy and tax cuts that were extremely well timed and sized to stimulate the economy when it needed it the most.

Talk to small business folks. They understand the importance of bonus depreciation, increased expensing, cutting the top bracket, reinvesting in the business, and then growing jobs. That is what has happened.

As that stimulus is running its course, we in this body need to enact a jobs bill, a transportation bill, and the Energy bill. We need to enact tort reform to build upon our current progress. We have to stop the filibustering and get some work done.

Unfortunately, some in this body and on the campaign trail are obsessed with talking about and addressing the economic situation that existed 2 years ago and administering medicine to a disease we are already curing. The President deserves credit for economic policies that weathered America through to better times.

Some may have political reasons for keeping the people alarmed, but the mounting evidence of economic strength is convincing to the American people, and the American people understand that reality is preferable to all those hobgoblins.

I yield the floor.

The PRESIDING OFFICER (Mr. CHAFEE). The Senator from Utah.

Mr. BENNETT. Mr. President, I thank my colleague for his presentation on the economy. I intend to continue in the same vein.

I begin with a headline that appears in this morning's Washington Post on the front page of the business section. I believe it belongs on the front page, period. The headline reads:

Federal Deficit Likely to Narrow By $100 Billion. Tax Receipts Pare Borrowing.

It goes on to describe how the amount of tax receipts coming into the Government are so much higher than those anticipated, that the present expectation is that this year's deficit will be $100 billion less than the amount that we were told when the year began.

To me, that does not come as a surprise. Yes, I am a little surprised that the number is as high as it is. But the one thing I have said over and over again on this floor, and will continue to say because it seems nobody understands it, is that all of the numbers we have with respect to our projections around here are always wrong. I can't tell you whether they are wrong on the high side or the low side in advance, but the one thing I can always say with absolute certainty is that they are wrong.

Why? Because we are talking about an $11 trillion economy. In an $11 trillion economy, even the slightest percentage change in our estimate produces a big number, in terms of dollars. One hundred billion is not that much money when you talk about $11 trillion. It is 1 percent. And 1 percent, to use a term with which all politicians are familiar, is within the margin of error.

But the fundamental truth that comes out of this headline and the predictions that preceded it is this: Worry less about the numbers than you do about the principal position of the economy that underlies those numbers. If our policy is correct and the economy is thriving and growing, the numbers will take care of themselves. But if our policy is wrong and the economy is shrinking, then it doesn't matter what the projections say that the income of the Federal Government might be. We are going to be in trouble.

I want to put this all in historical perspective so, if you will, I will display a few charts. This first one, ''Historical Perspective on Economic Growth'' goes back to the 1970s. The green bars above the line represent quarters in which our economy grew. The red bars below the line represent quarters in which our economy shrank. As you can see, we had a very serious economic problem in the late 1970s and early 1980s, as the red bars went down below the line repeatedly and very deeply. This was the response to what some economists call the ''great inflation.'' We hear talk about the Great Depression, but we sometimes forget that in the 1970s we had the great inflation during the Carter years. And we had two quarters successive of red down below. Then it burst, and then an additional problem, as the economy went through the dreaded double dip; that is, we went into recession, recovered briefly, and then fell back into it again. Those were some of the worst economic times that I can remember. But to listen to the rhetoric around the Senate floor no one else remembers it because we are now being told our present economy is the worst in 50 years.

Look at the historic perspective. You see when we came out of that double dip, Ronald Reagan was President and Paul Volcker was Chairman of the Federal Reserve and we established fiscal policy and monetary policy that caused the economy to start to grow in dramatic fashion. We had a period of nearly a decade where we had nothing but green above the line. But as always happens—we cannot repeal the business cycle—mistakes are made, decisions are taken on the assumption that the future will be different than it really is, and the economy slipped once more into recession in the middle of the Presidency of the first President Bush, and we had two successive quarters of red ink.

By comparison to what happened in the early 1980s, this was a happy time. But, of course, for those who lost their jobs and those who saw the economy shrink, it was not a happy time. It is never a happy time when we are in recession.

We came out of that recession and President Bush saw the balance of his Presidency a time of solid growth. It slipped for one quarter and then resumed again, and we had another period of green above the line. We didn't really get into a robust recovery until about 1995. That triggers all kinds of political debates. The Democrats said the reason for the recovery was because Bill Clinton was elected President in 1993. The Republicans say, no, the reason for the recovery is because Newt Gingrich was elected Speaker in 1995. Frankly, I don't think either one of those had that much to do with it. I think the economy, on its own, with its own strength, created this period of great prosperity.

But as the Senator from Minnesota has noticed, as we got toward the end of this period, we had the dot-com bubble, we had 9/11, we had the corporate scandals, we had geopolitical uncertainty, and the economy was shaken and slipped back again into the red. But, once again, if you notice, in a historic fashion the amount of red below the line in the recent recession was nowhere near as serious as the amount of red below the line in the 1990s, and not even close to the amount that occurred in the late 1970s and early 1980s. So that is the historic perspective of where we are. The economy is strong, it is resilient, and it is now poised for a significant period of growth that we hope will challenge if not exceed the periods that preceded it.

Let's go to the next chart that focuses entirely on the recent years, in the period where we are now. This shows the quarters that constituted the last recession, and then the quarters since then. You can see that since the last recession, the recovery, while initially fairly weak, has now become strong and robust and continues to grow.

In discussing that with Chairman Greenspan and the Federal Reserve, I talked to him about how weak the recovery was, and he said one of the reasons the recovery has been weak compared to previous recoveries is because the recession was so mild. You don't have a strong booming recovery unless you are coming back from a period of great and serious difficulty. Because the recession was so comparatively mild, the recovery was comparatively mild. But now it appears, starting in mid-2003, that it has truly taken hold.

The jobless claims peaked during the recession, stayed high for the first part of the recovery, and then began to get optimistic and strong. That is the case here.

Let us look at the payroll jobs and how they are playing out, again in the historic pattern I have described.

This is the beginning of January 2003. Payroll jobs are being lost, but the amount of loss keeps getting smaller and smaller as the recovery takes hold. In August of 2003, the trend turns positive and the jobs start to come back. Now you have 7 months in which jobs have been created—every month, with the strong figure, of course, occurring last month of 308,000 jobs.

Once again, this follows the standard historic pattern; job are slow to come back in a recovery—every recovery regardless of who is President. People are slow to hire until they are sure the recovery is taking hold. Now the recovery has taken hold and the jobs are coming back.

The next chart shows us why this recession was as mild as it has been. It gives us an indication of what we can look forward to. It is a little hard because the colors are not as contrasting as they should be for television, but the green bars are consumer spending.

One of the interesting characteristics about this recession—it is unique indeed of any recession we have followed—is consumer spending stayed positive throughout the entire recession and then turns more positive, of course, during the recovery. That would indicate no recession at all. But, of course, there was a recession. What caused it? Go to the dark blue bars. This is business investment. We can see the response to the dot.com bubble. The bursting of that bubble was that businesses decided they had overinvested in a number of areas during that bubble. You see that in the very strong dark bars that are up here in 2000. In the middle of 2000, business investment starts to drop.

That was the signal. This was the beginning of the recession, the middle of 2000, and they slip into strong negative territory in 2000, stayed there during 2001, and do not come back to positive territory for nine quarters.

That is why we had a recession and that is why the recovery was sluggish.

Consumers were still buying but businesses were not investing partly because they had overinvested and thereby overspent during the period leading up to the recession, partly because they didn't have the incentives that were created for business investment by the tax cuts that we passed in Congress.

But, in late 2002, the trend turned. Business investment started to go up and became very strong and remained in strong territory, which is why the recovery remains strong.

But let us look at the area we have so much spoken about on the floor with respect to manufacturing. Once again, putting it in a historic perspective, going back to 1999, manufacturing spending was up and started down in 2000.

I keep emphasizing the fact that this started down in 2000, because during the election of 2000 we were told this was the strongest economy anybody could ever imagine, and if one only kept the incumbent party in power in the White House this would continue. In fact, during that period while President Clinton was in the White House and Vice President Gore was campaigning, it had already started down.

Economic activity is not that responsive to political activity; it has a life of its own.

It started down during 2000, slipped below the line that indicates whether it is growing or shrinking in the middle of 2000, it hits bottom in 2001, and then, while it comes up briefly, stays in a period and an attitude of difficulty until you get to the middle of 2003.

Again, the red arrow shows when it was going down, the green arrow shows when it is starting up, and the manufacturing activity has now come up very strong—stronger than it was before the recession started, and every indication is that it will continue.

On the floor yesterday, the senior Senator from Massachusetts talked about wages and how terrible wages are. His colleague who is running for President has said: Well, maybe the economy is coming back but we are in a wage recession and wages are terribly low.

Once again, putting this in historic perspective, we find that the present situation is not without precedent and not without indication as to what will happen in the future. Hourly earnings figures, which the two Senators from Massachusetts used to make their claim, do not include benefit costs. That is a component of compensation that every business man and woman knows you have to include.

I have run a business. I have realized, as every businessman does, that you cannot just compute the amount of money that an employee receives on his W–2 form as the cost that employee represents to you. You have to add to that the cost of his health insurance, the cost of his retirement benefits, the cost of any other benefits you give him in order to come up with the total amount he is going to cost you. If he cannot return to your company enough economic value to cover that total cost, you can't afford it.

To those who say, well, let us ignore the total cost and just talk about the wages, I say you are ignoring economic reality. If you look at the total benefits and wages combined in total cost to an enterprise, you realize we are not in a wage recession. We are in a situation that has very careful precedent very close to what has happened in the past recessions.

When Alan Greenspan appeared before the Joint Economic Committee, I asked the question: Are we in a wage recession? He said no.

I close the way I began. It is the economy that produces money—not the budget. It is the economy that determines how well we will do and not necessarily our laws.

I go back to the headline that I held up at the beginning of my presentation in today's paper, the Washington Post. On the front page of the business section, it says ''Federal deficit likely to narrow by $100 billion.''

Do you know what it would take for us to create a $100 billion reduction this year in spending in order to get that kind of an impact? There it is—an additional $100 billion into the Treasury by virtue of the strength of the economy rather than anything we do.

It is very important for us politicians to understand that and realize that our first responsibility is to adopt policies that will keep the economy strong and growing. I believe this administration and Congress have done that. The information that is now flowing in to us from the economic world demonstrates that our policies are the correct ones.

I yield the remainder of my time and I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

MEDICARE

Ms. STABENOW. Mr. President, I rise today to speak about the Medicare law that we passed and the newly announced Medicare discount card.

I, first, raise deep concerns about a recent report that has come forward from the Congressional Research Service which was made public yesterday. I read from an AP story and report made public on Monday by the nonpartisan Congressional Research Service that efforts to keep Richard Foster, the chief Medicare actuary, from giving lawmakers his projections of the Medicare bill's costs—$100 billion more than the President and other officials were acknowledging—probably violated Federal law.

It goes on to say:

> Foster testified in March that he was prevented by then Medicare administrator, Thomas Scully, from turning over information to lawmakers. Scully, in a letter to the House Ways and Means Committee, said he told Foster ''I, as his supervisor, would decide when he would communicate with Congress.''

Congressional researchers chided the move. Such gag orders have been expressly prohibited by Federal law since 1912, Jack Maskell, a CRS attorney, wrote in the report.

I hope we are going to pursue this. We have a specific report indicating the administration may have violated a law that has been in place since 1912 that relates to information not given to us about the Medicare bill and about an employee, a Medicare actuary, who was told he could not share information, even though that was his job, even though he was asked to do so, another very troubling part of the whole Medicare saga as we look at this legislation.

Sadly, our seniors now must endure another major disappointment as they cope with the implementation of last year's flawed Medicare bill. Since the final agreement was hashed out in the middle of the night last year, seniors across this country have heard more and more frustrating news about the new Medicare law. The latest is the new Medicare discount card or, as some would say, nondiscount card.

Prior to the launch of the prescription drug card Web site last week, seniors discovered one outrage after another. First, they found out this bill had an undesirable benefit. For example, if you have $5,100 in prescription drug costs in a year, you still have to pay 80 percent of that—over $4,000. That is not the kind of benefit people in Michigan desire. When the benefit is explained to them in public forums where I have been participating, people are very upset. This is not the kind of benefit they have been asking for.

Second, they began to understand this legislation will undermine private health insurance and almost 3 million retirees will lose their private prescription drug coverage. About 183,000 people in Michigan, as a result of this bill, are predicted to lose the private coverage they worked for their whole lives and count on now in retirement.

Third, they realize approximately 6 million low-income seniors will have to pay more under this new plan than they did under their existing Medicaid coverage or their coverage will be more restrictive. Think of that for a minute. For the folks who are lowest income seniors, whom we all speak about having to choose between food and medicine, under this new law they will have to pay more—maybe only a little bit more, but every dollar counts when you are choosing between food, medicine, paying the electric bill, or cutting pills in half or taking them every other day. It is astounding the bill that was passed actually increased the costs for our poorest seniors.

Fourth, our seniors discovered there were no provisions to actually lower the prices of prescription drugs. That is amazing. Despite the House of Representatives overwhelmingly passing a bipartisan prescription drug reimportation bill to open the borders and bring back lower priced prescription drugs—

in most cases, American-made or American-subsidized drugs—instead of that, which would lower the costs of some drugs up to 70 percent, it was summarily dropped in conference committee under pressure from the White House and the pharmaceutical lobby.

Fifth, at the last minute, the pharmaceutical companies pressured their allies in Congress to put in a provision that actually prohibits Medicare from negotiating bulk prices. Amazing. We are not even using the full leverage of Medicare to negotiate group prices. As a result, the Medicare Program cannot use its market power to get lower prices for prescription drugs, unlike the VA. We all know the Veterans' Administration negotiates deep discounts on behalf of our veterans. We actually have a situation now in the case of a husband and wife who are retired. The husband is a veteran and he is getting a major discount, possibly up to 40-percent discount in his prescription drug prices, and his wife, who is on Medicare, has to pay higher rates. That is not fair and it is not right. It needs to be fixed.

Sixth, a month after the bill was signed, all Americans discovered the administration deliberately hid certain cost estimates from Congress and the American people. These figures contain what some thought all along, that this bill would cost more than the $400 billion projected. Perhaps the lack of any provisions to help lower prices led to its higher cost. And now we hear from the Congressional Research Service that, in fact, the administration has likely broken the law in keeping that information from us.

Finally, to add insult to injury, our seniors are now seeing political television commercials promoting the new Medicare Program, paid for by American taxpayers, during the middle of an election campaign, and the ads are not accurate. The ads are not accurate and complete and they leave out some of the biggest problems with our new private card.

Let me speak now specifically to the card. First of all, this chart is not meant to be a joke. This demonstrates 50 different steps in the process of getting a Medicare prescription drug card. You do not necessarily have to take all 50 steps, but it is a very confusing process to wade through over 30 different cards to determine whether one of them is best for you. Your region may have access to other regions and may be able to apply for very complicated low-income assistance. I should say the low-income assistance is the one positive in this card. If you do manage to move through the complexity and a senior or a disabled person does qualify, it does provide $600 to help them pay for medication. This is very positive.

The Families USA study looked at this and indicated the application process for low-income drug subsidies is unusually cumbersome and is built on an untried application infrastructure. As a result, they estimate of the 7.2 million low-income seniors who would actually be eligible for the extra help—and we want each and every one of them to receive it—only 4.7 million will actually receive it because of this complexity.

The latest development is misleading. These so-called discount cards may actually mean higher prices also for seniors than they would otherwise get now without any new Medicare Program.

For example, seniors can get lower prices for prescription drugs by simply getting their prescriptions filled through a number of sources they have right now. There are a number of very good county programs in Michigan that I encourage seniors and families to take a look at that cost less than the Medicare discount card and actually provide more benefit.

We also found by a study just completed in the House of Representatives that purchasing through the Internet can be a less costly way to receive discounts. Let me give an example. Go to a Web site for the top 10 most used drugs by our seniors, for example, at drugstore.com. The yearly cost is $959. There is no annual fee. The total cost would be $959. Two other Web sites, the same thing: $990 and $993. If you go to one of two of the over 30 different private Medicare discount cards, one is called RXSavings, to get the same 10 drugs, supposedly at a discount, would cost more—$1,046, and you have to pay an annual fee of $29.95 in order to have the privilege to pay more. The end result would be $1,075.95. The same is true with Pharmacy Care Alliance. It costs you more than what is out there right now as discount cards, but you have to pay $19 to get the card, and in the end you are paying more. This is not a good deal for our seniors.

Let me give another example and actually suggest what we ought to be doing. I should mention that the average discount card is $30 for a senior. You have to have it for a year, and even though you cannot change your card for a year, the company giving you the card can change the list of the drugs that are discounted every 7 days. So you look at all the complexity, through all the cards, you pick the card that covers the drugs you use because you need that discounted amount, you pay your $30, and then 7 days later the drugs you need are not on that card anymore. This is not a good deal for our seniors.

What is a good deal for our seniors is legislation we have in front of us right now to allow us to open the border to safe FDA-approved prescription drugs coming back to our local pharmacy from Canada or other countries with similar safety precautions where we can literally drop prices in half. That is a good deal.

We have a bipartisan bill in front of us. A very large coalition of Senators has been working together. It is time to bring that bill forward to the Senate floor and to pass it.

Now, why is that better? Well, as an example, under one of the private cards, after you purchase your private card, Lipitor is listing at $71.19. It costs you $74.72 to get it under another card. But if we simply passed that bill, it would allow us to bring back those lower prices from Canada to the local pharmacy. You could pay $49.85. That is true over and over.

The real way to lower prices is to allow us to get the lowest price, whether it is in Canada or the U.S. or other countries where we can make sure that the safety is there, and bring back the prescription drugs to our local pharmacy. The other way is to give Medicare the clout to truly negotiate, as the VA does, to be able to lower prices for our seniors.

This law has so many flaws. I believe we ought to go back to the drawing board. We need to pass a meaningful prescription drug benefit. We can do so before the law takes effect in 2006. We can do better. I encourage our seniors to think very carefully and cautiously before proceeding with one of these private discount cards.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I thank my colleague from Michigan who has been tireless in her efforts to educate the Senate as well as the American people about the prescription drug issue. I don't think there is another Senator who has dedicated herself or himself to this issue as much as Senator STABENOW. I thank her. She has done a lot in terms of letting us all know what is at issue.

We all understand the basic problem: Prescription drugs cost too much money—not just for seniors, but for almost everyone. Unless you are one of the fortunate few who has some sort of prescription drug coverage that takes care of the cost, you have to reach into your pocket, pay out substantial sums of money for drugs and medicines that the doctor tells you are absolutely necessary for your health. For some who are in strong income positions, this is not a hard choice; you just write the check or hand over the credit card and don't think twice. But for a lot of people living hand to mouth, trying to count the pennies and get by from month to month, it becomes an impossible choice. To be told that it is your money or your life is the worst possible choice, and that happens over and over again.

Forty million seniors on Medicare end up paying higher drug prices than any other group of Americans. Let me repeat that. Forty million seniors under Medicare pay higher drug prices than any Americans. How can I say that? I can say that because these are people on fixed incomes, many of whom don't have insurance protection for prescription drugs. They find themselves in a position where they have to pay the full price while someone—their son or daughter who is fortunate to

have a plan at work—may have a lower cost or a reduced price for prescription drugs. Someone who is disabled and on Medicaid, for example, has the benefit of the Government bargaining to bring in lower prices. Right on down the line you see that person after person has protection, but for the senior citizens, they end up paying the highest prices.

I have heard colleagues repeatedly say, that is just the price you have to pay in America. We have to have somebody pay inflated prices for drugs so the companies have enough money for research.

Keep in mind that pharmaceutical companies are the most profitable economic sector of our economy. They make a lot of money. Though they need to make a profit—that is why they exist—though they need money for research, the fact is most of these companies pay more money for advertising their product than they do for research to find new cures for diseases.

We tried to pass a prescription drug bill that would have finally given Medicare the power to bargain down prices and make them affordable for seniors. It was rejected by the overwhelming majority of the other party and even a few on our side of the aisle because the pharmaceutical companies don't want to face any customer with bargaining power. Forty million seniors under Medicare would be the strongest bargaining unit possible. Instead, we passed a bill which, frankly, is going to delay the implementation of a very poor substitute, a Medicare drug program, until long after the election. Conveniently, this disastrous bill will not go into effect until long after the election. In the meantime, though, the Bush administration is anxious to tell the seniors that we haven't forgotten you.

Yesterday they rolled out a discount card to give seniors a break on the cost of drugs. Take a look at what that discount card means when we actually compared it to the town of Evanston, IL, to what people are paying at the pharmacy.

Lipitor, the largest selling drug in the world, $10 billion in annual sales, $6.5 billion in the United States, lowest retail price is $68.99. With this great new discount card the Bush administration rolled out yesterday, $67.07—a savings of 3 percent. Celebrex, savings of 2 percent. Norvasc, it turns out the discount card price is higher than the price of the pharmacy.

The bad part about this new Medicare drug discount card is, once a senior signs up for it, they are stuck for a year. That means they pay the annual fee and can't go to another private discount card. Meanwhile, the company offering the discount can change the number of drugs covered and the price of the drug on a weekly basis. So you are stuck having paid your membership fee with a situation where the drug companies can keep raising prices way beyond what you think they are going to be.

Are they likely to raise prices? Take a look at what has happened to the increases in prices since we started debating this: Celebrex has gone up 23 percent in cost; Coumadin, very common, 22 percent; Lipitor, 19 percent; Zoloft, 19 percent; Zyprexa, 16 percent; Prevacid, 15 percent; and Zocor, 15 percent.

So when you are saving 2 or 3 percent on the card today and no guarantee that it will be there tomorrow and prices are going up in this fashion, is it any wonder that seniors are skeptical of this administration's commitment to lowering drug prices?

Secretary of Health and Human Services Tommy Thompson said last week: I want to warn seniors; on May 1 we are going to roll out this new card, but hold back. Don't commit yourself early. There is still more information coming in.

There certainly is. The information is troubling. These discount cards being offered by the Bush administration, frankly, could be a bait and switch for seniors. They could end up with a discount today that disappears tomorrow. They are stuck with it. They could end up signing for a discount card for a drug that is discontinued by that same company offering the card next week.

Take a look at what we could be doing instead of these bait-and-switch phony discount cards. Take a look at what we could be doing on Lipitor: With the Medicare discount card, $67.07. Do you know how much they pay in a veterans hospital for that same drug? Thirty-six dollars and 48 cents. Why? Because the VA bargains with Pfizer and it brings the price down dramatically. This Senate passed a bill prohibiting us under Medicare from bargaining with pharmaceutical companies to get the best price for seniors. They specifically prohibited it. Why? So the drug companies could make more money and seniors would pay more money. If you have to go to Canada for that same Lipitor, it is about $50. Look at this. America's seniors are paying the highest prices, even with the discount card, in comparison to veterans and the price of the same drug in Canada. Prevacid is $111 under the Medicare card; it is $53.90 in the VA hospitals; it is $56 in Canada. Zocor is $101 under the Medicare card; it is $69 in a VA hospital; it is $63.98 in Canada.

Seniors understand this. I met with them in Chicago yesterday. They understand what is happening here. This is an election year push to tell seniors across America they are going to get a discount. But they know better. They are wise in their years. They have seen a lot of politicians come and go. They are not going to be swayed by a discount card that offers little or no hope to bringing down the cost of these expensive drugs.

I have written a letter, along with a dozen colleagues, to Secretary Thompson, saying, For goodness sake, give seniors a grace period here. Don't tie them down with a card that could be disastrous for them and their families. With a grace period, if they find out it is not a good deal, that would be fair to seniors—something the Medicare discount card is not.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ENZI). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. REID. Mr. President, under the time controlled by the Democrats, how much time does Senator LAUTENBERG have?

The PRESIDING OFFICER. There are 9½ minutes.

Mr. REID. I checked with the majority. I ask unanimous consent for an additional 5 minutes on our side for Senator SCHUMER, and we ask also that there be 5 additional minutes of morning business extended to the majority.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from New Jersey is recognized.

MEDICARE DISCOUNT DRUG CARDS

Mr. LAUTENBERG. Mr. President, I want to now discuss my concerns about the ads we are seeing regarding the new Medicare drug discount card. I think the ads are misleading, and I am getting a lot of inquiries from people at home about is this good for me or not. I think there is a fundamental mistrust about whether this is an idea whose time ought not yet come, because the citizens are saying it is starting in 2006, and this is obviously a lead-in to that. I think it can be described as a placeholder.

The card became available yesterday, but the administration is keeping seniors in the dark about the real benefits and weaknesses of the program. They have produced a television commercial that is hyping the card and are spending $18 billion to show it across the country.

In this ad, there is a group of seniors in line at a pharmacy and the announcer says: ''Good news for those with Medicare. You can get savings on prescriptions.'' They do it in the right mellifluous tone, just for those on Medicare. That is really all the announcer says about the card—''good news . . . you can get savings.'' That's it—all hype and no substance.

The television ad is almost a cruel joke on our Nation's seniors. Instead of providing real, needed information about the drug card, the administration has launched a PR campaign to boost the image of the card.

HHS should have spent less time focusing on hype and more time providing seniors with critical information about the card program.

We have to look at what is missing on the card. I urge the administration to include something else in their mailing. This is called a magnifying glass. Everybody knows what it is. It ought to be sent so you can read what this small type says. It says, ''Scene from the HHS 'shine' ad, featuring the 'strange, blue, magical glow of light.'''

It goes further—and we have enlarged the type. The magnifying glass would be a nice accompaniment for seniors who are getting this, because they should read this small type. It says: ''Savings may vary. Enrollment fee, deductibles, and copay may apply.''

And here they say ''certain exclusions apply.''

We need the magnifying glass to see that.

What we are looking at is some fairly deceptive advertising. It is shocking that the administration would once again run ads that leave out these important details, especially in light of the findings by the GAO that earlier Medicare advertisements had a political tone and contained ''notable omissions and other weaknesses.''

Many seniors watching this commercial could reasonably believe the discount card is free. In reality, there is an annual enrollment fee of up to $30.

Many drugs would be excluded from the program. Seniors could be stuck with a Medicare drug card that provides no discount for the prescription drugs they may need. For example, seniors using the Medicare discount card offered by the Pharmacy Care Alliance would get no discount for Celebrex. Celebrex is a common, apparently very effective drug used to treat arthritis. With the card, you can buy the drug for $121.80. But if you don't have the card, you can get the same medication for only $76.99 at drugstore.com, so there is a savings of over $40. The card is useless for this drug.

Another example: Seniors on the Rx Savings Medicare Card Plan would pay $147.01 for Prevacid, a common drug used to treat acid reflux. But there is no discount at all when you consider that you can buy the same drug for $120.99 at drugstore.com without any card. That is a savings of over $25 if you do not use the card. That is a good idea. Don't use the card.

Lipitor is used to treat high cholesterol. If you have the Pharmacy Care Alliance Medicare drug card, it costs you $71.19. But if you want to buy it at drugstore.com, that $71.19 product cost only $62.99. So there is $8 worth of savings right there at drugstore.com without any card. The savings are haphazard at best.

These Health and Human Services television ads do not provide any of these details except, once again, in the tiny type on the bottom of the screen, and you ought to get a magnifying glass if you really want to understand what is taking place.

Look at this placard. It shows actual scenes from HHS's advertisement. I point out as I did before:

Savings may vary. Enrollment fee, deductibles, and co-pay may apply.

They are saying: Hey, hold on to your pockets because we are not really telling you what the outcome is going to be.

What little substantive information is included can only be found at the bottom of the screen in print so small that you need a magnifying glass to read it. They make sure the type is in a color that is very hard to read. If this was an automobile, people would be hollering that this is flimflam. Only in its barely visible fine print are seniors informed there is an enrollment fee for the discount card.

It also reveals that ''certain exclusions apply.'' That exclusion could very well be the prescription drug you need.

Rather than educating seniors about the drug discount card, HHS is treating the Medicare drug card like dishwashing soap—just make the public think it is a great thing. These are not educational ads. They are propaganda. The GAO already told HHS that its previous Medicare materials were misleading, but rather than clean up its act, the administration continues to hide the fact and trick seniors.

I call on HHS and the administration to stop using taxpayers' dollars to mislead seniors and start providing real needed information to Medicare beneficiaries. One should not have to have a magnifying glass to understand what is being offered.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, Senator SCHUMER is not here; therefore, I yield back his time.

Does the other side yield back their morning business time?

Mr. GRASSLEY. We yield back our 5 minutes.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

JUMPSTART OUR BUSINESS STRENGTH (JOBS) ACT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 1637, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1637) to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization findings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, and for other purposes.

Pending:

Harkin amendment No. 3107, to amend the Fair Labor Standards Act of 1938 to clarify provisions relating to overtime pay.

Collins amendment No. 3108, to provide for a manufacturer's jobs credit.

Wyden amendment No. 3109, to provide trade adjustment assistance for service workers.

The PRESIDING OFFICER. Under the previous order, the time until 12:30 p.m. shall be equally divided between the chairman and ranking member of the Finance Committee or their designees.

The Senator from Montana.

Mr. BAUCUS. Mr. President, I ask unanimous consent that the pending amendment be set aside so that the Senator from North Dakota may offer his amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 3110

Mr. DORGAN. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from North Dakota [Mr. DORGAN], for himself, Ms. MIKULSKI, Mr. HARKIN, Mr. FEINGOLD, Mr. KENNEDY, and Mr. EDWARDS, proposes an amendment numbered 3110.

Mr. DORGAN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. DORGAN. Mr. President, I shall not debate the amendment at the moment. My understanding is the bill managers want to sequence a number of amendments. Let me indicate this amendment deals with the question of trying to close a tax provision that actually rewards or incentivizes those U.S. companies that would move jobs overseas for the purpose of producing a product and shipping it back into our marketplace. I believe that is a tax loophole that ought to be closed. We ought not incentivize the loss of American jobs and the movement of American jobs overseas.

I offer this amendment on behalf of myself and Senator MIKULSKI and others. We will be happy to come this afternoon to debate it. Also, I will be happy to reach a time agreement when we come back this afternoon. It is not our intention to delay this bill. I want to see this bill finally passed, but I do want to have a good debate on our amendment. We will be ready to have a reasonable time agreement this afternoon.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, it is my understanding, after speaking with the

two managers, that Senator HARKIN and Senator JUDD GREGG will debate the overtime amendment, but they are not here now.

I ask unanimous consent that Senator SCHUMER be allowed to speak as in morning business for 5 minutes.

Mr. GRASSLEY. If you give us 5 minutes sometime during the day.

Mr. REID. And that the Republicans have like time on their side whenever they want.

The PRESIDING OFFICER. Is there objection?

Mr. BAUCUS. Reserving the right to object, and I will not, before he leaves the floor, I thank the Senator from North Dakota. He has been helpful and constructive in getting amendments lined up. I spoke to the cosponsor of the amendment a short time ago, and she will, this afternoon, join the Senator. I thank the Senator for his cooperation.

I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from New York.

NEW YORK NATIONAL GUARD

Mr. SCHUMER. Mr. President, I thank both the chairman and the ranking member of the Finance Committee for allowing me to speak for 5 minutes on this issue.

I wish to take this opportunity to recognize the important and significant role that New York's 2nd Battalion 108th Infantry Regiment recently played in the rescue of Thomas Hamill, the civilian contractor held captive for 3 weeks in Iraq.

Seeing this unit in the area surrounding the farmhouse in which he was kept gave Mr. Hamill the courage to stand against his captors and escape to freedom. That is why I wish to recognize the 2nd Battalion 108th Infantry Regiment today.

I know it must be of great comfort to Mr. Hamill's family and friends that when he first stepped in the light of freedom, he was greeted by these fine New Yorkers. This is what it is all about. A man from Mississippi escaping bravely, and there were New Yorkers. They are headquartered in Utica, NY, with companies in Whitehall, Morrisonville, Gloversville, Rome, and Glens Falls. The unit has served this country since 1898 at home and abroad, and there they were in exactly the right place at the right time to help Mr. Hamill.

The bottom line is that after the attacks on September 11, many of the men and women of the 2nd Battalion were activated and came to New York City to protect our citizens. They are aware, better than anyone else, that this war on terror is a war we must fight both at home and abroad, protecting us at home and protecting us abroad.

A full 11 of these National Guardsmen have such love for their fellow New Yorkers and for America that they are fighting in Iraq as new citizens, having been sworn in at a send-off celebration in February. The 2nd Battalion is fortunate to have guardsmen hailing from Africa, South America, the Ukraine, Japan, and across the world now serving as American citizens. What an extraordinary first act as an American to serve and protect the Iraqi people and lead Mr. Hamill to freedom.

Family, friends, and neighbors from Albany to New York City, from Westchester to Plattsburgh, Syracuse and Buffalo all gathered together at that send-off celebration to show their support and honor their bravery.

In the 2 months they have been in Iraq, these men and women have been serving under the leadership of LTC Mark Warnecke, having truly served their country in the true tradition of the National Guard. Today I recognize the efforts of the 2nd Battalion 108th Infantry Regiment. When they return home to their families, they will do so as heroes.

Mr. Hamill is now safe and recovering in Germany and looking forward to a reunion with his wife and his return to Mississippi, after his courageous ordeal. I look forward to the day when the men and women of New York's 2nd Battalion 108th Infantry Regiment can return as heroes to their own families. May God grant them safety and security as they finish out their tour. I hope their example will bring courage and pride to all those serving in Iraq, resiliently going about their task of bringing peace and freedom to the Nation.

All New Yorkers and all Americans congratulate the 108th Infantry Regiment of New York today, and we say two words to the 108th Infantry Regiment: Thank you.

I yield the floor. I ask unanimous consent that the time on the quorum call be charged equally against both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The journal clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. Mr. President, may I know what the parliamentary state of affairs is?

The PRESIDING OFFICER. The time is equally divided between the two managers of the bill.

Mr. HATCH. As I understand it, the Harkin amendment is being debated?

The PRESIDING OFFICER. The Harkin amendment is pending.

Mr. HATCH. Mr. President, I rise today to express my support for the Department of Labor's revisions to the Fair Labor Standards Act—FLSA—to protect and extend overtime benefits to hardworking Americans. I wish to thank Labor Secretary Elaine Chao for her leadership and vision in bringing about this important reform for American workers. Overtime provisions in Federal labor law are meant to safeguard low-income workers from employers who would take advantage of them, but the current regulations that implement the law are muddy, outdated, and have led to countless law suits, some of which are frivolous and fruitless. Truly, Secretary Chao has recognized that it is long past due to reform our nation's antiquated overtime regulations.

The new regulations replace longstanding regulations which the Department of Labor has characterized as ''confusing, complex, and outdated.'' I agree. Consider the fact that the Federal overtime regulations were last overhauled when Harry Truman was in the White House. That's more than 50 years ago. We are relying on a half-century old law to protect overtime rights for workers with job duties that didn't exist in 1949. Yet, there are some among us who are determined to push legislation to block these rules. Some Members of Congress see a chance to score political points by acting as if something oppressive is occurring. This could not be farther from the truth.

Under the current regulations—these are the regulations Secretary Chao is trying to improve—some low-income workers haven't been protected at all, while some high-income workers and professionals have used the law to make sure they are paid the overtime rate, time and a half per hour for any work exceeding 40 hours in a week.

For example, under the current regulations: Only workers earning less than $8,060 were guaranteed overtime pay because the minimum salary level had not been updated for nearly 30 years; the descriptions of job duties required for overtime exemption had been frozen in time for nearly 50 years, resulting in confusion and uncertainty for both workers and employers; and, the previous regulations were outdated, confusing and complex, and have led to an explosion of law suits. That seems to be the history of our country. Everything is coming down to litigation.

For a year, the Labor Department has been trying to update these cumbersome regulations to benefit the American workforce. The new overtime regulations were not simply conjured up overnight. On the contrary. Nearly 80 stakeholder organizations, including 16 employee unions, were invited to participate in meetings with the Department of Labor.

Over 40 of those organizations attended stakeholder meetings and provided input on the proposed regulations. The Notice of Proposed Rulemaking was published in the Federal Register on March 31, 2003. After a 90-day comment period, the Department of Labor received 75,280 public comments.

I was supportive of the Department's overtime regulations proposed last

March; however, some argued that the $22,100 annual minimum salary level for exemption was too low; the middle-income workers would be harmed because workers earning more than $65,000 per year might not be entitled to overtime pay; and, too many workers would be denied overtime protections.

In an effort to be even more inclusive and respond to the criticisms from Administration opponents, the Labor Department revised its proposal—that is after all of the comments—which is the way the system is supposed to work.

Under the final rule, workers making less than $23,660 a year are automatically eligible for overtime—this means that 1.3 million low-income workers will be eligible for overtime pay for the first time in history.

The new regulations will preserve eligibility for most white-collar workers making up to $100,000 a year. However, workers making more than $100,000 who regularly perform some administrative, executive, or professional duties will no longer automatically be eligible for overtime. This change will affect 107,000 workers. It doesn't take a particularly clever politician to see that you might win votes if you fight to make these high earners higher earners and otherwise carry on as if a Republican, business-friendly Administration cannot be trusted to do right by employees.

The final rule strengthens overtime protections for licensed practical nurses and first responders, such as police officers, fire fighters, paramedics, and emergency medical technicians, by clearly stating for the first time that these workers are entitled to overtime pay. Plain and simple, under the new overtime regulations, 6.7 million workers are guaranteed overtime status.

I am aware that a week before the Department of Labor's revised rule was finalized and made publicly available, the AFL–CIO began attacking the overtime regulations. These tactics reflect a greater interest in playing politics than in protecting America's workers. Fortunately, the union movement is not entirely opposed to the regulations. Take for example the Nation's largest police union, the Fraternal Order of Police, whose National President, Chuck Canterbury, recently hailed the Department of Labor's final regulations as an ''unprecedented victory'' for America's first responders. The International Association of Fire Fighters has said they support the rule going forward. You also won't be hearing voices of opposition from the Ironworkers, Carpenters, or Operating Engineers, because they know that the new rule expressly protects construction workers.

Suing employers about overtime has become very lucrative for trial lawyers. Why is this the case? Because the current overtime regulations contain so many ambiguities when applied to the modern workforce, lawsuits naturally follow. Without a doubt, the Fair Labor Standards Act is the new playground for plaintiffs lawyers—they are going after everybody: companies; school districts; local governments; you name it. Some argue that these lawsuits benefit workers, particularly since they may win some cases. But, spending an average of 2 years in court to recover wages workers should have had in their pockets on pay day is not a benefit. Not surprisingly, workers are getting a few thousand dollars from these settlements, while trial lawyers are walking away with millions. These lawsuits are a terrible drain on the economy for employers and worker groups alike to be spending hundreds of millions of dollars on such litigation. We ought to be spending these resources to create new jobs.

I am amazed that the Department of Labor's changes haven't been enough to satisfy all critics. Presumptive Democratic presidential nominee Senator John Kerry asserts that the new overtime regulations ''strike a severe blow to what little economic security working families have left as a result of historic policies.'' That is pure bunk, and he ought to know it. Somehow, opponents have conveniently overlooked the Department's good faith efforts in creating today's overtime regulations.

Are the new rules perfect? No, but they have been welcomed by many business owners because they will, finally, provide some certainty on this issue. Contrary to the propaganda being disseminated by its proponents, under the new overtime rules: ''Blue collar'' workers are entitled to overtime pay; employers are not relieved from their contractual obligations under collective bargaining agreements; the ''highly compensated'' test applies only to employees who earn at least $100,000 per year and who ''customarily and regularly'' perform exempt duties; the special rules for exemption applicable to ''sole charge'' executives are deleted, strengthening protections for workers under the executive duties test; a requirement is added that employees who own at least a bona fide 20 percent equity interest in a business are exempt only if they are ''actively engaged in its management''; and the previous requirement that exempt administrative employees must exercise discretion and independent judgment is maintained.

The department's intent not to change the educational requirements is clarified for the professional exemption, and defines ''work requiring advanced knowledge'' as ''work which is predominately intellectual in character and which includes work requiring the consistent exercise of discretion and judgment;'' and, terms used in the previous regulations are retained, but it makes them easier to understand and apply to the 21st Century workplace by better reflecting existing Federal case law. In addition, the overall length of the regulations has been reduced from 31,000 words to just 15,000.

Just yesterday, I received a phone call from Cheryl Lake of Draper, UT. Cheryl has been a human resources professional for over 20 years. She called my office yesterday in strong support for the Department of Labor's new overtime regulations. She explained to me how helpful these new regulations will be for employees and companies alike. Cheryl expressed major concern about Senator HARKIN's amendment, and explained how complicated and confusing his amendment would make her job. The Harkin amendment is easy to describe in a brief sound bite, but impossible to defend on legal, procedural, or economic grounds. The amendment presumes facts that do not exist and assumes there are no consequences for its folly.

To anyone who looks at this issue objectively, the decision is a no-brainer. Reforming the regulations is the right thing to do, and we need to let the Department of Labor move forward. There is nothing in the latest revisions that appears either unreasonable or counter to the spirit of the law. It is possible to argue with some particulars, but extremely difficult to make the case that the new regulations are unfair to workers.

The workplace is far different from a half-century ago. Overtime rules should reflect that.

Workers will be better off. Companies will be better off. I actually believe trial lawyers will be better off because there won't be any more of these phony lawsuits where they reap the benefits in comparison to what the workers themselves get. I think trial lawyers who have legitimate cases will be able to prove them with more specificity and will be able to do a better job with their clients than is currently being done by the abuse of the process because of the ambiguities of the law. This goes a long way toward getting rid of those ambiguities and making the law extremely functional compared to the current regulations.

I want to personally compliment the distinguished Secretary of Labor for being willing to take this on. This is a type of job that will always be attacked by those who do not understand these regulations. This will always be attacked by those who want to keep going the same system of overlitigation in our society. This will always be attacked by those who basically don't understand labor law. This will always be attacked by those who do not want to get things straightened out so that the system works in the best possible way it can, in the most efficient and economically sound way, while at the same time expanding all of the benefits and expanding all of the laws to embrace even more people than have ever been embraced.

These are very important regulations. I hope our colleagues will reject the Harkin amendment, which I believe will cause further damage and harm to our system while not doing anything substantively important for the workers.

The PRESIDING OFFICER. Who yields time?

Mr. BAUCUS. Mr. President, I yield 5 minutes to the Senator from North Dakota.

The PRESIDING OFFICER. The Senator from North Dakota.

THE FEDERAL DEFICIT

Mr. CONRAD. Mr. President, reading the Washington Post this morning, I came across this headline which I think is probably the most misleading headline I have seen in the Washington Post, or, for that matter, any other publication. The headline in the Washington Post business section today reads: ''Federal Deficit Likely to Narrow by $100 Billion.''

Boy, what good news, if only it were true. I think you have to ask yourself the question: Are they talking about the deficit last year? Is the deficit this year going to be $100 billion less than the deficit last year? No. That is not what this story is about. In fact, if you read this story carefully, what you find is the deficit is going to be at least $50 billion more than the deficit last year—not $100 billion less.

The Washington Post has constructed a headline that is about as misleading as anything I have ever seen a major publication put out. They have basically fallen hook, line, and sinker for the line put out by the White House.

Why do I say that? Last year, the deficit was about $370 billion. According to this story, the deficit this year is going to be $50 billion more—a new record deficit. The headline should be ''Record Deficit.'' Instead, they are suggesting the deficit is getting smaller.

What are they talking about? They are talking about how the latest estimate is $100 billion less than the administration's previous estimate. In other words, they are comparing estimate to estimate—not what is actually happening, but projection.

When the administration put out their earlier estimate, I said at the time they were overstating the deficit to set up a story just like this one. They don't want the headlines to read across America ''Record Deficits.'' What they did was overstate the deficit in terms of their estimates so they could come back later and say we are making a big improvement. There is no improvement, except in estimates.

The fact is, the deficit this year is going to be bigger than the deficit last year, and the deficit last year was a record.

Unfortunately, all of these estimates understate the true seriousness of the fiscal condition of our country because they don't count in addition to this $420 billion, which they now estimate the deficit to be for this year, and that doesn't include the $160 billion they are going to take out of Social Security, every penny of which has to be paid back, and they have no plan to do so. This doesn't include the $50 billion to $75 billion of extra money the Pentagon is going to want for the war in Iraq and Afghanistan that we now know they are going to have to ask for.

There are some who suggest they will wait until after the election to ask for it, but that doesn't change the fact that the money is needed, that the need is being created now.

If you add all of that together, and the money they are taking out of the Medicare trust fund, which is another approximately $20 billion, what you find is they are not going to add $420 billion to the debt this year. They are going to add close to $700 billion to the debt this year, by far the biggest in our history—nothing anywhere close to it.

For the Washington Post to fall for this kind of tired old trick—you know, you overinflate the deficit so that when it comes in somewhat less than your overestimation you can claim great credit, is a discredit to the Washington Post. It is a discredit to trying to inform people of the true fiscal condition of the country. This isn't it. Even if you accept the premise of this story, the deficit is going to be about $50 billion more than last year, which was a record. That is exactly the headline the administration seeks to avoid by having put out an overestimation of the deficit in order to now claim credit when the deficit, although a record, is not as large as their earlier forecast.

I hope the American people are not fooled by this kind of reporting. I hope the American people are not fooled as to the true fiscal condition of the country. The truth is, the debt of the United States is being increased by a record amount.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. BAUCUS. Mr. President, I yield to Senator GREGG.

Mr. GREGG. Mr. President, it is my understanding that I am now in a position to set aside the pending amendments, offer my amendment, and then they will be voted on in sequence. Are we agreed on that?

Mr. BAUCUS. That is the understanding.

Mr. President, I ask unanimous consent that the pending amendments be temporarily set aside so the Senator from New Hampshire may offer an amendment; and after he has spoken on his amendment, the amendments will be temporarily set aside so that Senator GRAHAM may offer an amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from New Hampshire.

AMENDMENT NO. 3111

Mr. GREGG. Mr. President, I rise to speak on the Harkin amendment, which was pending. It has been set aside by unanimous consent so I may offer an amendment which can be juxtaposed to the Harkin amendment.

The issue of overtime has been discussed at great length in the last few days. The debate has been excellent. The Harkin amendment, as it comes forward, is an attempt to address what the Senator from Iowa sees as a continuing problem with the regulations as proposed by the Department of Labor.

We need to review the history of what has happened so we can understand where we actually are in this process. The rules and regulations we are dealing with are over 50 years old and have evolved through a lot of litigation, court decisions, and regulatory activity into what is a fairly Byzantine and complex set of regulations relative to who does and does not get overtime in our society.

Under today's law, if you make $8,000, you are guaranteed overtime. Once you get over $8,000, you do not know what will happen. It depends on how your job is classified. There is a lot of arcane classification which comes from the 1930s, 1940s, and 1950s. For example, still in the law we have things such as straw man and a variety of different titles which have no relationship to reality in the marketplace as it is today and the workplace as it is today.

We need to update the regulations. The Department of Labor has done a very conscientious job in trying to accomplish this and have offered a set of regulations as a proposed set of regulations. That proposed set of regulations received 80,000 comments, which is a huge amount of commentary.

In the Senate, regrettably, it received a lot of hyperbole and attack as if it were a final regulation versus a proposed regulation. There were significant misrepresentations that occurred in the process of attacking these regulations, including representations that under these regulations there would be a loss of a number of people who would have the right to receive overtime, something like 8 million people, which number was arrived at in a totally spurious and inappropriate analysis done, regrettably, by a couple of folks who either did not understand the rules or decided to pervert the rules and which led, regrettably, to a lot of misrepresentation as these rules were said to be affecting the overtime of over 8 million people.

I return to that argument because it was so bogus and so inaccurate that it is important to understand how misleading it was as it represents sort of a theme of inaccuracy relative to the initial proposed regulations.

That 8 million number, when it was actually analyzed, included 1.5 million individuals who worked part time for less than 35 hours a week and therefore were not even covered by overtime issues. It included 3.8 million people who were actually technicians or administrative workers who were already exempt as professionals from this rule. And it included 1.1 million workers who were paid on an hourly basis and therefore would continue to be nonexempt under the proposal. It included 800,000 people who did manual blue-collar work and were therefore completely exempted from this proposal. And it included 200,000 cooks with 6 or more years of experience who clearly would

remain covered because cooks are not a category which would be impacted under this regulation.

So the actual number of that 8 million number, when you actually analyze it in honest terms, ends up being dramatically less. In fact, using the analysis and using accurate factual applications to the analysis as proposed, the number actually comes in below what the Department of Labor stated their original proposal might be impacted by this event.

The number was bogus, as has been a lot, regrettably, of the debate on this issue. The regrettable holding up and obstruction of various pieces of legislation which have come to the Senate on the theme that these proposed regulations were basically final regulations and that they would do massive harm, which harm could not be defended on the facts.

Now the Department of Labor has taken a look at the 80,000 comments which it has received and met with innumerable stakeholders, and listened to all the input of organized labor, from the various other interests that have a major role in this undertaking, and they put out final regulations. Interestingly enough, those final regulations are an extremely aggressive attempt to respond in a positive way to all the input, the 80,000 items of input, comments which they received.

They have done such a good job in this area. It should be noted that the Washington Post today, which had opposed these regulations when they were initially proposed, or at least suggested significant changes that should be made, has said, and I quote the Washington Post editorial, not a paper which carries the water of this administration:

> What's needed now is not to block these regulations but to ensure that they are vigorously enforced with an eye to protecting the vulnerable workers the law was intended to benefit.

The editorial points out what a good job the Department of Labor is doing in the enforcement area. That is a simple and accurate reflection of what the Department of Labor did. They looked at the comments that came in and they made the significant changes which have now made this regulation more appropriate and much more effective.

What is the goal of this regulation? The first goal of this regulation as proposed is to make sure people earning not a significant amount of money are going to get overtime. So they raise the threshold from $8,000 to $23,000-plus. If you make in the $23,000 to $24,000 range, you are guaranteed overtime. It does not matter what type of job you have. If you are considered to be management or whatever, you are going to get overtime under this piece of legislation in a white-collar position. That means that 6.7 million people who do not have an absolute guarantee to overtime today under the present law are going to have an absolute guarantee to overtime under the new regulation. That is a major step in the right direction.

It also says if you make more than $100,000 and you are in a white-collar position—not a blue-color position; you are exempt in a blue-collar position; you get overtime, even if you make more than $100,000—if you are in a white-collar position and earn over $100,000, your overtime may be at issue. It depends on what you do.

Potentially there are 100,000 people, approximately, who may be impacted by that regulation. In fact, if they are making more than $100,000, they may be in a management supervisory position so their overtime may be impacted.

So 6.7 million people who do not get it today or may not get it today or may be at risk today will be guaranteed overtime. They will get it for sure. People making more than $100,000 who are in certain job categories, potentially 100,000 people, their overtime may be impacted, but it is not absolutely sure. That is what it does as a practical matter.

What it does, as a more significant point—and this is the whole purpose of the regulation besides making sure we raise that threshold from $8,000 to $23,400—what it does is try to put certainty and definition into the law.

Unfortunately, the law as it has presently evolved over the last 50 years with all this regulation, regulatory changes, and all the court decisions has really become a Byzantine morass. It is not clear. There is gray area everywhere and everything is getting litigated. It is the fastest area of lawsuit growth in the area of labor law. Class action suits are being brought left and right. The practical impact of that is employers and employees are suffering because of it. Resources which should be used to give employees better benefits and to expand businesses so more people could be hired are being used to defend lawsuits to try to figure out whether this person's job is a job that involves overtime or is not a job that involves overtime, fending off lawsuits left and right, and, as a result, we end up with the misallocation of resources, fewer jobs being created and fewer benefits being paid because the dollars are going out to attorneys who are pursuing these lawsuits because the law is not clear. I don't say the lawsuits should not be brought but they are brought because the law is not clear.

The Department of Labor has said they will clarify that and put certainty in here. That is exactly what they have done with this regulation. They have made it clear and more certain as to who has the right to overtime and how those rights evolve. They have done such a good job of eliciting 830,000 comments that even the Washington Post has decided this regulation should go forward, or thinks this regulation should go forward.

Now the Senator from Iowa comes forward with another amendment to try to stall these regulations. I am not sure what the momentum is behind that because, as I just mentioned, the practical effect of stalling these regulations will mean that 6.7 million people who are going to get their overtime issue clarified and are going to be guaranteed overtime will have that put at risk, although his amendment tries to address that. To the extent this remains uncertain through this legislative process, obviously things aren't going to happen as effectively as they should.

Secondly, his amendment essentially goes back to a situation where we are looking at the old law. We are going to go back to the old law to define how an individual's overtime is paid or whether they have a right to it. It juxtaposes the old law and the new law. So now an old law, which was already grossly Byzantine, complex, and unclear, is going to be brought back into play on top of the new regulations. The practical effect is, we will have even more litigation, and we will have to do it by individual jobs.

There is no attempt to address the overall issue in a comprehensive and systematic way. Instead it says, here is a jump ball. You, the individual, are going to have to look at the old law, the new law, and then you the individual and you the individual employer are going to have to figure out what you are doing with the old law and the new law before you can figure out what your overpayment is going to be.

The practical implication will be you are going to see a class ceiling. You are going to have a ceiling because no employer is going to be willing to move anybody into any position of any responsibility from where they are already because they aren't going to know what effect that is going to have on that individual's overtime. They are going to be buying a lawsuit.

If you are a clerk working in a business somewhere and you suddenly start to be promoted into a position of maybe taking over some responsibility and making decisions on who gets what or who doesn't get what in the area that you have your responsibility within your activity within that business, you are going to immediately be putting that business and that company into the issue of whether you have a right any longer to overtime. It is going to be an individual decision that company has to make on you, the person who is getting more responsibility. What is the practical effect of that?

That business, that company is going to say, we don't need that lawsuit. We are going to go out and hire a new person to do these new duties who we know won't be subject to any sort of issues relative to overtime. And you, the person who maybe worked your way up through the system and have gotten to a point where the people you work with have confidence in you, they are not going to give you that promotion or added responsibility because they are not going to want to risk the cost of a lawsuit that may come with it.

You are going to create a class ceiling in the whole system as a result of basically throwing into play again this whole concept of individuals and old law, which is totally gray, and the new regulations. It will be chaos in the area of who is and who is not exempt from overtime, if the Harkin amendment is passed.

So we are offering an alternative. If there is an issue as to any group as to whether they get overtime, we are going to try to clarify it once and for all. There have been about 55 groups who have come forward and said they feel they may be an issue. We don't think most of them are because we think the regulation is pretty clear for most of these groups that they basically retain their right to overtime. But just so there can be no question about it, this amendment specifically names every one of those groups and says they have the right to overtime at a minimum. They have the right to their present overtime situation. If the new law gives them better, puts them in a better position, they have a right to that. In other words, they either win or they win more.

I want to list some of these groups because this has been the issue. When the rubber hits the road is when each group of people who are going to be impacted get impacted. Some of them have come forward and said, we have concerns. Firefighters had concerns. Cooks had concerns. People who were nurses had concerns. In our opinion, the regulations never impacted those groups, but it is going to be unalterably clear when this amendment passes.

Let me list some of the 55 groups. These occupations or classifications will either get what they get now or they will get anything they might get that is better under the new regulation: Any worker paid on an hourly basis—that is a pretty broad group, a lot of people; blue collar workers—that is a lot of people; any worker provided overtime under a collective bargaining agreement—that would be true anyway, but we are making it absolutely clear; team leaders; computer programmers; registered nurses; licensed practical nurses; nurse midwives; nursery school teachers; oil and gas pipeline workers; oil- and gasfield workers; oil and gas platform workers; refinery workers; steelworkers, shipyard and ship scraping workers; teachers; technicians; journalists; chefs; cooks; police officers; firefighters; fire sergeants; police sergeants; emergency medical technicians; paramedics; waste disposal workers; daycare workers; maintenance workers; production line employees; construction employees; carpenters; mechanics; plumbers; ironworkers—these people are all covered anyway, but we are going to list them—craftsmen; operating engineers; laborers; painters; cement masons; stone and brick masons; sheet metal workers; utility workers; longshoremen; statutory engineers; welders, boilermakers; funeral directors—we may want to stick embalmers under that—athletic trainers; outside sales employees; inside sales employees; grocery store managers; financial services industry workers; route drivers; assistant retail managers.

So this amendment basically, once again, goes to the fundamental goal of this regulation, beyond expanding the people who have an absolute right to overtime, which, by raising the minimum from $8,000 to $23,400, this amendment goes to getting clarity, clarity in the law so that instead of having a lot of lawsuits and a lot of churning in the marketplace, we can use resources to pay people overtime and to create new jobs, which is the goal and the purpose of the regulations as they were proposed by the Department of Labor. I think rather than having the Department of Labor out here on a whipping post over the last few days, which it has been regrettably from some Members of the other side, they should be congratulated for doing exactly what they are supposed to do.

They put out a proposed regulation. The regulation was a concept built out of a lot of study and effort. Granted, it wasn't as well thought out as it might have been. I had reservations about the regulation. But at the time I said, let's wait until we see the final regulation before we make any final calls.

Then they listened to the commentary, 80,000 comments, hundreds of meetings with stakeholders. They had lots of input from organized labor. They significantly pared back, sifted off, sugared off their proposal and have designed a regulation which makes basic good sense, which is that people with low incomes will be guaranteed overtime up to $23,400, and people who fall above that income level will have a much more defined understanding of whether they have overtime. We will not have all this lawsuit confusion and activity which is so draining on the efficient use of capital.

But to make it absolutely clear, beyond question, that any of the categories who were in issue and who had a concern during the comment period will get the best treatment possible, either under the old law or the new law, we have added this amendment as collateral to the exercise.

I think with this amendment, people can vote with absolute confidence on the regulations and support the initiative of these regulations, which is to make the marketplace fairer for workers.

Mr. President, I send the amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The journal clerk read as follows:

The Senator from New Hampshire [Mr. GREGG] proposes an amendment numbered 3111.

Mr. BAUCUS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To amend the Fair Labor Standards Act of 1938 to clarify provisions relating to overtime pay)

At the appropriate place, insert the following:

SEC. ___. PROTECTION OF OVERTIME PAY.

Section 13 of the Fair Labor Standards Act of 1938 (29 U.S.C. 213) is amended by adding at the end the following:

''(k)(1) The Secretary shall not promulgate any rule under subsection (a)(1) that exempts from the overtime pay provisions of section 7 any employee who earns less than $23,660 per year.

''(2) The Secretary shall not promulgate any rule under subsection (a)(1) concerning the right to overtime pay that is not as protective, or more protective, of the overtime pay rights of employees in the occupations or job classifications described in paragraph (3) as the protections provided for such employees under the regulations in effect under such subsection on March 31, 2003.

''(3) The occupations or job classifications described in this paragraph are as follows:

''(A) Any worker paid on an hourly basis.

''(B) Blue collar workers.

''(C) Any worker provided overtime under a collective bargaining agreement.

''(D) Team leaders.

''(E) Computer programmers.

''(F) Registered nurses.

''(G) Licensed practical nurses.

''(H) Nurse midwives.

''(I) Nursery school teachers.

''(J) Oil and gas pipeline workers.

''(K) Oil and gas field workers.

''(L) Oil and gas platform workers.

''(M) Refinery workers.

''(N) Steel workers.

''(O) Shipyard and ship scrapping workers.

''(P) Teachers.

''(Q) Technicians.

''(R) Journalists.

''(S) Chefs.

''(T) Cooks.

''(U) Police officers.

''(V) Firefighters.

''(W) Fire sergeants.

''(X) Police sergeants.

''(Y) Emergency medical technicians.

''(Z) Paramedics.

''(AA) Waste disposal workers.

''(BB) Day care workers.

''(CC) Maintenance employees.

''(DD) Production line employees.

''(EE) Construction employees.

''(FF) Carpenters.

''(GG) Mechanics.

''(HH) Plumbers.

''(II) Iron workers.

''(JJ) Craftsmen.

''(KK) Operating engineers.

''(LL) Laborers.

''(MM) Painters.

''(NN) Cement masons.

''(OO) Stone and brick masons.

''(PP) Sheet metal workers.

''(QQ) Utility workers.

''(RR) Longshoremen.

''(SS) Stationary engineers.

''(TT) Welders.

''(UU) Boilermakers.

''(VV) Funeral directors.

''(WW) Athletic trainers.

''(XX) Outside sales employees.

''(YY) Inside sales employees.

''(ZZ) Grocery store managers.

''(AAA) Financial services industry workers.

''(BBB) Route drivers.

''(CCC) Assistant retail managers.

''(4) Any portion of a rule promulgated under subsection (a)(1) after March 31, 2003, that modifies the overtime pay provisions of section 7 in a manner that is inconsistent

with paragraphs (2) and (3) shall have no force or effect as it relates to the occupation or job classification involved.''.

Mr. BAUCUS. Mr. President, I yield 3 minutes to the Senator from Florida.

The PRESIDING OFFICER. The Senator from Florida.

AMENDMENT NO. 3112

Mr. GRAHAM of Florida. Mr. President, I will soon be offering an amendment which, it is my understanding, will be debated later today. As I look at the JOBS bill before us, it seems to me that it has several purposes. At least two of those purposes are, one, to repeal the current law which has been found by the World Trade Organization to be in violation of its standards and, as a result, has caused retaliatory tariffs to be applied against certain of our American products.

A second objective of the JOBS bill is to encourage the maintenance and creation of jobs in the United States of America. The amendment will strike certain provisions of this proposed law. It will strike the manufacturers' deduction and changes in the international tax law. Then it uses the funds that are released by that action to provide for a manufacturing employers' credit on income tax, based on the payroll tax of those manufacturing employers.

In my judgment, this alternative better targets the tax incentive to jobs in the United States of America. The incentives in the underlying bill are based on corporate profits, not American employment, which I believe makes them less efficient, less effective, and significantly less likely to fulfill its title, ''JOBS.''

I will have more to say about this amendment and the concerns we have about the underlying proposal later today when we debate this amendment in detail.

Mr. GRAHAM of Florida. Mr. President, I send to the desk an amendment and ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The journal clerk read as follows:

The Senator from Florida [Mr. GRAHAM] proposes an amendment numbered 3112.

Mr. BAUCUS. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAUCUS. Mr. President, I yield 10 minutes to the Senator from Massachusetts, with the understanding that I will work to get more time for him. For the time being, I yield him 10 minutes.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, I urge my Senate colleagues to support the amendment of the Senator from New Hampshire when we come about doing this. I want to say it is not much to bargain, because one of the principal arguments the Senator from New Hampshire has made is by listing these 55 new categories, that will provide clarification. To the contrary, it will provide additional litigation because the test in the Department of Labor refers to the duties and not to the professional names that are being used.

So if you have a cook or a chef, does that apply to somebody just cooking the food or someone at the salad bar who also considers themselves to be included? Plus, there are additional people who have not been included as well.

This is a continuation of a misguided policy. We heard in March of last year from the Department of Labor, under the guise they were trying to streamline the process and procedure. They issued their regulations and said only 644,000 people would be affected. Then we find there were going to be 8 million who would lose overtime. So the administration retreated on that. Then they promulgated their recent legislation. Just this morning, Tammy McCutcheon from the Department of Labor said nobody will lose overtime between $23,660 and $100,000. That is this morning.

Then we have the Senate Republicans' alleged position to make sure 55 categories, which are basically categories above $23,660 and below $100,000, will be protected. We are not sure what this is all about. We know there is going to be a cut in overtime for hard-pressed working families in America. That is what will be the result.

Let's look at where the record is with regard to middle-income working families. We know there has been a loss of some 2 million jobs under this administration. It is not only the loss of jobs, it is the fact the existing jobs have lost income over the last 2 years. We have seen the loss of real income in those jobs that exist by about $1,300.

Let's look at this fact. The new jobs being created are paying 21 percent less. This chart shows between 2000 and 2002, we have had a real loss in wages for existing jobs. If you look at the new jobs being created, they are paying, on average, 21 percent less. In New York, it is 38 percent less. So workers are working longer, working harder, and they are making less income even today.

The cost of the things they are purchasing is going right up through the roof. If you look at the squeeze for middle-income families, this chart illustrates it. There is an increase in childcare of 100 percent. In recent years, an increase of 60 percent in health insurance. In the last 5 years, mortgage payments have increased 69 percent. Here we find middle-income, working families, with a loss of 2 million jobs. Those who are still working have a loss of income. For individuals who are able to get jobs, they are seeing new jobs paying 21 percent less.

Look what is happening to them in terms of the expenses for middle-income America. Childcare is going up through the roof, health insurance is going up through the roof, mortgages are going up through the roof, and education for their children is going right up through the roof.

During the Bush years, the middle-class family squeeze has tightened. This is a net loss of 2 percent in real purchasing terms in wages between 2000 and 2004. Home prices are up 18 percent; health and other insurance, as I mentioned, is up 50 percent; tuition, in 5 years, has gone up 35 percent; utilities have gone up 15 percent.

Everything has been going up except the income of working families. And we have an administration that is opposed to an increase in the minimum wage, which has not increased in 7 years; an administration that is opposed to extending unemployment compensation, and 85,000 American workers are losing their extended unemployment compensation every week.

Now the administration is taking away overtime at the direct request of a number of industries. We know what this is all about. We have the requests from the various industries. The National Restaurant Association requests the Department of Labor include chefs under the creative professional category as well as the learned professional category. Look what happens when DOL puts out their regulation:

The Department concludes that to the extent a chef has a primary duty of work requiring invention, imagination, originality, or talent, he will be considered exempt from overtime.

Thank you very much, National Restaurant Association.

How dare those opposed to this proposal say this is for simplification. We know what this is all about.

For example, in the insurance industry, here is what this says:

The National Association of Insurance Companies supports the section of the proposed regulation providing that claims adjustors, including those working for insurance companies, satisfy the administrative exemption.

That is the what the National Association for Mutual Insurance Companies wrote to the Department. Sure enough, look at what happened when the administration promulgates its regulation:

Insurance claims adjustors generally meet the duties requirements for the administration exemption.

Thank you very much to the insurance companies.

You talk about simplification—we know what is going on. These are special interests that are trying to enhance the bottom line.

We can go on with industry after industry. Let's look at what has happened now in the period of the last 4 years. Here we find a Wall Street recovery that leaves Main Street behind. Here it is. Corporate profits. There has been a 57.5-percent increase in corporate profits, but in workers' wages, it was 1.5 percent.

Do we understand that? Here we have corporate profits of 57.5 percent and workers' wages of 1.5 percent. Now the administration says workers are getting paid too much. We have to do something about overtime.

I do not know what middle-income working families have done to the Bush administration. I really do not understand why they declare war on the working families in this country, but it is war. It is a clear priority that they are not going to be attended to.

We saw recently when we had the whole issue of providing pension relief for multiemployers, the 9.5 million workers who are working, small business, and also those in the building trades and others, 9.5 million who were looking for a similar kind of relief that we were providing for single employers, the administration said no. Those were 9.5 million workers, basically middle-income working families. They said no to them with regard to retirement; no to increasing minimum wage; no to unemployment compensation; no overtime. That is the record.

We have the list the administration talks about. They have 55 categories on that list which has been included in the Gregg amendment, but I do not see the insurance adjustors on that list, I do not see cashiers on the list, I do not see bookkeepers on the list, and the list goes on.

Yesterday, when we raised these questions, we were assured: Oh, no, you just don't understand; you don't really understand. We really provided the protection.

We have the Department of Labor speaking out of one side of its mouth in testimony this morning saying one thing, and now we have something else on the floor of the Senate. Let's get it right, Mr. President. Let's get it right. Let's adopt the Harkin amendment and make sure we are going to say to those Americans who are going to have to work overtime that they are going to be adequately compensated. That has been the law since the late 1930s: a 40-hour workweek, and if you are going to work overtime, you are going to get time and a half.

There are some industries that do not have that protection. I remind workers out there who may be watching this morning that under this administration, you are going to find out you are no longer provided with overtime protection.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BAUCUS. Mr. President, I yield the remainder of my time to the Senator from Massachusetts.

Mr. KENNEDY. How much time do I have, Mr. President?

The PRESIDING OFFICER. The Senator has 6 minutes.

Mr. KENNEDY. Will the Chair remind me when I have 1 minute remaining, please.

This chart shows what happens when you do not have overtime protection. In industries today that do not have overtime protection, the chances of workers working more than 40 hours a week is 44 percent. In companies that have to pay time and a half, it is down to 19 percent. For 50 hours a week, we find out it is 15 percent versus 5 percent.

Once we take leave of overtime protections, workers beware. They are sending a message to you. They can say it is simplification and they can say it is modernization. We know how to do that. The Harkin amendment does that. But if you are talking about working longer, working harder, and making less, you are talking about the administration's position.

Now we are taking a third bite at the apple. First, the administration came out with a proposal, and it was defeated in the Senate and defeated in the House of Representatives. Then they went back. They took weeks and months to redefine it; then they came back and made representations, as the Department of Labor spokesman said, that it was not going to affect anyone between $26,000 and $100,000. Now we have a third introduction on the floor of the Senate just before noon today to make sure that the 55 categories, many of which have been mentioned in the course of the debate, are going to be protected.

Let's just do the job right. Let's just say: Look, American workers are working longer and harder than any other group of workers. This is a chart that shows that workers in the United States of America work longer and harder than any other industrial nation in the world. They are already working longer and harder. They are having a harder, more difficult time making ends meet, as I just pointed out, with the cost of health care, education, mortgage, utilities, the threats to their pension systems, and the outsourcing of jobs across this country. Let's not take away from them the one part of their pay which has been there since the 1930s, and that is the overtime pay. Let's not take that away from them, too.

That is what the administration is attempting to do. The Harkin amendment will resist it. I hope when we have that opportunity—I will vote for the Gregg amendment because it mentions the 55 different categories, even though I think it probably opens up greater litigation in terms of defining what is a ''cook'' and what is a ''chef'' and what is a newspaper person and how that is going to be defined. It is going to open up litigation. Nevertheless, it is an attempt at least in those 55 areas to make sure they are protected. I am going to vote for that amendment, but TOM HARKIN has the right amendment. It is the right way to go, and I hope the Senate will follow his lead.

Mr. President, I yield back the remainder of my time.

RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 12:30 p.m. having almost arrived, the Senate stands in recess until the hour of 2:15 p.m.

Thereupon, the Senate, at 12:26 p.m. recessed until 2:15 p.m., and reassembled when called to order by the Presiding Officer (Mr. VOINOVICH).

JUMPSTART OUR BUSINESS STRENGTH (JOBS) ACT—Continued

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I ask unanimous consent that I be permitted to speak as in morning business for up to 20 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

IRAQ

Mrs. BOXER. Mr. President, I thank the managers of the bill for allowing me to have this time. I have been trying to get some time on the floor and sometimes it is difficult.

I am very encouraged by the way the JOBS bill is moving. I am a strong supporter of the bill. I support it in particular because I have been working in four areas. One area is to stop runaway film production, and we have good incentives in the bill to help us with that, which is very important to California. Another area is to encourage the bringing back of capital that has been parked overseas for a 1-year experiment to see if jobs will be created. It is a very good provision, and I hope my colleagues will support it as it was written. That was done in conjunction with Senators Ensign and Smith. Third, there is a provision to give farmers a tax credit for water conservation. Fourth, there is a good provision in there to help our local governments that have been paying the salaries of National Guardsmen and reservists to help them with that financial burden. So I am pleased about that.

I am also hopeful we can get the highway bill, the transit bill, moving because the Senate bill is excellent and I think if the two parties can reach some accommodation, we should be able to get that moving. So between the JOBS bill and the highway bill, we are looking at a tremendous number of jobs. Certainly, regardless of what State one is in jobs are wanted. These are good jobs and I am very hopeful.

I came today primarily to talk about the situation in Iraq. There are many casualties of this Iraq war. Above all are the soldiers who will never return—so far, more than 753 of them. There are the wounded who will need our help to heal physically and mentally—so far 3,864 of them. Then there are the families who, along with their pride, will bear the losses and the scars forever.

There are the innocent Iraqi civilians who are the ones our President says we are fighting for, and others caught in the middle, the press, contractors, diplomats. When the President landed on the aircraft carrier 1 year ago, he told us major combat was over. That was wrong and our casualties have grown. For the sake of the troops, for the love of the troops, we must not add yet another casualty to this war. We must not let truth be a casualty of this war.

The American people need to know the truth. The American people need to see the truth. In a democracy, letting the people know the truth is the essence of what it means to be free. The President says we are fighting for freedom in Iraq, and that is the current mission. Let us not stifle those precious values in our own country that we love so much.

There are some disturbing events going on. Why would we be told by this administration that paying respect to flag-draped coffins of our fallen soldiers is somehow a violation of privacy and the American people would be violating privacy rights if they see those coffins? I think by now all of America has seen those photographs, photographs of those coffins draped with the American flag and the care that is shown to those coffins and those flags by the military. Those pictures we did see were anything but a violation of privacy. They were a moving tribute to our troops. How shocking it is that we only saw those photographs after a Freedom Of Information Act request. We could not get those photographs. How shocking is it that the woman who actually got those photographs out to the public was fired, those dignified pictures.

No one's identity is known when you look at those pictures. All we know is our brave young troops are making the ultimate sacrifice. As one grieving parent said when she saw those pictures, she was consoled at the way her son was treated, with love and respect—and the flag. It was comforting to her. It wasn't a violation of her privacy. Those troops didn't have their names put in those pictures or their faces shown.

Some will say when they view those coffins that we must stay the course. Others will say change the course. That is what I say: Internationalize this, have an exit strategy and a clear mission. Our troops are carrying 90 percent of the burden. So are our taxpayers. So I believe, yes, we need to change this course. It is not working. But we need to give the Iraqis a chance to build their own future. It should be in their hands. It must be in their hands. That is what democracy is all about. We can teach it, we can explain it, but they must want it enough to make it work for them.

The idea of internationalizing this war is not partisan. I am proud to serve on the Foreign Relations Committee where we have agreement between Senators BIDEN and LUGAR about internationalizing. We have Senator HAGEL who is on that side, Senator CHAFEE, myself, Senator DODD, Senator SARBANES, Senator KERRY, and really most of the committee—not all, but most of the committee. So we have a chance to get out of this morass in a bipartisan way.

Backing up a little bit, this administration didn't want us to see the pictures of the flag-draped coffins. Seven stations from Sinclair Broadcasting Group barred viewers from hearing the names of our fallen heroes. The Sinclair Broadcasting Group is a big supporter of this administration.

I asked them why shouldn't the faces of our fallen sons and daughters be seen? Why shouldn't their names be heard? This is America. This is the greatest democracy in the world. But we could lose it as sure as I am standing here if our people are kept from the truth. Yes, in every war people die. In my years in the Congress I voted for two resolutions to use military force. If you vote for war, you need to see the face of it, and so do the American people.

There are many faces to war. There is the face of courage, of bravery, of fellowship. There is the face of fear. Above all, there is love of country.

As we are learning, sometimes the face of war is brutal. Sherman said, ''War is hell.'' Clearly he saw it.

The sickening images of the past few days from war prisons in Iraq do not match with the values and ethics of our country and our people and our military. Something went terribly wrong, and the people at the very top are responsible. There was no talk from the very top about getting to the bottom of this until those pictures made it into the press, those brutal pictures from the prisons. I know we will fix this. We will fix it now because some people in the military had the strength of character to blow the whistle, to tell the truth. I am asking our Commander in Chief to do more than he has done so far, to speak out more, to hold some people at the very top accountable because this scandal has unfortunately hurt our country. It has hurt our cause. It is undermining the thousands of acts of compassion and caring of our military during this rough time.

To win the cause we all believe in, the spread of true democracy all over the world, we need to win by example, not just with speeches but by example; not just with military might but by gaining the respect of the world. To win the respect of the world, truth must never be a casualty of war. Let's hear the names. Let's see the faces. Let's see the courage and the fear and the bravery and the failings. The American people are wise. They will decide from all the evidence whether the course we are on should be continued or whether we need a fresh start, a new plan—whether it is all worth it.

According to a newspaper report, the Army investigative report painted a picture of a prison in Iraq completely in disarray. To me, that is a metaphor for the aftermath of our initial military success, disarray. There is no plan. There is still no plan. And the problem is not with our brave military but from the highest civilian leadership.

We need to measure the dollar cost of this war. So far we have spent $133 billion on the Iraq war, while we struggle to find the means to do what we must at home, for our children, for our health, for our environment. I have a quick list. We have spent $133 billion on this war since March of 2003.

Look at all we spend in a year on drug enforcement, $2 billion. Look at all we spend on education for our children, $58 billion. Look at all we spent for a year on afterschool programs, $1 billion. We spent $6.8 billion on Head Start; total highway spending, $34 billion; the Transportation Security Administration, so important in a war against terror, $4.6 billion; Coast Guard, $6.8 billion; veterans' health, $28 billion; National Institutes of Health, to find the cures for cancer and heart disease, $27 billion; total environmental spending, $8.4 billion; and to clean up the most toxic Superfund sites, $1.3 billion.

This administration is telling us we don't have the money, even though highways and transit is a dedicated tax. Yet we have spent $133 billion in Iraq. It is time for a timeout, to step back from this morass, to hold people accountable, to change course.

I am going to finish up now because I, too, want to move ahead with the bills we have on the Senate floor. But I thought it was worth it to take a few minutes to reflect on where we are.

We have lost 168 Californians to date in this war. I have read their names and will continue to do that. If anyone says I have no right to do this—and no one has—but if anyone does want to shut out my words, I will tell them: This is America, and I love my country because my country is based on freedom.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I ask unanimous consent that at 3:30 the Senate proceed to a vote in relation to the Gregg amendment, to be followed by a vote in relation to the Harkin amendment, with no second-degree amendments in order to either amendment prior to the votes; provided further that all time from 2:15 to 3:30 be equally divided between the two leaders or their designees.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Mr. President, let me say this prior to not objecting. This is the first significant movement we have had on this bill. We are anticipating moving forward to another couple of amendments and maybe having two other sets of votes prior to our adjourning for the night. I think this is good progress.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Who yields time?

Mr. REID. Mr. President, I will use whatever time I may consume.

Before the Senator from California leaves the floor, I want to commend and applaud the Senator from California. No one can ever question her right and her experience in speaking about the military. I can remember

when we served together in the House of Representatives. This new Congresswoman from the State of California raised issues that became known throughout the country, such as the toilet seat which cost $600, and other things. For the first time in this era of Congress somebody looked at abuses taking place with the spending in the Defense Department. No one is more qualified to do that than the Senator from California, especially in light of the fact that almost 200 men and women from the State of California have been killed in the war. This does not take into consideration the hundreds of people who have been maimed, who have lost eyes and limbs and have been paralyzed.

Mrs. BOXER. More than 3,000.

Mr. REID. Certainly no one can question the Senator from California raising this as an issue. I commend and applaud the Senator from California for doing this.

Mrs. BOXER. I thank the Senator.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, actually we are debating the JOBS bill right now. There is a lot of conversation that takes us in another direction. I suspect that is for a very specific purpose—actually to get into Presidential elections. What we ought to be concentrating on is making sure there are jobs in this country. Some of those jobs are at stake right now because the WTO said we violated international law and they placed a 5-percent penalty on companies from the United States, and that penalty grows at 1 percent a month.

While we delay on this bill, the price is going up for American business, and when business declines, the jobs decline. Perhaps that is a point one side would like to make. Maybe that is what they want to have happen. I don't want jobs to decline. I don't care who is President or what the race is. It is very important we get jobs.

Part of the discussion we have entered into under this JOBS bill has been one about the overtime rule the Secretary of Labor has published. We have heard a lot of comments about overtime from our colleagues on the other side of the aisle. I want people to know the rest of the story. I want people to be aware of the smokescreen that covers election year politics with misleading rhetoric about overtime pay. It is time to strip rhetoric from reality, look through the smokescreen, and see who is really helped and hurt by Senator HARKIN's attempt to block the Department of Labor from updating the rules governing overtime eligibility for white-collar workers. That is right, the word is ''updating.'' The Department was told by GAO the rule needed to be updated. The rule was outdated. The rule referred to things people cannot possibly comply with because nobody knows what they are anymore. It is confusing as well.

The Senator from Iowa has proposed keeping the trial lawyers' dream. He wants to keep the gray area in the bill as an addition to the rule. Yes. There is a gray area. I can tell you this mostly affects small businesses. I can tell you small businesses realize it is going to cost them about $375 million a year in overtime. I don't know how we can talk about a decrease in overtime when it costs them $375 million more in overtime, but to have the gray area cleared up they are willing to do that. Why are they willing to do that? Because right now that $375 million potential is for lawyers' fees to decide gray areas. Who needs that? We would rather put the money in the workers' pockets.

This clarifies who gets overtime, but it clarifies it more broadly than anything we have ever done before. Do you know right now the only people who know for sure they will get overtime are those who make less than $8,060 a year? Yes. If you earn over $8,060 a year, you move into this gray area where you may have to hire an attorney to help you figure out whether you get overtime. The small businesses have to do that.

This rule the Department of Labor has issued is going to raise that $8,060 to $23,660—pretty much triple the amount. It is long overdue. It needs to be done, and it was willing to be done from the very beginning.

The Department also put in there that white-collar workers earning over $65,000 were not assured of overtime. They listened to 75,000 comments and said, We picked the wrong number. It should be over $100,000.

You notice I mentioned white-collar workers. Blue-collar workers are exempt and assured of the overtime. It doesn't have the $100,000 limit on it.

Another thing that disturbs me about the debate we are having is the implication that without a rule, without a law, there would be no overtime. I want you to know there are businesses—particularly small businesses—out there that are not only paying overtime for some special tasks, but they are paying double time and triple time to be sure they have the workers they need to do the job.

There needs to be a rule. The rule needs to be one that is newer than the 50-year-old one so we can understand the jobs that are being talked about.

Last March, the Department solicited public comments on a proposal to update these regulations. They received more than 75,000 comments on the proposal. I happen to believe public comment plays a critical role in the regulatory process. We want the public to comment on any new rule being written. We then want the Department to review these comments and to respond to them. That is how the process is supposed to work. This is the regulatory process Americans expect and deserve. I have seen times before when agencies did not pay attention. Then it became critical for us to do something. That is not the case in this instance. They listened to the 75,000 comments that were sent in writing. It is obvious they listened to the comments on this floor, and they made those revisions in the rule before they published the final rule. The Department of Labor carefully considered those 75,000 comments. They listened to the concerns of the American people, and then they did the final overtime rule and they made substantial changes to the proposal.

I have my own concerns with the proposed rule. In fact, I wrote a letter to Secretary Chao, along with Senator COLLINS, asking the Department to pay particular attention to protecting the overtime status of public safety officers, veterans, and nurses.

I ask unanimous consent that a copy of the letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, DC, April 16, 2004.

Hon. ELAINE L. CHAO,
Secretary of Labor, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC.

DEAR SECRETARY CHAO: We want to take this opportunity to applaud the Department of Labor's efforts to update and clarify the rules *Defining and Delimiting the Exemptions for Executive, Administrative, Outside Sales and Computer Employees.* The proposed rule revises the definitions of ''executive,'' ''administrative,'' and ''professional,'' employees considered exempt from the Fair Labor Standards Act overtime compensation requirement.

The workplace has dramatically changed during the last half century. However, the regulations governing the overtime exemption for such employees remain substantially the same as they were fifty years ago. As our economy has evolved, new occupations have emerged that were not even contemplated when the current regulations were written. The Department of Labor has undertaken the difficult but necessary task of updating the rules to reflect the realities of the 21st Century workplace. In so doing, the Department will extend overtime protection to an estimated 1.3 million low-wage workers.

The Department of Labor has received approximately 80,000 comments to the proposed rule. We happen to believe that public comments play a critical role in the regulatory process. The Department of Labor has the responsibility, and must be given the opportunity, to review these many comments. We urge the Department to carefully consider all of the public comments in crafting the final regulations.

We ask the Department of Labor to pay particular attention to concerns that have been raised regarding the overtime status of public safety officers, veterans, and nurses. The final rules should clearly reflect that the overtime rights of public safety officers, veterans, and nurses will not be restricted. These individuals have devoted their lives to protecting the lives of Americans. They deserve our protection as well. We also ask the Department of Labor to be responsive to the needs of small businesses in finalizing and providing compliance assistance on the rule.

We look forward to the Department of Labor publishing its final rule that is responsive to the public comments received and the concerns we mentioned.

Sincerely,

MICHAEL B. ENZI,
SUSAN M. COLLINS.

Mr. ENZI. Mr. President, we asked the final rule clearly ensure the overtime rights of these workers would not

be restricted. I am very pleased the Department made the changes to clearly reflect the overtime rights of public safety officers, veterans, and nurses would not be restricted.

Let me highlight some of changes that were made in the final rule to better protect the overtime rights of workers and many others.

The final rule states first responders such as police, firefighters, paramedics, and emergency medical technicians are eligible for overtime pay. No question; no gray area, it clears it up.

The reference to training in the Armed Forces has been deleted and clarifies that veteran status does not affect overtime. The veterans will get their overtime regardless of the training received in the armed services.

The final rule also states licensed practical nurses do not qualify as exempt learned professionals and are therefore eligible for overtime pay.

The final rule retains previous law regarding registered nurses which assures them of overtime.

The final rule provides blue-collar workers are eligible for overtime pay.

To be considered exempt from overtime, the salary level for highly compensated employees is the final rule which has been increased from $65,000 to $100,000.

The final rule clarifies the contractual obligation under collective bargaining agreements is not affected.

The final rule maintains the previous law requirement that exempt administrative employees must exercise discretion and independent judgment.

The final rule clarifies there is no change to current law regarding the educational requirement for the professional exemption.

Significant changes were made to address the concerns raised about the proposed rule. This is exactly how the public comment period is designed to work and exactly how it did work in this situation. The regulatory process worked, and we have a final rule that is better for both workers and employers.

Again, we are talking about the small businessmen who do not have time to go through a lot of this or have the ability to hire attorneys to figure these things out. We need to keep it simple and understandable. The rule does that.

Before the final rule was published, my colleagues on the other side of the aisle stood in the Senate and blasted the proposed rule on the very issues that the final rule corrects. The Senator from Iowa still wants to block the Department of Labor from updating the rules governing overtime pay for white collar employees. This would, in effect, tell the American people that the public's role in the regulatory process means nothing. This would say those 75,000 comments mean nothing. This would leave complex and confusing rules that have not been significantly changed in 50 years. We owe all our constituents more than that.

When I am back in Wyoming, I like to hold town meetings to find out what is on the minds of my constituents. At each town meeting there is usually someone in attendance quite concerned about government regulations. I am often told to rein in big government and keep rules simple, keep them current, keep them responsive, keep them understandable for small business, and make sure they make sense in today's ever-changing workplace.

My colleague on the other side of the aisle would take the opposite approach. Instead of keeping it simple and current, he wants to keep all of the gray areas from before and impose them on a second set of regulations. That is what we need—multiple sets of regulations; now a misunderstandable set with a new set imposed on it, protecting the old set so the trial attorneys' dream still exists. He wants to prohibit the Secretary of Labor from updating the outdated rules regarding white collar employees under the Fair Labor Standards Act overtime requirements. Simply put, it is an attempt to reject the new, turn back the clock, and look to yesterday for the answers to tomorrow's problems. The amendment keeps the confusion. It is an approach that is doomed to failure. I am opposed to it.

There is no question the workplace has dramatically changed during the last half century. The regulations governing white collar exemptions, however, remain substantially the same as they were 50 years ago. The existing rule takes us back to the time when workers held titles such as straw boss, keypunch operator, leg man, and other occupations that no longer exist today. Our economy has evolved. New occupations have emerged that were not contemplated when the regulations were written. A 1999 study by the General Accounting Office, GAO, recommended that the Department of Labor comprehensively review current regulations and restructure white collar exemptions to better accommodate today's workplace and to anticipate future workplace trends. This is precisely what the Labor Department has done.

What will Senator HARKIN's effort to block the final rule do? It will set the clock back to 1954 and try to force a square peg—the 21st century jobs—in the round hole of the workplace 50 years ago. Worse, it keeps the gray areas of the past rule instead of clarifying. This obstruction will undermine the Department of Labor efforts to extend overtime protection to an additional 1.3 million low-wage workers. Under the old rule, only those workers earning less than $8,060 a year are automatically protected for overtime pay. The Department's new rule will raise this threshold to $23,660 a year. The final rule provides lower income workers with the protection they deserve.

By undermining the Department's efforts to better protect lower income workers, who is this amendment going to protect? The Department determined that few, if any, employees earning between $23,660 and $100,000 will lose their overtime pay under the new rule. The Department estimates that 107,000 employees who are earning over $100,000 could—could but not necessarily would—lose their overtime. Could our colleagues be willing to deny overtime pay for an additional 1.3 million low-wage workers in order to protect the overtime for the 107,000 workers earning above $100,000? Is Congress going to undermine the purpose of the Fair Labor Standards Act, which is to protect low-wage workers?

The Senator from Iowa and his effort to block the final overtime rule will not protect first responders, veterans, blue collar workers, or nurses. The final rule has been improved to clearly protect the overtime rights of these workers. Therefore, the opponents of updating and clarifying the white collar overtime rule had to come up with new objections. No lawsuits necessary, it is very clear. That is what the Department intends.

On April 13, the AFL–CIO released and began soliciting contributions for a political TV ad attacking the Department of Labor final overtime rule. Here is what is interesting about that: That attack came a week before the final rule was publicly available, before they knew what was in it. Such tactics suggest a greater interest in playing election year politics than in protecting workers.

Let me respond to some misleading claims about the final rule. Some have claimed that team leaders will lose overtime pay under the final rule. In fact, the new rule will guarantee overtime protection for blue collar team leaders and is more protective of overtime pay for white collar team leaders. Furthermore, there is no change to current law regarding the overtime status of computer employees, financial services employees, journalists, insurance claims directors, funeral directors, athletic trainers, nursery schoolteachers, or chefs.

It is time to get beyond the election year rhetoric and misleading information about who is supposedly harmed by the Department's new overtime requirements; therefore, I am supporting the amendment offered by Senator GREGG of New Hampshire to require the final overtime requirements to safeguard the overtime rights of workers earning less than $23,660 and certain categories of workers that some erroneously claim would lose overtime rights. His amendment very specifically names those and assures those rights. It is in the rule as well. I am confident the final regulations published by the Department of Labor on April 23 already do that, too.

The Gregg amendment serves to make it clear that it is the intent of Congress to ensure that the overtime rights of 55 listed occupations and job classifications are not weakened. These occupations and job classifications include the team leaders, registered nurses, the licensed practical nurses, oil and gas workers, refinery workers,

steelworkers, shipyard workers, journalists, firefighters, police officers, nursery schoolteachers, and financial services workers, to name a few.

The Harkin amendment effectively blocks the Department from extending overtime pay to low-wage workers and updating confusing overtime requirements. In contrast to the Harkin amendment, the Gregg amendment does not undermine the Department of Labor efforts to update and clarify the overtime requirements and extend overtime protection to 1.3 million low-wage workers and clear up these gray areas that just help the attorneys. The amendment offered by Senator GREGG will ensure that the overtime rights are guaranteed to those 1.3 million low-wage workers, strengthened for another 5.4 million workers, and clarified for all workers and employers.

The antiquated and confusing white collar exemptions have created a windfall for trial lawyers. Ambiguities and outdated terms have generated significant confusion regarding which employees are exempt from overtime requirements. The confusion has generated significant litigation and overtime pay awards for highly paid white collar employees. Wage and hour cases—this is important—now exceed discrimination suits as the leading type of employment law class action. The amendment assures those gray areas will stay, causing court action right now. The new rule clarifies and requires these areas be cleared up, but more clearly states the people who will absolutely get overtime. It states who will be entitled now. It protects the workers and puts the money in the workers' pocket, not in legal action. If these rules are clear, employers will know when they are complying with the law. This is important, particularly and especially for small business. That is for whom I always make my pleas.

Small businesses are the only ones being punished by the rules. They don't have the specialists to determine the gray areas. So they wind up in court having to solve the gray areas after the fact. It is much better to solve it before the fact. We have to worry about small businesses which should not have to rely on lawyers or accountants to tell them how to pay their employees.

The Department of Labor has estimated these new regulations are going to cost employers an additional $275 million on an annual basis. However, the new overtime rule will provide much needed clarity.

As a former small business owner, I know employers want to be able to pay their workers, not their lawyers. The Harkin blocking amendment would only add to the current state of confusion. Instead of preserving overtime rights, which the Harkin amendment purports to do, it will create even more complexity and litigation, piling rule on rule.

The blocking amendment creates a two-tiered scheme which would require two different tests to determine a worker's overtime status. The present gray area and the other one would have to be worked to be combined. So anything that would have been a gray area before will still be a gray area. It will freeze workers in jobs they have outgrown. The blocking amendment will mire the final overtime regulation in years of litigation, likely preventing them from ever taking effect.

The only clear winners for the effort to block the new rule will be the trial lawyers who will benefit from a continued state of confusion. Most people would prefer to live in a different state than that. We are spending taxpayer dollars sorting through cases that could be solved with clarity.

Under the blocking amendment, workers will still have to wait years for a court to act before they could receive the overtime pay they deserve. Why should the United States stand in between workers and their overtime pay? We need to defeat the blocking amendment that would block the final rules from taking effect. We need to ensure that American workers deserving of overtime pay will see their hard work reflected in their paychecks, not in litigation.

Today's Washington Post editorial urges lawmakers to hold off blocking the new overtime rules from taking effect. I ask unanimous consent to print the editorial in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post, May 4, 2004]

OVERTIME IMPROVEMENT

Last year the Labor Department drew widespread criticism for proposed changes to overtime rules for white-collar workers. We agreed with critics who said the new rules tilted to employers and risked depriving too many workers of pay to which they are entitled. Now Labor has revised its proposal, and the new rules, while still worrisome in some respects, are substantially improved.

Unions and their allies, with some basis for being suspicious of this administration's attitude toward workers in general and the overtime question in particular, argue that the regulations still would unfairly jeopardize the overtime rights of millions of workers. They are pressing for a Senate vote, expected today, that would block the rules from taking effect. We think lawmakers should hold off. If the regulations are inconsistent with the federal law designed to protect the right to overtime pay, they can be challenged in court. And if employers exploit the regulations to unfairly deny overtime pay to workers, they, too, are subject to being sued. In the meantime, the new rules offer some significant benefits for workers.

At issue is the meaning of the Fair Labor Standards Act, which guarantees time-and-a-half overtime pay for those who work beyond the standard 40-hour week. That 1938 law makes an exception for white-collar workers—those in executive, administrative and professional positions. Figuring out who falls into this category has become a particularly byzantine area of labor law, and the regulations outlining the exceptions haven't been updated for 50 years.

The Labor Department's changes would guarantee overtime rights for workers who earn less than $23,660 a year, even if they are ostensibly white-collar. That's up from the current, woefully outdated level of $8,060 and a slight increase over the original proposal. It would have been even better to adjust the salary level to keep pace with inflation (bringing it to about $28,000) and —given that it took three decades to make this change— to build in indexing for inflation. At the higher end of the income scale, the new rules would make workers who earn more than $100,000 largely exempt from overtime eligibility, a significant increase from the original proposal, which would have capped overtime rights at $65,000.

The more complicated issue involves changes in determining which workers fall into the category of executive, administrative or professional employees not entitled to overtime pay. The department says it expects that few, if any, workers would lose overtime protections; labor groups insist otherwise.

Opponents point to such provisions as the ''concurrent duties'' rule, which would permit workers to be considered executives ineligible for overtime even if they perform non-managerial jobs. For example, assistant managers could stock shelves, cook food, serve customers and still be ''executives'' if their ''primary duty'' is management. Another provision would allow workers to be considered exempt ''administrative'' employees if they lead a team on a ''major project,'' including improving workplace productivity.

Depending on how they are implemented, these exemptions, and others, could be reasonable reflections of a modern workplace, or they could be abusive incursions on workers' overtime rights. What's needed now is not to block these regulations but to ensure that they are vigorously enforced with an eye to protecting the vulnerable workers the law was intended to benefit.

Mr. ENZI. The Washington Post states:

What's needed now is not to block these regulations but to ensure that they are vigorously enforced with an eye to protect the vulnerable workers the law was intended to benefit.

I urge my colleagues to support the Gregg amendment which will allow the Department of Labor to provide clearer and fairer overtime rights for workers. I also urge my colleagues to oppose Senator HARKIN's reform blocking amendment which will only line the pockets of the trial lawyers.

I yield the floor and reserve the remainder of our time.

Mr. KOHL. Mr. President, last year, the administration proposed rules that would force millions of workers to work longer hours for less pay. Firemen, nurses, policeman, factory workers faced 50, 60, even 100 hour work weeks at 40 hour-work-week rates of pay. Two years of technical college education, military training, or even a few administrative duties would have been enough to deny workers overtime—permanently.

In response to majority votes in both Houses of Congress—and public outcry throughout the Nation—the administration recently issued a modified rule governing overtime. And that's good, but not good enough.

While the new rule is an improvement, it still comes up short. Thousands, maybe millions, will be left working more for less—and that is just wrong.

The law governing overtime, the Fair Labor Standards Act, FLSA, was designed in the 1930s to encourage companies to stick to a 40-hour work week. At that time, employers routinely required workers to put in 7 days a week, 10, 12, even 15 hours a day. That left the workers with jobs no time for rest, family, or even their own health. And it left many others in those tough times without jobs at all. The choice was harsh—work yourself to death in order to feed your family, or starve your family and yourself trying to survive jobless during the Great Depression.

In passing the FSLA, Congress hoped that the required ''time and a half'' for overtime work would be an incentive to employers to stick to a 40-hour work week. Today, that goal is still distant as companies routinely require workers to work more that 40 hours. American workers work more hours than any other industrialized nation, except South Korea. And the overtime pay, rather than being a disincentive to employers, has become a necessary income source for many American families.

That overtime comes at a high price for most American workers. It means less time with family, fewer school events attended, and soccer games missed. Like in our past, the worker's choice is a harsh one—earn the extra income needed to meet a family's material needs, but sacrifice the family time that meets their emotional needs. If the Administration prevails, thousands, maybe millions, of hardworking families will see their sacrifices seriously devalued.

The administration argues it needs to make these changes to make it easier for business to correctly classify its workers. But this rule is unlikely to clarify anything for small business. The rule, with all the support material, is over 500 pages. We have not simplified anything. New court cases will be brought, and new guidance will be written. Employers will still struggle with the issue of who their professional employees are, and who is management. The very people that the administration is trying to help are unlikely to find this easier to understand.

The new rule also contains troubling exemptions of entire jobs and industries. It exempts from overtime ''team leaders,'' even though these employees may have no supervisory role, or any real authority over the people they are supposed to be leading. Other groups of workers are classified as exempt by the Department of Labor, with little discussion. Certain industries have worked for years to get out of paying overtime to their workers—and the rule's list of exemptions reads like a roll call of those that succeeded. For reasons unclear, even after 500 pages of explanation, journalists, personal trainers, financial services workers, and computer industry workers—to name just a few classes—are summarily ineligible for overtime.

The current overtime rules are not perfect; they were written many years ago in a different industrial age. They should be updated; the wage thresholds should be changed. But the administration's rule—even in its more moderate incarnation—does much more than update. It changes the fundamental nature of the overtime portions of the FSLA—from rules designed to fairly compensate workers for onerous overwork to a system where certain favored industries can return to a depression-era policy of more work for less pay.

We all believe that hard work should be rewarded. Our country achieved greatness through the sacrifices and sweat of our working men and women. Today, sadly, these workers are not celebrated, but squeezed—forced to work more for less by harsh international competition from countries with few or no labor standards and faceless international conglomerates with no concept of family or community. We have a choice in this matter. We can let unfettered economic pressure lower wages in this country and around the world, or we can work to uphold standards here, and demand them around the world. Any weakening of the overtime rules is a step down on the ladder of economic progress.

Mrs. FEINSTEIN. Mr. President, last year the White House proposed redefining the job descriptions of millions of workers and thus eliminating their right to Federal overtime protection.

After several in this Chamber raised serious concerns over such a change, the administration released final rules that make significant, but insufficient, changes to those draft rules. Left alone, these rules will take affect later this year.

I support the Harkin amendment because it is sensible and protects hardworking employees. The amendment simply prevents the White House from implementing changes in existing overtime laws that reduce the number of jobs protected by those laws.

The stated objective of the administration is to increase worker protection. This being the case, I would think this amendment would be an easy accommodation for the President to make.

However, if the numbers of the Department of Labor are correct, then more the 117,000 individuals could lose overtime protection. If they are wrong, it could be millions.

These rule changes would wipe out overtime pay protections and increase work hours. In California alone, several hundred thousand workers could lose their Federal overtime protection. However, State law will continue to protect most workers from the deleterious effects of this rule change. But some public employees and many in the film industry won't be so lucky.

Although most workers in California will maintain their right to overtime through protections granted by State law, the rule change represents a movement in the wrong direction when it comes to enhancing worker protections.

As we all know, losing overtime pay protections would also result in huge pay cuts for many workers. This is an issue of fairness. Our workers are more productive then ever and yet President Bush feels that it is necessary to penalize those very individuals who have literally built this Nation.

Those hurt most will be disproportionately women and minority. They will be mostly middle and lower income. They will be struggling to make ends meet and they will be worrying about paying the mortgage.

Given the still high unemployment rate and the uncertainty still plaguing our economy, this is not the time to be making it harder for workers; rather, it is a time when we should be helping all workers achieve fairness in the workplace.

It is well known that by requiring companies to respect the 40-hour work week, we encourage businesses to hire additional workers. With more than 8 million people still out of work, we should continue to encourage companies to maximize employment while respecting the workforce they have.

I urge my colleagues to support the Harkin amendment.

Mr. BYRD. Mr. President, it is appropriate on a trade bill such as the one now pending before the Senate, that we, at long last, engage in a debate about the standard of living for American workers.

The establishment of the 40-hour work week and a worker's right to overtime pay in 1938, fulfilled President Franklin Roosevelt's promise to workers to end starvation wages and intolerable working hours.

That same year, President Roosevelt called it ''the most far-reaching, far-sighted program for the benefit of workers ever adopted here or in any other country.'' It is unsettling to watch, 55 years later, as a successor to President Roosevelt seeks to limit the scope of that far-reaching legislation.

President Bush's overtime rule promotes a thoroughly un-American notion of fair compensation for some, but not for all.

Through its overtime rule, the Bush administration has sought to dictate who will receive overtime pay and who will not. It has sought to dictate whose extra work will be recognized and valued and whose will not.

While guaranteeing overtime pay for some workers, the Bush administration rule would take it away from registered nurses, nursery school teachers, cooks and chefs, and employees of the financial services industries. It would take overtime away from insurance claims adjusters; sales representatives; and computer network, Internet, and data base administrators. It would take overtime pay away from so-called ''team leaders'' in factories, refineries and chemical plants; from employees who perform administrative, management or professional work; from television, radio and newspaper journalists.

The President cannot explain why some workers should be entitled to overtime pay and others should not. The Labor Secretary cannot explain why. I doubt that anyone can explain why.

This rule threatens the overtime pay of millions of workers earning more than $24,000 per year. I hope that workers listening, even if they do not receive overtime pay, won't be fooled into believing that this issue does not apply to them. If workers are suddenly no longer eligible for overtime, what's to stop their bosses from working them 60 hours per week? Or 70? Or 80?

We are told by some that the economy is improving, and workers are strong enough to endure the loss of their overtime pay.

Whether we call it an economic recovery or the worst job market since Herbert Hoover; it makes no difference.

The fact is that millions of workers have lost their jobs or have seen their friends or members of their families lose their jobs. They have had their work days scaled back from a full work week to half-days, to half-weeks. They have had to accept cuts in their health care benefits and pension benefits to keep their employer out of bankruptcy.

These workers have little patience for election-year hyperbole that prosperity has returned, that wages are adequate.

Workers read about an alarming trade deficit and the outsourcing of jobs overseas, and they wonder if their job will be next. They see their health care premiums rising, their savings being depleted, the specter of unemployment on the horizon, and want to know why their government cannot do more about it.

Workers wonder if their President understands these fears. Time and time again, this administration has shown that it does not.

Little by little, the Bush administration is chipping away at the rights and protections due American workers. It has blocked action on the minimum wage. It has blocked an extension of unemployment benefits. It has furthered the erosion of pension and health care benefits. It has curtailed the safety and health protections won by the labor movement in the 20th Century.

This is not the record of an administration that understands the plight of American workers. To the contrary, this is an administration that has demonstrated a callous—almost smug—disregard for their plight. This is an administration that has abandoned the very American ideal of inspiring other nations to improve working conditions and to lift their working class.

We must not allow ourselves to be deceived by temporary employment gains which depend on the wasteful exploitation of resources and which cannot last. Workers should not be satisfied with present conditions.

One worker need not sacrifice his overtime pay to guarantee it to another. One worker need not forgo his retirement security or health care security to provide it to another.

In one of his renowned fireside chats to the Nation, President Roosevelt told workers: ''Do not let any calamity-howling executive . . . who has been turning his employees over to the Government relief rolls . . . tell you . . . that [a minimum wage] is going to have a disastrous effect on all American industry.'' President Roosevelt's message to workers is unmistakable. Don't let any business lobby, any elected representative, any President, tell you that a fair wage for your labor is too much to ask.

After 52 years of public service in Washington, serving in 26 Congresses and with eleven presidents, I am still convinced that the American people retain a sincere respect for the promise that extra work should yield extra benefits. Overtime is a means for workers to secure for their children a chance at a better life, to ensure for themselves a secure retirement.

It is an essential part of our social economy. It has the overwhelming support of the American people in every walk of life, and the Senate would do workers a disservice by allowing to stand the Labor Department's thoroughly egregious misinterpretation of Franklin Roosevelt's promise to them.

Mrs. CLINTON. Mr. President, I rise today in strong support of the Harkin amendment because I believe it is the right thing to do for New York's working families.

The Harkin amendment is very simple. It says that not a single worker who is currently eligible for overtime pay should be denied that right. And I have yet to hear a compelling reason that some workers currently eligible for overtime should lose that eligibility. In fact, the Department of Labor argues emphatically that few if any workers will actually lose eligibility. Well, if few if any workers will lose overtime eligibility then I see no reason why the Department of Labor shouldn't support the Harkin amendment wholeheartedly.

Of course, the reality, as those at the Department of Labor well know, is that plenty of workers will lose eligibility for overtime. Let's look at the facts. Registered nurses will be in danger of losing their eligibility because, for the first time, it will be easier to classify those who are paid hourly as ''salaried employees.'' It will also be easier to classify them as ''team leaders.'' Journalists will lose their automatic overtime protection. Veterans who do not have a 4-year degree will be much more easily classified as professional employees and denied overtime eligibility. Workers in the financial services industry—and I represent many of them—will lose their overtime protection if they do not exercise independent judgment and discretion. Chefs. Funeral Directors. Embalmers. Insurance Claims Adjusters. Salespeople. Software engineers. Computer programmers. All will be vulnerable to the loss of overtime—and therefore face significant pay cuts.

The list goes on and on and on. And these are just the consequences analysts can foresee. What does the loss of overtime mean? Let's put it in human terms. It's a 25 percent pay cut. It is $161 a week on average. And—as importantly—it's time with your family. This is not trivial. At its very core, this issue is about our American values of work and family. Workers stripped of their overtime protection would end up working longer hours for less pay. That translates into less time with their children, less time with their parents, their spouses, less time to volunteer and contribute to the fabric of our community. More work hours, for less pay, and less family time—that is not the American way.

This regulation would make unpaid overtime a household word and make it easier for bad-faith employers to coerce other workers into accepting time off instead of overtime pay.

Now, I know there is strong support in this Chamber to protect the rights of workers to receive overtime because we've done it before. Back in September, we passed a very similar amendment to prevent the Department of Labor from promulgating any amendment that denied overtime from any worker currently eligible. Republicans in my State crossed party lines to block this regulation in the House—and I applaud them for doing so. They know how many New Yorkers rely on overtime pay—not as a luxury, as a necessity.

Back then, despite strong bi-partisan votes in the House and Senate, the extremist right wing leaders in the House and Senate neglected to include the language in the final appropriations bill. They made a mockery of the democratic process.

But with this vote today we prove that we will keep fighting for the rights of working people. We may be overruled—as we were before—but we will not back down.

So, I urge my colleagues to support the Harkin and to reject the Bush administration economic policy of tax cuts for wealthy; pay cuts for the workers.

Mr. FEINGOLD. Mr. President, I rise in strong support of the Harkin amendment, of which I am proud to be a cosponsor.

The Bush administration's final overtime regulation is much the same as its proposed regulation. The largely cosmetic changes that the administration grudgingly made at the eleventh hour did not change the rule's result: the loss of overtime benefits for millions of American workers, many of whom rely on overtime to help support their families. Making a bad proposal a little better does not mean a good result for American workers. As a recent editorial in the Milwaukee Journal Sentinel rightly pointed out, ''. . . why hurt anybody? Gain for some workers

shouldn't mean pain for others.'' I could not agree more. And this rule will lead to uncertainty for millions of hard-working Americans and their families who rely on overtime pay to get by.

It is true that the new rule increases the minimum salary threshold to $23,660, thereby ensuring that workers who are earning less will be guaranteed overtime pay. While this is a positive step, it is regrettable that this increase does not keep up with inflation, especially since it has been 29 years since the last adjustment.

In addition, this rule exempts so-called ''highly compensated'' employees who earn more than $100,000 per year and have one job duty that can be classified as administrative, executive, or professional. This is a new exemption which is not indexed for inflation, thus leaving even more workers open to a loss of overtime benefits in the future.

But those who are in the most jeopardy of losing their overtime benefits may be those workers whose salaries fall between $23,660 and $100,000. These workers are not guaranteed overtime, and the new duties tests included in the final rule could strip overtime pay from millions of these low- and middle-income Americans.

The final rule changes the process by which a worker can be declared to be exempt from the wage and hour protections of the Fair Labor Standards Act (FLSA), thus opening the door to denial of overtime benefits to millions of workers who currently are entitled to this extra pay for working more than 40 hours per week.

In essence, this rule, which we will allow to move forward if we do not pass the Harkin amendment, will create a larger force of employees who can be required to work longer hours for less pay. This could also mean fewer opportunities for paid overtime for the workers who would remain eligible for it.

Who are these workers? They are veterans, registered nurses, journalists, financial services employees, assistant managers, team leaders, chefs, insurance claims adjusters, and computer employees, just to name a few. And several industries successfully lobbied the administration to include specific exemptions for their employees—exemptions that have been pending in Congress for a number of years and that have not been adopted. And the rule contains a roadmap for employers who wish to find ways around paying overtime to those workers who are still eligible for it.

The administration's public relations campaign on this rule does not reflect the reality of this rule. It will deny overtime to millions. It will, despite the administration's claims to the contrary, have a negative effect on veterans, on blue collar workers, and on union members. I find it interesting that the Department of Labor's materials for this rule call it ''Fair Pay: Overtime Security for the 21st Century Workforce.'' There is little that is fair about this rule for the millions of workers who are poised to lose their overtime pay if this rule takes effect as scheduled in August.

I am also deeply concerned about the process by which this rule was finalized. A small number of Members of Congress and the administration were able to run roughshod over the will of a bipartisan majority of the Senate and the House to resuscitate this proposal by deleting language that would have blocked it from the omnibus spending bill. I regret that the administration resorted to veto threats and backroom negotiations to save this proposal, which is the latest in a series of assaults on working Americans that have been perpetrated by this administration. Right out of the gate, the President made it his first legislative priority to overturn a federal ergonomics standard that was more than ten years in the making. In addition, this administration has launched a campaign to aggressively contract out Federal jobs, systematically dismantle the Federal civil service system, gut worker protections, and undermine collective bargaining rights. And this administration contends that outsourcing jobs to other countries is good for the American economy.

With so many long-term unemployed workers and others working more than one job and depending on overtime just to make ends meet, it is unfortunate that the administration dug in its heels on a proposal to deny overtime to many of those who need it most. And it is unfortunate that the final rule does so little to improve the proposed rule, which a majority of the Senate and the House are on record against.

I urge support for the Harkin amendment.

The PRESIDING OFFICER. Who yields time?

Mr. GRASSLEY. Mr. President, I yield 5 minutes to the Senator from Pennsylvania.

Mr. REID. Mr. President, I ask unanimous consent each side be allowed an extra 3 minutes. So the vote, instead of being at 3:30, would be at 3:36 or thereabouts.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I ask that the time on this side be allotted 8 minutes to Senator HARKIN, 7 minutes to Senator KENNEDY, 7 minutes to Senator DODD, and 5 minutes to Senator SPECTER.

The PRESIDING OFFICER. Without objection, it is so ordered.

Who yields time?

Mr. SPECTER. Mr. President, I believe I have been yielded 5 minutes by the Senator from Iowa.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. BAUCUS. The Senator has 5 minutes on this side and 5 minutes on the majority side, a total of 10.

Mr. SPECTER. Parliamentary inquiry: Is it true that I have 10 minutes?

Mr. BAUCUS. Mr. President, we will find it.

The PRESIDING OFFICER. The Senator may proceed for 10 minutes.

Mr. SPECTER. Mr. President, at the outset I wish to put on the record my concerns about not being protected on time. Through my deputy, I had called the cloakroom to advise that I wanted to speak on the bill. I had intended to come to the floor and to ask some questions of the Senator from Iowa, Mr. HARKIN, and the proponent from New Hampshire, Senator GREGG. I would have objected to a time agreement had I been notified, if I have to be on the floor to protect my rights at all times. My deputy asked for 10 minutes, which was not my instruction, but that is my problem. But then I didn't even have 10 minutes.

When I came out I found there was time allotted, but to get 10 minutes I had to negotiate with Senator GRASSLEY. Senator GRASSLEY didn't want to give me time because I would end up with Senator HARKIN, although I had intended to try to find out a little more about the two pending amendments. So I think we have to be a little more considerate about Senators who notify the cloakroom that they want time so their rights are protected so that every Senator does not have to sit here all day long.

The Appropriations subcommittee which I chair, the Subcommittee on Labor, Health and Human Services, and Education, had a hearing this morning. This is a very complicated regulation. I had intended to try to have a colloquy with a number of Senators to find out a little more about what this regulation really means.

On the face of it, as we had discussed at the hearing this morning, there is very little change between current regulation on administrative employees and the proposed final regulation. For example, the current regulation defines administrative employees as ''customarily and regularly exercises discretion and independent judgment.'' Compare that with the final regulation on administrative employees: ''Primary duty includes the exercise of discretion and independent judgment with respect to matters of significance.''

So in both instances they are talking essentially about exercising judgment and exercising discretion and independent judgment.

When we questioned the Department of Labor representative at the hearing this morning, there was very little added by the additional phrase ''with respect to matters of significance.'' That is so generalized as hardly to clarify anything to avoid litigation. In the context where the principal complaint for having a new regulation is to avoid litigation, it hardly changes or clarifies anything.

A similar situation exists with the definition of professional employees where it is stated on the current regulation, professional employee is defined ''primary duty of performing work requiring knowledge of an advanced type

in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study.''

Contrast that with the new proposed final regulation defining professional employees: ''Primary duty of performing work requiring knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized instruction.'' It is virtually identical, hardly going to clarify matters to eliminate litigation.

Then on the proposed final regulation, defining customarily can mean the employee has attained the knowledge through ''a combination of work experience and intellectual instruction.''

The point is, the new proposed regulation adds virtually nothing to the regulation which is pending. It is true that it has been a long time since the regulation was amended. I subscribe to the generalized view that if we could make the regulation clearer to avoid litigation, that would be a very important objective. But in the course of an extended hearing this morning, where we heard from the representative of the Department of Labor and two witnesses who were for the final proposed regulation and two against, there is no indication that this new regulation is going to clarify anything at all.

One of the issues raised this morning was how many workers would be affected. The sum and substance of the testimony in an exchange among the witnesses was that the 1.3 million workers who were supposed to have additional overtime is an inflated figure. I don't have time in the 10 minutes allotted to go into greater detail on that particular point.

There has been added to the proposed regulation a new concept of a team leader which is not in existing law and would allow employers to deny overtime pay to workers who ''lead a team of other employees assigned to complete major projects,'' even if there is no direct supervisory responsibility.

Now, in addition, this term ''team leader,'' I think, is going to provide additional complexity, so that a proposed final regulation here, instead of simplifying and directing and being an effective instrumentality to eliminate litigation, appears to me to be no advance over the current regulation, and when you come down to the injection of a new concept of team leader, it creates additional complications.

To repeat—something I don't like to do—I hoped to have a discussion with the proponents of both measures to shed some light on it. This is a very important matter, regulating overtime pay, which deserves a lot more attention than it is getting on the floor of the Senate today. I wish my rights had been protected by the cloakroom, or I would have been here to object to a time agreement so I could have participated in drawing out some of these important issues to try to achieve a result based upon a fuller understanding of this proposed regulation.

On the current state of the record, I am opposed to the proposed regulation. I think the amendment offered by Senator GREGG is a step in the right direction. I intend to support the Harkin amendment.

I thank the managers of the bill for scraping together a full 10 minutes for me.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. BAUCUS. There is no time to yield. There is a consent agreement.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. DODD. Mr. President, first of all, I commend our colleague from Iowa for his effort on the overtime pay issue. Clearly, he has attracted the attention of the administration and others. We in Congress have, on two recent occasions rejected the administration's proposals that would modify the overtime rules crafted back, as the Senator from Wyoming pointed out, in the 1930s, with the Fair Labor Standards Act.

Over the years, we have changed the Fair Labor Standards Act when it comes to overtime. Those changes have historically expanded how overtime could be used or under what job categories it could be used. There has not been a single instance in the nearly 70 years since the act was written where there has been a constriction of the overtime provisions.

This is a historic moment. The Senate will vote in 30 minutes as to whether this Congress will, for the first time since the 1930s, limit the ability of people who work to collect overtime in more than 800 job categories. The Senator from New Hampshire said we apologize, we are going to take 55 job categories and we are going to exclude them from being adversely affected by the rules when it comes to overtime. As my colleague pointed out, in fact there were some 889 different job categories that could be affected by this rule.

Clearly, what we are talking about is restricting the ability of people who work more than a 40-hour week to be able to collect overtime pay. For people who do collect overtime pay, that money amounts to 25 percent of the income they take home. Who are we talking about? Clerical workers, nursery school teachers, cooks, and nurses to name but a few. These are the people who depend upon overtime pay in order to make ends meet.

You don't have to have a Ph.D in economics to know what is going on with families and their incomes today and their abilities to make ends meet. It was reported a few years ago how much of the income families earn can be put aside for savings, or that they could apply to college tuition for their children in the future. Today we know the ability of the middle-income family to save, put money aside, and purchase necessary items for their families has been severely restricted. This is yet one further attempt to make it more difficult for these families who need the extra overtime pay to make ends meet.

People who are stripped of these overtime protections would end up working longer hours for less pay. Does anybody believe this administration's Department of Labor is trying to expand overtime pay? That is not why the business community is supporting this rule change, because they want to expand overtime pay. The administration clearly wants to restrict it and redefine job categories that will allow them to do so.

Also, I suggest the rule works adversely in terms of job creation. The Fair Labor Standards Act was enacted nearly 70 years ago to create a 40-hour workweek and require that workers be paid fairly for any extra hours. Especially in times like these, it is an incentive for job creation because it encourages employers to hire more workers, instead of forcing current employees to work longer hours. So it creates jobs.

Obviously, if you don't have to pay overtime, you can get that one person to work longer hours for less pay. We should be trying to create jobs in this country—instead, we have lost nearly 3 million in the last 39 months; in fact, some 8 to 10 million people are out of work in this country. Further, this is vitally important to the 40-hour workweek. If employers no longer have to pay extra for overtime, they will have incentive to demand longer hours, and workers will have less time to spend with their families. People already know how difficult it is to balance work and family. Many single parents raising children, or two income earners are holding more than one job to meet the family's financial obligations.

This is a very important issue to working families and it is important for them to know this Congress will stand up for them on something as basic as the ability for them to earn overtime pay when they put in the extra hours. I also want to add that the job classifications being proposed by my friend from New Hampshire in his amendment are too vague and will invite litigation. My friend from Wyoming pointed out we ought to be trying to discourage litigation. I agree. But the adoption of the Gregg amendment, without the Harkin amendment, seems to do nothing but open up that door to litigation.

For those reasons, I urge my colleagues to support the Harkin amendment and send a final message to the administration: Do not mess around with overtime pay. This Congress is going to stand up for workers' rights to get it.

The PRESIDING OFFICER. Who yields time?

If neither side yields time, time will be charged equally to both sides.

Mr. DODD. Mr. President, I suggest the absence of a quorum to be charged equally against both sides.

The PRESIDING OFFICER. Is there objection? The Senator from Iowa.

Mr. HARKIN. Mr. President, I understand I have 8 minutes.

The PRESIDING OFFICER. The Senator is correct.

Mr. HARKIN. Mr. President, first of all, in my 8 minutes let me try to clear up some points. A couple of Senators talked about my amendment. I listened to them and wondered what they were talking about, that somehow this is convoluted and problematic.

Let's be clear. The amendment pending, which I have offered, does what the Department of Labor says they want to do. First, there will be two steps in my amendment. You check the old regulations. If the employee is required to be given overtime under the old regulations, that employee will continue to get overtime under the new regulations because the Department of Labor says they do not want to take overtime away from anyone now making it. My amendment clarifies it.

Secondly, if the employee is not getting overtime under the present regulations, but the new regulations allow the employee to get overtime, the employee gets overtime. So we expand it. They want to protect and expand overtime, and that is exactly what my amendment does. It is very clear and very concise.

Senator SPECTER is right, the new rule, at least what we heard about in the hearing this morning, is not a clarification. What we heard in the hearing is more ambiguous, and it is going to lead to much more litigation.

Let me also talk about the pending Gregg amendment. First of all, I note that the pending Gregg amendment is an acknowledgment, a real acknowledgment, that there is a long list of occupations and people who are in danger of losing their overtime. Obviously, why else would he have listed those 55. So there is an acknowledgment that a lot of people will lose their overtime. I thank him for that acknowledgment. But he lists in his amendment 55 occupations.

Senator DODD said there are 889 occupations listed by the Department of Labor. Senator GREGG has picked out 55 and said they will get overtime. What about the other 800-some occupations? The Gregg amendment sets up a two-tier system: The 55 who are in and the 834 who are out. That is a big problem with the Gregg amendment.

Secondly, it is definitional. For example, the Gregg amendment puts in team leaders, but we do not know what a team leader is because it has never been defined. What is a team leader?

The Gregg amendment puts in refinery workers. Does that mean oil refinery or does that cover ethanol plants in Iowa? That is a refinery. Who is covered by that? We do not know.

Technicians, what is a technician? There is no definition of a technician. The Gregg amendment covers funeral directors, but how about embalmers? We don't know. It looks as though the Gregg amendment was hastily put together. What they did was list 55 people we have talked about on the floor, but they exclude 834 others. That is a real problem.

The other point is what is missing. I just sat down and started drawing up a list of people not in the Gregg amendment: Sheriffs deputies—how about juvenile justice officers? How about correctional officers? How about reporters, bookkeepers, retail clerks, police lieutenants, computer services employees? None of these are covered under the Gregg amendment. I guess they are just out.

That is the problem with the Gregg amendment. It is a drastic change in the Fair Labor Standards Act. We have for 50 years said whether or not you get overtime is based upon the job you do, not upon what you are called. Senator GREGG now wants to say you will get overtime or not depending upon what you are called, not upon what you do. That is a big change.

These 55 that have been listed, I don't mind listing them. That is all right. But it does not go far enough. It does not cover all of the people who are out there. It narrowly excludes from exemption of overtime 55 occupations, some of which are not even well defined and not defined at all in the Gregg amendment.

I would say it like this: If you have a building and you have 10 entrances to that building and none of them are protected, but you want to protect the 10 entrances into that building, say, from terrorist activities—let's say someone comes along and says: I can't protect all 10 of them; I can protect 4. Fine, protect four, but I still have six others I have to protect. That is how I see the Gregg amendment. He protects 55, but there are 834 out there that are not listed.

My point is, you can vote for the Gregg amendment—in fact, I will vote for the Gregg amendment. I don't see it is that big a deal. It is kind of ridiculous to list 55, but I will vote for it and move the process along. But if you vote for the Gregg amendment, you can vote for the Harkin amendment, too, because we come in and cover all 10 doors in that building. We make sure all workers are covered, not just 55, not a narrowly construed list of 55 workers. We cover them all.

I hope my colleagues will support the Harkin amendment because it does, in fact, ensure that those who get overtime now will continue to get overtime, and it ensures if you don't get overtime now but the new rules allow you to get overtime, you will get overtime. The Harkin amendment covers all workers, not just the narrow list of 55.

Mr. President, I reserve whatever time I may have remaining.

The PRESIDING OFFICER. Who yields time?

Mr. KENNEDY. Mr. President, how much time remains on our side?

The PRESIDING OFFICER. The minority has 7½ minutes.

Mr. KENNEDY. Mr. President, I believe I have 7 minutes.

The PRESIDING OFFICER. Seven and a half minutes is reserved for the Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I ask to be notified when there is 1 minute remaining.

The PRESIDING OFFICER. The Senator will be notified.

Mr. KENNEDY. Mr. President, let's look at exactly what this issue is about. This issue is about pay for hard-working Americans. Overtime represents a quarter of the pay for those individual Americans who receive overtime. It is a quarter of their pay; $33,000 is the average annual amount for the person who receives $161 a week in overtime—$33,000. That is the average. We can have higher, we can have lower, but those are basically the kind of workers about which we are talking.

I do not know what the average worker making $33,000 a year did to the Bush administration and why he is so opposed to them making a decent wage. I know the administration is against the increase in the minimum wage. They are against the extensions of unemployment compensation. And this is their third crack attacking overtime and reducing overtime pay. I say the average families, the working families are having a more and more difficult time than they have ever had in trying to make ends meet.

If we look at what has happened to average wages for new jobs, average wages for new jobs are down 21 percent. If we look at what the pressure has been on middle-income families during the Bush administration, the average income has gone down 2 percent; home prices have gone up almost 18 percent; health and other insurance costs have gone up 50 percent; tuition, 35 percent; and utilities, 15 percent. Their income has gone down, and this proposal and the Bush administration want it to go down further. How are they going to make ends meet?

What is on the other side? What is the relationship between corporations and workers during this period of time? Corporate profits have increased 57.5 percent during the period of the last 3 years, and workers' wages have gone up 1.5 percent. Still, this administration wants to increase the corporate profits. That is not right, it is not fair, it is not just.

This is about special interests. We hear a good deal on the floor of the Senate that we want to modernize the overtime rules. Let's look at what this issue is really about.

All we have to do is look at what has happened with the Restaurant Association. The National Restaurant Association in their letter to the Department of Labor says:

> The National Restaurant Association requests that DOL include chefs under the creative professional category as well as the learned professional category.

So they will not be eligible for overtime. What comes out just 10 days ago?

The Department concludes that to the extent a chef has a primary duty of work requiring invention, imagination, originality or talent, such chef may be considered an exempt creative professional from overtime.

There is the Restaurant Association trying to look out and feather its own nest, and there is the Bush administration complying with it.

Look at another special interest. Let's take the National Association of Mutual Insurance Companies, which supports the section of the proposed regulation that provides that claims adjustors, including those working for insurance companies, satisfy the FLSA administrative exemption. Sure enough, they make that request a little over a year ago, and 2 weeks ago out comes the Department of Labor's answer:

Insurance claims adjustors generally meet the duties requirements for the administrative exemption whether they work for an insurance company or other type of company. . . .

The insurance companies ask for these changes in order to increase the bottom line for the companies, and sure enough the administration complies. And they say this is about technical adjustments in order to modernize it? It is about the special interests. That is what has been happening right down the line with regards to the overtime. We understand what this is about. This is a blatant and flagrant effort of the administration in order to increase the bottom line for corporate America and to shortchange working families. These are workers who are working hard. They work longer and harder than any other industrial nation in the world. They are finding they are having a difficult time trying to make ends meet. This administration has been undermining them by denying them the unemployment compensation, they are denying an increase in the minimum wage, and now they are going ahead and denying them the overtime. It is not right.

Americans understand fairness, and we are talking about fairness in the job market. For 60 years, overtime has been in place. For 60 years, we have recognized the importance of paying overtime. The message that ought to go out to workers all over this country is, if we do not pass the Harkin amendment, workers beware.

The PRESIDING OFFICER. One minute.

Mr. KENNEDY. I understand I have 1 minute remaining.

Workers beware because without the protections of overtime, those workers are going to be forced to work longer and longer without getting the kinds of increases they deserve.

This is about fairness. This is about economic justice. This is about basically middle-class families. This is about family values in order to provide for working families to provide for their children. That is what the issue is. I hope we will support the Harkin amendment.

I am going to vote for the Gregg amendment. I am not really sure how much protection it applies, but at least it is worthy of support. Let's do what is really right for American workers and support the Harkin amendment.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. BAUCUS. Mr. President, how much is remaining?

The PRESIDING OFFICER. Fifty-two seconds on the minority side and 12 minutes on the majority side.

Is the Senator seeking recognition?

Mr. BAUCUS. No.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I believe we are about ready to vote. A lot of the debate has occurred, and I think it has been healthy and to the point. I do believe we should reiterate a couple of points.

First off, the original regulations are not what are at issue. The original regulations have been fundamentally changed. When the Senator from Massachusetts says, as I take it to be a fact if he represents it here, that $33,000 is the average income of people who have incomes which are overtime related, that is fine. Under this new regulation, those people are not going to be impacted because this regulation, first, raises the minimum where one is guaranteed overtime from $8,000 to $23,400. So anybody making $23,400 is guaranteed overtime no matter what their job classification is.

People between $23,000 and $100,000 are also exempt under this language because of the way the regulation has been proposed. The only people who are at risk under this legislation are people earning more than $100,000 who are working white collar jobs. Blue collar jobs over $100,000 of income are not at risk. There are potentially 6.7 million people who benefit from this regulation, directly immediately, because they are the people who are making up to $23,000. This is not even an accurate number—it may be much less—potentially 100,000 people making more than $100,000 may be impacted as a result of holding white collar positions which are no longer overtime related.

What is important to remember about this regulation is that the practical implication of it, beyond allowing 6.7 million people to get overtime for sure, is that it will clarify the playing field. Instead of having a litigious society where small businessmen and businesswomen especially have to spend a lot of money on litigation to address whether a person is getting overtime or is not getting overtime, that individual will have those dollars which they were going to spend on legal fees to give their employees benefits or to expand their activities as an employer and create more jobs. That is what is important.

We are trying to make it a more understandable playing field. Remember, the Department of Labor put out a proposal which had some structural problems. I admitted to that when it came out, but they listened. Eighty thousand comments later, they changed it. They changed it substantively to the point where it is now receiving favorable comment and favorable support from a broad range of different interest groups, including, for example, The Washington Post as was quoted today by the Senator from Wyoming when he was making his presentation earlier.

So it is a major step in the right direction toward first enfranchising 6.7 million people with a guarantee that they are going to get overtime, who do not get it today, and in addition making sure other individuals earning up to $100,000 will be getting their overtime, and in addition making it clear to the marketplace that people do not have to litigate and participate in class action suits all the time to figure out who gets overtime, who does not get overtime but, rather, there will be a clear path to making that decision which is so critical to the marketplace and creating certainty in the marketplace, which is the goal. That is the purpose, to create some certainty in the marketplace, which reduces the litigiousness and in turn converts the exercise to getting money into people's pockets versus creating lawsuits.

The problem with the Harkin amendment is it takes us back to the time of litigation. There is the old law. There is the new law. They are layered on top of each other, rolled into each other, so all the problems of the old law roll into the new law, and we are once again back into a litigation morass, a classic example of what will probably happen under the Harkin amendment.

There will be what I call a class ceiling. Businesses and employers are going to have an employee who is moving up through their system, who is doing well, who is starting to produce. That employee is suddenly going to get to a position where if they are given more responsibility it is going to draw into question whether they have to be paid overtime. It is going to draw in all of these rules, regulations, confusions, and Byzantine structures that are put in place today.

The employer is going to say, hold it, I am not going to promote that employee because there is just too much opportunity for lawsuits to occur. I am simply going to go out and hire a new employee to do that management-related activity or that administrative-related activity that may imply exemption from overtime rather than promote the up and coming employee because I do not want to buy the lawsuits that come with a promotion. A ceiling is going to potentially be created for people who are in the process of improving their lives in the employment structure. They are going to be frozen in place as a result of going the Harkin route.

What the new regulations as proposed by the Labor Department do is just the opposite. It gives certainty so

that employers know when they can move people up, when they can give them promotions, and what the impact of that is going to be on the overtime rules as they apply to that individual as they are promoted. Therefore, it is going to give a lot of employees a lot more upward mobility, which is positive. That is the way we should approach this.

So the Harkin amendment may be well intentioned. Obviously, it is well intentioned. Everything the Senator from Iowa does is well intentioned. As a practical matter, it is going to have very severe and unintended consequences, in my opinion, of limiting promotion within the marketplace.

I hope people would support my amendment, the purpose of which is to address all of the issues that have been raised over the last few months as we have debated this issue about specific areas of employment categories that have been alleged to have been negatively impacted by the originally proposed regulation. I listed them all. Every group that has been allegedly negatively impacted in the last few months by the proposed regulation has been listed, and it has been said that those folks in those categories will either get the best of the old law or the best of the new law. It is a ''win'' or a ''win more'' situation for those categories.

Why are there not more categories in here? Some people say there are only 40 or 50 categories. Well, it is because those are the categories that have been identified most often on this floor as being allegedly at risk under the old proposed regulation. This basically takes them off the playing field as being in play.

I happen to believe, and I think people who look at this with some objectivity believe, that maybe much of this language is redundant. But we want to make it absolutely clear that these people are not going to be negatively impacted. So that list of 55 are picked off, are taken out of play completely, by name. Why do we choose those? Because those were the ones who, it was alleged under the duties test, might be at risk. We didn't think they were but we wanted to make it clear they were not.

So the new proposed regulation, in our opinion, is a major step forward in giving certainty to the marketplace, in giving 6.7 million Americans who do not have the guarantee of overtime today a guarantee of overtime, and making it clear to the businesspeople of this country that they can invest in creating new jobs, they can move people up the promotion ladder, and they can spend more money on people's wages rather than having to spend more money on lawsuits.

Mr. President, at this time I am willing to go to a vote and yield the remainder of our time.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I think I have about 50 seconds.

The PRESIDING OFFICER. The Senator has 37 seconds.

Mr. HARKIN. Senator GREGG has it all wrong. To respond, my amendment says ''duties''—if your duties remain the same, you get overtime. But if your duties change, there is no glass ceiling. If you are a secretary today but you become CEO next year, of course you won't get overtime. That is what my friend from New Hampshire is missing. That is what is wrong with this amendment. He does it job by job. What I say is, if your duties are the same, you ought to get overtime. But there is no glass ceiling. If you go up a ladder, become manager, owner, or CEO of the company, of course you don't get overtime. That is a bogus argument.

The PRESIDING OFFICER. All time on the amendment has expired.

Mr. GRASSLEY. Mr. President, before we vote, I have an unanimous consent request.

The PRESIDING OFFICER. The Senator will please state his request.

Mr. GRASSLEY. I ask unanimous consent that the Collins amendment, No. 3108, be modified with the changes that are at the desk and that the amendment be agreed to, and the motion to reconsider be laid upon the table; further, I ask that there then be 45 minutes of debate in relationship to the Wyden amendment, No. 3109, with 15 minutes under the control of Senator WYDEN and 30 minutes under the control of the chairman or his designee; further, I ask consent that following that time, the Senate proceed to a vote in relationship to the amendment, with no second degrees in order to the amendment prior to the vote; finally, I ask consent that following that vote, Senator ALLEN be recognized to offer an amendment.

The PRESIDING OFFICER. Is there objection? The Senator from Montana.

Mr. BAUCUS. Reserving the right to object—of course I will not—I thank all Senators for going the extra mile to help work out this agreement. We are taking steps. We are proceeding. I think we will get this bill passed this year.

The PRESIDING OFFICER. Hearing no objection, the request of the Senator from Iowa is granted.

The amendment (No. 3108), as modified, was agreed to, as follows:

On page 139, between lines 13 and 14, insert the following:

SEC. ___. MANUFACTURER'S JOBS CREDIT.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 (relating to business-related credits), as amended by this Act, is amended by adding at the end the following:

''SEC. 45S. MANUFACTURER'S JOBS CREDIT.

''(a) GENERAL RULE.—For purposes of section 38, in the case of an eligible taxpayer, the manufacturer's jobs credit determined under this section is an amount equal to 50 percent of the lesser of the following:

''(1) The excess of the W–2 wages paid by the taxpayer during the taxable year over the W–2 wages paid by the taxpayer during the preceding taxable year.

''(2) The W–2 wages paid by the taxpayer during the taxable year to any employee who is an eligible TAA recipient (as defined in section 35(c)(2)) for any month during such taxable year.

''(3) 22.4 percent of the W–2 wages paid by the taxpayer during the taxable year.

''(b) LIMITATION.—

''(1) IN GENERAL.—If there is an excess described in paragraph (2)(A) for any taxable year, the amount of credit determined under subsection (a) (without regard to this subsection)—

''(A) if the value of domestic production determined under section 199(g)(2) for the taxable year does not exceed such value for the preceding taxable year, shall be zero, and

''(B) if subparagraph (A) does not apply, shall be reduced (but not below zero) by the applicable percentage of such amount.

''(2) APPLICABLE PERCENTAGE.—For purposes of paragraph (1), the term 'applicable percentage' means, with respect to any taxable year, the percentage equal to a fraction—

''(A) the numerator of which is the excess (if any) of the modified value of worldwide production of the taxpayer for the taxable year over such modified value for the preceding taxable year, and

''(B) the denominator of which is the excess (if any) of the value of worldwide production of the taxpayer for the taxable year over such value for the preceding taxable year.

''(3) DEFINITIONS.—For purposes of this subsection—

''(A) VALUE OF WORLDWIDE PRODUCTION.—The value of worldwide production for any taxable year shall be determined under section 199(g)(4).

''(B) MODIFIED VALUE.—The term 'modified value of worldwide production' means the value of worldwide production determined by not taking into account any item taken into account in determining the value of domestic production under section 199(g)(2).

''(c) ELIGIBLE TAXPAYER.—For purposes of this section, the term 'eligible taxpayer' means any taxpayer—

''(1) which has domestic production gross receipts for the taxable year and the preceding taxable year, and

''(2) which is not treated at any time during the taxable year as an inverted domestic corporation under section 7874.

''(d) DEFINITIONS AND SPECIAL RULE.—For purposes of this section—

''(1) IN GENERAL.—Any term used in this section which is also used in section 199 shall have the meaning given such term by section 199.

''(2) SPECIAL RULE FOR W–2 WAGES.—Notwithstanding paragraph (1), the amount of W–2 wages taken into account with respect to any employee for any taxable year shall not exceed $50,000.

''(e) CERTAIN RULES MADE APPLICABLE.—For purposes of this section, rules similar to the rules of section 52 shall apply.

''(f) TERMINATION.—This section shall not apply to any taxable year beginning after December 31, 2005.''.

(b) CREDIT TO BE PART OF GENERAL BUSINESS CREDIT.—Section 38(b) (relating to current year business credit), as amended by this Act, is amended by striking ''plus'' at the end of paragraph (29), by striking the period at the end of paragraph (30) and inserting '', plus'', and by adding at the end the following:

''(31) the manufacturer's jobs credit determined under section 45S.''.

(c) CLERICAL AMENDMENT.—The table of sections for subpart D of part IV of subchapter A of chapter 1, as amended by this Act, is amended by adding at the end the following:

''Sec. 45S. Manufacturer's jobs credit.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2003.

On page 335, line 8, strike ''December 31, 2004,'' and insert ''May 31, 2004''.

Mr. GREGG. Mr. President, I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be.

The yeas and nays were ordered.

Mr. HARKIN. Mr. President, I ask unanimous consent for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The yeas and nays were ordered.

VOTE ON AMENDMENT NO. 3111

The PRESIDING OFFICER. The question is on agreeing to the amendment. The yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from Massachusetts (Mr. KERRY) is necessarily absent.

The PRESIDING OFFICER (Mr. CHAFEE). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 99, nays 0, as follows:

[Rollcall Vote No. 78 Leg.]

YEAS—99

Akaka	Dodd	Lincoln
Alexander	Dole	Lott
Allard	Domenici	Lugar
Allen	Dorgan	McCain
Baucus	Durbin	McConnell
Bayh	Edwards	Mikulski
Bennett	Ensign	Miller
Biden	Enzi	Murkowski
Bingaman	Feingold	Murray
Bond	Feinstein	Nelson (FL)
Boxer	Fitzgerald	Nelson (NE)
Breaux	Frist	Nickles
Brownback	Graham (FL)	Pryor
Bunning	Graham (SC)	Reed
Burns	Grassley	Reid
Byrd	Gregg	Roberts
Campbell	Hagel	Rockefeller
Cantwell	Harkin	Santorum
Carper	Hatch	Sarbanes
Chafee	Hollings	Schumer
Chambliss	Hutchison	Sessions
Clinton	Inhofe	Shelby
Cochran	Inouye	Smith
Coleman	Jeffords	Snowe
Collins	Johnson	Specter
Conrad	Kennedy	Stabenow
Cornyn	Kohl	Stevens
Corzine	Kyl	Sununu
Craig	Landrieu	Talent
Crapo	Lautenberg	Thomas
Daschle	Leahy	Voinovich
Dayton	Levin	Warner
DeWine	Lieberman	Wyden

NOT VOTING—1

Kerry

The amendment (No. 3111) was agreed to.

AMENDMENT NO. 3107

The PRESIDING OFFICER. The question is on agreeing to amendment No. 3107.

The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from Massachusetts (Mr. KERRY) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 52, nays 47, as follows:

[Rollcall Vote No. 79 Leg.]

YEAS—52

Akaka	Dorgan	Lincoln
Baucus	Durbin	Mikulski
Bayh	Edwards	Murkowski
Biden	Feingold	Murray
Bingaman	Feinstein	Nelson (FL)
Boxer	Graham (FL)	Nelson (NE)
Breaux	Harkin	Pryor
Byrd	Hollings	Reed
Campbell	Inouye	Reid
Cantwell	Jeffords	Rockefeller
Carper	Johnson	Sarbanes
Chafee	Kennedy	Schumer
Clinton	Kohl	Snowe
Conrad	Landrieu	Specter
Corzine	Lautenberg	Stabenow
Daschle	Leahy	Wyden
Dayton	Levin	
Dodd	Lieberman	

NAYS—47

Alexander	Dole	McCain
Allard	Domenici	McConnell
Allen	Ensign	Miller
Bennett	Enzi	Nickles
Bond	Fitzgerald	Roberts
Brownback	Frist	Santorum
Bunning	Graham (SC)	Sessions
Burns	Grassley	Shelby
Chambliss	Gregg	Smith
Cochran	Hagel	Stevens
Coleman	Hatch	Sununu
Collins	Hutchison	Talent
Cornyn	Inhofe	Thomas
Craig	Kyl	Voinovich
Crapo	Lott	Warner
DeWine	Lugar	

NOT VOTING—1

Kerry

The amendment (No. 3107) was agreed to.

Mr. KENNEDY. I move to reconsider the vote.

Mr. HARKIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that once Senator ALLEN offers his amendment with respect to home mortgages, it be set aside only for the purpose of Senator CANTWELL offering an amendment, and that after the clerk reports the amendment by number, it be immediately set aside, and the Senate resume consideration of the Allen amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 3109, AS MODIFIED

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Wyden amendment be modified with the text I send to the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment, as modified, is as follows:

At the end of the bill, add the following:

TITLE IX—TRADE ADJUSTMENT ASSISTANCE

Subtitle A—Service Workers

SEC. 911. SHORT TITLE.

This subtitle may be cited as the ''Trade Adjustment Assistance Equity For Service Workers Act of 2004''.

SEC. 912. EXTENSION OF TRADE ADJUSTMENT ASSISTANCE TO SERVICES SECTOR.

(a) ADJUSTMENT ASSISTANCE FOR WORKERS.—Section 221(a)(1)(A) of the Trade Act of 1974 (19 U.S.C. 2271(a)(1)(A)) is amended by striking ''firm)'' and inserting ''firm, and workers in a service sector firm or subdivision of a service sector firm or public agency)''.

(b) GROUP ELIGIBILITY REQUIREMENTS.—Section 222 of the Trade Act of 1974 (19 U.S.C. 2272) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''agricultural firm)'' and inserting ''agricultural firm, and workers in a service sector firm or subdivision of a service sector firm or public agency)'';

(B) in paragraph (1), by inserting ''or public agency'' after ''of the firm''; and

(C) in paragraph (2)—

(i) in subparagraph (A)(ii), by striking ''like or directly competitive with articles produced'' and inserting ''or services like or directly competitive with articles produced or services provided''; and

(ii) by striking subparagraph (B) and inserting the following:

''(B)(i) there has been a shift, by such workers' firm, subdivision, or public agency to a foreign country, of production of articles, or in provision of services, like or directly competitive with articles which are produced, or services which are provided, by such firm, subdivision, or public agency; or

''(ii) such workers' firm, subdivision, or public agency has obtained or is likely to obtain such services from a foreign country.'';

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''agricultural firm)'' and inserting ''agricultural firm, and workers in a service sector firm or subdivision of a service sector firm or public agency)'';

(B) in paragraph (2), by inserting ''or service'' after ''related to the article''; and

(C) in paragraph (3)(A), by inserting ''or services'' after ''component parts'';

(3) in subsection (c)—

(A) in paragraph (2), by adding at the end the following:

''(C) Taconite pellets produced in the United States shall be considered to be an article that is like or directly competitive with imports of semifinished steel slab.''.

(B) in paragraph (3)—

(i) by inserting ''or services'' after ''value-added production processes'';

(ii) by striking ''or finishing'' and inserting '', finishing, or testing'';

(iii) by inserting ''or services'' after ''for articles''; and

(iv) by inserting ''(or subdivision)'' after ''such other firm''; and

(C) in paragraph (4)—

(i) by striking ''for articles'' and inserting '', or services, used in the production of articles or in the provision of services''; and

(ii) by inserting ''(or subdivision)'' after ''such other firm''; and

(4) by adding at the end the following new subsection:

''(d) BASIS FOR SECRETARY'S DETERMINATIONS.—

''(1) INCREASED IMPORTS.—For purposes of subsection (a)(2)(A)(ii), the Secretary may determine that increased imports of like or directly competitive articles or services exist if the workers' firm or subdivision or customers of the workers' firm or subdivision accounting for not less than 20 percent of the sales of the workers' firm or subdivision certify to the Secretary that they are obtaining such articles or services from a foreign country.

''(2) OBTAINING SERVICES ABROAD.—For purposes of subsection (a)(2)(B)(ii), the Secretary may determine that the workers' firm, subdivision, or public agency has obtained or is likely to obtain like or directly competitive services from a firm in a foreign country based on a certification thereof from

the workers' firm, subdivision, or public agency.

''(3) AUTHORITY OF THE SECRETARY.—The Secretary may obtain the certifications under paragraphs (1) and (2) through questionnaires or in such other manner as the Secretary determines is appropriate.''.

(c) TRAINING.—Section 236(a)(2)(A) of the Trade Act of 1974 (19 U.S.C. 2296(a)(2)(A)) is amended by striking ''$220,000,000'' and inserting ''$440,000,000''.

(d) DEFINITIONS.—Section 247 of the Trade Act of 1974 (19 U.S.C. 2319) is amended—

(1) in paragraph (1)—

(A) by inserting ''or public agency'' after ''of a firm''; and

(B) by inserting ''or public agency'' after ''or subdivision'';

(2) in paragraph (2)(B), by inserting ''or public agency'' after ''the firm'';

(3) by redesignating paragraphs (8) through (17) as paragraphs (9) through (18), respectively; and

(4) by inserting after paragraph (6) the following:

''(7) The term 'public agency' means a department or agency of a State or local government or of the Federal Government.

''(8) The term 'service sector firm' means an entity engaged in the business of providing services.''.

(e) TECHNICAL AMENDMENT.—Section 245(a) of the Trade Act of 1974 (19 U.S.C. 2317(a)) is amended by striking '', other than subchapter D''.

SEC. 913. TRADE ADJUSTMENT ASSISTANCE FOR FIRMS AND INDUSTRIES.

(a) FIRMS.—

(1) ASSISTANCE.—Section 251 of the Trade Act of 1974 (19 U.S.C. 2341) is amended—

(A) in subsection (a), by inserting ''or service sector firm'' after ''(including any agricultural firm'';

(B) in subsection (c)(1)—

(i) in the matter preceding subparagraph (A), by inserting ''or service sector firm'' after ''any agricultural firm'';

(ii) in subparagraph (B)(ii), by inserting ''or service'' after ''of an article''; and

(iii) in subparagraph (C), by striking ''articles like or directly competitive with articles which are produced'' and inserting ''articles or services like or directly competitive with articles or services which are produced or provided''; and

(C) by adding at the end the following:

''(e) BASIS FOR SECRETARY DETERMINATION.—

''(1) INCREASED IMPORTS.—For purposes of subsection (c)(1)(C), the Secretary may determine that increases of imports of like or directly competitive articles or services exist if customers accounting for not less than 20 percent of the sales of the workers' firm certify to the Secretary that they are obtaining such articles or services from a foreign country.

''(2) AUTHORITY OF THE SECRETARY.—The Secretary may obtain the certifications under paragraph (1) through questionnaires or in such other manner as the Secretary determines is appropriate. The Secretary may exercise the authority under section 249 in carrying out this subsection.''.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 256(b) of the Trade Act of 1974 (19 U.S.C. 2346(b)) is amended by striking ''$16,000,000'' and inserting ''$32,000,000''.

(3) DEFINITION.—Section 261 of the Trade Act of 1974 (19 U.S.C. 2351) is amended—

(A) by striking ''For purposes of'' and inserting ''(a) FIRM.—For purposes of''; and

(B) by adding at the end the following:

''(b) SERVICE SECTOR FIRM.—For purposes of this chapter, the term 'service sector firm' means a firm engaged in the business of providing services.''.

(b) INDUSTRIES.—Section 265(a) of the Trade Act of 1974 (19 U.S.C. 2355(a)) is amended by inserting ''or service'' after ''new product''.

SEC. 914. MONITORING AND REPORTING.

Section 282 of the Trade Act of 1974 (19 U.S.C. 2393) is amended—

(1) in the first sentence—

(A) by striking ''The Secretary'' and inserting ''(a) MONITORING PROGRAMS.—The Secretary'';

(B) by inserting ''and services'' after ''imports of articles'';

(C) by inserting ''and domestic provision of services'' after ''domestic production'';

(D) by inserting ''or providing services'' after ''producing articles''; and

(E) by inserting '', or provision of services,'' after ''changes in production''; and

(2) by adding at the end the following:

''(b) COLLECTION OF DATA AND REPORTS ON SERVICES SECTOR.—

''(1) SECRETARY OF LABOR.—Not later than 3 months after the date of the enactment of the Trade Adjustment Assistance Equity For Service Workers Act of 2004, the Secretary of Labor shall implement a system to collect data on adversely affected service workers that includes the number of workers by State, industry, and cause of dislocation of each worker.

''(2) SECRETARY OF COMMERCE.—Not later than 6 months after such date of enactment, the Secretary of Commerce shall, in consultation with the Secretary of Labor, conduct a study and report to the Congress on ways to improve the timeliness and coverage of data on trade in services, including methods to identify increased imports due to the relocation of United States firms to foreign countries, and increased imports due to United States firms obtaining services from firms in foreign countries.''.

SEC. 915. ALTERNATIVE TRADE ADJUSTMENT ASSISTANCE.

IN GENERAL.—Section 246(a)(3) of the Trade Act of 1974 (19 U.S.C. 2318(a)(3)) is amended to read as follows:

''(3) ELIGIBILITY.—A worker in the group that the Secretary has certified as eligible for the alternative trade adjustment assistance program may elect to receive benefits under the alternative trade adjustment assistance program if the worker—

''(A) is covered by a certification under subchapter A of this chapter;

''(B) obtains reemployment not more than 26 weeks after the date of separation from the adversely affected employment;

''(C) is at least 40 years of age;

''(D) earns not more than $50,000 a year in wages from reemployment;

''(E) is employed on a full-time basis as defined by State law in the State in which the worker is employed; and

''(F) does not return to the employment from which the worker was separated.''.

(b) CONFORMING AMENDMENTS.—(1) Subparagraphs (A) and (B) of section 246(a)(2) of the Trade Act of 1974 (19 U.S.C. 2318(a)(2) (A) and (B)) are amended by striking ''paragraph (3)(B)'' and inserting ''paragraph (3)'' each place it appears.

(2) Section 246(b)(2) of such Act is amended by striking ''subsection (a)(3)(B)'' and inserting ''subsection (a)(3)''.

SEC. 916. CLARIFICATION OF MARKETING YEAR AND OTHER PROVISIONS.

(a) IN GENERAL.—Section 291(5) of the Trade Act of 1974 (19 U.S.C. 2401(5)) is amended by inserting before the end period the following: '', or in the case of an agricultural commodity that has no officially designated marketing year, in a 12-month period for which the petitioner provides written request''.

(b) FISHERMEN.—Notwithstanding any other provision of law, for purposes of chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.) fishermen who harvest wild stock shall be eligible for adjustment assistance to the same extent and in the same manner as a group of workers under such chapter 2.

SEC. 917. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in subsections (b) and (c), the amendments made by this subtitle shall take effect on October 1, 2004.

(b) SPECIAL RULE FOR CERTAIN SERVICE WORKERS.—A group of workers in a service sector firm, or subdivision of a service sector firm, or public agency (as defined in section 247 (7) and (8) of the Trade Act of 1974, as added by section 912(d) of this Act) who—

(1) would have been certified eligible to apply for adjustment assistance under chapter 2 of title II of the Trade Act of 1974 if the amendments made by this Act had been in effect on November 4, 2002, and

(2) file a petition pursuant to section 221 of such Act within 6 months after the date of enactment of this Act,

shall be eligible for certification under section 223 of the Trade Act of 1974 if the workers' last total or partial separation from the firm or subdivision of the firm or public agency occurred on or after November 4, 2002 and before October 1, 2004.

(c) SPECIAL RULE FOR TACONITE.—A group of workers in a firm, or subdivision of a firm, engaged in the production of taconite pellets who—

(1) would have been certified eligible to apply for adjustment assistance under chapter 2 of title II of the Trade Act of 1974 if the amendments made by this Act had been in effect on November 4, 2002, and

(2) file a petition pursuant to section 221 of such Act within 6 months after the date of enactment of this Act,

shall be eligible for certification under section 223 of the Trade Act of 1974 if the workers' last total or partial separation from the firm or subdivision of the firm occurred on or after November 4, 2002 and before October 1, 2004.

Subtitle B—Data Collection

SEC. 921. SHORT TITLE.

This subtitle may be cited as the ''Trade Adjustment Assistance Accountability Act''.

SEC. 922. DATA COLLECTION; STUDY; INFORMATION TO WORKERS.

(a) DATA COLLECTION; EVALUATIONS.—Subchapter C of chapter 2 of title II of the Trade Act of 1974 is amended by inserting after section 249, the following new section:

''SEC. 250. DATA COLLECTION; EVALUATIONS; REPORTS.

''(a) DATA COLLECTION.—The Secretary shall, pursuant to regulations prescribed by the Secretary, collect any data necessary to meet the requirements of this chapter.

''(b) PERFORMANCE EVALUATIONS.—The Secretary shall establish an effective performance measuring system to evaluate the following:

''(1) PROGRAM PERFORMANCE.—A comparison of the trade adjustment assistance program before and after the effective date of the Trade Adjustment Assistance Reform Act of 2002 with respect to—

''(A) the number of workers certified and the number of workers actually participating in the trade adjustment assistance program;

''(B) the time for processing petitions;

''(C) the number of training waivers granted;

''(D) the coordination of programs under this chapter with programs under the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.);

''(E) the effectiveness of individual training providers in providing appropriate information and training;

''(F) the extent to which States have designed and implemented health care coverage options under title II of the Trade Act of 2002, including any difficulties States have encountered in carrying out the provisions of title II;

''(G) how Federal, State, and local officials are implementing the trade adjustment assistance program to ensure that all eligible individuals receive benefits, including providing outreach, rapid response, and other activities; and

''(H) any other data necessary to evaluate how individual States are implementing the requirements of this chapter.

''(2) PROGRAM PARTICIPATION .—The effectiveness of the program relating to—

''(A) the number of workers receiving benefits and the type of benefits being received both before and after the effective date of the Trade Adjustment Assistance Reform Act of 2002;

''(B) the number of workers enrolled in, and the duration of, training by major types of training both before and after the effective date of the Trade Adjustment Assistance Reform Act of 2002;

''(C) earnings history of workers that reflects wages before separation and wages in any job obtained after receiving benefits under this Act;

''(D) reemployment rates and sectors in which dislocated workers have been employed;

''(E) the cause of dislocation identified in each petition that resulted in a certification under this chapter; and

''(F) the number of petitions filed and workers certified in each congressional district of the United States.

''(c) STATE PARTICIPATION.—The Secretary shall ensure, to the extent practicable, through oversight and effective internal control measures the following:

''(1) STATE PARTICIPATION.—Participation by each State in the performance measurement system established under subsection (b).

''(2) MONITORING.—Monitoring by each State of internal control measures with respect to performance measurement data collected by each State.

''(3) RESPONSE.—The quality and speed of the rapid response provided by each State under section 134(a)(2)(A) of the Workforce Investment Act of 1998 (29 U.S.C. 2864(a)(2)(A)).

''(d) REPORTS.—

''(1) REPORTS BY THE SECRETARY.—

''(A) INITIAL REPORT.—Not later than 6 months after the date of enactment of the Trade Adjustment Assistance Accountability Act, the Secretary shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report that—

''(i) describes the performance measurement system established under subsection (b);

''(ii) includes analysis of data collected through the system established under subsection (b); and

''(iii) provides recommendations for program improvements.

''(B) ANNUAL REPORT.—Not later than 1 year after the date the report is submitted under subparagraph (A), and annually thereafter, the Secretary shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report that includes the information collected under clause (ii) of subparagraph (A).

''(2) STATE REPORTS.—Pursuant to regulations prescribed by the Secretary, each State shall submit to the Secretary a report that details its participation in the programs established under this chapter, and that contains the data necessary to allow the Secretary to submit the report required under paragraph (1).

''(3) PUBLICATION.—The Secretary shall make available to each State, and other public and private organizations as determined by the Secretary, the data gathered and evaluated through the performance measurement system established under subsection (b).''.

(b) CONFORMING AMENDMENTS.—

(1) COORDINATION.—Section 281 of the Trade Act of 1974 (19 U.S.C. 2392) is amended by striking ''Departments of Labor and Commerce'' and inserting ''Departments of Labor, Commerce, and Agriculture''.

(2) TRADE MONITORING SYSTEM.—Section 282 of the Trade Act of 1974 (19 U.S.C. 2393) is amended by striking ''The Secretary of Commerce and the Secretary of Labor'' and inserting ''The Secretaries of Commerce, Labor, and Agriculture''.

(3) TABLE OF CONTENTS.—The table of contents for title II of the Trade Act of 1974 is amended by inserting after the item relating to section 249, the following new item:

''Sec. 250. Data collection; evaluations; reports.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2004.

Subtitle C—Trade Adjustment Assistance for Communities

SEC. 931. SHORT TITLE.

This subtitle may be cited as the ''Trade Adjustment Assistance for Communities Act of 2004''.

SEC. 932. PURPOSE.

The purpose of this subtitle is to assist communities negatively impacted by trade with economic adjustment through the integration of political and economic organizations, the coordination of Federal, State, and local resources, the creation of community-based development strategies, and the provision of economic transition assistance.

SEC. 933. TRADE ADJUSTMENT ASSISTANCE FOR COMMUNITIES.

Chapter 4 of title II of the Trade Act of 1974 (19 U.S.C. 2371 et seq.) is amended to read as follows:

''CHAPTER 4—TRADE ADJUSTMENT ASSISTANCE FOR COMMUNITIES

''SEC. 271. DEFINITIONS.

''In this chapter:

''(1) AFFECTED DOMESTIC PRODUCER.—The term 'affected domestic producer' means any manufacturer, producer, service provider, farmer, rancher, fisherman or worker representative (including associations of such persons) that was affected by a finding under the Antidumping Act of 1921, or by an antidumping or countervailing duty order issued under title VII of the Tariff Act of 1930.

''(2) AGRICULTURAL COMMODITY PRODUCER.—The term 'agricultural commodity producer' has the same meaning as the term 'person' as prescribed by regulations promulgated under section 1001(5) of the Food Security Act of 1985 (7 U.S.C. 1308(5)).

''(3) COMMUNITY.—The term 'community' means a city, county, or other political subdivision of a State or a consortium of political subdivisions of a State that the Secretary certifies as being negatively impacted by trade.

''(4) COMMUNITY NEGATIVELY IMPACTED BY TRADE.—A community negatively impacted by trade means a community with respect to which a determination has been made under section 273.

''(5) ELIGIBLE COMMUNITY.—The term 'eligible community' means a community certified under section 273 for assistance under this chapter.

''(6) FISHERMAN.—

''(A) IN GENERAL.—The term 'fisherman' means any person who—

''(i) is engaged in commercial fishing; or

''(ii) is a United States fish processor.

''(B) COMMERCIAL FISHING, FISH, FISHERY, FISHING, FISHING VESSEL, PERSON, AND UNITED STATES FISH PROCESSOR.—The terms 'commercial fishing', 'fish', 'fishery', 'fishing', 'fishing vessel', 'person', and 'United States fish processor' have the same meanings as such terms have in the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1802).

''(7) JOB LOSS.—The term 'job loss' means the total or partial separation of an individual, as those terms are defined in section 247.

''(8) SECRETARY.—The term 'Secretary' means the Secretary of Commerce.

''SEC. 272. COMMUNITY TRADE ADJUSTMENT ASSISTANCE PROGRAM.

''(a) ESTABLISHMENT.—Within 6 months after the date of enactment of the Trade Adjustment Assistance for Communities Act of 2004, the Secretary shall establish a Trade Adjustment Assistance for Communities Program at the Department of Commerce.

''(b) PERSONNEL.—The Secretary shall designate such staff as may be necessary to carry out the responsibilities described in this chapter.

''(c) COORDINATION OF FEDERAL RESPONSE.—The Secretary shall—

''(1) provide leadership, support, and coordination for a comprehensive management program to address economic dislocation in eligible communities;

''(2) coordinate the Federal response to an eligible community—

''(A) by identifying all Federal, State, and local resources that are available to assist the eligible community in recovering from economic distress;

''(B) by ensuring that all Federal agencies offering assistance to an eligible community do so in a targeted, integrated manner that ensures that an eligible community has access to all available Federal assistance;

''(C) by assuring timely consultation and cooperation between Federal, State, and regional officials concerning economic adjustment for an eligible community; and

''(D) by identifying and strengthening existing agency mechanisms designed to assist eligible communities in their efforts to achieve economic adjustment and workforce reemployment;

''(3) provide comprehensive technical assistance to any eligible community in the efforts of that community to—

''(A) identify serious economic problems in the community that are the result of negative impacts from trade;

''(B) integrate the major groups and organizations significantly affected by the economic adjustment;

''(C) access Federal, State, and local resources designed to assist in economic development and trade adjustment assistance;

''(D) diversify and strengthen the community economy; and

''(E) develop a community-based strategic plan to address economic development and workforce dislocation, including unemployment among agricultural commodity producers, and fishermen;

''(4) establish specific criteria for submission and evaluation of a strategic plan submitted under section 274(d);

''(5) establish specific criteria for submitting and evaluating applications for grants under section 275;

''(6) administer the grant programs established under sections 274 and 275; and

''(7) establish an interagency Trade Adjustment Assistance for Communities Working Group, consisting of the representatives of

any Federal department or agency with responsibility for economic adjustment assistance, including the Department of Agriculture, the Department of Education, the Department of Labor, the Department of Housing and Urban Development, the Department of Health and Human Services, the Small Business Administration, the Department of the Treasury, the Department of Commerce, and any other Federal, State, or regional department or agency the Secretary determines necessary or appropriate.

"SEC. 273. CERTIFICATION AND NOTIFICATION.

''(a) CERTIFICATION.—Not later than 45 days after an event described in subsection (c)(1), the Secretary of Commerce shall determine if a community described in subsection (b)(1) is negatively impacted by trade, and if a positive determination is made, shall certify the community for assistance under this chapter.

''(b) DETERMINATION THAT COMMUNITY IS ELIGIBLE.—

''(1) COMMUNITY DESCRIBED.—A community described in this paragraph means a community with respect to which on or after October 1, 2004—

''(A) the Secretary of Labor certifies a group of workers (or their authorized representative) in the community as eligible for assistance pursuant to section 223;

''(B) the Secretary of Commerce certifies a firm located in the community as eligible for adjustment assistance under section 251;

''(C) the Secretary of Agriculture certifies a group of agricultural commodity producers (or their authorized representative) in the community as eligible for adjustment assistance under section 293;

''(D) an affected domestic producer is located in the community; or

''(E) the Secretary determines that a significant number of fishermen in the community is negatively impacted by trade.

''(2) NEGATIVELY IMPACTED BY TRADE.—The Secretary shall determine that a community is negatively impacted by trade, after taking into consideration—

''(A) the number of jobs affected compared to the size of workforce in the community;

''(B) the severity of the rates of unemployment in the community and the duration of the unemployment in the community;

''(C) the income levels and the extent of underemployment in the community;

''(D) the outmigration of population from the community and the extent to which the outmigration is causing economic injury in the community; and

''(E) the unique problems and needs of the community.

''(c) DEFINITION AND SPECIAL RULES.—

''(1) EVENT DESCRIBED.—An event described in this paragraph means one of the following:

''(A) A notification described in paragraph (2).

''(B) A certification of a firm under section 251.

''(C) A finding under the Antidumping Act of 1921, or an antidumping or countervailing duty order issued under title VII of the Tariff Act of 1930.

''(D) A determination by the Secretary that a significant number of fishermen in a community have been negatively impacted by trade.

''(2) NOTIFICATION.—The Secretary of Labor, immediately upon making a determination that a group of workers is eligible for trade adjustment assistance under section 223, (or the Secretary of Agriculture, immediately upon making a determination that a group of agricultural commodity producers is eligible for adjustment assistance under section 293, as the case may be) shall notify the Secretary of Commerce of the determination.

''(d) NOTIFICATION TO ELIGIBLE COMMUNITIES.—Immediately upon certification by the Secretary of Commerce that a community is eligible for assistance under subsection (b), the Secretary shall notify the community—

''(1) of the determination under subsection (b);

''(2) of the provisions of this chapter;

''(3) how to access the clearinghouse established by the Department of Commerce regarding available economic assistance;

''(4) how to obtain technical assistance provided under section 272(c)(3); and

''(5) how to obtain grants, tax credits, low income loans, and other appropriate economic assistance.

"SEC. 274. STRATEGIC PLANS.

''(a) IN GENERAL.—An eligible community may develop a strategic plan for community economic adjustment and diversification.

''(b) REQUIREMENTS FOR STRATEGIC PLAN.—A strategic plan shall contain, at a minimum, the following:

''(1) A description and justification of the capacity for economic adjustment, including the method of financing to be used.

''(2) A description of the commitment of the community to the strategic plan over the long term and the participation and input of groups affected by economic dislocation.

''(3) A description of the projects to be undertaken by the eligible community.

''(4) A description of how the plan and the projects to be undertaken by the eligible community will lead to job creation and job retention in the community.

''(5) A description of how the plan will achieve economic adjustment and diversification.

''(6) A description of how the plan and the projects will contribute to establishing or maintaining a level of public services necessary to attract and retain economic investment.

''(7) A description and justification for the cost and timing of proposed basic and advanced infrastructure improvements in the eligible community.

''(8) A description of how the plan will address the occupational and workforce conditions in the eligible community.

''(9) A description of the educational programs available for workforce training and future employment needs.

''(10) A description of how the plan will adapt to changing markets and business cycles.

''(11) A description and justification for the cost and timing of the total funds required by the community for economic assistance.

''(12) A graduation strategy through which the eligible community demonstrates that the community will terminate the need for Federal assistance.

''(c) GRANTS TO DEVELOP STRATEGIC PLANS.—The Secretary, upon receipt of an application from an eligible community, may award a grant to that community to be used to develop the strategic plan.

''(d) SUBMISSION OF PLAN.—A strategic plan developed under subsection (a) shall be submitted to the Secretary for evaluation and approval.

"SEC. 275. GRANTS FOR ECONOMIC DEVELOPMENT.

''(a) IN GENERAL.—The Secretary, upon approval of a strategic plan from an eligible community, may award a grant to that community to carry out any project or program that is certified by the Secretary to be included in the strategic plan approved under section 274(d), or consistent with that plan.

''(b) ADDITIONAL GRANTS.—

''(1) IN GENERAL.—Subject to paragraph (2), in order to assist eligible communities to obtain funds under Federal grant programs, other than the grants provided for in section 274(c) or subsection (a), the Secretary may, on the application of an eligible community, make a supplemental grant to the community if—

''(A) the purpose of the grant program from which the grant is made is to provide technical or other assistance for planning, constructing, or equipping public works facilities or to provide assistance for public service projects; and

''(B) the grant is 1 for which the community is eligible except for the community's inability to meet the non-Federal share requirements of the grant program.

''(2) USE AS NON-FEDERAL SHARE.—A supplemental grant made under this subsection may be used to provide the non-Federal share of a project, unless the total Federal contribution to the project for which the grant is being made exceeds 80 percent and that excess is not permitted by law.

''(c) RURAL COMMUNITY PREFERENCE.—The Secretary shall develop guidelines to ensure that rural communities receive preference in the allocation of resources.

"SEC. 276. GENERAL PROVISIONS.

''(a) REGULATIONS.—The Secretary shall prescribe such regulations as are necessary to carry out the provisions of this chapter. Before implementing any regulation or guideline proposed by the Secretary with respect to this chapter, the Secretary shall submit the regulation or guideline to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives for approval.

''(b) SUPPLEMENT NOT SUPPLANT.—Funds appropriated under this chapter shall be used to supplement and not supplant other Federal, State, and local public funds expended to provide economic development assistance for communities.

''(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary $100,000,000 for each of fiscal years 2005 through 2008, to carry out this chapter. Amounts appropriated pursuant to this subsection shall remain available until expended.''.

SEC. 934. CONFORMING AMENDMENTS.

(a) TERMINATION.—Section 285(b) of the Trade Act of 1974 (19 U.S.C. 2271 note) is amended by adding at the end the following new paragraph:

''(3) ASSISTANCE FOR COMMUNITIES.—Technical assistance and other payments may not be provided under chapter 4 after September 30, 2008.''.

(b) TABLE OF CONTENTS.—The table of contents for title II of the Trade Act of 1974 is amended by striking the items relating to chapter 4 of title II and inserting after the items relating to chapter 3 the following new items:

''CHAPTER 4—TRADE ADJUSTMENT ASSISTANCE FOR COMMUNITIES

''Sec. 271. Definitions.
''Sec. 272. Community Trade Adjustment Assistance Program.
''Sec. 273. Certification and notification.
''Sec. 274. Strategic plans.
''Sec. 275. Grants for economic development.
''Sec. 276. General provisions.''.

(c) JUDICIAL REVIEW.—Section 284(a) of the Trade Act of 1974 (19 U.S.C. 2395(a)) is amended by striking ''section 271'' and inserting ''section 273''.

SEC. 935. EFFECTIVE DATE.

The amendments made by this subtitle shall take effect on October 1, 2004.

Subtitle D—Office of Trade Adjustment Assistance

SEC. 941. SHORT TITLE.

This subtitle may be cited as the ''Trade Adjustment Assistance for Firms Reorganization Act''.

SEC. 942. OFFICE OF TRADE ADJUSTMENT ASSISTANCE.

(a) IN GENERAL.—Chapter 3 of title II of the Trade Act of 1974 (19 U.S.C. 2341 et seq.) is amended by inserting after section 255 the following new section:

''SEC. 255A. OFFICE OF TRADE ADJUSTMENT ASSISTANCE.

''(a) ESTABLISHMENT.—Not later than 90 days after the date of enactment of the Trade Adjustment Assistance for Firms Reorganization Act, there shall be established in the International Trade Administration of the Department of Commerce an Office of Trade Adjustment Assistance.

''(b) PERSONNEL.—The Office shall be headed by a Director, and shall have such staff as may be necessary to carry out the responsibilities of the Secretary of Commerce described in this chapter.

''(c) FUNCTIONS.—The Office shall assist the Secretary of Commerce in carrying out the Secretary's responsibilities under this chapter.''.

(b) CONFORMING AMENDMENT.—The table of contents for the Trade Act of 1974 is amended by inserting after the item relating to section 255, the following new item:

''Sec. 255A. Office of Trade Adjustment Assistance.''.

SEC. 943. EFFECTIVE DATE.

The amendments made by this subtitle shall take effect on the earlier of—

(1) the date of the enactment of this Act; or

(2) October 1, 2004.

TITLE X—IMPROVEMENT OF CREDIT FOR HEALTH INSURANCE COSTS OF ELIGIBLE INDIVIDUALS

SEC. 1001. EXPEDITED REFUND OF CREDIT FOR PRORATED FIRST MONTHLY PREMIUM AND SUBSEQUENT MONTHLY PREMIUMS PAID PRIOR TO CERTIFICATION OF ELIGIBILITY FOR THE CREDIT.

Section 7527 of the Internal Revenue Code of 1986 (relating to advance payment of credit for health insurance costs of eligible individuals) is amended by adding at the end the following:

''(e) EXPEDITED PAYMENT OF PREMIUMS PAID PRIOR TO ISSUANCE OF CERTIFICATE.—The program established under subsection (a) shall provide for payment to a certified individual (or to any person or entity designated by the certified individual, under guidelines developed by the Secretary to achieve the purposes of this section) of an amount equal to the percentage specified in section 35(a) of the premiums paid by such individual for coverage of the taxpayer and qualifying family members under qualified health insurance for eligible coverage months (as defined in section 35(b)) occurring prior to the issuance of a qualified health insurance costs credit eligibility certificate not later than 30 days after receipt by the Secretary of evidence of such payment by the certified individual.''.

SEC. 1002. TAA PRE-CERTIFICATION PERIOD RULE FOR PURPOSES OF DETERMINING WHETHER THERE IS A 63-DAY LAPSE IN CREDITABLE COVERAGE.

(a) ERISA AMENDMENT.—Section 701(c)(2) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1181(c)(2)) is amended by adding at the end the following:

''(C) TAA-ELIGIBLE INDIVIDUALS.—

''(i) TAA PRE-CERTIFICATION PERIOD RULE.—In the case of a TAA-eligible individual, the period beginning on the date the individual has a TAA-related loss of coverage and ending on the date that is 5 days after the postmark date of the notice by the Secretary (or by any person or entity designated by the Secretary) that the individual is eligible for a qualified health insurance costs credit eligibility certificate for purposes of section 7527 of the Internal Revenue Code of 1986 shall not be taken into account in determining the continuous period under subparagraph (A).

''(ii) DEFINITIONS.—The terms 'TAA-eligible individual', and 'TAA-related loss of coverage' have the meanings given such terms in section 605(b)(4)(C).''.

(b) PHSA AMENDMENT.—Section 2701(c)(2) of the Public Health Service Act (42 U.S.C. 300gg(c)(2)) is amended by adding at the end the following:

''(C) TAA-ELIGIBLE INDIVIDUALS.—

''(i) TAA PRE-CERTIFICATION PERIOD RULE.—In the case of a TAA-eligible individual, the period beginning on the date the individual has a TAA-related loss of coverage and ending on the date that is 5 days after the postmark date of the notice by the Secretary (or by any person or entity designated by the Secretary) that the individual is eligible for a qualified health insurance costs credit eligibility certificate for purposes of section 7527 of the Internal Revenue Code of 1986 shall not be taken into account in determining the continuous period under subparagraph (A).

''(ii) DEFINITIONS.—The terms 'TAA-eligible individual', and 'TAA-related loss of coverage' have the meanings given such terms in section 2205(b)(4)(C).''.

(c) IRC AMENDMENT.—Section 9801(c)(2) of the Internal Revenue Code of 1986 (relating to not counting periods before significant breaks in creditable coverage) is amended by adding at the end the following:

''(D) TAA-ELIGIBLE INDIVIDUALS.—

''(i) TAA PRE-CERTIFICATION PERIOD RULE.—In the case of a TAA-eligible individual, the period beginning on the date the individual has a TAA-related loss of coverage and ending on the date which is 5 days after the postmark date of the notice by the Secretary (or by any person or entity designated by the Secretary) that the individual is eligible for a qualified health insurance costs credit eligibility certificate for purposes of section 7527 shall not be taken into account in determining the continuous period under subparagraph (A).

''(ii) DEFINITIONS.—The terms 'TAA-eligible individual', and 'TAA-related loss of coverage' have the meanings given such terms in section 4980B(f)(5)(C)(iv).''.

SEC. 1003. CLARIFICATION OF ELIGIBILITY OF SPOUSE OF CERTAIN INDIVIDUALS ENTITLED TO MEDICARE.

(a) IN GENERAL.—Subsection (b) of section 35 of the Internal Revenue Code of 1986 (defining eligible coverage month) is amended by adding at the end the following:

''(3) SPECIAL RULE FOR SPOUSE OF INDIVIDUAL ENTITLED TO MEDICARE.—Any month which would be an eligible coverage month with respect to a taxpayer (determined without regard to subsection (f)(2)(A)) shall be an eligible coverage month for any spouse of such taxpayer.''.

(b) CONFORMING AMENDMENT.—Section 173(f)(5)(A)(i) of the Workforce Investment Act of 1998 (29 U.S.C. 2918(f)(5)(A)(i)) is amended by inserting ''(including with respect to any month for which the eligible individual would have been treated as such but for the application of paragraph (7)(B)(i))'' before the comma.

(c) APPLICATION PERIOD.—The amendments made by this section shall only apply during the period beginning on January 1, 2005, and ending on January 1, 2007.

SEC. 1004. IMPROVEMENT OF THE AFFORDABILITY OF THE CREDIT.

(a) IN GENERAL.—Section 35(a) of the Internal Revenue Code of 1986 (relating to credit for health insurance costs of eligible individuals) is amended by striking ''65'' and inserting ''75''.

(b) CONFORMING AMENDMENT.—Section 7527(b) of such Code (relating to advance payment of credit for health insurance costs of eligible individuals) is amended by striking ''65'' and inserting ''75''.

(c) EFFECTIVE DATE.—The amendments made by this section apply to taxable years beginning after December 31, 2004.

SEC. 1005. EXTENSION OF NATIONAL EMERGENCY GRANTS TO FACILITATE ESTABLISHMENT OF GROUP COVERAGE OPTION AND TO PROVIDE INTERIM HEALTH COVERAGE FOR ELIGIBLE INDIVIDUALS IN ORDER TO QUALIFY FOR GUARANTEED ISSUE AND OTHER CONSUMER PROTECTIONS; CLARIFICATION OF REQUIREMENT FOR GROUP COVERAGE OPTION.

(a) IN GENERAL.—Section 173(f) of the Workforce Investment Act of 1998 (29 U.S.C. 2918(f)) is amended—

(1) by striking paragraph (1) and inserting the following:

''(1) USE OF FUNDS.—

''(A) HEALTH INSURANCE COVERAGE FOR ELIGIBLE INDIVIDUALS IN ORDER TO OBTAIN QUALIFIED HEALTH INSURANCE THAT HAS GUARANTEED ISSUE AND OTHER CONSUMER PROTECTIONS.—Funds made available to a State or entity under paragraph (4)(A) of subsection (a) may be used to provide an eligible individual described in paragraph (4)(C) and such individual's qualifying family members with health insurance coverage for the 3-month period that immediately precedes the first eligible coverage month (as defined in section 35(b) of the Internal Revenue Code of 1986) in which such eligible individual and such individual's qualifying family members are covered by qualified health insurance that meets the requirements described in clauses (i) through (iv) of section 35(e)(2)(A) of the Internal Revenue Code of 1986 (or such longer minimum period as is necessary in order for such eligible individual and such individual's qualifying family members to be covered by qualified health insurance that meets such requirements).

''(B) ADDITIONAL USES.—Funds made available to a State or entity under paragraph (4)(A) of subsection (a) may be used by the State or entity for the following:

''(i) HEALTH INSURANCE COVERAGE.—To assist an eligible individual and such individual's qualifying family members in enrolling in health insurance coverage and qualified health insurance.

''(ii) ADMINISTRATIVE EXPENSES AND START-UP EXPENSES TO ESTABLISH GROUP COVERAGE OPTIONS FOR QUALIFIED HEALTH INSURANCE.—To pay the administrative expenses related to the enrollment of eligible individuals and such individuals' qualifying family members in health insurance coverage and qualified health insurance, including—

''(I) eligibility verification activities;

''(II) the notification of eligible individuals of available health insurance and qualified health insurance options;

''(III) processing qualified health insurance costs credit eligibility certificates provided for under section 7527 of the Internal Revenue Code of 1986;

''(IV) providing assistance to eligible individuals in enrolling in health insurance coverage and qualified health insurance;

''(V) the development or installation of necessary data management systems; and

''(VI) any other expenses determined appropriate by the Secretary, including start-up costs and on going administrative expenses, in order for the State to treat the

coverage described in subparagraph (C), (D), (E), or (F)(i) of section 35(e)(1) of the Internal Revenue Code of 1986, or, only if the coverage is under a group health plan, the coverage described in subparagraph (F)(ii), (F)(iii), (F)(iv), (G), or (H) of such section, as qualified health insurance under that section.

''(iii) OUTREACH.—To pay for outreach to eligible individuals to inform such individuals of available health insurance and qualified health insurance options, including low cost options, outreach consisting of notice to eligible individuals of qualified health insurance options made available after the date of enactment of this clause, and direct assistance to help potentially eligible individuals and such individual's qualifying family members qualify and remain eligible for the credit established under section 35 of the Internal Revenue Code of 1986 and advance payment of such credit under section 7527 of such Code.

''(iv) BRIDGE FUNDING.—To assist potentially eligible individuals purchase qualified health insurance coverage prior to issuance of a qualified health insurance costs credit eligibility certificate under section 7527 of the Internal Revenue Code of 1986 and commencement of advance payment, and receipt of expedited payment, under subsections (a) and (e), respectively, of that section.

''(C) RULE OF CONSTRUCTION.—The inclusion of a permitted use under this paragraph shall not be construed as prohibiting a similar use of funds permitted under subsection (g).''; and

(2) by striking paragraph (2) and inserting the following:

''(2) QUALIFIED HEALTH INSURANCE.—For purposes of this subsection and subsection (g), the term 'qualified health insurance' has the meaning given that term in section 35(e) of the Internal Revenue Code of 1986.''.

(b) FUNDING.—Section 174(c)(1) of the Workforce Investment Act of 1998 (29 U.S.C. 2919(c)(1)) is amended—

(1) in the paragraph heading, by striking ''AUTHORIZATION AND APPROPRIATION FOR FISCAL YEAR 2002'' and inserting ''APPROPRIATIONS''; and

(2) by striking subparagraph (A) and inserting the following:

''(A) to carry out subsection (a)(4)(A) of section 173—

''(i) $10,000,000 for fiscal year 2002; and

''(ii) $200,000,000 for the period of fiscal years 2004 through 2005; and''.

(c) REPORT REGARDING FAILURE TO COMPLY WITH REQUIREMENTS FOR EXPEDITED APPROVAL PROCEDURES.—Section 173(f) of the Workforce Investment Act of 1998 (29 U.S.C. 2918(f)) is amended by adding at the end the following:

''(8) REPORT FOR FAILURE TO COMPLY WITH REQUIREMENTS FOR EXPEDITED APPROVAL PROCEDURES.—If the Secretary fails to make the notification required under clause (i) of paragraph (3)(A) within the 15-day period required under that clause, or fails to provide the technical assistance required under clause (ii) of such paragraph within a timely manner so that a State or entity may submit an approved application within 2 months of the date on which the State or entity's previous application was disapproved, the Secretary shall submit a report to Congress explaining such failure.''.

(d) CLARIFICATION OF REQUIREMENT TO ESTABLISH GROUP COVERAGE OPTION.—Subsection (g) of section 35 of the Internal Revenue Code of 1986 (relating to special rules) is amended—

(1) by redesignating paragraph (9) as paragraph (10); and

(2) by inserting after paragraph (8) the following:

''(9) REQUIREMENT TO ESTABLISH GROUP COVERAGE OPTION.—

''(A) IN GENERAL.—If any State has not elected to have treated as qualified health insurance under this section at least—

''(i) the coverage described in subparagraph (C), (D), (E), or (F)(i) of subsection (e)(1), or

''(ii) only if the coverage is under a group health plan and the plan satisfies the applicable requirements of section 9802, the coverage described in subparagraph (F)(ii), (F)(iii), (F)(iv), (G), or (H) of subsection (e)(1),

the State, not later than 2 years after the date of the enactment of this paragraph, shall develop in consultation with representatives of eligible individuals and their qualifying family members, coverage options that are to be treated as qualified health insurance under this section and that include at least one of the coverage options described in clause (i) or (ii).

''(B) OPM.—In the case of any State that fails to satisfy the requirement of subparagraph (A), the Director of the Office of Personnel Management is authorized to establish group health plan options, including low cost options, for eligible individuals and qualifying family members of such individuals in the State that shall be treated as qualified health insurance under this section.''.

(e) TECHNICAL AMENDMENT.—Effective as if included in the enactment of the Trade Act of 2002 (Public Law 107–210; 116 Stat. 933), subsection (f) of section 203 of that Act is repealed.

SEC. 1006. TECHNICAL AMENDMENT RELATING TO OPERATION OF STATE HIGH RISK HEALTH INSURANCE POOLS.

Effective as if included in the enactment of the amendment made by section 201(b) of the Trade Act of 2002 (Public Law 107–210; 116 Stat. 959), section 2745(d) of the Public Health Service Act (42 U.S.C. 300gg–45(d)) is amended by inserting after ''2744(c)(2)'' the following: '', except that with respect to subparagraph (A) of such section a State may elect to provide for the enrollment of eligible individuals through an acceptable alternative mechanism,''.

SEC. 1007. NOTICE REQUIREMENTS.

Section 7527 of the Internal Revenue Code of 1986 (relating to advance payment of credit for health insurance costs of eligible individuals), as amended by section 1001, is amended by adding at the end the following:

''(f) INCLUSION OF CERTAIN INFORMATION.—The notice by the Secretary (or by any person or entity designated by the Secretary) that an individual is eligible for a qualified health insurance costs credit eligibility certificate shall include—

''(1) the name, address, and telephone number of the State office or offices responsible for determining that the individual is eligible for such certificate and for providing the individual with assistance with enrollment in qualified health insurance (as defined in section 35(e));

''(2) a list of the coverage options, including the low cost options, that are treated as qualified health insurance (as so defined) by the State in which the individual resides; and

''(3) in the case of a TAA-eligible individual (as defined in section 4980B(f)(5)(C)(iv)(II)), a statement informing the individual that the individual has 63 days from the date that is 5 days after the postmark date of such notice to enroll in such insurance without a lapse in creditable coverage (as defined in section 9801(c)).''.

SEC. 1008. ANNUAL REPORT ON ENHANCED TAA BENEFITS.

Not later than October 1 of each year (beginning in 2004) the Secretary of the Treasury, after consultation with the Secretary of Labor, shall report to the Committee on Finance and the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Ways and Means and the Committee on Education and the Workforce of the House of Representatives the following information with respect to the most recent taxable year ending before such date:

(1) The total number of participants utilizing the health insurance tax credit under section 35 of the Internal Revenue Code of 1986, including a measurement of such participants identified—

(A) by State, and

(B) by coverage under COBRA continuation provisions (as defined in section 9832(d)(1) of such Code) and by non-COBRA coverage (further identified by group and individual market).

(2) The range of monthly health insurance premiums offered and the average and median monthly health insurance premiums offered to TAA-eligible individuals (as defined in section 4980B(f)(5)(C)(iv)(II) of such Code) under COBRA continuation provisions (as defined in section 9832(d)(1) of such Code), State-based continuation coverage provided under a State law that requires such coverage, and each category of coverage described in section 35(e)(1) of such Code, identified by State and by the actuarial value of such coverage and the specific benefits provided and cost-sharing imposed under such coverage.

(3) The number of States applying for and receiving national emergency grants under section 173(f) of the Workforce Investment Act of 1998 (29 U.S.C. 2918(f)) and the time necessary for application approval of such grants.

(4) The cost of administering the health credit program under section 35 of such Code, by function, including the cost of subcontractors.

TITLE XI—MORTGAGE PAYMENT ASSISTANCE

SEC. 1101. SHORT TITLE.

This title may be cited as the ''Homestead Preservation Act''.

SEC. 1102. MORTGAGE PAYMENT ASSISTANCE.

(a) ESTABLISHMENT OF PROGRAM.—The Secretary of Labor (referred to in this section as the ''Secretary'') shall establish a program under which the Secretary shall award low-interest loans to eligible individuals to enable such individuals to continue to make mortgage payments with respect to the primary residences of such individuals.

(b) ELIGIBILITY.—To be eligible to receive a loan under the program established under subsection (a), an individual shall—

(1) be—

(A) an adversely affected worker with respect to whom a certification of eligibility has been issued by the Secretary of Labor under chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.); or

(B) an individual who would be an individual described in subparagraph (A) but who resides in a State that has not entered into an agreement under section 239 of such Act (19 U.S.C. 2311);

(2) be a borrower under a loan which requires the individual to make monthly mortgage payments with respect to the primary place of residence of the individual; and

(3) be enrolled in a job training or job assistance program.

(c) LOAN REQUIREMENTS.—

(1) IN GENERAL.—A loan provided to an eligible individual under this section shall—

(A) be for a period of not to exceed 12 months;

(B) be for an amount that does not exceed the sum of—

(i) the amount of the monthly mortgage payment owed by the individual; and

(ii) the number of months for which the loan is provided;

(C) have an applicable rate of interest that equals 4 percent;

(D) require repayment as provided for in subsection (d); and

(E) be subject to such other terms and conditions as the Secretary determines appropriate.

(2) ACCOUNT.—A loan awarded to an individual under this section shall be deposited into an account from which a monthly mortgage payment will be made in accordance with the terms and conditions of such loan.

(d) REPAYMENT.—

(1) IN GENERAL.—An individual to which a loan has been awarded under this section shall be required to begin making repayments on the loan on the earlier of—

(A) the date on which the individual has been employed on a full-time basis for 6 consecutive months; or

(B) the date that is 1 year after the date on which the loan has been approved under this section.

(2) REPAYMENT PERIOD AND AMOUNT.—

(A) REPAYMENT PERIOD.—A loan awarded under this section shall be repaid on a monthly basis over the 5-year period beginning on the date determined under paragraph (1).

(B) AMOUNT.—The amount of the monthly payment described in subparagraph (A) shall be determined by dividing the total amount provided under the loan (plus interest) by 60.

(C) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to prohibit an individual from—

(i) paying off a loan awarded under this section in less than 5 years; or

(ii) from paying a monthly amount under such loan in excess of the monthly amount determined under subparagraph (B) with respect to the loan.

(e) REGULATIONS.—Not later than 6 weeks after the date of enactment of this Act, the Secretary shall promulgate regulations necessary to carry out this section, including regulations that permit an individual to certify that the individual is an eligible individual under subsection (b).

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $10,000,000 for each of fiscal years 2005 through 2008.

TITLE XII—MISCELLANEOUS

SEC. 1201. DEFINITION OF VALID TAXPAYER IDENTIFICATION NUMBER FOR EARNED INCOME CREDIT.

(a) IN GENERAL.—Section 32(m) of the Internal Revenue Code of 1986 is amended to read as follows:

''(m) IDENTIFICATION NUMBERS.—Solely for purposes of subsections (c)(1)(F) and (c)(3)(D), a taxpayer identification number means a social security number assigned by the Social Security Administration—

''(1) to a citizen of the United States, or

''(2) to an individual pursuant to subclause (I) (or that portion of subclause (III) that relates to subclause (I)) of section 205(c)(2)(B)(i) of the Social Security Act.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, Senator CANTWELL is here. If I can have the attention of the two managers of the bill, all she is going to do is offer her amendment. It is not going to change where she is. She is following ALLEN, anyway. Can she offer her amendment now? It is only going to be reported by number, and then she can leave.

Mr. BAUCUS. Mr. President, according to the agreement, I think that will be good. That is fine.

Mr. GRASSLEY. Yes.

AMENDMENT NO. 3114

Ms. CANTWELL. Mr. President, on behalf of myself and Senator VOINOVICH, I call up our amendment.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Washington [Ms. CANTWELL], for herself and Mr. VOINOVICH, proposes an amendment numbered 3114.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To extend the Temporary Extended Unemployment Compensation Act of 2002, and for other purposes)

At the end, add the following:

TITLE ___—UNEMPLOYMENT COMPENSATION

SEC. ___01. EXTENSION OF THE TEMPORARY EXTENDED UNEMPLOYMENT COMPENSATION ACT OF 2002.

(a) IN GENERAL.—Section 208 of the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107–147; 116 Stat. 30), as amended by Public Law 108–1 (117 Stat. 3) and the Unemployment Compensation Amendments of 2003 (Public Law 108–26; 117 Stat. 751), is amended—

(1) in subsection (a)(2), by striking ''December 31, 2003'' and inserting ''November 30, 2004'';

(2) in subsection (b)(1), by striking ''December 31, 2003'' and inserting ''November 30, 2004'';

(3) in subsection (b)(2)—

(A) in the heading, by striking ''DECEMBER 31, 2003'' and inserting ''NOVEMBER 30, 2004''; and

(B) by striking ''December 31, 2003'' and inserting ''November 30, 2004''; and

(4) in subsection (b)(3), by striking ''March 31, 2004'' and inserting ''February 28, 2005''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107–147; 116 Stat. 21).

SEC. ___02. ADDITIONAL REVISION TO CURRENT TEUC–X TRIGGER.

(a) IN GENERAL.—Section 203(c)(2)(B) of the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107–147; 116 Stat. 30) is amended to read as follows:

''(B) such a period would then be in effect for such State under such Act if—

''(i) section 203(d) of such Act were applied as if it had been amended by striking '5' each place it appears and inserting '4'; and

''(ii) with respect to weeks of unemployment beginning after December 27, 2003—

''(I) paragraph (1)(A) of such section 203(d) did not apply; and

''(II) clause (ii) of section 203(f)(1)(A) of such Act did not apply.''.

(b) APPLICATION.—Section 203(c)(2)(B)(ii) of the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107–147; 116 Stat. 30), as added by subsection (a), shall apply with respect to payments for weeks of unemployment beginning on or after the date of enactment this Act.

SEC. ___03. TEMPORARY STATE AUTHORITY TO WAIVE APPLICATION OF LOOKBACKS UNDER THE FEDERAL-STATE EXTENDED UNEMPLOYMENT COMPENSATION ACT OF 1970.

For purposes of conforming with the provisions of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note), a State may, during the period beginning on the date of enactment of this Act and ending on June 30, 2004, waive the application of either subsection (d)(1)(A) of section 203 of such Act or subsection (f)(1)(A)(ii) of such section, or both.

AMENDMENT NO. 3109, AS MODIFIED

The PRESIDING OFFICER. Who yields time on the pending Wyden amendment? The Senator from Oregon.

Mr. WYDEN. Mr. President, I would like to briefly outline this bipartisan amendment. This is cosponsored by my colleague from Minnesota, Senator COLEMAN. We are joined by Senator SNOWE and Senator BROWNBACK, and on our side by the distinguished ranking member, Senator BAUCUS, and Senator ROCKEFELLER. There is a strong bipartisan coalition for this amendment because the fact is under our trade adjustment laws, millions of our workers have been left behind.

This law has been of great benefit to those in the manufacturing sector for more than three decades, but for millions of our workers who work in the service sector, who work, for example, in the high-technology sector, the safety net the Trade Adjustment Act provides has not been there. So all of the benefits offered by the trade adjustment legislation in terms of help with retraining, assistance with health care, a bit of income to get by—all of the services that make it possible for one to use this critical law as a trampoline to get back into the private sector economy have not been available in the service sector and in the high-technology sector, and that is what our bipartisan amendment would change.

In the last few hours apparently there has been one letter from an insurance company that has been offered up as an argument against this. It states that in some way our legislation would damage the opportunity for private insurance companies to deliver health benefits under this legislation. Senator COLEMAN and I would never support something like that, and I wish to outline exactly why our amendment does not damage the opportunity for private insurance companies to deliver health care under our proposal.

Our amendment states that all current private sector health care delivery systems would be continued in every State in America. So let me start with that.

Under our bipartisan amendment, in every State in America the private sector options that are offered now could be continued.

We do state in our proposal that if there is discrimination, say, on the basis of genetic history or disability or other concrete examples of discrimination, then the Office of Personnel Management would be given the discretion—not required but they would be

given the discretion—to step in and ensure that there is an affordable alternative.

Second, we protect the option of private health insurers participating in the system by stipulating that our amendment will not override State decisionmaking. This is very important because, again, in every State in our country, State insurance law allows for private insurers to be involved in the health care delivery system.

Third, apparently there was a concern raised that in some way this amendment would encourage adverse selection and then there would be a disproportionate number of those who are needy and ailing going to private insurers.

The fact is that the bipartisan amendment will reduce adverse selection. It will reduce adverse selection by increasing the subsidy that is available for health care in America. It will expand outreach, which will be beneficial, and make it easier for people to sign up. So the prospect that this will encourage adverse selection and damage private insurers is also incorrect.

So I want to be clear because there was one letter that was brought up recently in the last few hours opposing all of the good bipartisan work that has been done on this for months and months, and I wanted to set the record clear that for the three reasons I have outlined our bipartisan legislation will do no damage to the important private sector health delivery options that are available now in every State in America and will be continued under our legislation.

I believe I will have a bit more time later. I think Senator COLEMAN did an incredibly good job yesterday of outlining the case for why it is so important to help these workers. I know in my home State, folks do not understand why if one is hurting in Beaverton, OR, or they have lost their job as a result of trade they cannot be in a position to compete against somebody in Bangalore. That is what this issue is all about.

I see our friend, the distinguished chairman of the Finance Committee, is in the Chamber. He has done such good work over the years with respect to the training and other programs that are essential. With this legislation that has been produced by a bipartisan group, including Senators COLEMAN, BROWNBACK, SNOWE, ROCKEFELLER, and BAUCUS, we are giving a chance to that great bulk of workers in the service sector and in the high-technology sector to have a chance to use this program as a trampoline to get back into the economy. They are not going to get that chance under other programs. There is no other program that gives that same kind of opportunity to folks who are hurting in this way. We have done it in a bipartisan way. We have done it in a cost-effective way. We have done it in a fashion so as to not damage the right of private health insurers in every State in the country to deliver the benefit.

I will have a bit more to say as we get into the debate, but I also conclude this portion by thanking my colleague, the distinguished Senator from Minnesota. He has been a great champion of a bipartisan effort.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. WYDEN. I yield time to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. COLEMAN. Mr. President, I thank my colleague from Oregon for his efforts in working in a bipartisan way and simply trying to do the right thing.

I happen to be a very strong supporter of trade. I understand that if one does not trade, they do not grow and the economy does not grow. In the end, I have always believed the best thing we can do as public officials, moms and dads, is give people the opportunity to work. Trade has been an opportunity for jobs. Trade has created those opportunities.

Along the way, there have been some casualties. Along the way, due to policy choices we have made, not because of lack of productivity, not because of inefficiency but because of policy decisions regarding trade, workers have had jobs impacted.

A couple of years ago, in 2002, my colleagues did a review and relooked at this whole issue of trade adjustment assistance, something that has been around since the times of John Kennedy, and said we should strengthen this. In doing so, one of the things that was done is it focused simply on the production of goods on manufacturing. Now, when I talk to many of my colleagues and say if someone is providing a service, if they are driving a truck to a facility that is no longer to be manufacturing lawnmowers, then they are not eligible for trade adjustment assistance, they are not eligible for retooling, for retraining, for health insurance, for tax credits. If one is providing the janitorial service for the lawnmower production facility, they are not eligible for the kind of assistance that would allow them to train for a job so they can be back in the workforce and taking care of their family.

As my colleague from Oregon has indicated, in the course of the last few hours we received one letter from one insurance company raising some concerns. Again, I am not going to repeat what my colleague has said, except to reiterate we are not changing the opportunity that exists now in any State. It is still there. There is a provision which provides discretion for OPM, a Federal agency, to come in under limited circumstances. They probably do not want to come in, but again this is not the wholesale change that some have talked about.

There were two other issues that came up today that I want to make very clear what the facts are to my colleagues. No. 1, there has been discussion about retroactivity. It has been mentioned along the way that we are going to provide retroactivity for 10 years or 12 years. No. TAA was established—if we go back, I believe it was 2 years in two limited circumstances, service workers being the principal one, but it is not 12 years of retroactivity.

Then the other issue that has been raised that I want to make very clear is we are only talking about providing TAA, trade adjustment assistance, to folks who lose their jobs because of trade. This is not open-ended, that if one loses their job all of a sudden they are going to be eligible for all sorts of Federal benefits. That is not the case.

Under current law, if one loses their job and it is with countries that have a trade agreement with the United States, Canada and Mexico, then one is eligible. Under this improvement, this modification, if one loses their job because of trade with China or India, they are now eligible, as it should be. That is Minnesota common sense; that is American common sense; but it is not an open-ended expansion of a Federal program. It is specifically focused on job loss that is related to trade, and I think that is important.

If my colleagues believe in trade, they should support this because what this does is it allows those of us who believe in trade to say that workers who are harmed are going to have some opportunities for health insurance by way of a tax credit. They are going to have an opportunity for wage insurance which will get them back into the marketplace quicker, get them back to being more productive, get them back to taking care of their families. That is the right thing to do.

Regardless of one's position on trade, the bottom line is we all should agree that those who are negatively impacted should have access to the opportunity to be retrained and reschooled and get back into the workplace, to be able to take care of their family, and it should not depend on whether one is manufacturing a lawnmower or whether one is providing a service, a call center, whether one is involved in a software firm. The nature of the job should not be the difference. What is important here, common sense and I think consistency would say, if job loss is due to trade, we are going to make these opportunities available.

We have identified an area in the budget which would offset the cost. It has to do with the earned-income tax credit and the way that is applied. There is, I believe, $5.7 billion we have identified. By correcting and dealing with this issue of earned-income tax credit, who is eligible, we should more than offset the opportunity we are creating here for folks who are involved in service kinds of jobs to get the kind of coverage that would allow them to take care of their families, get back into the workplace, be productive, and help move this economy forward.

I urge my colleagues to support this amendment. I urge them not to be swayed at the last minute by some arguments that, if you look at them carefully, simply do not hold up to the light of day.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, how much additional time, if any, do I have?

The PRESIDING OFFICER. The Senator has 2½ minutes.

Mr. WYDEN. I ask unanimous consent for up to 5 additional minutes. I ask that the distinguished chairman of the Finance Committee, Senator GRASSLEY, would also have that additional time if my unanimous consent request was agreed to. We have 2½ minutes remaining. I ask that I have up to 5 additional minutes and that the distinguished chairman of the Finance Committee would also have up to 5 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I ask the Chair to alert me after I have used up 15 minutes.

The PRESIDING OFFICER. The Chair will notify the Senator.

Mr. GRASSLEY. First of all, I hope the proponents of this amendment know that as a conferee 2 years ago when health benefits were added to trade adjustment assistance, I was a conferee and I worked to make sure these health benefits were included. We have a program before us adopted 2 years ago but operational for about no more than 9 months. Now what we are doing is we are being asked to make a dramatic expansion of these programs with only 9 months' experience.

It seems to me to be a little bit early to be making these sorts of changes in a program that was a fundamental change in trade adjustment assistance 2 years ago. But of course it was a reasonable change to make because we are always trying to find ways to help people who previously had health insurance, who are unemployed through no fault of their own. We did that through the trade adjustment assistance expansion before.

I would like to respond to the first point made by the Senator from Oregon, and that is about the letter from BlueCross BlueShield Association that they have sent to all Members of the Senate voicing their concerns about this very dramatic expansion. I want to make it clear that it is legitimate for them to raise their concerns because it is their members, the Blues, who have stepped up to the plate to serve those eligible for the credit. They are the ones out there serving the public the way Congress intended. So if they have some concerns that they are just 9 months into a program and having a very dramatic change in the program, yes, wouldn't you expect them to voice some concerns?

In addition, though, to the BlueCross BlueShield Association, I have had expressed to me—not in letter form, but I hope my colleagues will take this into consideration in voting—I have had expressed concerns about this amendment from the America's Health Insurance Plans and the National Association of Health Underwriters as well.

I have to say I reluctantly oppose this amendment. I was hoping we would be able to work out further bipartisan agreement behind this amendment than what has come out. While I am not opposed in general to making some service workers eligible for trade adjustment assistance and to making improvements to the Trade Act health tax credit, this amendment goes too far too soon. I had hoped we could reach a more bipartisan compromise on TAA for service workers, and I am extremely disappointed that we could not do that.

This amendment started out with a few pages as a simple and straightforward idea to extend trade adjustment assistance to low-skilled service workers who might be displaced by trade. The original bill, S. 2157, reflected that idea. That idea appealed to me, I say to the Senator from Oregon, and it is certainly something that merits serious consideration today. Yet at some point that idea mutated to something much more than adding service workers to the existing trade adjustment assistance plus the health benefits expansion we adopted 2 years ago.

The original Baucus bill, S. 2157, was 10 pages long. In short, by just the number of pages, it was a limited approach but good in substance. This amendment, which purports to do the same thing as the Baucus bill, is, in fact, 57 pages long. Clearly it does not require 57 pages of legislation to extend trade adjustment assistance to service workers. So what happened? How did 10 pages grow to 57 pages? The answer is quite simple. In the guise of extending trade adjustment assistance to service workers, the amendment makes numerous and fundamental changes to the current Trade Adjustment Assistance Program. These changes go so far that I feel the very fabric of trade adjustment assistance for workers is at risk.

I will put the changes in context. Just 2 years ago Senator BAUCUS and I worked together in a bipartisan way to expand and reform trade adjustment assistance. We accomplished this through the Trade Act of 2002. In doing so, we nearly doubled the program and took the unprecedented step of extending trade adjustment assistance to a whole new class of workers called secondary workers. Secondary workers are those whose job loss might not be directly related to imports, so it was a major expansion.

We also made a number of other changes to the program, including consolidating trade adjustment assistance programs, increasing the funding cap for training, increasing the job search allowance, establishing a new unprecedented wage insurance program for older workers, and establishing a new Federal health subsidy, a health tax credit to help dislocated workers and pension recipients get health coverage.

Now, with these new programs barely up and running, some of them just 9 months, supporters of this amendment want to stretch trade adjustment assistance even further, expanding the program to a whole new loosely defined class of service workers and changing the tax credit in various ways. I am afraid that trade adjustment assistance for workers is being stretched to the breaking point.

The definitions being proposed could provide 2 years of income support, health and training benefits to service professionals, including attorneys, accountants, engineers, as well as business consultants and advertising agents.

Allowing upper-class highly skilled professionals access to trade adjustment assistance does not make sense. In fact, this could actually hurt the program by seriously slowing the provisions of assisting services and benefits for lower skilled manufacturing workers who truly need skills training under trade adjustment assistance.

Can you visualize a lawyer or an accountant with their job loss associated to trade adjustment assistance going back and learning some new skill after they have been through law school? I don't think so.

But perhaps what is even more troubling is the number of fundamental and permanent changes that are being made to trade adjustment assistance in the guise of extending the program to service workers.

I would like to give you some examples. The amendment expands the definition of downstream products to include testing as well as finishing operations. The amendment creates a special eligibility rule for producers of taconite pellets. It includes a special retroactive rule for producers of taconite pellets to November 4, 2002. It doubles the authorization for training benefits to $440 million annually. It lowers the age for workers eligible to participate in the Wage Insurance Program, basically a wage subsidy for older workers, from 50 years and older, to 40 years and older.

Let's look at that. Originally, we wanted to help people who were maybe too old to get some job retraining to move into another industry. Generally, that is 50 years and up. But are you going to offer this wage insurance to people who are 40 years old and have 25 more years to work where the benefit of job retraining is a worthwhile investment? This amendment does that.

It establishes a whole new trade adjustment assistance program for communities. It completely reorganizes the trade adjustment assistance for firms by establishing an Office of Trade Adjustment Assistance within the Department of Commerce. It adds a new class

of firms—service firms—eligible for benefits under the program. It further relaxes current eligibility criteria for manufacturing workers deemed eligible for trade adjustment assistance. It requires the Secretary of Labor to establish a new performance measuring system as well as a number of other new data collection projects.

The program may be pushed to the breaking point.

That is the third time I have said it.

We have a program that was expanded 2 years ago getting underway 9 months ago. Here we are doing all these things I just mentioned, and doing it on a bill that is meant to create jobs in industry. We are holding up a bill that should have been passed 3 months ago to get jobs in manufacturing.

If this weren't enough, the amendment would change the health tax credit.

Again, because that program is young, the advanceable credit has only been running for 9 months. We do not know what issues may need to be addressed or the best ways to address them.

When is it going to reach the point around here when we pass a law in one Congress, it is in operation one day, and we start changing it? When is enough enough? Or when, at least, is enough enough for a while?

Yet here we have an amendment that claims to have some sort of definitive solutions.

Changing the rules in a piecemeal fashion, especially now in the early stages, will be unsettling for those at the Federal and State levels who, along with private insurers, are working diligently to get their tax credit off the ground.

By accepting this amendment, we would be sending them a loud and clear message: Thanks for all your hard work, but we are going to change the ground rules. By the way, do not be surprised if we come back tomorrow and tell you later that because we have better, more complete information, these changes being made and suggested today aren't somehow the right changes. So we are going to give you more.

That information will be coming in the very near term.

The General Accounting Office will issue a report in early fall on the health tax credit. I plan to hold a hearing in the Finance Committee to discuss the General Accounting Office's findings and recommendations. Treasury also has survey work underway. It will be important for us to judge the progress of this new program that was adopted just 2 years ago and which has been in effect for 9 months.

These reports—when we get them—will better inform efforts to improve the health tax credit at the right time with some information that is worthwhile so we can make a judgment that we will use the taxpayers' money wisely.

Now is not the time. This amendment will destabilize the Trade Act tax credit and undermine the availability of affordable coverage choices for people eligible for that credit—the exact opposite outcome that anyone would want.

A number of Blue Cross-Blue Shield association members cover those who receive the credit. They wrote:

> This represents a major and problematic change in a program that has been operational for less than one year.

They go on to say:

> Many Blue Plans would be forced to reconsider offering their products if this amendment passed placing at risk the coverage of many TAA eligibles.

Some would say that is a threat coming from somebody who is just looking out for Members in this body who oppose your amendment. But you ought to give some consideration, it seems to me, to people who are offering a service. When we passed this bill 2 years ago, we didn't know we would be prepared to do it, but people have stepped up to the plate.

Let us be clear about what is at stake. If we weaken the effectiveness of the Trade Adjustment Program for manufacturing workers, public support for that program will be lost and truly trade-impacted workers may be hurt.

If we expand the Trade Adjustment Program and change the health tax credit in a less than a thoughtful and deliberate manner, we could jeopardize programs for current beneficiaries.

We should make sure proposals to further expand trade adjustment assistance and to change the health tax credit are done in a fiscally prudent way and that any changes made will work in practice. In other words, approach this the same way that Senator BAUCUS and I did 2 years ago when we got into the program.

What we have in this amendment is a bunch of ideas with no coherent direction except being bigger and bigger, more and more, and higher and higher.

Such an approach surely is good politics, but it certainly can result in bad policy. I figure that good policy is the best politics. I am afraid that is what we have in this amendment—bad policy.

The price tag for all of these special rules, retroactively, and new benefits, comes to about a $5.3 billion price tag. Where I come from that is a lot of money. I think we have an obligation to make sure it is spent wisely.

While well-intentioned, this amendment goes too far. It could weaken the current program, and it could put the recently enacted health tax credit at risk.

I urge my colleagues to oppose this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, how much additional time do I have remaining?

The PRESIDING OFFICER. Seven minutes.

Mr. WYDEN. I yield 2 minutes at this time to Senator COLEMAN.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. COLEMAN. Mr. President, my colleague, the distinguished chairman of the Finance Committee, shares the same objective; that is, strong adjustment assistance.

I maintain that what we are trying to do in this amendment is to simply strengthen what we have seen over 2 years has not been working. That is what is going on here.

Fewer than 5 percent of eligible TAA workers are using the existing tax credit. That is not what we intended. I don't believe my colleagues intended that when it was originally passed. When this was originally passed, we focused on manufacturing jobs. We have all come to understand that about 80 percent of the jobs today in America are service jobs.

We are simply looking at something with which we had experience over 2 years, identifying those things that are not working, those things where folks are not taking advantage of the opportunities which were our intent to provide, and giving them that opportunity in a way which will work.

I urge my colleagues to support this amendment.

The PRESIDING OFFICER (Mr. SUNUNU). The Senator from Oregon.

Mr. WYDEN. I have enormous respect for the distinguished chairman of the Finance Committee. I will take a minute or two to touch on the issue being raised.

The distinguished chairman of the committee has repeatedly said: The program would be stretched too far; the program is already at its limits; when would enough be enough?

I say to my distinguished friend, when we are only covering 5 percent of the people eligible for the health care benefit, we have to do better. By any calculation, that is not something that reflects well on our bipartisan desires.

The chairman of the committee knows I have been supportive of these trade agreements the Senator from Iowa and the distinguished Senator from Montana have championed. They have opened up the opportunity for U.S. companies to set up shops overseas and generate jobs and investment.

Senator COLEMAN and I want to open up the trade adjustment program so when our U.S. workers are hurt, they are not left behind. Senator COLEMAN and I have said this is a question of bringing the law in line with the times. It made sense more than three decades ago when it focused on manufacturing.

The chairman of the committee, the distinguished Senator from Iowa, has hit the key question: When is enough enough? We believe, on a bipartisan basis, it is not enough when you are covering only 5 percent of the workers for health care and you are leaving four-fifths of the economy, people in the service sector and the high-technology sector, behind.

There is a reason why business and labor have come together to support our amendment. This amendment is supported by the Business Roundtable. It is supported by the Technology Industry Association. The two key business groups, the Business Roundtable, the Technology Industry Association, and the labor sector, have come together because they have seen a bipartisan effort that has gone on for months, led by the distinguished Senator from Montana and the Senator from Minnesota, to bring the Senate together.

If Members vote against this amendment, I believe it is a vote that will continue discrimination under law against those who work in the high-technology and service sector. It will keep the door closed to millions of our workers in the technology and service sector. I know no Senator intends that, but that will be the practical effect.

We will have only one vote in this session of the Senate as to whether we will have a chance to stand up for these workers who have been hammered as a result of unfair trading practices or simply competition, when we pay $40 or $50 an hour and competitors overseas pay vastly less.

I am very hopeful the bipartisan efforts that have been made will not be in vain. The distinguished Senator from Iowa has put his hand on the key question: When is enough enough? We respectfully say, if we are only covering 5 percent of the workers and leaving four-fifths of the economy behind and the support of the Business Roundtable and the Technology Industry Association, it is not enough. We can do better.

The distinguished Senator from Iowa, the chairman of the committee, and the distinguished ranking minority member, Senator BAUCUS, know I have been very supportive of their policies in the past and expect to be in the future, particularly with respect to these trade agreements. When the trade agreements open up the opportunities for our companies, we have to open up the opportunity for the Trade Adjustment Assistance Program to help our workers when they have been left behind.

This will be the one chance to stand up for millions of workers in the high-tech and service sector. I hope our colleagues will support this bipartisan amendment.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. GRASSLEY. Mr. President, 30 seconds, one to correct and one for thoughtful reaction.

The thoughtful reaction is this: When a new program has been in effect for only 9 months, is it unusual that only 5 percent of the people would take part in it? No, they are learning about it. They are going to get involved over a period of time. Only 5 percent in 9 months.

Second, as to the Business Roundtable supporting this amendment, I know the Business Roundtable has called some of the offices of various sponsors of this bill to tell them to quit saying the Business Roundtable supports this amendment.

I yield to the Senator from Oklahoma whatever time he may consume.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I thank my colleague from Iowa for his statement. I hope our colleagues paid attention to it.

I see my friend from Oregon. Before I make my statement, I have a question because I am trying to determine who is eligible. How many weeks does a worker have to work in a service industry before he would be eligible for this trade adjustment assistance?

The PRESIDING OFFICER. Is there objection to asking a question?

Mr. NICKLES. I am asking a question.

Mr. WYDEN. Same as current law.

Mr. NICKLES. That is how many weeks?

I reclaim my time. If my colleague from Oregon finds an answer to that, I appreciate hearing it. I have asked our staff the answer to that question and it came back that a person only had to work 26 weeks of the previous 52 to qualify for the benefit.

Mr. WYDEN. That is current law.

Mr. NICKLES. I wanted to make sure. We are saying if you work in service, manufacturing, we will give you trade adjustment assistance. What is the benefit? The benefit is equal to 2 years of unemployment compensation. For what? A person worked 26 weeks—one half of a year—and now under this proposal, we are expanding it.

It was too generous in the first place. We are expanding it to say a person is entitled to receive very generous benefits, benefits equal to 2 years of unemployment compensation, 26 weeks by the State, and a year and a half under the Federal program, all federally paid unemployment compensation. That is more generous. All other States have 26 weeks.

We have debated that back and forth, but now we are saying for this group of employees, you get 2 years, mostly paid for by the Federal Government. That is too generous.

Mr. WYDEN. Will the Senator yield?

Mr. NICKLES. No, I want to make a few comments. Then I will be happy to engage in a dialog.

What is the cost of this proposal? I have heard somebody say it is paid for. It is not, according to the scoring rules we use in the Senate. The cost of it—and we got a copy of this from the Congressional Budget Office. The total budget authority over 10 years is $5.3 billion; estimated outlay is $5 billion, and a revenue decrease, because of the insurance tax credit, of $669 million. So it is a total cost of 7.6 billion over 10 years.

Now let's look at a couple of other provisions in the bill. This bill says we will take the present program and expand it. We will give basically refundable tax credits for insurance. The present program says the Federal Government will pay 65 percent of it, two-thirds. This bill says we will replace that and have the Federal Government pay 75 percent. That is three-fourths, if you are not real quick in math. And there is no limit on the cost.

So a person in high tech, as I heard my colleague say, could maybe have a very generous health care plan, maybe it costs $10,000 a year and the Federal Government will pay $7,500 because there is not a limit in the cost.

Wow. This thing is just growing. And maybe some people get some support from this union or that union, and it sounds good. But you start looking at it and you say: What are we doing? It purports to make some changes in the earned-income tax program. I am happy to make changes in the earned-income tax program, but I don't think this gets it done.

Basically what I see this doing is expanding an entitlement, saying, if you happen to be unemployed, either through manufacturing or through service workers, and somebody can say it is because those jobs went overseas—and that is somewhat discretionary in the assessment of it—the Federal Government is going to pick up three-fourths of your health care cost for the next 2 years and you are entitled to 2 years of unemployment compensation.

Unemployment compensation for most States averages about $260, $280, maybe $300 a week. In some States it is up to $700 a week. Again, there is no limit. If you are looking at $700 a week, you are talking about real money. You do that for 104 weeks, that is a pretty generous benefit paid by the Federal Government.

Guess what, folks. We have a little deficit problem around here. This is going to add to it. In fact, this would add to it to the tune of about $7 or $8 billion—$7.3 billion, I believe. At the appropriate time, I am going to make a budget point of order.

Let me give a little facts on trade adjustment assistance. Again, for all of our fiscal conservatives who say we need to get a handle on Federal spending, trade adjustment assistance cost $350 million in the year 2001. The year 2004, it cost $800 million. If we do this expansion, it is going to grow dramatically.

There are lots of reasons to vote against this proposal. I urge my colleagues at the appropriate time to vote against it, and at the appropriate time I will be making a budget point of order.

Mr. BAUCUS. Mr. President, will the Senator yield for a question?

Mr. NICKLES. First, I yield to my colleague from Oregon.

Mr. WYDEN. Mr. President, I will let the Senator from Montana ask a question, and then I have a minute.

Mr. NICKLES. How much time remains?

The PRESIDING OFFICER. The majority controls 10 additional minutes.

The Senator from Oregon controls 1 minute.

Mr. NICKLES. I am happy to yield to my colleague from Montana for a question.

Mr. BAUCUS. Isn't it true that under this basic law and also this amendment, benefits only accrue prospectively; that is, no benefits accrue retroactively? That is, the only retroactive application is as to whether somebody qualifies, but the actual benefits only accrue prospectively. So it is not accurate to say there is a lump sum that is paid to a worker because of past employment.

Mr. NICKLES. The Senator is correct. I believe you do provide trade adjustment assistance to workers in companies where it is 20 percent and you are looking backward to see whether they qualify.

Mr. BAUCUS. That is correct. But, again, the payments—that is, the trade adjustment assistance payments—would only be prospective.

Mr. NICKLES. That is correct.

Mr. BAUCUS. That is for persons, after today, for example, talking about service employees, who are out of a job on account of trade.

Mr. NICKLES. Mr. President, I agree.

Mr. BAUCUS. So it is true there is no lump sum payment.

Mr. NICKLES. I didn't say there was a lump sum. I said the facts are the benefits under this Trade Adjustment Assistance Program, which was an amendment that was added to the fast-track promotion bill to maybe encourage some people to vote for it, in my opinion, is fatally flawed. Because it has a tax credit where the Federal Government is going to pay two-thirds of the health care costs, 65 percent of the health care cost if somebody is in this category. You only have to work 26 weeks out of the previous year and yet you can get your health care benefits paid for under current law 65 percent by the Federal Government. This makes it three-fourths paid for by the Federal Government. That is a serious mistake. It benefits, frankly, those plans and those companies that have very high health care costs. In some cases that would be union plans that maybe overpromised, and they have very expensive plans.

It also would benefit those people who say: Wait a minute. I lost my job. I lost my job because now that job is being done in India. Maybe somebody is a programmer or maybe somebody is a computer programmer or maybe they are a telephone solicitor and now maybe that job is being done some in the States and some overseas. But the company had a tough time. Maybe it is a telecommunications company and they reduced their employment. But there happens to be some employment overseas. You could see a whole lot of people saying: My job was lost because it went to India, because it went to China. Therefore, even though I have only worked there for 26 weeks out of the last year, pay for my health care for the next 2 years, Uncle Sam. And yes, I want unemployment compensation for the next 2 years. Thank you very much. And incidentally, I want cash. Give me $5,000 cash for the next 2 years.

That is all in this system. It expands it greatly. That is the reason why the Congressional Budget Office says over the next 10 years it is going to cost $6 billion. At the appropriate time, I will be making a budget point of order that it is not paid for. I am going to make a pay-go point of order.

For the information of my colleagues who are very confused on budget points of order, I have used committee allocation points of order. I could use that on this one, or I could use pay-go. Most of the time I have used committee allocation. I may start using pay-go so people become more familiar with it.

I understand people are in favor of pay-go. I would like for them to become more familiar with that particular budget point of order. We will be making it.

This amendment also increases the wage assistance that Senator GRASSLEY mentioned, which is supposed to be for older workers who might have a hard time being retrained, down to 40 years. So all they have to do is work for 26 weeks and then we are going to give them wage assistance, wage insurance.

How socialistic do you have to get? People come to this floor and say, I believe in the free enterprise system, but if you have a change in jobs, we want the Federal Government to come in and give you your wage difference. We want to make up the difference. Oh, we are going to take care of your health care for the next 2 years. Yes, we are going to give you unemployment compensation for 2 years. Everybody else in the country has 26 weeks. But since you have determined maybe yours is because of overseas competition, we are going to give you 2 years. I don't think it is affordable. I don't think it makes sense. I think it was crafted in a way to maybe buy votes.

I look at these 57 pages and I am saying: Why don't we just call this an entitlement expansion? Let's expand all these programs. Let's tax and spend. How are we going to pay for it? It says we will do something with the earned-income tax credit. We will get those undocumented workers.

Joint Tax says that doesn't count. Joint Tax says that is a technicality, and so you don't get scoring for that. And we use Joint Tax around here.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, to respond very briefly, we pay for it as essentially outlined in the President's budget. According to OMB and the Treasury Department, we would close the loophole that would save taxpayers approximately $5.7 trillion over 10 years. That is the way we pay for the program. The people who are going to be eligible for the program are going to get the same opportunities as those in the manufacturing sector, the same number of weeks.

The Senator from Oklahoma has talked about unemployment compensation. This is about retraining people. This is about health care benefits.

If you think we are doing enough today when 5 percent of the people get access to the health care program, then I guess that is a rationale for voting against this amendment. I would hope the bipartisan work that has been done on this legislation by myself, Senator COLEMAN, Senator BROWNBACK, Senator SNOWE, and Senator BAUCUS would warrant the support of our colleagues.

Mr. BINGAMAN. Mr. President, I speak in strong support of the trade adjustment assistance amendment to the JOBS Act. I will keep my comments short and to the point.

Although there continues to be a significant debate in Congress concerning the efficacy of the administration's economic policies, I believe the majority of my colleagues agree on one thing: training for American workers in critical technologies remains the key to our economic security.

It is undeniable that the process of globalization has created dramatic shifts in the job opportunities available for American workers.

It is unwise to assume the labor market will adjust by itself. I firmly believe that Congress must look carefully at where we are going and what we should be doing to remain competitive in the future.

Two years ago the Senate passed an expanded Trade Adjustment Assistance Program as part of the Trade Act of 2002. I introduced that trade adjustment assistance legislation with Senators BAUCUS, DASCHLE, ROCKEFELLER, and a number of other colleagues as original co-sponsors.

Included in that legislation were a range of provisions that we considered to be essential to any effective TAA system—TAA for service workers, TAA for shifts in production to all countries, TAA for communities, TAA data collection, wage insurance, significant health care coverage for workers, and so on.

Unfortunately, all of these provisions were either outright deleted or seriously narrowed when the legislation went to conference.

The amendment today remedies that mistake. It recognizes that the United States does face an immediate problem related to negative impacts from trade and we need to better prepare workers for the future. Significantly, it recognizes that long-term trade policies have short-term costs for Americans and puts in place a coherent strategy to give them the skills required for job security.

I have said this before and I say it again because it matters: Contrary to the assertions of some of my colleagues, we cannot measure the success of our trade policy only by the cost of

the products we buy. We also have to look at whether our workers are more economically secure.

By this I mean whether they have a high-wage job, whether they can buy a home, whether they can afford an education for their children, whether they can afford health insurance, and whether they have retirement security. Without these things, we are poor by any measure.

I have always argued that while strong trade agreements lie at the core of a coherent trade strategy, an effective TAA program is essential for our country. It is a fair and appropriate approach for those American workers who lose their jobs as a result of trade. American workers are not looking for handouts. They are looking for a step-up to something better. They are looking for a chance to provide for their families and contribute to our country's economic welfare.

This amendment offers them a chance to do just that. It is common sense, and it is the least we can do for our neighbors and friends back home.

It is time to do what has to be done to get this legislation passed. There is too much at stake for American workers and communities to wait any longer.

Ms. SNOWE. Mr. President, I rise today to join my colleagues, Senators WYDEN, COLEMAN, BAUCUS, BROWNBACK, and ROCKEFELLER to offer an amendment in recognition of the critical need to provide economic development assistance to Americans across this nation that have been negatively impacted by trade. Trade Adjustment Assistance—TAA—programs are essential in bringing short-term financial and retraining assistance to workers who have been displaced due to imports or shifts in production. I have long supported the TAA program as it has helped those in Maine and across the Nation who are unemployed because of trade to find new employment and gain the appropriate skills these new jobs require, and this amendment builds upon this crucial program.

What we have before us is an amendment which recognizes that our desire to trade should be balanced with our ability to assist those adversely affected by trade. Our amendment is a comprehensive package of TAA improvements and additions that further seeks to better the conditions for America's workers and communities who find themselves negatively impacted in the wake of rapid international trade liberalization.

Our amendment contains provisions to assist trade-impacted communities similar to those included in my bill, The Trade for America's Communities Act, which I introduced last year. My legislation gives the Department of Commerce the authority to use the revenue collected from tariffs—which currently goes to corporations—to provide technical assistance to communities that have been negatively impacted by trade. The bill—and portions of this amendment—helps communities to develop strategic plans that would focus on the creation and retention of jobs and to promote economic diversification.

Our amendment also makes critical TAA changes in relation to the service sector. We need to recognize that trade affects not just manufacturing sectors of the economy, but service industries as well. Current TAA provisions cover manufacturing workers but exclude the 80 percent of American non-farm jobs in the service sector. Our amendment makes existing TAA benefits available to service workers whose jobs move overseas and increases training funds to match anticipated enrollment. This provision is sorely needed in places like Lewiston, ME, where 84 service sector layoffs occurred at the ICT call center, or 30 workers at Prexar in Bangor, ME—all service sector workers.

When you start adding these types of layoffs to that of production in small towns across the country, the impact is sizable, making the distinction between service and production workers irrelevant. These dynamic changes that are outgrowths of trade are similar to technological advances in productivity that leave workers out of jobs, or plants out of operation.

Beyond these provisions, the amendment also provides important improvements to the refundable health care tax credit for laid-off workers and retirees that was originally created in 2002 as part of the Trade Promotion Authority Act.

Two years ago, I was proud to work closely as a member of the Finance Committee with Chairman BAUCUS and Senator GRASSLEY to create the HCTC as a means for displaced workers to continue receiving the health care benefits they lost as a consequence of trade. I worked to bring this benefit to fruition to help these displace workers get the health coverage they need when faced with the loss of employment because the assistance option at that time, namely COBRA, was too expensive to be feasible. I will continue my efforts to see that it is properly administered and adequately received by TAA-certified beneficiaries. There have been countless situations prior to introducing the HCTC where the workers were left without health care insurance, and this is a situation that we have only begun to remedy by creating the HCTC.

Unfortunately, recent studies have demonstrated that the tax credit has not been widely utilized by workers. Just last month, the U.S. Department of Labor reported that only about 10 percent of workers certified under the TAA program have applied for the health care tax credit since its enactment. In fact, according to Blue-Cross/Blue-Shield, only about 100 people in Maine are signed up for the HCTC.

In 2002, the original Senate version that I worked on called for a 75 percent HCTC benefit. Unfortunately this benefit was reduced to 65 percent in conference. That is why I am pleased that our amendment today will restore this benefit to its originally proposed level. This adjustment to the HCTC will allow more TAA-certified workers to take advantage of the tax credit by making health care more affordable as they seek new employment. As many of my colleagues would agree, TAA-certified workers may still find it difficult to cover 25 percent of the cost of premiums, but it is surely a step in the right direction to making the HCTC more accessible.

This past February, I met with union members in my state who were laid off as a result of the shutdown of the Eastern Pulp and Paper mills in Lincoln and Brewer, ME, to talk about their needs. During the meeting, I heard first hand that the 35 percent of the cost of the health insurance premiums under the HCTC program is still too high when most displaced workers are only receiving a maximum of $292.00 per week in unemployment insurance—and premiums can be as high as $559.91 per month for an individual and as high as $1,483.75 for a family. The union officials also informed me that in the case of the Brewer, ME, mill, of the 350 employees affected by the shutdown, only 6 took advantage of the HCTC. Frankly, if the credit is unworkable and unattainable, then there is no point in having it in the first place. This cost is a real stumbling block for displaced workers, and we must look at this program on a basic level of affordability for impacted individuals.

Another problem that was identified to me during this meeting is that the statute is unclear and too restrictive. This has made administration of the credit difficult. For example, while the HCTC is refundable, the IRS currently does not advance the first month's tax credit, which means the displaced worker must pay for the entire health care premium the first month—100 percent of the cost. This, in many cases, causes the worker to not take advantage of the HCTC because they simply cannot afford that first payment. In the case of the Eastern Pulp and Paper mills, a worker and his or her spouse would have to come up with $1,500 that first month. Clearly this would turn a prospective beneficiary away right at the beginning. The need to streamline the administrative process of the HCTC is paramount to making it more accessible.

We attempt to remedy this situation in this amendment by improving access to the credit as well as making it more effective. Not only does the amendment increase the credit percentage from 65 percent to 75 percent of the individuals' health care premiums, but it also instructs the IRS to provide an expedited refund of the first month's tax credit. Workers in my home state of Maine who are being laid off have told me that they just cannot afford the cost of health insurance. This amendment will make health care more accessible for this population.

Beyond expanding the size of the credit, our amendment also provides important outreach initiatives to get the word out to eligible workers about the existence of the credit. For example, the amendment allows states, to use funds from a National Emergency Grant, to provide outreach and marketing to inform individuals of the available health insurance options, including low cost options, that qualify for the health care tax credit. Maine has already done this with great success which is a testament to why we need to make this a viable option nationwide. While this may seem like a simple change, it is one of great impact, as too many eligible workers are unaware that these benefits even exist.

Overall, these reforms to this vital health care tax credit are critical to get workers and retires the information and the access they need to ensure health insurance coverage.

The cost of this amendment is estimated to be about $5 billion over the next 10 years for the expanded TAA benefits and the improvements to the health care tax credit for TAA recipients. Our amendment proposes to offset this cost by closing a loophole in the administration of the earned income tax credit—EITC—that is allowing individuals to inappropriately claim refundable tax benefits.

Current, Social Security numbers are provided for to individuals for employment and to obtain Federal and State benefits. Under current law, individuals are required to have a work related Social Security in order to claim the earned income tax credit in every situation but one: individuals who have attained a Social Security number solely in order to gain State benefits.

Currently, the IRS is unable to differentiate between an individual who has a work or non-work related Social Security number. Therefore, individuals who are not working but have a non-work related Social Security number are able to receive EITC without having been qualified to do so.

The offset provision in this amendment would require every individual claiming the EITC to have a Social Security number that is valid for employment. Thus, individuals with non-work related Social Security numbers, regardless of why they were offered, would not qualify.

This provision was included in the President's budget and is estimated to raise about $5.7 billion over 10 years, by the IRS, Treasury Department and Office of Management and Budget and fully offsets the cost of this amendment by recouping the lost revenue from this unintended loophole in the law.

I understand that there is technical discrepancy between Joint Tax and the Treasury on the scoring of this offset. While its clear that it will provide billions in savings to the Government, I intend to work with Chairman GRASSLEY and Ranking Member BAUCUS to ensure that this entire bill meets the requirements of the Budget Act and is fully offset according to the Joint Committee on Taxation and the Congressional Budget Office; the official score keepers for Congress, as well as the Department of the Treasury.

The fact is trade results in both the formation of new jobs as well as the loss of others. These assistance programs recognize this reality and help give the American worker the education, training and skills they need to find another job and continue in gainful employment—while at the same time assisting them with the financial means to sustain their families as they pursue the necessary retraining. Since 1997, over 10,000 Mainers have applied for TAA benefits. Clearly the need for these programs is as strong as ever.

In small towns where the livelihood of the local economy depends on one industry, one plant or one company that is suffering under trade liberalization, it can cause devastation when that steel mill, paper mill, or textile mill shuts down. I have personally witnessed time and time again the hardship that trade liberalization policies can cause.

In towns like East Millinocket and Millinocket, ME, where Great Northern Paper went bankrupt; in Waterville, ME, where Hathaway Shirt shut down as a result of shirt production being moved overseas; or most recently the Eastern Pulp & Paper mills in Lincoln and Brewer, ME, local economies were sent into disarray. These closures have a ripple effect throughout the region. Efforts were made in these communities to form transition teams to assist the impacted workers find the assistance resources necessary to survive financially through these difficult times. I helped lead the way to these assistance resources, but I continue to recognize that these communities need much broader assistance. That is just part of the reason I have been so adamant in my support for improvements in Trade Adjustment Assistance.

With the momentum provided by the passage and implementation of Trade Promotion Authority, the President has moved aggressively on an agenda of bilateral, regional and global agreements that promote the liberalization of trade and seek to grow the U.S. economy. As the President has argued, this policy agenda creates new opportunities for prosperity and growth. But in order for this to work, free trade has to be fair and we must be diligent in enforcing the rules to ensure we are operating on a level playing field.

At the same time, we must never forget that opportunities of market access, improved consumer choice, and availability of manufacturing inputs come with the price of transitions, dislocations, and shifts in the U.S. economy. America's workers—both manufacturing and service sector—and communities are often faced with difficult realities in the rapidly changing nature of international trade liberalization.

However, while technological advances are the initiative of private enterprise, trade liberalization and enforcement is the chosen policy of government. Change and progress can be good, but we must never ignore or forget those Americans who find themselves unfairly treated in an era of global commerce. Congress must make the difficult decisions to turn these challenges into opportunities for this Nation.

I am proud to be an original cosponsor of this amendment and join my colleagues as we continue to recognize and address the oft-ignored consequences of international trade liberalization. At the end of the day, it is the people and communities of this nation that matter most, and when policies which hurt their economic livelihoods are promulgated by government, it is incumbent upon all of us to find ways to help.

The PRESIDING OFFICER. Who yields time? The Senator from Montana.

Mr. BAUCUS. Mr. President, might I ask how much time is left on both sides?

The PRESIDING OFFICER. The time of the Senator from Oregon has expired. The Senator from Iowa controls 4 minutes 45 seconds.

Mr. BAUCUS. Mr. President, I ask unanimous consent that both sides be given an additional 3 minutes on this amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER (Mr. ALLEN). Who yields time?

Mr. BAUCUS. Mr. President, if we go into a quorum call, I ask unanimous consent that the time be divided proportionately.

Mr. NICKLES. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. BAUCUS. Mr. President, I will use my time.

Mr. President, the point is this. It is quite simple. We in America are faced with immense competitive pressure worldwide. We are concerned about a lot of jobs being lost in America. Some are being lost within America; some are being lost in other countries. It is an offshore issue. It is a big question in America.

There are a lot of Senators here who are trying to address this question but who are trying not to vote for so-called protectionist amendments; that is, amendments which say a company cannot do this or that. I agree with that sentiment. But I also think—and I daresay that most Senators would agree with this next point—that we should do something for our employees who lose their jobs through no fault of their own.

We already have a very small program called trade adjustment assistance for manufacturing industry jobs that are lost on account of trade. We do not provide for service industry workers who lose their jobs on account of trade. Service jobs are lost by a larger margin than in the past simply because so much information in America

is now being digitized and because of the advance of broadband telecommunications. So a lot of service industry jobs—analyzing programs, reading x rays, and other jobs—go overseas from American companies. Orders come over at the speed of light and the product goes back at the speed of light.

What we are saying is this is a constructive, positive response by the Congress to deal with and help those people who lose their jobs on account of trade. It is not a massive program as has been described. Only about 150,000 people qualify today for TAA. Only 5 percent of American workers use it. We are saying just expand it to the service industry. That is not a big expansion. A very small percentage is going to be able to use it.

It has not been pointed out by the other side that you have to be enrolled in a retraining program to use these benefits. The key is to have enough of a benefit so people don't just run off and who want to go into retraining to avoid taking a McDonald's job or some minuscule minimum wage job.

I urge my colleagues to put this in the context of what is really going on and not get sidetracked by a lot of arguments that get down in the weeds but which really don't address the larger issue, which is that this is the one opportunity—and it is very minuscule—to help American workers who lose their jobs, and not only manufacturing but service industry jobs. It is a positive, constructive response; it is not a protectionist response.

I urge my colleagues to support this one chance we have this year.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Iowa is recognized.

Mr. GRASSLEY. Mr. President, I just spoke for 30 seconds to get in the point that the Business Roundtable had called the offices of the various sponsors of this amendment saying that the Business Roundtable does not support this amendment. We were also told by the authors that the Information Technology Industry Council supported the amendment. I have had contact, through staff, with a Joe Pasetti of the Information Technology Industry Council, who made it clear they have not taken a position on the Wyden amendment. I think it would be incorrect to quote them as saying they support this amendment.

There are a couple of points I want to make about the points the proponents have made. The proponents, in opening debate, were concerned about the affordability of coverage. Yet their changes will make coverage less affordable. The amendment creates a back door exception to a requirement to have 3 months of coverage. This requirement is consistent with HIPAA standards and was agreed to when we adopted this original expansion of TAA in August 2002.

The changes to the rule will require health insurers to offer coverage to higher risk individuals. Health insurers, like the BlueCross BlueShield plans, will either have to increase premiums or not offer coverage. I have said many times that you ought to be concerned about affordability. The authors of the amendment say they are concerned about affordability, but the amendment will make coverage more unaffordable. Fewer people will be able to use the credit.

Proponents of the amendment also have made the claim that I have referred to before where they said only 5 percent of the people are making use of this new program. Well, what do you expect after just 9 months being operational—just 9 months before the massive expansion of this program? But they refer to this 5 percent. They would make it broader and say we have a low uptake rate and that this signals failure of the program we adopted 2 years ago, which is now just being undertaken for 9 months.

Let me repeat that this program is a very young program. The enrollment numbers only reflect those who have signed up for the advanceable credit. The numbers don't include dependents. The numbers don't include people who claim the credit on their yearend return. We would not even know that yet. Treasury is trying to analyze that data of the people who claimed the yearend credit. Just like I said, we don't have complete data. What would you expect after only 9 months? I hope our colleagues will take this into consideration when looking at a massive expansion.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. NICKLES. How much time remains on both sides?

The PRESIDING OFFICER. The Senator from Iowa has 3 minutes 40 seconds. The time of the Senator from Oregon has expired.

The Senator from Oklahoma.

Mr. NICKLES. Will the Senator yield me the remainder of the time?

Mr. GRASSLEY. Yes.

Mr. NICKLES. Mr. President, for the information of my colleagues, we are going to vote in a moment. I have two or three quick comments I want to make. My very good friend from Oregon—and he is my good friend—as he is trying to find another vote said, wait a minute, we should not treat service workers differently than those in manufacturing. I used to run a manufacturing company. Manufacturing, frankly, in this country has been on about a 40-year decline, almost straight, on the number of jobs. The service industry, on the other hand, has been quite volatile, but jobs are increasing—frankly, increasing in lots of different and exciting ways.

But to say we are going to have a Federal benefit if somebody works in a job for 26 weeks and somebody says, I lost my job and I think I lost it because of overseas competition, therefore, I am entitled to 2 years of unemployment compensation, I am entitled to a refundable, advanceable tax credit, and basically to have the Federal Government pay for my health care—three-fourths of it—for the next 2 years, and to get cash assistance of up to $5,000 a year for each year, I think is going over board. It costs a lot of money.

The Congressional Budget Office scored this. We just got this. You ask, why? We just got the amendment, so we just got the score from CBO. It says the outlays to this are $5.3 billion in BA, or obligation authority. The tax credit would cost $669 million over the next 10 years. The cost is about $6 billion. According to Joint Tax, it is not paid for.

I don't really think we should have the Federal Government using our resources, which are limited—and we have an enormous deficit—for paying three-fourths of the cost of a worker's health care costs for 2 years because they happened to work for 6 months. I don't think that makes good sense for a lot of reasons. I don't think it makes good sense to lower the eligibility on this wage insurance program and that we are going to pay people $5,000 a year because they might take a lower paying job. I think that sounds so socialistic. Somebody says that is better than unemployment comp. This is in addition to unemployment comp. So we are going to do unemployment comp, do your health care, give you cash in the meantime, and do your retraining.

I don't think the Federal Government can do it all. This program has grown from 300-some-million dollars in 2001 to $800 million in 2004. If this amendment passes, it would be a billion dollars plus. I urge my colleagues to vote in favor, of supporting the budget although there may be a motion to waive this pay-go point of order.

I yield back the remainder of my time.

I make a point of order that the amendment offered by my good friend, the Senator from Oregon, Senator WYDEN, increases mandatory spending and, if adopted, would cause an increase in the deficit in excess of the levels permitted in the most recently adopted budget resolution. Therefore, I raise a point of order against the amendment pursuant to section 505 of H. Con. Res. 95, the concurrent resolution on the budget for fiscal year 2004.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, pursuant to section 505(b) of House Concurrent Resolution 95, the concurrent resolution on the budget for fiscal year 2004, I move to waive section 505 of that concurrent resolution for purposes of the pending amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion. The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from Massachusetts (Mr. KERRY) is necessarily absent.

The PRESIDING OFFICER (Mr. ALEXANDER). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 54, nays 45, as follows:

[Rollcall Vote No. 80 Leg.]

YEAS—54

Akaka	Dole	Levin
Baucus	Dorgan	Lieberman
Bayh	Durbin	Lincoln
Biden	Edwards	Mikulski
Bingaman	Feingold	Murray
Boxer	Feinstein	Nelson (FL)
Breaux	Graham (FL)	Nelson (NE)
Byrd	Graham (SC)	Pryor
Cantwell	Harkin	Reed
Carper	Hollings	Reid
Clinton	Inouye	Rockefeller
Coleman	Jeffords	Sarbanes
Collins	Johnson	Schumer
Corzine	Kennedy	Smith
Daschle	Kohl	Snowe
Dayton	Landrieu	Specter
DeWine	Lautenberg	Stabenow
Dodd	Leahy	Wyden

NAYS—45

Alexander	Crapo	McCain
Allard	Domenici	McConnell
Allen	Ensign	Miller
Bennett	Enzi	Murkowski
Bond	Fitzgerald	Nickles
Brownback	Frist	Roberts
Bunning	Grassley	Santorum
Burns	Gregg	Sessions
Campbell	Hagel	Shelby
Chafee	Hatch	Stevens
Chambliss	Hutchison	Sununu
Cochran	Inhofe	Talent
Conrad	Kyl	Thomas
Cornyn	Lott	Voinovich
Craig	Lugar	Warner

NOT VOTING—1

Kerry

The PRESIDING OFFICER. On this vote, the yeas are 54, the nays are 45. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained and the amendment falls.

Mr. GRASSLEY. Mr. President, I move to reconsider the vote.

Mr. BENNETT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Under the previous order, the Senator from Virginia is recognized.

The Senate will be in order.

The Senator from Virginia.

AMENDMENT NO. 3113

Mr. ALLEN. Mr. President, I call up amendment No. 3113.

The PRESIDING OFFICER. The clerk will report the amendment.

The journal clerk read as follows:

The Senator from Virginia [Mr. ALLEN], for himself and Mr. EDWARDS proposes an amendment numbered 3113.

Mr. ALLEN. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide mortgage payment assistance for employees who are separated from employment)

At the end add the following:

TITLE IX—HOMESTEAD PRESERVATION ACT

SEC. 901. SHORT TITLE.

This title may be cited as the ''Homestead Preservation Act''.

SEC. 902. MORTGAGE PAYMENT ASSISTANCE.

(a) ESTABLISHMENT OF PROGRAM.—The Secretary of Housing and Urban Development (referred to in this section as the ''Secretary'') shall establish a program under which the Secretary shall award low-interest loans to eligible individuals to enable such individuals to continue to make mortgage payments with respect to the primary residences of such individuals.

(b) ELIGIBILITY.—To be eligible to receive a loan under the program established under subsection (a), an individual shall be—

(1) an individual that is a worker adversely affected by international economic activity, as determined by the Secretary;

(2) a borrower under a loan which requires the individual to make monthly mortgage payments with respect to the primary place of residence of the individual; and

(3) enrolled in a training or assistance program.

(c) LOAN REQUIREMENTS.—

(1) IN GENERAL.—A loan provided to an eligible individual under this section shall—

(A) be for a period of not to exceed 12 months;

(B) be for an amount that does not exceed the sum of—

(i) the amount of the monthly mortgage payment owed by the individual; and

(ii) the number of months for which the loan is provided;

(C) have an applicable rate of interest that equals 4 percent;

(D) require repayment as provided for in subsection (d); and

(E) be subject to such other terms and conditions as the Secretary determines appropriate.

(2) ACCOUNT.—A loan awarded to an individual under this section shall be deposited into an account from which a monthly mortgage payment will be made in accordance with the terms and conditions of such loan.

(d) REPAYMENT.—

(1) IN GENERAL.—An individual to which a loan has been awarded under this section shall be required to begin making repayments on the loan on the earlier of—

(A) the date on which the individual has been employed on a full-time basis for 6 consecutive months; or

(B) the date that is 1 year after the date on which the loan has been approved under this section.

(2) REPAYMENT PERIOD AND AMOUNT.—

(A) REPAYMENT PERIOD.—A loan awarded under this section shall be repaid on a monthly basis over the 5-year period beginning on the date determined under paragraph (1).

(B) AMOUNT.—The amount of the monthly payment described in subparagraph (A) shall be determined by dividing the total amount provided under the loan (plus interest) by 60.

(C) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to prohibit an individual from—

(i) paying off a loan awarded under this section in less than 5 years; or

(ii) from paying a monthly amount under such loan in excess of the monthly amount determined under subparagraph (B) with respect to the loan.

(e) REGULATIONS.—Not later than 6 weeks after the date of enactment of this section, the Secretary shall promulgate regulations necessary to carry out this section, including regulations that permit an individual to certify that the individual is an eligible individual under subsection (b).

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $10,000,000 for each of fiscal years 2005 through 2009.

Mr. ALLEN. Mr. President, I ask unanimous consent to add Senator LINDSEY GRAHAM of South Carolina as a cosponsor of this amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAUCUS. Mr. President, I ask my good friend from Virginia, since he has such a good amendment, is the Senator prepared to go to a vote in favor of this amendment? This Senator is inclined to vote for the amendment, and I encourage all of my colleagues to vote for the amendment. Because we are going to accept this amendment, I wonder if the Senator could agree to a voice vote on his amendment so we can get to the spouses' dinner more quickly.

Mr. ALLEN. Mr. President, I certainly wouldn't want to do anything to harm the ability of Senators to be with their spouses, and I certainly consider that a pressing question. Yes, I would accept that offer and that proposal. I will only make a few comments so people know what they are voice voting on. I will take no more than a few minutes. That is a kind offer.

Mr. BAUCUS. I thank the Senator.

Mr. ALLEN. Mr. President, this amendment has to do with the Homestead Preservation Act. I filed this amendment to this underlying legislation to repeal the FSC/ETI tax regime.

I support the JOBS bill which should be focused on helping our manufacturers here in this country and also help increase jobs. The efforts made in the prior amendment were very commendable in many regards. This amendment would provide displaced workers access to short-term, low-interest loans to help meet monthly home mortgage payments while training for or seeking new employment.

This is a commonsense, compassionate amendment designed to help working families who through no fault of their own were adversely affected or lost their jobs due to international competition.

We have seen across this country—whether in the Southeast, or the Northeast, or the Midwest—uneasy times for everyone. Many regions of this country, from the Southeast, the Northeast and the Midwest and especially in places like southwest Virginia where we see a lot of job losses in the textile and apparel industry as well as furniture manufacturing, which has been especially hard hit. Any time one of these factories closes, it is a devastating blow to all the families and businesses in that community and in the region.

I was proud to actually see the response of close-knit communities in southwest Virginia where everyone came together to help those who had lost a job. When companies like Pluma, Tultex, Pillowtex and others closed their doors and thousands of jobs were

lost; not one or two, but multiples of thousands.

Most recently in Galax, VA—otherwise known as the home of the ''Old-Time Fiddlers Convention''—Webb Furniture Enterprises closed their doors due to international competition. This amendment will help those families—not just in Virginia but across this country. The proposal would direct the Department of Housing and Urban Development—HUD—to help through these tough times.

I understand no government loan or government assistance will substitute for a job. But there are ways we can assist in this regard. We ought to find ways to ease the stress and turmoil for people whose lives are unexpectedly thrown into transition after years of steady employment with a company that suddenly disappears.

While they are looking for jobs and getting retraining, people are worrying about their homes. Often the biggest financial investment in someone's life is their home. They have a lot of equity built into that home. Again, while they are getting training and looking for another job, those mortgage payments are still there.

When I saw this sort of economic disaster hit Martinsville a few years ago, it struck me so much like a natural disaster as far as the devastation. But in many regards it is worse than a natural disaster because after a natural disaster there is a buildup. There is hope for the future. In an economic disaster with the loss of thousands of jobs, there is no clear rebuilding process.

The point is the Federal Government, in my view, ought to make similar assistance available to homeowners in economic disasters as is available when there is a natural disaster.

That is the rationale behind my amendment—the Homestead Preservation Act. This legislation will provide temporary mortgage assistance to displaced workers by helping them make ends meet during their search for a new job. Specifically, the Homestead Preservation Act authorizes HUD to administer a low-interest loan program at 4 percent for workers displaced due to international competition. The loan is for up to an amount of 12 monthly mortgage payments—only 12, 1 year—for home mortgage payments only. The program is authorized at $10 million per year for 5 years. The loan would be paid off.

These are not grants. They are loans to be repaid over a period of 5 years. No payments, though, would be required until 6 months after the borrower has returned to work full time, or 1 year, whichever is applicable. The loan is available only for the cost of the monthly home mortgage payment, and covers only those workers displaced due to international competition. It requires individuals seeking to avail themselves of this loan program to be enrolled in job training or job assistance programs.

The Homestead Preservation Act provides temporary financial tools necessary for displaced workers to get back on their feet and to succeed. It is logical and, in my view, a responsible response.

This measure garnered strong bipartisan support the last time it was considered by the Senate. I respectfully urge my colleagues to recognize the value Americans place on owning a home, and support this caring and needed initiative.

If no one has anything further to say about it, I urge adoption of this amendment.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to the amendment.

The amendment (No. 3113) was agreed to.

Mr. ALLEN. Thank you, Mr. President.

Mr. BAUCUS. Mr. President, I move to reconsider the vote.

Mr. ALLEN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

REFORM

Mr. BAUCUS. Mr. President, there is another point that I would like to discuss with the chairman for the record, regarding a form of restitution that is often authorized for rebates in the case of regulated utility providers whose rates to consumers are regulated. Due to a change of circumstances or other factors, the rates that were charged for a particular period may be determined to be greater than should have been charged if all relevant factors had been known and properly accounted for. Due to the large number of customers and the relatively small amounts involved, the regulatory authority frequently permits the utility to adjust rates to provide compensatory rebates for all current customers. This avoids, for example, tracing former occupants of an address served by the utility or otherwise tracing former customers for relatively small amounts. It is my understanding that this type of procedure would qualify as restitution because substantially all the payments are directed to the actual parties that overpaid.

Mr. GRASSLEY. Yes, that is correct.

Mr. BAUCUS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The journal clerk proceeded to call the roll.

Mr. BAUCUS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAUCUS. Mr. President, we have once again had a productive day. I thank all Senators. We adopted several amendments. First is the overtime amendment, an issue which has occupied the Senate for some good amount of time. The Senate also adopted the amendment of the Senator from Maine, Ms. COLLINS, her manufacturing jobs credit amendment. The Senate has also addressed the trade adjustment assistance amendment.

We have a number of major amendments pending. In the morning, we hope to have debate on Senator DORGAN's runaway plant amendment which is already pending. Senator GRAHAM of Florida has an amendment already offered, as well as Senator BREAUX's repatriation amendment. We hope to vote early in the afternoon on all those pending amendments.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate now proceed to a period for morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

BURMA'S ICON STILL NEEDS HELP

Mr. MCCONNELL. Mr. President, if my colleagues doubt that the pen is mightier than the sword, they need to take 5 minutes to read Rena Pederson's May 2 Dallas Morning News column entitled ''Burma's Icon Still Needs World's Help.''

When it comes to continued repression in Burma, and a largely muted world response, Ms. Pederson hits a bullseye.

She is right to demand the U.S. Congress to expeditiously renew sanctions against Burma, which I fully expect us to do over the next few weeks, and to take the United Nations to task for its weak and tepid response to the State Peace and Development Council's, SPDC, recalcitrance to implement U.N. General Assembly and Commission for Human Rights resolutions.

I share Ms. Pederson's disbelief that the U.N. Security Council has yet to bring the Burmese crisis up for debate and sanction. We already know that Burma poses an immediate and grave threat to its neighbors, whether through refugees fleeing persecution, the spread of HIV/AIDS or the proliferation of illicit narcotics.

Unfortunately, the U.N.'s misguided ''wait and see'' approach serves to further exacerbate a regional crisis that is a direct result of these undesirable Burmese exports and that neighboring countries, out of political expediency, refuse to face. Thailand, China, India and other regional neighbors can only bury their heads in the sand for so long.

As three Burmese were recently sentenced to death for merely talking to

the International Labor Organization, a U.N. agency, one would think that the Secretary-General would have publicly and forcefully condemned these sentences as means to defend both the Burmese victims and the integrity of his own agency. It is not too late for such an expression.

Further, Ms. Pederson's concerns with U.N. envoy Ismail Razali's business dealings with the SPDC comes at time when the corrupt ''oil for food'' program in Iraq is under investigation. It is only fair to ask if principles are similarly being discarded in Burma for the sake of personal profit.

I suspect that the closer we get to the May 17 constitutional convention, the louder the din from the SPDC and its advocates in Thailand will become on ''progress'' being made in Burma. I have little hope that the convention will serve as a catalyst for anything but an attempt by the SPDC to bestow legitimacy upon itself and its abusive rule. The director of the Burma Fund, Zaw Oo catalogued these concerns superbly in an opinion piece entitled ''Don't Help Burma's Generals'' in the May 6 issue of the Far Eastern Economic Review.

My message to Daw Aung San Suu Kyi and the National League for Democracy could not be more clear: you are in a position of strength because of the principled stand you continue to make in support of the struggle for freedom in Burma. The people of Burma should know that America stands with them and will continue to do so until democracy and justice triumphs in Burma.

I ask unanimous consent that a copy of Ms. Pederson and Mr. Zaw Oo's articles be printed in the RECORD following my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DON'T HELP BURMA'S GENERALS

(By Zaw Oo)

As I write this, the Burmese military junta called the State Peace and Development Council, or SPDC, is expected to soon free pro-democracy leaders Aung San Suu Kyi and Tin Oo. But it will do this solely for ulterior reasons. The SPDC is seeking some measure of international credibility. Releasing Suu Kyi will get Asean off its back. Next, by also pretending to seek a road map towards some form of ''disciplined'' democracy, the SPDC gives Asean the cover to accept Rangoon's chairmanship of the group in 2006. But in a vicious circle, the SPDC is strong-arming the democratic opposition by using any legitimacy it gains abroad to force the opposition into accepting its road map—which will only strengthen its position as a regime. The generals don't plan to retire from politics any time soon.

The SPDC is rushing to implement its seven-point road map towards ''democracy'' by reconvening on May 17 a national convention to prepare a new constitution. The original convention was aborted in 1996 after the SPDC expelled the National League for Democracy for complaining that the convention was being manipulated. The new convention will just as likely be manipulated. First, holding the meeting in a remote town called Mhawbi is meant to isolate and intimidate opposition delegates. Moreover, the convention commission will be made up only of SPDC officials, who will completely control the agenda and procedures. The junta could also use its notorious military rule, ''Order 5/96,'' to suppress those who oppose its wishes. Certainly, that was what it did the last time around.

The junta's hand-picked delegates are expected to ram through 104 constitutional principles laid down in 1996 before the last convention was scrapped. Those principles include setting aside 25% of parliamentary seats for the military, indirect election of the president through an electoral college, the requirement that presidential candidates have military experience, and total autonomy for the military. They are a comprehensive list of military prerogatives that make a mockery of any modern notion of constitutionality. Thus, through a ''guided'' convention, the SPDC's road map will lead to a ''disciplined'' political form: a constitutional military autocracy.

Clearly, the SPDC's version of ''reform'' will continue to be a disaster for Burmese. Its vision of democracy with dual power centres in the form of a military commander-in-chief and the president could easily become unstable because of the intermittent power struggles that emerge within the military. Its economic model won't bolster investors' faith. (Even the Chinese have become frustrated with Burma's appalling economic policies.) Dreams of Thai industrialists relocating manufacturing plants to Burma will remain just that: fantasies. And the continuing gross neglect of Burma's social capital and a likely failure to stem the lucrative drug trade will export instability from Burma to its neighbours.

A year ago, at a gathering in Bangkok of like-minded individuals from 10 countries, there was the promise of a start to building an effective regional strategy towards Burma. The gathering, called the Bangkok Process, could have sent a clear signal to the SPDC that its intentions were unacceptable Sadly, the meeting chose to build on the earlier constructive-engagement policy. Still, the damage could have been minimized if the process had crafted a larger international strategy by inviting the participation of the United States, and provided the United Nations a stronger mandate to mediate and enforce a democratic settlement in Burma.

Today, only a democratic breakthrough can stop the looming confrontations in Burma. Suu Kyi has been consistent in offering a reasonable role for military leaders in jointly transforming Burma into a democratic country. In 1990, the Burmese military organized an election and supervised it; the NLD won but the military refused to honour the results. Now is the time finally to resolve this impasse. The key is to assist negotiations in Burma for implementing this as-yet unrealized national mandate in a way that provides shared responsibility between the NLD, the military and ethnic leaders. Compromise is needed to allow for a sharing of power and responsibility in managing a democratic transition. All this is clear. But what would not be helpful is for Burma's neighbours to help efforts by the SPDC to strengthen and prolong its rule. This would not be in the interest of anyone in Asia, let alone Burma.

[From the Dallas Morning News, May 2, 2004]

BURMA'S ICON STILL NEEDS WORLD'S HELP

(By Rena Pederson)

Back in 1995, Madeleine Albright went to Burma to visit Aung San Suu Kyi, who was being held under arrest. Though jailed in her own home, the Nobel Peace Prize winner showed her respect for visiting secretary of state in a touching way. She scrubbed the walls and floor of her house by hand and washed and ironed the curtains by herself.

It is a good bet that few Nobel laureates have had to do the same.

But, then, there is no one quite like Ms. Suu Kyi, the brilliant Oxford graduate who continues to risk her life to bring democracy to Burma.

Last week, Ms. Albright returned the favor. She joined Republican Sen. John McCain of Arizona in calling for a renewal of American sanctions on the Burmese junta because the murderous generals are keeping Ms. Suu Kyi under heavy guard in her house yet again.

Fourteen Nobel literature laureates—including Gunter Grass and Toni Morrison—recently joined Vaclav Havel, former president of the Czech Republic, in calling for the release of Ms. Suu Kyi and other imprisoned writers in Burma.

Like Ms. Albright, Mr. Havel has been inspired by Ms. Suu Kyi's astounding courage and has been pressing for her release for more than a decade. What is little known is that he was considered the shoo-in for the Nobel Peace Prize in 1991 after the ''Velvet Revolution'' in Czechoslovakia, but he threw his support to Ms. Suu Kyi and forfeited his own chances. Hers, he explained, was the greater example.

What we need is similar gallantry from Congress, which should waste no time extending economic sanctions. What we need is similar courage from the United Nations, which has stood by while the Burmese generals slyly have made a fool of Secretary-General Kofi Annan by reneging time and again on promises of reform.

If Mr. Annan doesn't have enough problems with corruption in the ''oil for food'' scandal in Iraq (which may include payoffs to his son), his credibility is going to be damaged even more when people start investigating his see-no-evil attitude toward the Burmese regime.

Some of the tough questions that need to be asked include: Why did Mr. Annan send an envoy to handle the Burma crisis who was doing business deals with the regime? Mr. Annan's envoy, Razali Ismail, has a contract to provide microchips for Burmese passports. Amazingly, Mr. Annan has ruled that the sweetheart deal isn't a conflict of interest because Mr. Ismail was only a ''part-time'' envoy.

That's the diplomatic equivalent of passing the canapés. Pray tell, why doesn't Mr. Annan bring the Burmese crisis up before the Security Council? why has he merely purred that the junta may allow democracy in 2006?

While Mr. Annan blinks and purrs, the horrific crimes of the Burmese dictators continue without relief. Reports of war crimes continue to seep out of Burma: The rape and torture of women. The destruction of villages. Forced relocations. The laying of new land mines. The murder of Muslim minorities.

To make matters even more disturbing, the Far Eastern Economic Review has reported that North Korea may be selling missiles or nuclear technology to Burma. A Christian cemetery near the Rangoon Airport reportedly was bulldozed last fall to make way for the missile base.

It isn't a good time to keep passing the canapes.

As Sen. Kay Bailey Hutchison put it last week, ''The brutal tactics adopted by Burma's military rulers are reprehensible. The Free World must be unequivocal in demanding the junta release Aung San Suu Kyl and change its ways.''

There was a slight flutter of hope last week that the Burmese generals might be edging toward a transition because they allowed the reopening of the headquarters of

the National League for Democracy, Ms. Suu Kyi's political party. They also released a few party leaders from prison.

But 1,300 remain in prison. and the top two leaders, Ms. Suu Kyi and Tin Oo, remain under house arrest.

The junta's recent charm efforts couldn't mask the fact that behind the scenes, the generals slapped life sentences on 11 league members who are in prison. That is tantamount to a death sentence in the grim Burmese gulag. The nine weren't allowed to speak in their own defense. Their only crime was witnessing an attack on Ms. Suu Kyi by government thugs last May 30.

Even if Ms. Suu Kyi is released, she may be in greater danger outside her home if the junta imposes a constitution at gunpoint that leaves it in power. Congress must keep sanctions in place until there's certifiable change. As Margaret Thatcher would say, this is no time to go wobbly.

CENTENNIAL OF WASHOE COUNTY PUBLIC LIBRARY

Mr. REID. Mr. President, we all understand that books are one of the greatest things ever created by human beings. Books bring the world within our reach, and they open the door of knowledge. Our Nation long ago recognized the importance of books and reading. That is why we developed a system of universal education, where every child would have an opportunity to learn how to read. And that is why we have public libraries. One hundred years ago this month, on May 31, 1904, the city of Reno, NV opened its first public library. The building was constructed on donated land, with a gift of $15,000 from Andrew Carnegie. Mr. Carnegie believed so strongly in public libraries that he built more than 1600 of them around the world. That original library served the city of Reno for 26 years. But as the town grew and the popularity of the library increased, more space was needed. In 1930, the Reno Public library moved into the old State building in Powning Park. It also became affiliated at that time with Washoe County. Two years later, the county also opened a library in the nearby city of Sparks.

After World War II, as Washoe County began to experience more growth, the library system expanded to keep up with the demand. Under the leadership of Portia Hawley Griswold, the first library ''bookmobile'' hit the road in the late 1950s, bringing books to remote areas of the county. A new main branch opened in downtown Reno in 1966, thanks to a gift from the Max C. Fleischmann Foundation.

As the library system added more new locations throughout the 1970s and 1980s, it also employed new innovations. A Senior Center library made books more accessible to retirees, with volunteers delivering books to the homebound. The Gerlach High School branch launched a partnership between the county and the local school system. The Sierra View library was the first to open in a shopping center. Today, the Washoe County library system has branches in 12 locations, plus a mobile library. Citizens can also use the library's Internet branch to look for books and conduct research for school assignments, business projects, or simply to satisfy their curiosity. Last year the people of Washoe County visited the library system 1.4 million times and checked out almost 2 million items. As it has for the last 100 years, the public library is meeting the needs of the people of Reno NV, and Washoe County. It puts books and knowledge within the reach of every citizen.

This centennial of success calls for a celebration. So a gala birthday party for the Washoe County library system will be held on May 21.

Please join me in congratulating Library Director Nancy Cummings and the trustees of the Washoe County library system—Chairman Bud Fujii, Lucille Adin, June Burton, Paul Theiner and Paul Davis. Along with the Washoe County Commission, the Friends of the Washoe County Library, and the Washoe County Library Foundation, they have continued to advance the worthy goal that Andrew Carnegie embraced a century ago.

LOCAL LAW ENFORCEMENT ACT OF 2003

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. On May 1, 2003, Senator KENNEDY and I introduced the Local Law Enforcement Enhancement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

Two men harassed a white lesbian in Colorado as she left a 7–11 store; one of them yelled an obscenity and called her a ''faggot.'' The victim got into her own pickup truck and drove away, but the offenders followed her and eventually drove her off the road. When she got out of her car, the two men assaulted her sexually and beat her unconscious. A detective who later interviewed the victim about the incident was verbally abusive, calling her a ''liar'' when she said she could not provide a detailed description of her attackers.

I believe that Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

MALTREATMENT OF IRAQI PRISONERS

Mr. BYRD. Mr. President, the American people know about the strong and honorable character of the American soldier. Over the last 228 years, the United States Army has rightly earned the reputation of a professional fighting force that is courageous in battle and benevolent in peace.

The United States Army has had centuries to earn the respect of the American people. The White House expected our military to earn the trust of the Iraqi people in only months. Despite the outstanding service of countless thousands of our troops, the shameful and disgusting abuse of Iraqi prisoners at the hands of U.S. soldiers is a tragedy that must be corrected immediately.

The photographic evidence that Iraqi prisoners have been humiliated, abused, and mistreated is absolutely shocking. One can hardly ponder the technicalities of the Geneva Conventions when the most basic rules of human decency have been violated. The disgust expressed by many Americans has been amplified a thousand times by outraged Muslims around the world.

How long might it be before Osama bin Laden uses these incidents to whip up anti-American sentiment in other corners of the world? After the bloodiest month of the occupation of Iraq, this is news our Nation can ill afford.

It is not clear at this point who should be held to account for this stain upon the reputation of our armed forces. No one has stepped forward to take responsibility for the conditions in Iraqi prisons. Instead, fingers are being pointed in every direction. Soldiers are blaming superior officers, and generals are blaming subordinates. Others blame our intelligence services, which blame contractors, who blame others still. Some military leaders claim that this is an isolated incident, others make ominous claims about patterns of abuses. With whom does this buck stop?

The Armed Services Committee today had a closed-door briefing from three Army Generals. No civilian official of the Department of Defense appeared at the briefing, nor did any member of the Joint Chiefs of Staff. I did not attend that briefing. Secret, closed door meetings on a subject of such enormous import smack of damage control and cover-up—and that is the last impression the Senate should be conveying. We must ensure that Congress accedes to no ground rules in its investigations that could further taint this deplorable situation.

The time for public hearings on prisons run by the U.S. Armed Forces is now. We must leave no room for charges that investigations are being glossed over, pushed aside, sat on, or ignored. I have written to the chairman and ranking member of the Armed Services Committee to urge them to call public hearings with Secretary of Defense Donald Rumsfeld, Director of Central Intelligence George Tenet, and Chairman of the Joint Chiefs of Staff General Richard Myers. The Armed Services Committee should also seek testimony from outside experts on the laws of war and humanitarian affairs, such as the International Committee for the Red Cross, Human Rights Watch, and scholars of international law.

These hearings should take place as soon as possible, and examine all detention facilities run by the U.S. military, including those in Iraq, Afghanistan, and elsewhere. The abuse of Iraqi prisoners was covered for months until it was reported by the news media. Congress has no time to spare to find out what went wrong and what is still wrong, and take action to prevent further abuse of prisoners in our charge.

HONORING OUR ARMED FORCES

SPC DENNIS MORGAN

Mr. NELSON of Nebraska. Mr. President, SPC Dennis Morgan was a dedicated soldier who fought bravely for his country. He was a member of the South Dakota National Guard and worked to protect others by finding and disarming explosive devices along the roads.

Morgan was mobilized December 7, 2003 and deployed to the Middle East in February. He was in the last vehicle of a convoy, protecting an armored personnel carrier when a roadside bomb exploded. Morgan is the first casualty involving the South Dakota National Guard, which has nearly 1,200 members in the Middle East. His wife described him as a ''wonderful man, a hero, very loving and always happy.''

I would like to express my deepest sympathy for the Morgan family. SPC Dennis Morgan will be greatly missed and our thoughts and prayers will be with his family and friends. He leaves behind his wife and his mother. Dennis's sacrifice will forever remind this Nation of the danger that comes with the duty to protect our Nation's interests and the freedoms of others around the world. As a Nation we are grateful to Dennis Morgan and other soldiers like him who make the ultimate sacrifice so that others can live in freedom.

HISTORIC EXPANSION OF THE EUROPEAN UNION

Mr. MCCAIN. Mr. President, on May 1, 2004, in a truly historic move, the European Union welcomed 10 new member states. On this momentous occasion, I offer my congratulations and best wishes to the people of the Czech Republic, Cyprus, Estonia, Hungary, Lithuania, Latvia, Malta, Poland, Slovakia, and Slovenia. These countries have made great achievements, and America benefits from our close ties to these nations.

EU expansion represents yet another victory for freedom in Central and Eastern Europe, together with the fall of the Berlin Wall in 1989, the Soviet Union's last gasp in 1991, and the two NATO expansions. Europe is divided no longer, and the United States enjoys an unprecedented relationship with the 10 new EU members.

I hope that our excellent relations with these countries will continue, and that we will continue to pursue our common goals of freedom, democracy, and prosperity throughout the world.

FAILURE TO SOLVE H–2B VISA CRISIS

Mr. LEAHY. Mr. President, I regret the need to once again call attention to the fact that the Senate continues to neglect our obligation to respond to a crisis, caused by Federal policy, that is disrupting the operations of small and large businesses throughout the United States.

Two months ago the Department of Homeland Security announced that for the first time ever the annual cap for H–2B visas had been met. These visas are used by a wide range of industries throughout the Nation to fill temporary labor needs. In my home State of Vermont, they are used primarily by the tourist industry.

Across the country, businesses in a wide range of industries had developed plans that relied on the foreign employees who had always before been available to them. For years, these employers had applied in the spring for the employees they needed for the summer, filling positions for which they were unable to find American workers. The cap had never been reached, and they had no reason to believe this year would be different. I know that the March announcement came as a shock to many employers in my State, and dozens of them contacted my office to see what could be done. This setback fell equally hard on employers in other States.

In response to these requests, I joined with a substantial bipartisan coalition in introducing S. 2252, the Save Summer Act of 2004. Senator KENNEDY is the lead sponsor of the bill, which has 18 cosponsors, including eight Republicans. Our bill would add 40,000 visas for the current fiscal year, providing relief to those summer-oriented businesses that had never even had the opportunity to apply for visas.

The following day, Senator HATCH introduced S. 2258, the Summer Operations and Services Relief and Reform Act. I do not believe that this bill, cosponsored exclusively by Republicans, is as effective a bill as S. 2252, but I would support it if it came before the Senate. Despite its sponsorship by the chairman of the Judiciary Committee, and by the chairman of the Immigration Subcommittee, S. 2258 has now been held hostage in the Republican cloakroom for 5 weeks.

Obtaining these visas takes weeks, if not months, because the Departments of Labor and Homeland Security must both sign off on them. I and others have repeatedly warned that we needed to pass legislation by May 1 if we were going to provide meaningful relief. That date has come and gone, and now it is too late to help many, if not all, of the businesses that had relied upon the availability of H–2B visas. It is beyond disappointing that at the Republican leadership in this body ignored my pleas and the pleas of so many Senators. And it is inexcusable that the Republican leadership ignored the pleas of business owners across the country asking for this emergency relief.

And so it is that a tiny minority of the Republican caucus has managed to frustrate the will of a substantial bipartisan coalition of Senators who have sought to raise the H–2B cap, thereby needlessly harming businesses throughout the Nation. Meanwhile, the Republican leadership has failed to make solving this problem a priority. Perhaps if the majority leader chose to devote floor time to issues that had substantial bipartisan support, instead of using the floor to set up symbolic votes whose results are known well in advance, we would not be in this position.

These businesses contribute much to the economies of our States. They deserve better treatment than they have received at the hands of the Republican leadership of the Senate.

WORLD ASTHMA DAY

Mr. JEFFORDS. Mr. President, May 4 is World Asthma Day. Today people from across the globe will raise awareness of asthma and its impact on the lives of those millions of people who suffer from it. It should also be the day we in government recall our duty to safeguard the health of all Americans.

Asthma is a lifetime disease. It is triggered by a variety of factors, including allergens, cigarette smoke, viral infections, foods, weather changes, and air pollution. Air passages become inflamed, making it difficult for sufferers to breathe, and sometimes resulting in critical emergency situations. It is dangerous, and it is costly. Our country spends around $3.2 billion every year just to treat asthmatic children.

That is why I am particularly concerned that asthma is on the rise, and that polluting industries and cars are making matters worse. Seventeen million Americans suffer from asthma. It is the most common chronic health problem among our Nation's children, causing missed school days, restricted activity, and costly medical bills. According to the American Lung Association, 9,000 children and 42,000 adults in Washington, DC alone have asthma.

Scientific research has increasingly linked air pollution from power plants and tailpipe exhaust to asthma. For example, researchers at the University of Southern California recently discovered that children living in high-ozone areas and participating in outdoor sports were three times more likely to develop asthma than less active kids in less polluted areas. The scientists explain that children who exercise outdoors take in more of the dirty air than other kids, leaving them more susceptible to airway damage.

A new report by the Harvard Center for Health and the Global Environment at Harvard Medical School expands

upon such research by linking global warming gases to increased incidence of allergies and asthma in the inner city. The report states that rising levels of atmospheric carbon dioxide, due mainly to fossil fuel combustion, not only trap more heat, but they promote greater pollen and mold growth and associated asthma.

On World Asthma Day, the air may not be clear, but the message is: We must immediately and dramatically reduce smog- and ozone-forming pollution and global warming gases in order to protect public health. The President's Clear Skies initiative won't do the job, neither will the EPA's new administrative rules that just postpone real pollution reduction for a decade or more.

I urge the administration and the Congress to put aside partisan differences and polluters' special interests to protect the precious lives of those we represent. To live is to breathe. Until all Americans can breathe freely, our work is not yet done.

MOTORSPORTS FACILITIES FAIRNESS ACT

Mr. GRAHAM of South Carolina. Mr. President, I rise today to urge my colleagues to join me in supporting S. 1524, the Motorsports Facilities Fairness Act.

S. 1524 would clarify the tax treatment of motorsports facilities, codifying the 7-year depreciation classification that track owners have used, in good faith, for many years. This classification went without question in numerous audits and reviews until very recently. Now the IRS wants to implement a new interpretation of the law that would result in a retroactive tax increase for motorsports facility owners.

This new interpretation would penalize the owners of motorsports entertainment facilities who have invested hundreds of millions of dollars in these properties in order to meet the demands of sanctioning bodies and racing fans. Technological changes and enhanced safety requirements can render even recent track repair and reconstruction obsolete. Tracks must also compete to host premier racing events, in part by drawing as many fans as possible. This is why facilities must constantly renovate, rebuild, upgrade and expand.

Darlington Raceway in South Carolina typifies this reinvestment ethic. The track that is ''too touch to tame,'' is undergoing substantial upgrades. Earlier this year, Darlington installed ''SAFER'' (Steel And Foam Energy Reduction) barriers. The track is currently installing lighting for night racing, which will be completed before the next running of the NASCAR Southern 500 in November.

S. 1524 would not only cover large facilities such as Darlington. The legislation would also clarify the tax law for hundreds of tracks around the country, including approximately 30 other facilities in South Carolina alone.

The government should not punish these track owners for making capital investments in their facilities. These investments provide substantial economic benefits for the communities where these facilities are located.

Congress should promptly enact S. 1524 to provide certainty and clarity to the Tax Code and to encourage motorsports facility owners to continue to make economically beneficial investments.

CELEBRATING GOVERNMENT WORKERS NATIONWIDE

Mr. SARBANES. Mr. President, I rise today to honor the hundreds of thousands of civilian and military employees who have chosen to dedicate their lives to public service. This week, from May 3 through May 9, we celebrate Public Service Recognition Week. Organized by the Public Employees Roundtable since 1985, this week allows us to honor those who have chosen to serve their country and to educate the public about the broad variety of services government provides.

President Kennedy once said: ''Let the public service be a proud and lively career. And let every man and woman who works in any area of our Nation's government, in any branch, at any level, be able to say with pride and honor in future years: 'I served the United States Government in that hour of our Nation's need.' '' Our Nation is most certainly in a time of need. Great uncertainty exists about the state of world relations, the direction our Nation is headed, and the economic welfare of our society. Unfortunately, the pride and honor associated with public service has been diminished by a lack of respect. Rather than commending the important work Federal civilian employees do side-by-side with our military employees, society too often seeks to belittle their contributions; choosing instead to characterize the civil service as a large, inflexible bureaucracy.

At the Federal level, we are experiencing a disturbing trend. The ranks of bright, active, and well-trained Federal employees are slowly diminishing. Of our 1.8 million Federal civil servants, 50 percent will be eligible to retire over the next five years. At the same time, a national poll by the Partnership for Public Service found that only one in four college-educated Americans expressed significant interest in working for the Federal Government. A recent survey by the Council for Excellence in Government said that young people, while eager to find a job that will allow them to help people, are less likely to choose government jobs than work in the non-profit sector.

In my view, however, if our young people understood the expertise, the sacrifice, and the dedication required to serve the public, they would be less inclined to belittle this calling and more inclined to answer it. Young people should know, for instance, that civilian employees from agencies such as the Environmental Protection Agency, Centers for Disease Control and Prevention, the U.S. Capitol Police and the FBI worked side by side with the Coast Guard and the Marine Corps Chemical Biological Incident Response Force from Indian Head, MD to respond to the discovery of ricin in the Dirksen Senate Office Building.

Without the civilian Federal researchers at the Human Genome Project, we would know much less about the make-up of the human body and, more importantly, be much further away from providing cures to genetic disorders such as cystic fibrosis and sickle cell anemia. Their work—a complete description of the draft of the DNA sequence of the human genome—was completed faster than originally planned.

Without the hard work done by the civilian employees at the National Security Agency, we would likely be without a few things that today we consider basic necessities, such as computers and cassette tapes. Further, the development of more advanced theories and technologies such as quantum mathematics, nanotechnology, biometrics, and semiconductors—which are quickly changing our world's technological landscape—would have been hindered or never started but for the efforts of NSA's dedicated and innovative employees.

The employees at the National Institute of Standards and Technology's Building and Fire Research Laboratory are about as inconspicuous a group of researchers as exist. But without them there would be no standard coupling for fire hoses or hydrants. If you do not know why that's important, consider the devastating fire that destroyed 2,500 buildings in an 80-block area in the heart of Baltimore in 1904. Responders came from fire departments in D.C., New York, and Philadelphia to help put out the blaze. But each department's hoses had different threads, so they could not be linked to Baltimore's hydrants, making them almost useless. After the fire, the Building and Fire Research Laboratory's predecessor, the National Bureau of Standards, worked with the National Fire Prevention Association to develop national standards and codes for fire equipment, which departments still use today.

Finally, thanks to scientists at the National Cancer Institute, NCI, and the Food and Drug Administration, FDA, women's chances of detecting ovarian cancer earlier and possibly recovering have increased. Working together, NCI and FDA discovered that patterns of proteins found in patients' serum may reflect the presence of ovarian cancer, even at early stages. Currently, more than 80 percent of ovarian cancer patients are diagnosed at a late clinical stage and have a 20 percent or less chance of survival. This research may increase those chances.

During this Public Service Recognition Week, I urge my colleagues to take a moment to appreciate advances such as these that our Nation and society have made as a result of the hard work of Federal civil servants. When President Kennedy initially released his Peace Corps proposal, the reactions he received convinced him that ''we have, in this country, an immense reservoir of such men and women—anxious to sacrifice their energies and time and toil to the cause of world peace and human progress.'' Things have not changed. The American populace is still full of men and women who want to serve. The challenge for us, as a Congress and a Federal Government, is to convince more of those men and women that civil service is a laudable way to serve their country.

RESCUE COST ANALYSIS

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the executive summary and recommendations of the following August 2001 Report to Congress titled: ''Analysis of Cost Recovery for High-altitude Rescues on Mt. McKinley, Denali National Park and Preserve, Alaska'' be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

EXECUTIVE SUMMARY—ANALYSIS OF COST RECOVERY FOR HIGH-ALTITUDE RESCUES ON MT. MCKINLEY, DENALI NATIONAL PARK AND PRESERVE, ALASKA, AUGUST, 2001

INTRODUCTION

The following report addresses the requirements of Public Law 106–486 enacted November 9, 2000, directing the National Park Service to complete a mountain climber rescue cost recovery study by August 9, 2001. This report describes the role of the National Park Service and Denali National Park and Preserve (DNP&P) in search and rescue activities and analyzes the suitability and feasibility of recovering the costs of high-altitude rescues on Mt. McKinley. It addresses the three items required in the legislation.

(1) Recovering the costs of rescues on Mt. McKinley.

(2) Requiring climbers to provide proof of medical insurance before the issuance of a climbing permit.

(3) Charging for a climbing permit and changing the fee structure. This report was prepared with existing funds.

A variety of organizations and individuals were involved in the development of this report. They included: the National Park Service, Alaska Regional Office and Washington Office; American Alpine Club; 210th Alaska Air National Guard; U.S. Army at Fort Wainwright; Mountain Guide Concessionaires; Access Fund; Alaska Mountain Rescue Association; Alaska State SAR Coordinator; Providence, Valley, and Alaska Regional Hospitals; Mountain Rescue Association; and the Alaska Mountaineering Club.

RECOMMENDATIONS

After a thorough analysis of the suitability and feasibility of cost recovery, this report recommends the following:

Part One: The Suitability and Feasibility of Rescue Cost Recovery

1. Based on the relationship of DNP&P to the national program for National Park Service search and rescue, the relationship to the practices of other agencies, the practices of the military, and the practices of the State of Alaska, the Park Service recommends that the current policy of not charging for search and rescue be continued. If the other federal agencies and the military develop a policy for the collection of search and rescue costs from participants in high risk activities, the National Park Service should also participate. This would best be done through the passage of legislation that applies to all federal agencies and branches of the military that currently rescue members of the public in need.

2. To reduce National Park Service costs related to evacuation of injured climbers, the park will work with Providence Hospital in Anchorage regarding additional operation by the hospital of its Lifeguard helicopter to transport injured climbers from the 7,200-foot base camp on Mt. McKinley. Like most ambulance services, the hospital bills the patient directly for the service. This would reduce the use of military and NPS helicopters for a service that can be provided by a private entity.

Part Two: Suitability and Feasibility of Requiring Proof of Medical Insurance

1. The review of incidents shows no information indicating a problem of any magnitude. DNP&P, therefore, recommends not requiring proof of medical insurance at this time. DNP&P will continue to monitor with the hospitals and work with insurance companies to determine if a need exists in the future to require proof of insurance. If proof of medical insurance were to be made a new requirement, it would be best to set the precedent consistent across agencies and different types of high-risk activities.

2. DNP&P will encourage climbers to carry medical insurance and will provide information with registration packets and pre-climb briefings about access to providers specializing in climbing insurance.

Part Three: Climber Registration Fee Review

1. In order to help recover costs for the human waste management studies, an additional $50.00 fee should be added to the current $150.00 climber registration fee. The total fee for climbing Mt. McKinley or Mt. Foraker would then be $200.00.

2. Currently, only climbers of Mt. McKinley and Mt. Foraker are required to register. Initiate required registration for all other climbers in DNP&P. This would help ensure all climbers receive safety and waste management information.

LOCAL LAW ENFORCEMENT ACT OF 2003

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. On May 1, 2003, Senator KENNEDY and I introduced the Local Law Enforcement Enhancement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

Christopher Hutcherson of Biloxi is accused of capital murder in the January stabbing death of John Brown Smith III, 39, of Fort Walton Beach, FL. A detective testified that Hutcherson told investigators that he stabbed Smith because the retired military man made sexual advances while holding a gun on him. The detective said Smith and Hutcherson were at an adult video arcade, known as a gay pick-up place, the morning of the killing. Hutcherson told investigators that he left the video store and went to Smith's nearby hotel room. The two men drank alcohol before leaving the hotel in Smith's pickup. Smith's body was later found on the rural road by a passerby.

I believe that Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

U.N. SECURITY COUNCIL WMD RESOLUTION

Mr. KYL. Mr. President, speaking before the UN General Assembly in September, President Bush asked the Security Council to take a firm stand against the proliferation of weapons of mass destruction, WMD. President Bush asked for a Security Council resolution that would call on all nations to criminalize proliferation, enact strict export controls and secure these terrible weapons within their own borders.

Seven months later, on April 28, the UN Security Council unanimously passed Resolution 1540 fulfilling the President's goals. Those who have argued that this administration has turned its back on the international community need only look at the diverse group of nations—from Algeria to Angola, Chile to China, Pakistan to the Philippines—that stood with the United States in this important battle in the war on terror to dispel such notions.

It is now up to the members of the United Nations to follow the Security Council lead and enact the provisions that will help stem the flow of dangerous weapons and technology.

This resolution is the culmination of the administration's hard work, led by Under Secretary of State John Bolton, to halt the proliferation of chemical, biological and nuclear weapons. The President's proliferation security initiative, launched last March, embodies these efforts. It has brought together nations from North America, Europe, Africa, and Asia to interdict shipments of WMD around the world. This resolution endorses such important collective action and I urge all nations to join in the effort.

I applaud the administration and the Security Council for helping take an important step to building a safer, more secure world.

HOMEFRONT HEROES

Mr. ALLARD. Mr. President, I will take a few moments to recognize an organization that embodies the selflessness we hold dear in the United States. In Grand Junction, CO, Homefront Heroes was organized to answer the needs of spouses and family members left behind by deployed soldiers from across

the Western Slope of Colorado. On March 29, 2004 the following resolution was passed by the Grand Junction City Council, commemorating the first rally for the troops organized by Homefront Heroes during the Spring of 2003.

I ask unanimous consent that the city of Grand Junction's resolution be printed in the RECORD following this statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. ALLARD. I also thank the volunteers of Homefront Heroes for helping the military community in its time of need.

EXHIBIT 1

Whereas our Active Duty Military National Guard and Colorado Reserves men and women have answered the call to protect America from harm. These Service men and women have been deployed around the world, protecting the freedoms we often take for granted at home.

Whereas these men and women now fight a war on terrorism, they fight this war with the same pride for Country, Honor and Courage as our forefathers.

Whereas our military families have also sacrificed during this same time of war while their loved ones have been deployed.

Whereas our military has always protected our Great Nation and we have always honored our service men and women after they have returned, allowing our service men and women to know that we in Colorado support them during their time of active duty and we appreciate what they have endured and sacrificed.

Whereas Colorado honors the past, supports the present, and encourages the future of our military men and women.

Whereas The yellow ribbon has come to be recognized as signifying Honor, Courage, and Hope for military families and loved ones.

Whereas on March 29th, 2003, 2,500 citizens in Grand Junction, Colorado, showed support of our Colorado heroes by having a Lets Support Our Troops yellow Ribbon Rally where everyone wore yellow in support of our heroes; be it

Resolved That March 29 shall be Grand Junctions' Salute Our Troops—Remembrance Day. That one day, Coloradans shall show support of our service men and women by either wearing yellow or displaying a yellow ribbon, signifying the Honor, Courage, and Hope our Colorado heroes display.

ADDITIONAL STATEMENTS

NATIONAL DAY TO PREVENT TEEN PREGNANCY 2004

● Mrs. BOXER. Mr. President, I am proud to recognize today as the National Day to Prevent Teen Pregnancy and want to thank the National Campaign to Prevent Teen Pregnancy for sponsoring it. The campaign is a nonprofit, non-partisan organization whose mission is to improve the well-being of children and families by reducing teen pregnancy.

Nearly 900,000 American teenagers become pregnant each year, and over 10 percent of all births in the United States are to teenage mothers. While teen pregnancy, abortion, and birth rates are all going down, the U.S. still has the highest rate of teen pregnancy in the industrialized world. Almost 35 percent of girls become pregnant at least once before age 20.

Many activities are happening across the country in recognition of the National Day to Prevent Teen Pregnancy. In my home State of California, Pinch Me Films of Berkeley is organizing events to promote open dialogue between young people, parents and educators. In addition, the California Health Collaborative, Merced Rural Teen Pregnancy Prevention is hosting a health fair for youth, and the Children's Hospital of Los Angeles—with over 6,000 employees—will have an article about National Teen Pregnancy Prevention Month in its employee newsletter, highlighting tips for parents to discuss pregnancy prevention.

On November 25, 2003, I introduced S. 1956, The HOPE Youth Pregnancy Prevention Act to address this problem. Specifically my bill would provide additional resources to States, localities, and nongovernmental organizations for teenage pregnancy prevention activities targeted to ethnic minorities and at-risk youth. Fifty-one percent of Latina girls become pregnant at least once by age 20. Fifty-seven percent of black girls become pregnant at least once by age 20. I urge my colleagues to co-sponsor this legislation.

I urge my colleagues to support activities that are taking place nationally and in their own States to reduce teenage pregnancy.●

JAMES AND SOPHIA TARABICOS' 50TH WEDDING ANNIVERSARY

● Mr. CARPER. Mr. President, I rise today to congratulate Jim and Sophia Tarabicos, who celebrated their 50th wedding anniversary on February 28, 2004.

As Jim and Sophia celebrate this milestone in their lives, they will surely reflect on the many changes, successes and accomplishments they have experienced together over the last fifty years. Theirs is a journey of which they can be proud.

Jim is the son of the late Harilaos and Alexandra Tarabicos. Jim attended high school in his hometown of Nafpaktos, Greece. He came to Wilmington, DE at the young age of 19 to work at his uncle's restaurant, Presto, located at 817 Market Street in downtown Wilmington. His wife, Sophia, is the daughter of the late Louis and Georgia Liarakos. She is a native Delawarean who graduated from P.S. DuPont High School and studied at the University of Delaware.

Jim and Sophia met at a church event when they were 19 and 17 respectively. They married two years later on February 28, 1954 at Holy Trinity Greek Orthodox Church in Wilmington in front of their friends and family.

For over 40 years, Jim and Sophia dedicated their lives to one another and to their businesses. They opened their first store, a luncheonette named Jim's Place at 8th and Orange Streets in Wilmington in the mid 1950s. Several years later, they bought Presto Restaurant from their uncle. They later changed the name to Tarabicos. Jim and Sophia were committed to the success of their restaurant. Owning their own business allowed them to spend valuable time with each other, while at the same time being devoted parents, and major contributors to their neighbors, community, and church. They retired a decade ago, and continue to remain active members of their community.

Jim and Sophia consider their church to be like a second family. Jim was the president of the parish council for Holy Trinity Greek Orthodox Church from 1971 to 1973. While Jim was president, plans were made to move forward with approving the construction of the community center and the design, financing and use thereof. Sophia is a member of the Philoptochos Greek Ladies Society and served as president from 1981 to 1983.

In addition to the restaurants and church activities, Jim and Sophia were also quite involved with political activities, committees, and fundraisers in the City of Wilmington and were active with the city's merchants association. In their spare time, they enjoy taking walks together at Bellevue State Park, and traveling, especially taking cruises.

They are blessed with three children, Larry, Alexandra, and Georgiean, and six grandchildren, Kristin, Sophia Alyssa, Maria, Sophia Elaina, Michael and Dimitri. They are devoted to each other and to their families. Jim and Sophia are active in their children's and grandchildren's lives, often traveling to visit family members and spending meaningful time with their grandchildren and passing on to them valuable life lessons. They enjoy attending all of their various school functions

Today, I rise to congratulate Jim and Sophia on their 50th wedding anniversary. Both have shown great service and commitment to their family and to their community. They serve as true role models. I know that their years together hold many beautiful memories. It is my hope that those ahead will be filled with continued joy. I wish them both the very best in all that lies ahead.●

CITY OF PADUCAH

● Mr. BUNNING. Mr. President, I would like to take a moment today to pay tribute to the city of Paducah and their innovative and successful Artist Relocation Program.

The program is a past recipient of a Kentucky Governor's Award for contribution to arts in the State. The city has even been recognized by First Lady Laura Bush as part of the Preserve America Initiative. Most recently, the city was honored by the American Planning Association at their April

2004 national convention in Washington, DC. The Special Community Initiative award is given annually to a city displaying an innovative approach to improvement. This year there were over 200 cities competing for this honor.

The City of Paducah Artist Relocation Program recruits artists—both locally and nationally—to move to Paducah's downtown and historic Lower Tower area. The city has a long history providing many buildings and facilities that, while they are in disrepair, offer significant opportunity for renovation and improvement. Artists who relocate to Paducah are given a network of resources to restore facilities.

The program is part of a long-term project to rejuvenate the City of Paducah's historic districts. Through the combined efforts of leaders in the city government, the Paducah Bank, Visitors' Bureau, PATS, local museums and businesses this program has seen tremendous success.

The city and Commonwealth are already enjoying the benefits as an estimated $12 to $15 million has been infused into the local economy, thanks to this program. Any visitor can see the construction and revitalization underway in this Kentucky jewel.

I wish to congratulate the leadership and vision of the City of Paducah on these tremendous honors, especially Program Founder Mark Barone, City of Paducah Planning Director Tom Barnett, City of Paducah Mayor Bill Paxton and McCracken County Judge Executive Danny Orazine. I look forward to the continued success of this great program.●

ACADEMIC DECATHLON WIN

● Mrs. BOXER. Mr. President, I am delighted to rise to acknowledge El Camino Real High School's championship win in this year's national Academic Decathlon. El Camino Real High School is located in Woodland Hills, CA. This is El Camino's third win and marks the most national titles any California student group has ever received. It is a wonderful record of which to be proud, and I extend my heartiest congratulations to everyone who made this accomplishment possible.

The Academic Decathlon is highly competitive, testing the students in 10 different subjects. The El Camino team headed to Boise, Idaho to compete against more than 300 students from 39 other American high schools and one Canadian high school to clinch the national title.

Under the leadership and tutelage of three main coaches, Melinda Owen, Mark Johnson and Rebecca Gessert, the team of eight students collectively spent more than 1,200 hours this year to prepare for the competition, including intense cramming sessions as the big event drew closer. These students sacrificed much of their free time to represent their school, and it is clear that their work paid off.

I could not be happier for or prouder of the El Camino team, including Cassidy Ellis, Gary Fox, Jonathan Lin, Patrick Liu, Eric Rasyidi, Adam Singer, Chris Taylor, and Adrian Wittenberg. They have made their school, their district, and our entire State proud, and they have every reason to celebrate their accomplishment.

The students could not have won their title without the help of their dedicated coaches. I also salute and congratulate all the teachers, faculty, and students at El Camino who worked with this team and gave them the support they needed to achieve their goals.

Congratulations again to El Camino Real High School on this wonderful win.●

HONORING CAMILLE SCHMIDT

● Mr. CRAPO. Mr. President, I rise today to honor and congratulate an Idaho student who has achieved national recognition for exemplary volunteer service in her community. Camille Schmidt of Pocatello has been named one of the Nation's top youth volunteers by the 2004 Prudential Spirit of Community Awards program. This honor is conferred on only one high school student and one mid-level student in each State. I applaud Camille's efforts to improve her community.

Camille has spent the past 2 years working to restore windows in her school's library that were removed in the early 1980s. When Camille began attending Pocatello High School, she noticed 8-foot-tall indents in the school walls and realized they were once windows. She found yearbooks that contained pictures of the school before the windows were taken out, and was inspired to restore them. She received approval to begin working on the restoration from the superintendent, and met with an architect to discuss the project. So far, Camille has raised more than $10,000 of the needed $15,000 for the project. To raise the necessary funds, she has distributed brochures, spoken at class reunions and student assemblies, contacted the news media, and even obtained a grant. To date, four of the eight windows have been replaced. Next year, the student government and the National Honor Society will take over the project until all of the school's windows are restored.

Camille has demonstrated an extraordinary level of commitment and accomplishment and deserves our admiration and respect. She has played an important role in her community and serves as an example to her peers. I join with her family and friends in honoring her commitment to the state of Idaho.●

HONORING JACQUELINE SANDMEYER

● Mr. CRAPO. Mr. President, I rise today to honor and congratulate an Idaho student who has achieved national recognition for exemplary volunteer service in her community. Jacqueline Sandmeyer of Boise has been named one of the Nation's top youth volunteers by the 2004 Prudential Spirit of Community Awards program. This honor is conferred on only one high school student and one mid-level student in each State. I applaud Jacqueline's efforts to improve her community.

Jacqueline, an eighth-grader at St. Joseph's School, has collected more than 1,000 pounds of food and 200 coats, mittens, and hats for the homeless over the past 4 years. When she was nine, Jacqueline noticed a group of children shivering in the cold outside of a rescue mission. Moved by the experience, Jacqueline packed up her winter clothes for donation, along with her saved-up allowance of $275 to take to the shelter. With the help of her parents, she then placed collection boxes in her school and government buildings. She also solicited donations from her neighbors and appealed to her entire community for help through the news media. Jacqueline summed up my feelings well, when she said, ''I know that no matter what age you are, you can make a difference.''

Jacqueline has demonstrated an extraordinary level of commitment and accomplishment and deserves our admiration and respect. She has played an important role in her community and serves as an example to her peers. I join with her family and friends in honoring her commitment to the State of Idaho.●

HONORING THE LIFE OF WILLIAM R. STEWART

● Mr. BAYH. Mr. President, today I pay tribute to the life of a distinguished civil servant, Bill Stewart, who passed away on Monday, February 16, 2004. His long life was filled with acts of conscientious service on behalf of his friends, his family members and the American work force. The contributions he made through his work for the National Labor Relations Board, combined with the many lives he touched along the way, leave behind a positive legacy that will not soon be forgotten.

Bill was born in Terre Haute, IN, and earned his undergraduate degree in government from Indiana University. As an ROTC student during his time at Indiana University, Bill was commissioned as a second lieutenant in the Army shortly after his graduation. Proving at a young age that service and leadership were an inherent part of his life and personality, Bill deferred his full scholarship to the Indiana University School of Law to serve in Germany in an armored division where he was later selected to be the courts and boards officer and assistant adjutant of a combat command of more than 5,000 men. Bill excelled in everything he set his mind to, including his work as an attorney for the Atomic Energy Commission and his efforts climbing up the

ladder from legislative assistant to president of the Professional Association for the National Labor Relations Board in only 4 years.

His talent and intellect earned him the respect and attention of many. Bill was the first and only National Relations Board employee to receive the President's Award for Distinguished Federal Civilian Service, which is the highest honor attainable through civil service. President Clinton recognized Bill's ''unparalleled'' professional contributions, emphasizing that Bill was ''instrumental in winning national labor law cases that have had a major impact on American workers.''

In addition to his professional accomplishments, I am told that Bill was also a family man at heart. According to his friends and colleagues, Bill cherished the company of his loved ones and always made his parents and siblings a top priority. Undoubtedly, Bill will be remembered by all who knew him for his love of life and laughter.

Bill is survived by his two brothers, Stanley Stewart and Richard Stewart.

Bill was a man who walked with kings but never lost the common touch. The citizens of the State of Indiana and the United States of America were well served by the life led by Bill Stewart. He touched many lives over the course of his career and will be remembered as a loving friend and an incredible leader and colleague.

It is my sad duty to enter the name of William R. Stewart in the official RECORD of the United States Senate. May God be with all who mourn his passing, as I know He is with Bill.●

REMEMBERING FRANK D. STIMLEY

● Mr. COCHRAN. Mr. President, on April 14, 2004, a distinguished attorney and outstanding individual from my State died suddenly in New Orleans, LA. At the age of 56, Frank D. Stimley leaves behind a legacy of accomplishments and contributions to the State and people of Mississippi.

Frank was a native of Jackson, MI. Early in life, he turned down an opportunity to play major league baseball for the St. Louis Cardinals to attend Columbia University, where he received a bachelors degree in electrical engineering. He later joined his sister and older brother at Harvard Law School, where the Stimleys became the first family to ever have three siblings attend that law school at the same time. In addition to his law degree, Frank concurrently obtained a masters in business administration from Harvard Business School.

After graduation, Frank Stimley became the first African-American lawyer to be hired by a large majority white firm in Mississippi. He also became the first African-American lawyer at Wise Carter Child Stein and Caraway to make partner.

Frank was also a member of the 100 Black Men of Jackson, Deacon at the Progressive Morningstar Baptist Church, and involved in providing legal assistance to Stewpot Community Services, Catholic Charities, the Farish Street Redevelopment Project, and the Friends and Children of United Way. Additionally, Frank Stimley helped secure financing for many churches, Head Start programs, medical clinics, the Jackson Redevelopment Authority, and various Mississippi development projects.

Frank Stimley was a successful lawyer and community leader whose contributions were considerable. We extend to his wife Cynthia and the entire Stimley family our sincerest condolences.●

A DELAWARE, NATIONAL, AND INTERNATIONAL JUDICIAL LEADER

● Mr. BIDEN. Mr. President, it gives me great pride and pleasure today to rise and honor a Delaware jurist who is a recognized leader not only in his native State of Delaware, but throughout this country and around the world. His name is Randy Holland.

Justice Holland has served on the Delaware Supreme Court since 1986, with the distinction of being the youngest person ever to serve on my State's highest court. And for the past four years, he has served as the National President of the American Inns of Court. His second term ends next week, and I rise today to commend his leadership to this prestigious legal society.

Justice Holland's stewardship of the American Inns of Court, with its roots dating back to England in the 1400s, has earned him an extraordinary, rare and high honor.

He is only the third American judge to recently receive this prestigious award. The other two are United States Supreme Court Justices.

Lincoln's Inn of London, England, announced that Justice Holland has been elected an Honorary Master of the Bench. The Honorary ''Benchers'' are persons of distinction selected from common law countries around the world. The only American judges to receive this high recognition and distinction are Justice Ruth Bader Ginsberg and John Paul Stevens of the United States Supreme Court and now Justice Holland.

In commenting upon Justice Holland's election, William Blair, a distinguished Barrister, President of the Commercial Bar Association in England, and brother of Prime Minister Tony Blair, stated ''We feel that this is an important mark of friendship between the Inns of Court of England and the American Inns of Court. What is most gratifying for us is that the common aims of the organization are ethics, civility, professionalism and legal excellence—which are surely more necessary now than ever. My fellow Benchers were greatly impressed by Justice Holland's distinguished judicial record.''

To put this honor in context, Lincoln's Inn is the oldest of the four Inns of Court in London. Its formal records date back continuously to 1422. For six centuries, the Inns of Court in London have educated English trial lawyers, who are known as Barristers.

St. Thomas More, Lord Chancellor of England, joined Lincoln's Inn in 1496. The chapel bell at Lincoln's Inn came from Spain in 1596 as part of the spoils of Cadiz. When Dr. John Donne was Preacher to Lincoln's Inn in 1624, he wrote his famous poem ''for whom the bell tolls.''

Along with this international honor, Justice Holland has been recognized by his fellow jurists and attorneys in this country. His numerous awards include: the 1992 Judge of the Year Award from the National Child Support Enforcement Association, the 2002 Alumni Award of Merit from the University of Pennsylvania School of Law, the 2003 American Judicature Society's Herbert Harley Award, and the 2004 Widener Law School Adjunct Professor Distinguished Service Award.

Ethics and mentoring are the hallmarks of Justice Holland's service on the bench and his call to his fellow attorneys in the bar. He chaired the national Advisory Committee to the American Judicature Society's Center for Judicial Ethics and currently he chairs the American Bar Association national Joint Committee on Lawyer Regulation. Justice Holland is also a member of the American Law Institute and is an adjunct professor at several law schools.

In addition to these many accomplishments, Justice Holland has published three books on the history of the Delaware Constitution and the Delaware Supreme Court.

Of course, Justice Holland will tell you that he derives his greatest pride from his family—his wife and friend since grade school, Ilona, and his son, Ethan.

Justice Holland deserves a tremendous thank you for his leadership on the bench and bar—from Delaware, attorneys throughout this country, and indeed from jurists and barristers worldwide. Congratulations.●

2003 PRESIDENTIAL RANK AWARDS

● Mr. AKAKA. Mr. President, last week, 70 members of the Federal Government's Senior Executive Service and Senior Level and Scientific and Professional employees received the Nation's highest civil service award for their leadership accomplishments and long-term contributions to their country.

I believe it is fitting to honor these men and women during Public Service Recognition Week, which began yesterday, May 3, 2004. As noted by the Office of Personnel Management, ''Winners of this prestigious award are strong leaders, professionals, and scientists who achieve results and consistently demonstrate strength, integrity, industry,

and a relentless commitment to excellence in public service.'' To me, these awards serve as a reminder that the federal civil service is made up of individuals who have chosen to work for the federal government and their betterment of their fellow citizens.

This year marks the first time that Senior Level and Scientific and Professional executives joined those in the Senior Executive Service in receiving awards. The winners, who were honored at a dinner sponsored by the Senior Executives Association Professional Development League last week, have saved the Federal Government over $187 billion according to SEA President Carol A. Bonosaro. At last week's dinner, Ms. Bonosaro detailed notable achievements of the award recipients: including leading a deployment to Kosovo to gather evidence of war crimes in support of the International Criminal Tribunal for the former Yugoslavia; managing 15 nutrition assistance programs—with $40 billion in apropriations—which reach 50 million Americans annually; serving as a Space Shuttle astronaut pilot and commander; directing the prosecution of international cartels with fines totaling more than $42 billion and the convictions of corporate executives from the U.S. and twelve foreign countries; and serving as the scientific leader of a $2 billion telescope mission, to be launched in 2010, with the objective of seeing the first light in the universe released after the Big Bang.

There are two categories of rank awards; distinguished and meritorious awards. For both awards, winners are chosen through a rigorous selection process which includes nomination by their agency heads, evaluation by boards of private citizens, and approval by the President. Distinguished rank award recipients receive a lump-sum payment of 35 percent of their base pay. Meritorious rank award recipients receive 20 percent of base pay.

At a time when many young people are questioning the value of public service, I urge them to explore the exciting and challenging employment opportunities with the federal government, as well as the benefits of serving their nation. As the Presidential Rank Awards demonstrated, the government values those who seek public service.

Mr. President, I ask that the names and agencies of the 2003 Presidential Rank Award winners be printed in the RECORD.

The information follows.

2003 PRESIDENTIAL RANK AWARDS FOR DISTINGUISHED SENIOR PROFESSIONALS

DEPARTMENT OF COMMERCE

Susan Solomon

DEPARTMENT OF DEFENSE

Office of the Secretary of Defense

John A. Casciotti

Department of the Air Force

Robert Q. Fugate

Department of the Army

Walter Bryzik

Department of the Navy

Frances S. Ligler

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

John Mather

2003 PRESIDENTIAL RANK AWARDS FOR DISTINGUISHED EXECUTIVES

DEPARTMENT OF AGRICULTURE

Antoinette A. Betschart
George A. Braley

DEPARTMENT OF COMMERCE

Scott B. Gudes
Timothy Hauser
Rolland A. Schmitten

DEPARTMENT OF DEFENSE

Office of the Secretary of Defense

Jeanne B. Fites
Michael L. Ioffredo
Pravin C. Jain
Jeffrey A. Jones
Cheryl Joan Roby
Diana G. Tabler

Department of the Air Force

Vincent J. Russo
J. Daniel Stewart

Department of the Army

James L. Flinn, III
Joel B. Hudson
Anthony A. LaPlaca
Michael A. Parker

Department of the Navy

William M. Balderson
Bobby R. Junker

DEPARTMENT OF EDUCATION

Thomas P. Skelly
Steven Y. Winnick

DEPARTMENT OF ENERGY

James F. Decker
Patricia M. Dehmer

DEPARTMENT OF HEALTH AND HUMAN SERVICES

William Beldon
Joseph R. Carter
Dennis J. Duquette
Evelyn White

DEPARTMENT OF HOMELAND SECURITY

Donald K. Shruhan

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Floyd O. May

DEPARTMENT OF THE INTERIOR

Willie R. Taylor

DEPARTMENT OF JUSTICE

James M. Griffin
Bruce C. Swartz

DEPARTMENT OF LABOR

Shelby S. Hallmark

DEPARTMENT OF STATE

Jonathan B. Schwartz

DEPARTMENT OF TREASURY

John M. Dalrymple
Donald V. Hammond
Sarah H. Ingram
Kenneth R. Papaj
Robert E. Wenzel

DEPARTMENT OF VETERANS AFFAIRS

James F. Farsetta
Thomas Lastowka
Laura J. Miller

ENVIRONMENTAL PROTECTION AGENCY

William G. Laxton

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Frederick D. Gregory
Tom Luedtke
Vicki A. Novak
John J. Talone

NUCLEAR REGULATORY COMMISSION

Samuel J. Collins
Hubert J. Miller

OFFICE OF MANAGEMENT AND BUDGET

Richard P. Emery

OFFICE OF PERSONNEL MANAGEMENT

Doris L. Hausser
Nancy H. Kichak
Ronald P. Sanders

SOCIAL SECURITY ADMINISTRATION

William E. Gray
Linda S. McMahon●

PETITIONS AND MEMORIALS

POM–397. A joint memorial adopted by the Legislature of the State of Washington relative to the State's military bases; to the Committee on Armed Services.

SENATE JOINT MEMORIAL 8039

Whereas, the Department of Defense's military installations in Washington State play a vital role in the defense of the United States of America and its citizens and residents, both providing a power projection platform ideally situated geographically and by providing leadership within the military through innovation in transformational efforts; and

Whereas, the military installations in Washington State are striving to perform their current missions as efficiently and effectively as possible and to improve their ability to contribute to the defense of the nation for the long term; and

Whereas, the majority of major conflicts of the 20th century have been in or around the Pacific Ocean, including World War II, the Korean War, the Vietnam War, Operation Desert Storm, and Operation Iraqi Freedom, and the emerging threats of the 21st century are in that same area; and

Whereas, each of the military installations in Washington performs vital strategic functions, including the only homeport for Trident Ballistic Missile Submarines on the Pacific Coast, the only torpedo manufacturing facility in the nation, the only deep draft military shipyard on the Pacific Coast, a major base for C–17 aircraft, the sole Air Force Survival School in the nation, the only major Army installation west of the Rocky mountains capable of large scale troop deployment, and the base with the highest number of VFR flying days of any Naval Air Station in the United States; and

Whereas, Washington State has an excellent working relationship at both the state and local level with each of the military installations, demonstrated in part by the numerous partnerships among the military and local governments and private and nonprofit sectors in providing services to both military and civilian personnel, by involvement of military installations in state and local land use, transportation and other planning, and by the ongoing community support to the military personnel and their families; and

Whereas, the military's presence, in all forms, contributes greatly to the economy, security, and social fabric of Washington State as one of the largest employers in the state, a significant purchaser of goods, services, and construction from the private sector, and a source of leadership in state, local, and community organizations; and

Whereas, Washington State consistently provides a high quality of life to military personnel stationed in our state, evidenced by the large number of terminal postings to bases in Washington State, additionally, our state benefits from the large number of skilled and talented military personnel and their families who remain in or return to Washington after leaving active duty; and

Whereas, the Washington State Legislature recognizes the importance of the Department of Defense's military installations

within Washington State, both to the defense of the United States and the vitality of Washington as an economy and a people;

Now, Therefore, Your Memorialists respectfully pray that the President, Congress, and the Department of Defense will recognize the strategic importance of these bases to our Nation's security and not make them victims of this round of the Base Realignment and Closure process.

Your Memorialists further pray that the military facilities in Washington state will continue to serve in the defense of our nation for many years to come; be it

Resolved, That copies of this Memorial be immediately transmitted to the Honorable George W. Bush, President of the United State, the Secretary of the Department of Defense, the President of the Untied States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington.

POM–398. A joint memorial adopted by the Legislature of the State of Washington relative to The 211 Act, HR 3111, and SB 1630; to the Committee on Commerce, Science, and Transportation.

HOUSE JOINT MEMORIAL 4040

Whereas, tens of thousands of Washington State residents have a need to access a variety of human and social service needs each day, ranging from appropriate child care to affordable housing, support for a homebound parent to food or crisis counseling for teen parents; and

Whereas, thousands of different local, regional, and statewide organizations in Washington State, both public and private, provide services that respond to these needs; and

Whereas, it is often extremely difficult and time consuming for residents to identify and access available services; and

Whereas, the process of connecting those living and working in Washington State with needed services can be simplified by the establishment of a 211 telephone dialing option; and

Whereas, the local, regional, and statewide providers of human and social services would benefit from the more accurate and timely information about needs and resources around the state that is connected by 211 services; and

Whereas, seventy million Americans (23% of the United States population) have access to 211 service in 83 communities nationwide; and

Whereas, Washington Information Network 211 seeks to create a statewide 211 system using existing information and referral providers; and

Whereas, in 2003 the Washington State Legislature overwhelmingly supported and passed an act supporting 211 development and implementation for the residents of our state; and

Whereas, 211 service will soon be available in Clark County and King County, providing 211 access to over 2,000,000 people in Washington State; and

Whereas, 4,000,000 residents in rural and economically depressed areas of Washington State will not have access to 211 service until such time that sustainable public funding is secured; and

Whereas, philanthropic contributions already support the majority of costs associated with 211 development for Washington State; and

Whereas, Congress recognizes the value and broad public benefits of 211 through the inclusion of 211 service in the Public Health Security and Bioterrorism Preparedness and Response Act of 2002; and

Whereas, Senator Patty Murray, Senator Maria Cantwell, Representative Jay Inslee, Representative Jim McDermott, and Representative Rick Larsen from our fair state of Washington are cosponsors of Senate Bill 1630 and House Resolution 3111;

Now, therefore, your memorialists respectfully pray that Congress immediately pass the Calling for 211 Act, HR 3111 and SB 1630: be it

Resolved, That copies of this Memorial be immediately transmitted to the Honorable George W. Bush, President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington.

POM–399. A joint resolution adopted by the Legislature of the State of Maine relative to the exemption of the Passamaquoddy Tribe from certain provisions of the Marine Mammal Protection Act of 1972; to the Committee on Commerce, Science, and Transportation.

JOINT RESOLUTION

We, your Memorialists, the Members of the One Hundred and Twenty-first Legislature of the State of Maine now assembled in the Second Special Session, most respectfully present and petition the Congress of the United States as follows:

Whereas, the federal Marine Mammal Protection Act of 1972 establishes federal responsibility to conserve marine mammals and established a moratorium on the taking and importation of marine mammals and marine mammal products; and

Whereas, the act gave certain exemptions to take marine mammals to Indian, Aleut and Eskimo people who live in Alaska and dwell on the coast of the North Pacific Ocean or the Arctic Ocean, if the taking is done in a nonwasteful manner and is for subsistence purposes or for creating and selling authentic native handicrafts and clothing; and

Whereas, the Passamaquoddy Tribe, a federally recognized Indian tribe in the State of Maine, the first to see the rising sun each day, has the largest reservation in the State, situated on the west branch of the St. Croix River, which leads into the sea; and

Whereas, the Passamaquoddy Tribe has used marine mammals, such as porpoises and seals, for cultural, subsistence, ceremonial, medicinal and commercial uses in its long history in the area, and still do to a certain extent today; and

Whereas, at the time the federal Marine Mammal Protection Act of 1972 was written, the Passamaquoddy Tribe had not been federally recognized and could not seek exemption from the act. In the late 1970s, federal recognition came, followed by the Maine Indian Land Claims Case, which defined a special relationship between the State of Maine and the Passamaquoddy Tribe and Penobscot Nation; and

Whereas, it was agreed that these tribes would have authority over their own internal matters on the reservations. At the same time, it was agreed that they would continue the trust relationship with the Federal Government that had been recognized during the 1970s; now, therefore, be it

Resolved, That we, your Memorialists, on behalf of the people of the State, in view of the trust that the Passamaquoddy Tribe has in the Federal Government, respectfully urge and request that the Congress of the United States give serious consideration to giving the Passamaquoddy Tribe of Maine a cultural exemption from the federal Marine Mammal Protection Act of 1972, as was done for the Alaskan Indian, Aleut and Eskimo peoples; and be it further

Resolved, That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the President of the United States Senate and to the Speaker of the United States House of Representatives and to each member of the Marine Congressional Delegation.

POM–400. A resolution adopted by the House of Representatives of the Legislature of the State of Michigan relative to the use of 75-foot crib carrier log hauling equipment; to the Committee on Commerce, Science, and Transportation.

HOUSE RESOLUTION NO. 168

Whereas, in the logging industry, an important industry for the state of Michigan, the crib carrier for log hauling offers an advancement that can increase the stability of loads with a new design for how the logs are arranged. In a highly competitive industry like lumbering, the new equipment represents significant progress; and

Whereas, current federal law places a 70-foot limit on the length of trucks, although a waiver has permitted the use of 75-foot equipment over the past couple of years. Until federal laws and regulations permit the use of a 75-foot truck length, sanctions will prevent the use of safer truck-trailer combinations; and

Whereas, the 75-foot equipment offers distinct safety measures not available through the 70-foot limit currently in place. Most importantly, the crib arrangement makes the load more secure, with added protection against a shifting cargo. This enhances safety along Michigan's roads; now, therefore, bit it

Resolved by the house of representatives, That we memorialize the Congress of the United States and the United States Department of Transportation to permit the use of 75-foot crib carrier log hauling equipment; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Michigan congressional delegation, and the United States Department of Transportation.

POM–401. A resolution adopted by the House of Representatives of the State of Michigan relative to a minimum rate of return of Michigan's Federal Transportation Funding; to the Committee on Commerce, Science, and Transportation.

HOUSE RESOLUTION NO. 198

Whereas, from 1956 to 2001 Michigan residents paid $1.71 billion dollars more in gas tax money to the federal government than they received in return. Only three states have a worse return rate than Michigan for that period; and

Whereas, Michigan faces a difficult task in maintaining a transportation network that meets the many needs of the individuals and businesses of this state. This task is made much more formidable by the continuing inequity of the percentage of funds returned to the state; and

Whereas, the federal road funding act, the Transportation Equity Act of the 21st Century (TEA–21), expired on February 29, 2004; and

Whereas, the House Surface Transportation Extension Act of 2004, signed by President Bush on February 29, 2004, extends highway, safety, transit, and other programs until April 30, 2004; and

Whereas, the United States House of Representatives and the United States Senate each have bills pending to authorize a new funding system for the states; and

Whereas, in 2003, Senate Concurrent Resolution No. 1, House Concurrent Resolution No. 5, and House Resolution No. 9 all memorialized the Congress of the United States to establish a minimum rate of return of 95 percent of Michigan's federal transportation

funding for highway and transit programs. As the federal government works on the next budget, it is imperative that this issue be kept before policymakers at every level to achieve this long overdue measure of equity, now, therefore, be it

Resolved by the house of representatives, That we hereby memorialize the Congress of the United States to establish a minimum return rate of 95 percent of Michigan's federal transportation funding for highway and transit programs to bring greater fairness to the federal funding of transportation needs in Michigan; and be it further

Resolved, That we further memorialize Congress to act before the beginning of the 2004 road construction season; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM–402. A resolution adopted by the House of Representatives of the General Assembly of the Commonwealth of Kentucky relative to the Lewis and Clark National Historical Trail; to the Committee on Energy and Natural Resources.

RESOLUTION

Whereas, in 1803, President Thomas Jefferson gained approval to form an expeditionary group to explore the Western territory of the United States; and

Whereas, the ''Corps of Discovery,'' led by Meriwether Lewis and William Clark, embarked upon its epic adventure in April, 1805, which at its conclusion returned invaluable information relative to the peoples, wildlife, flora, and geography of the Western territory; and

Whereas, 2003 marked the bicentennial celebration of the embarkation of the Lewis and Clark Expedition; and

Whereas, Congress has seen fit to create the Lewis and Clark National Historic Trail; and

Whereas, H.R. 2327 introduced by United States Representative Goode and S. 2018 introduced by United States Senator Bunning, now pending in the 108th Congress of the United States, seek to extend the boundaries of the Lewis and Clark National Historic Trail; and

Whereas, the extension of the Lewis and Clark National Historic Trail would make the trail the largest in the national parks system; and

Whereas, an extended Lewis and Clark National Historic Trail would serve to continue the celebration of the Lewis and Clark bicentennial celebration; and

Whereas, the extension of the Lewis and Clark National Historic Trail would provide enhanced educational possibilities for all; and

Whereas, the extension of the Lewis and Clark National Historic Trail would generate an increase in tourism and tourism revenue in the states where the trail runs; and

Whereas, the proposed extension of the Lewis and Clark National Historic Trail would include specific sites in the Commonwealth of Kentucky: Now, therefore, be it

Resolved by the House of Representatives of the General Assembly of the Commonwealth of Kentucky:

Section 1. The House of Representatives does hereby acknowledge the historic importance of the Lewis and Clark National Historic Trail and encourages each and every member of the respective chambers of the Congress of the United States to cosponsor H.R. 2327 and S. 2018 of the 108th Congress of the United States to extend the length of the trail.

Section 2. The House of Representatives encourages the subsequent passage of H.R. 2327 and S. 2018 of the 108th Congress of the United States.

Section 3. The Clerk of the House of Representatives is directed to transmit a copy of this Resolution of Jeff Trandahl, Clerk of the House of Representatives, United States Capitol, Room H154, Washington, D.C. 20515–6601 and to Emily Reynolds, Secretary of the Senate, United States Senate, Washington, D.C. 20510, for distribution to the members of the United States House of Representatives and the United States Senate, respectively.

POM–403. A concurrent resolution adopted by the House of Representatives of the General Assembly of the States of Ohio relative to the Abandoned Mine Land Fund; to the Committee on Energy and Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 31

Whereas, since 1800, substantial mining has occurred in Ohio, providing fuel for the United States' industrial revolution and support for two world war efforts. The mining industry also has been a major employer of the state's citizens for many of the years since 1800. However, the cumulative effects of past mining have caused significant environmental problems; and

Whereas, the Surface Mining Control and Reclamation Act of 1977 created the Abandoned Mine Land Reclamation Program to help protect public health and safety and to restore lands and waters adversely affected by mining practices employed prior to August 3, 1977. The Program is funded by fees on coal production, which are deposited by the United States Secretary of the Interior into the Abandoned Mine Land Fund. As of March 31, 2003, more than $6.7 billion in fees have been deposited into the Fund, of which more than $1.4 billion remains to be appropriated to the states. The $1.4 billion includes more than $938 million in state and Indian tribal share funds. Ohio's state share is more than $22 million; and

Whereas, the expenditure of abandoned mine land funds on various reclamation projects by the twenty-three states and three Indian tribes that have federally approved abandoned mine reclamation programs has significantly improved public health and safety and the environment. In addition, that expenditure has provided an estimated 6,000 jobs and $130 million in economic benefits to the Appalachian region of Ohio alone; and

Whereas, authority to collect the fee for abandoned mine reclamation is scheduled to expire on September 30, 2004, eliminating additional revenue for the Abandoned Mine Land Reclamation Program. However, $6.6 billion worth of identified health and safety problems remain nationally, including 203 million in inventoried problems in Ohio such as abandoned strip mines, mine openings, landslides, and flooding. In addition to these nationally identified health and safety problems, 1,300 miles of Ohio streams polluted by acid mine drainage and potential subsidence from 6,000 abandoned underground mines exist; and

Whereas, the people living in the country's mining regions, including Ohio's mining region, have the right to a safe environment, including clean drinking water and healthy streams in viable communities; now therefore be it

Resolved, that we, the members of the 125th General Assembly of the State of Ohio, urge Congress to reauthorize abandoned mine land fee collection authority for a minimum of twelve years, commencing October 1, 2004, to disperse state and tribal shares of annual fee collections each year without appropriation, and, in keeping faith with the goals of the Surface Mining Control and Reclamation Act of 1977, to provide eligible states and Indian tribes their lawful shares of the unappropriated balance in the Abandoned Mine Land Fund, after due consideration for the United Mine Workers of America Combined Benefit Fund, so that they may further protect public health and safety and enhance the environment of their states and tribal lands; and to consider reevaluating the administration of the Abandoned Mine Land Reclamation Program and the Abandoned Mine Land Fund; and be it further

Resolved, that the Clerk of the House of Representatives transmit copies of this resolution to the Speaker and Clerk of the United States House of Representatives, to the President Pro Tempore and the Secretary of the United States Senate, to the members of the Ohio Congressional delegation, and to the news media of Ohio.

POM–404. A resolution adopted by the Senate of the General Assembly of the Commonwealth of Kentucky relative to the construction of Interstate 66 through the Purchase Area of Western Kentucky; to the Committee on Environment and Public Works.

RESOLUTION

Whereas, Kentucky lies in the heart of our nation and at the crossroads of the industrial North, the Eastern Seaboard, and the burgeoning Sunbelt; and

Whereas, transportation of goods and persons by ground has become increasingly important to the economy of our great nation; and

Whereas, the U.S. Interstate Highway System is one of the greatest engineering accomplishments in the history of mankind and has made our nation's system of highways the best in the world; and

Whereas, with its location on both the Ohio and Mississippi Rivers, the Purchase Area of Western Kentucky is situated at a crucial point in America's intermodal transportation system; and

Whereas, plans are underway for the development of Interstate 66, with a projected route through Southern Kentucky; and

Whereas, current changes in these plans have resulted in Interstate 66 ending at Interstate 24 before it enters the Purchase Area; and

Whereas, the extension of this route through the Purchase Area and into Missouri is crucial to fully realizing the benefits of an intermodal transportation system utilizing interstate highways, rail lines, and the many Kentucky riverports in the area; and

Whereas, it is vital that our national leaders understand the importance and urgency of this situation: Now, therefore, be it

Resolved by the Senate of the General Assembly of the Commonwealth of Kentucky:

Section 1. The members of this body, both individually and collectively, urge the United States Congress to plan for and fund the design and construction of Interstate 66 through the Purchase Area of Kentucky and into Missouri.

Section 2. The Clerk of the Senate is directed to transmit a copy of this Resolution to the Clerk of the United States Senate, the Clerk of the United States House of Representatives, and to each member of Kentucky's Congressional delegation.

POM–405. A resolution adopted by the House of Representatives of the General Assembly of the Commonwealth of Kentucky relative to the construction of Interstate 66 through the Purchase Area of Western Kentucky; to the Committee on Environment and Public Works.

RESOLUTION

Whereas, Kentucky lies in the heart of our nation and at the crossroads of the industrial North, the Eastern Seaboard, and the burgeoning Sunbelt; and

Whereas, transportation of goods and persons by ground has become increasingly important to the economy of our great nation; and

Whereas, the U.S. Interstate Highway System is one of the greatest engineering accomplishments in the history of mankind and has made our nation's system of highways the best in the world; and

Whereas, with its location on both the Ohio and Mississippi Rivers, the Purchase Area of Western Kentucky is situated at a crucial point in America's intermodal transportation system; and

Whereas, plans are underway for the development of Interstate 66, with a projected route through Southern Kentucky; and

Whereas, current changes in these plans have resulted in Interstate 66 ending at Interstate 24 before it enters the Purchase Area; and

Whereas, the extension of this route through the Purchase Area Counties of McCracken and Ballard and into Missouri is crucial to fully realizing the benefits of an intermodal transportation system utilizing interstate highways, rail lines, and the many Kentucky riverports in the area; and

Whereas, it is vital that our national leaders understand the importance and urgency of this situation: Now, therefore, be it

Resolved by the House of Representatives of the General Assembly of the Commonwealth of Kentucky:

Section 1. The members of this body, both individually and collectively, urge the United States Congress to plan for and fund the design and construction of Interstate 66 from Interstate 24 through McCracken and Ballard counties in Kentucky and into Missouri, with a bridge over the Mississippi River near Wickliffe.

Section 2. The Clerk of the House of Representatives is directed to transmit a copy of this Resolution to the Clerk of the United States Senate, the Clerk of the United States House of Representatives, each member of Kentucky's Congressional delegation, and to Kentucky Transportation Cabinet Secretary Maxwell C. Bailey.

POM–406. A resolution adopted by the House of Representatives of the Legislature of the State of Michigan relative to the Great Lakes Controlled Data Collection and Monitoring Act; to the Committee on Environment and Public Works.

HOUSE RESOLUTION NO. 128

Whereas, the Great Lakes constitute a critically important resource for our nation. The long-term health of this vast and complicated freshwater network is fundamental to the quality of life through its impact on public health, commerce, transportation, and recreation; and

Whereas, the ongoing challenge of protecting the Great Lakes is complicated by the many threats the lakes face, the number of units of government within its basin, and inconsistencies in how data on the water is gathered, assessed, and acted upon; and

Whereas, in spite of the efforts of many public entities committed to protecting the Great Lakes, there is insufficient and inconsistent data on the impact that restoration efforts are having on water quality. The lack of data was confirmed by the General Accounting Office in a May 2003 report. Without reliable information, it is impossible to determine to what extent the Great Lakes Water Quality Agreement between our nation and Canada is progressing or whether federal and state water quality standards and programs are effective; and

Whereas, legislation is pending in Congress that would directly address the issue of how data on the Great Lakes is collected and assessed. The Great Lakes Controlled Data Collection and Monitoring Act, H.R. 2668, would direct the Great Lakes National Program Office of the Environmental Protection Agency to develop, implement, monitor, and report on indicators of water quality and related environmental factors in the Great Lakes. The legislation also authorizes appropriations to carry out this much-needed work; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact the Great Lakes Controlled Data Collection and Monitoring Act; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM–407. A resolution adopted by the House of Representatives of the Legislature of the State of Michigan relative to the gap between services offered to children in kinship care arrangements and services offered to children in foster care situations; to the Committee on Finance.

HOUSE RESOLUTION NO. 27

Whereas, the 2000 Census confirmed the trend that increasing numbers of children are being raised by grandparents. In many of these situations, a grandparent or other relative is raising one or more children as an alternative to foster placement. While such situations offer many advantages to children and save the state a considerable amount of money, public policies recognizing these realities are inadequate; and

Whereas, there is a serious gap between the level of services offered to children in kinship care situations and those in foster care arrangements. While some children in kinship care can be eligible for support through the TANF program, the level of assistance through child-only grants is notably lower; and

Whereas, the gap between assistance offered to poor children being raised by a family member rather than a foster family is especially evident in eligibility for food programs, specifically school lunch programs. Indeed, the potential for harm to children living in situations where access to good nutrition is not assured represents a serious threat in our society. Addressing this problem by increasing access to school lunch programs for children living in kinship care arrangements is most appropriate; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to address the gap between services offered to children in kinship care arrangements and services offered to children in foster care situations, specifically by extending access to free school lunch programs for more children living in kinship care; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM–408. A resolution adopted by the House of Representatives of the Legislature of the State of Utah relative to urging Congress to consider withdrawing the United States from the United Nations; to the Committee on Foreign Relations.

HOUSE JOINT RESOLUTION 3

Whereas, the United States is known for its compassionate people who are generous and kind in caring for the needs of those in other countries and whose resources are used worldwide to alleviate hunger and poverty;

Whereas, United States military forces are called upon to bear the brunt of any conflicts that may arise, which costs the lives of many American armed forces members, while other nations stay on the sidelines;

Whereas, the United States provides the largest share of the financial burden for the United Nations, amounting to hundreds of millions or even billions of dollars each year which could be used to address many of the nation's own needs;

Whereas, many of the countries who are members of the United Nations are not only unfriendly to the United States, but also support ideas and interests that are detrimental to the United States;

Whereas, member nations that are among the worst human rights violators are members of, and even chair, the committee to investigate human rights violations while the United States is denied membership;

Whereas, the secretary-general of the United Nations, as well as most other leaders and committee chairs, are chosen from nations who do not share the values of the United States, but this nation is expected to follow their decisions and programs;

Whereas, the United States was founded, and the constitution was created, for the purpose of protecting freedoms and God-given rights and for protecting the nation's values and way of life;

Whereas, the United States was created to be independent from, not subject to, the laws and rules of other nations;

Whereas, the United Nations has further imperiled the sovereignty of the United States' military serving abroad by adopting an International Criminal Court, which violates both the Uniform Code of Military Justice and the United States Constitution;

Whereas, the International Criminal Court has no legitimate authority and lacks any body of laws by which to adjudicate cases since the authority to enact laws rests with sovereign nations;

Whereas, the International Criminal Court merges the functions of prosecutor and adjudicator into one office, which is contrary to the United States Constitution;

Whereas, the International Criminal Court fails to provide any appeal from adjudication at the trial level and fails to provide for a trial by jury;

Whereas, the International Criminal Court fails to provide that the accused be confronted by his or her accusers, providing instead for the use of hearsay evidence;

Whereas, the International Criminal Court fails to provide for the accused the right to compel the production of witnesses;

Whereas, the International Criminal Court allows evidence obtained from the accused by compulsion;

Whereas, the International Criminal Court denies other fundamental rights recognized in the constitutional jurisprudence of the United States;

Whereas, even though the United States has not signed the agreement to abide by the decisions of the International Criminal Court, when two-thirds of the member nations sign, it will be binding on all members,

Whereas, the United States Constitution, which provides America with the greatest form of government known to humankind, and which was made possible and protected by much sacrifice and bloodshed throughout the nation's history, is not recognized as a governing document by the United Nations;

Whereas, the continual use of the nation's resources and armed forces to enforce its resolutions and to police the world as a result

of failed United Nations peace overtures may eventually weaken the United States to the point where it can no longer defend its freedoms;

Whereas, the absolute failure of the United Nations to support the United States in the war against terrorism in Iraq is but the latest affront to the citizens of the United States; and

Whereas, the United States has more to lose than it can gain by continuing as a member of the United Nations: Now, therefore, be it

Resolved, That because the United Nations exercises power and authority to override the sovereignty and self determination of the people of our Nation the Legislature of the state of Utah respectfully but firmly requests that the United States Congress consider dissolving the membership of the United States in the United Nations, thereby freeing the nation from a large financial burden and retaining the nation's sovereignty to decide what is best for the nation and determine what steps it considers appropriate as the leader of the free world in full control of its armed forces and destiny: be it further

Resolved, That a copy of this resolution be sent to the President of the United States Senate, the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, the President of the United States, and to the members of Utah's congressional delegation.

POM–409. A joint resolution adopted by the Legislature of the State of Tennessee relative to United States government uniforms and equipment; to the Committee on Governmental Affairs.

SENATE JOINT RESOLUTION NO. 64

Whereas, it is with great pride and honor that the hardworking employees of American factories craft the uniforms and equipment that clothe and protect the members of the United States government; and

Whereas, to take that privilege away from those Americans who ceaselessly toil to fulfill their patriotic duty to the men and women who serve our fine country is a grievous insult to the American people; and

Whereas, on October 28, 2002, Fechheimer Brothers Manufacturing Company in Martin learned that one of its largest accounts, the United States Postal Service, had certified a new supplier of postal uniforms, San Francisco Knitting Mills—one that cuts costs by manufacturing the product outside the United States; and

Whereas, according to a memo from Fechheimer President and CEO, Brad Kinstler, San Francisco Knitting Mills is ''the first manufacturer to venture outside of the U.S. to make products for the postal market,'' an action which may result in setting a dangerous precedent; and

Whereas, the Fechheimer-Martin plant, formerly Martin Manufacturing Company, is one of four plants owned by the Fechheimer Corporation of Cincinnati; and

Whereas, three of the plants: Martin, Tennessee; Jefferson, Pennsylvania; and Grantsville, Maryland; manufacture uniform shirts. The corporation's plant in Hodgenville, Kentucky manufactures uniform trousers; and

Whereas, twenty percent of the Fechheimer Brothers Manufacturing Company's annual production consists of the postal service's purchases; the loss of the contract with the postal service could result in massive layoffs at the plant, possibly up to twenty percent of the company's 200 workers, which would then put a crimp in the local economy; and

Whereas, plant manager Marc Lemacks describes Fechheimer Brothers Manufacturing Company as the ''Cadillac of the industry,'' a corporation that consistently provides its clients and customers with quality products and service; and

Whereas, Mr. Lemacks is aware of no complaints from the United States Postal Service in regards to the uniforms produced by his company; instead, he fears the postal service's decision to change suppliers is based on an attempt to secure a lower price with an offshore company; and

Whereas, not only will transferring production of postal service uniforms to another country rob the American people of their jobs and livelihoods, but it will result in a decrease in revenue to the American government through the loss of taxes paid by American workers; and

Whereas, it is crucial that the production of uniforms and equipment for United States government workers remain in American factories, for the producing and wearing of American-made products strengthens the morale of both government and civil service workers, boosts the country's economy, and manifests the pride of the American government toward its citizens: Now, therefore, be it

Resolved by the Senate of the One Hundred Third General Assembly of the State of Tennessee, the House of Representatives concurring, That we respectfully urge the Congress of the United States to resolve this important issue and require that government uniforms and equipment be manufactured in the United States, thus saving the jobs of myriad Americans and strengthening the national economy: be it further

Resolved, That appropriate copies of this resolution be transmitted forthwith to the President of the United States, the Speaker and the Clerk of the United States House of Representatives, the President and the Secretary of the United States Senate, and to each member of the Tennessee Congressional Delegation.

POM–410. A joint resolution adopted by the Legislature of the State of Maine relative to the protection of civil liberties and the security of the United States; to the Committee on Governmental Affairs.

JOINT RESOLUTION

Whereas, the State of Maine recognizes that the Constitution of the United States is our charter of liberty and that the Bill of Rights enshrines the fundamental and inalienable rights of Americans, including the freedoms of religion, speech, assembly and privacy; and

Whereas, each of Maine's duly elected public servants has sworn to defend and uphold the Constitution of the United States and the Constitution of Maine; and

Whereas, the State of Maine denounces and condemns all acts of terrorism, wherever occurring; and

Whereas, attacks against Americans such as those that occurred on September 11, 2001 have necessitated the crafting of effective laws to protect the public from terrorist attacks; and

Whereas, any new security measures of federal, state and local governments should be carefully designed and employed to enhance public safety without infringing on the civil liberties and rights of any citizen of the State of Maine and the nation; and

Whereas, matters relating to immigration are primarily federal in nature; and

Whereas, certain provisions of the ''Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001,'' commonly referred to as the USA PATRIOT Act, allow the Federal Government more liberally to detain and investigate citizens and engage in surveillance activities that may violate or offend the rights and liberties guaranteed by our state and federal constitutions; now, therefore, be it

Resolved, That We, the Members of the Maine State Legislature reaffirm our sworn oaths to defend the Constitution of the United States and the Constitution of Maine and our solemn commitment to continue to protect and champion the rights and liberties of Maine citizens that are guaranteed under the state and federal constitutions, including freedom of expression; the right to free access to public information; freedom of association, including the ability to attend meetings without being monitored or belong to an organization without fear of reprisal; freedom from unreasonable searches and seizures, including wiretapping and monitoring of medical records and library records; due process protections, including protection against detention without charges or targeting based on race, religion, ethnicity or national origin; and the right to property, including protection against seizure or freezing of assets; and be it further

Resolved, That the Maine State Legislature urges the Federal Government to continue to exercise its jurisdiction over immigration matters and encourages the Federal Government to work cooperatively with the states to provide assistance and training necessary to protect our country; and be it further

Resolved, That laws passed by the United States Congress to specifically combat the threat of international terrorism should not be used in conducting domestic law enforcement; and be it further

Resolved, That the Maine State Legislature implores the United States Congress to review provisions in the USA PATRIOT Act and other measures that may infringe on civil liberties and ensure any pending and future federal measures do not infringe on Americans' civil rights and liberties; and be it further

Resolved, That the Legislature calls upon our United States Representatives and Senators to monitor the implementation of the USA PATRIOT Act and related federal actions and, if necessary, repeal those sections of the USA PATRIOT Act and related federal measures that may infringe upon fundamental rights and liberties as recognized in the United States Constitution and its amendments; and be it further

Resolved, That official copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable George W. Bush, President of the United States; the Honorable John Ashcroft, Attorney General of the United States; the Honorable John E. Baldacci, Governor of the State of Maine; Richard Cheney, President of the United States Senate; Dennis Hastert, Speaker of the United States House of Representatives and each member of the Maine Congressional Delegation.

POM–411. A joint memorial adopted by the Legislature of the State of Washington relative to a postage stamp commemorating American coal miners; to the Committee on Governmental Affairs.

HOUSE JOINT MEMORIAL 4007

Whereas, since the birth of this country, our nation owes our coal miners a debt we could never begin to repay for the difficult and dangerous job they perform so we could have the fuel we need to operate our industries and heat our homes; and

Whereas, the energy needs of communities throughout the nation have been met due to the hard work and dedication of American coal miners; and

Whereas, millions of workers toiled in the nation's coal mines over the last century,

risking both life and limb to fuel the nation's economic expansion, and through their manual labor made possible the technological conveniences of modern American life, though those contributions to the nation's welfare are generally unknown to the public; and

Whereas, during the last century, over 100,000 coal miners have been killed in mining accidents in the nation's coal mines, and 3,500,000 coal miners have suffered nonfatal injuries; and

Whereas, 100,000 coal miners have contracted Black Lung Disease as a direct result of their toil in the nation's coal mines; and

Whereas, coal provides 50 percent of the nation's electricity and is an essential fuel for industries such as steel, cement, chemical, food, and paper; and

Whereas, coal miners keep the nation supplied with an energy resource that produces electricity for the lowest cost, when compared to fuels other than nuclear, and which makes possible the country's unmatched productivity and prosperity; and

Whereas, coal miners provide a vital pool of labor with the expertise to produce energy supplies from vast national coal reserves, which serves to buffer the country from a dangerous dependence on foreign energy fuels; and

Whereas, the United States has a demonstrated coal reserve of more than 500,000,000,000 tons, with an estimated 275,000,000,000 tons of recoverable reserves which, at current production rates, represents about 275 years of recoverable coal reserves; and

Whereas, these coal reserves represent about 95 percent of all fossil fuel reserves in the United States, about one-fourth of the world's known coal reserves; and

Whereas, approximately two-thirds of all coal mined in the United States is transported by rail, making coal the largest single source of freight revenue for United States' railroads; and

Whereas, transportation by railroad provided jobs for thousands of workers who built the infrastructure, maintained it, and loaded and unloaded coal; and

Whereas, it would be proper and fitting for our nation to recognize our coal miners, both past and present, for their contributions to this nation; and

Whereas, coal mining continues to be the economic engine for many communities, providing jobs to areas with little economic diversity; and

Whereas, coal mining provides an economic benefit far beyond its direct revenue, including billions of dollars in economic output and household earnings and hundreds of thousands of jobs in other industries; now, therefore, your Memorialists respectfully pray that the United States Postal service issue a postage stamp commemorating American coal miners, which would hold the promise of illustrating a colorful and historically rich segment of society for the benefit of school children, stamp collectors, educators, and the public; be it

Resolved, That copies of this Memorial be immediately transmitted to the Honorable George W. Bush, President of the United States, the United States Postmaster General, the Citizens' Stamp Advisory Committee of the United States Postal Service, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington.

POM–412. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of Louisianas relative to funding for the National Recovery Training Institute in Louisiana; to the Committee on Health, Education, Labor, and Pensions.

HOUSE CONCURRENT RESOLUTION NO. 18

Whereas, there is a need for national support in the addiction recovery community to improve the health, safety, and quality of life for individuals in addiction recovery; and

Whereas, HopeNetworks is requesting federal funding to establish a National Recovery Training Institute in Louisiana; and

Whereas, the institute would provide technology resources to aid in the development of tools to be used by recovering communities for enpowerment, long-term sobriety, and recovery; provide education to recovering communities across the nation; provide education and awareness to stakeholders such as policymakers, business leaders, and the faith community; and provide technology and job training scholarships for person in early recovery to learn job skills and life skills while at the institute; and

Whereas, the socioeconomic impact of addiction is more than four hundred forty billion dollars every year to the United States; and

Whereas, the National Recovery Training Institute in Louisiana will serve as a public health, education, and training center for millions of people across the United States: Therefore, be it

Resolved, That the Louisiana Legislature does hereby memorialize the United States Congress to allocate funding for the creation of the National Recovery Institute; be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. GRASSLEY, from the Committee on Finance, with an amendment in the nature of a substitute:

S. 882. A bill to amend the Internal Revenue Code of 1986 to provide improvements in tax administration and taxpayer safe-guards, and for other purposes (Rept. No. 108–257).

By Mr. LUGAR, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and with an amended preamble:

S. Con. Res. 99. A concurrent resolution condemning the Government of the Republic of the Sudan for its participation and complicity in the attacks against innocent civilians in the impoverished Darfur region of western Sudan.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of committee were submitted:

By Mr. LUGAR, from the Committee on Foreign Relations:

Treaty Doc. 108–22 Additional Protocol Concerning Business and Economic Relations with Poland (Exec. Rpt. N. 108–13)

The text of the resolution of ratification as reported by the Committee on Foreign Relations:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advises and consents to the ratification of the Additional Protocol Between the United States of America and the Republic of Poland to the Treaty Between the United States of America and the Republic of Poland Concerning Business and Economic Relations of March 21, 1990, signed at Brussels on January 12, 2004 (T. Doc. 108–22).

Treaty Doc. 108–21 Additional Investment Protocol with Lithuania (Exec. Rept. No. 108–13)

The text of the resolution of ratification as reported by the Committee on Foreign Relations:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advises and consents to the ratification of the Additional Protocol Between the Government of the United States of America and the Government of the Republic of Lithuania to the Treaty for the Encouragement and Reciprocal Protection of Investment of January 14, 1998, signed at Brussels on September 22, 2003 (T. Doc. 108–21).

Treaty Doc. 108–20 Additional Investment Protocol with the Latvia (Exec. Rept. No. 108–13)

The text of the resolution of ratification as reported by the Committee on Foreign Relations:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advises and consents to the ratification of the Additional Protocol Between the Government of the United States of America and the Government of the Republic of Latvia to the Treaty for the Encouragement and Reciprocal Protection of Investment of January 13, 1995, signed at Brussels on September 22, 2003 (T. Doc. 108–20).

Treaty Doc. 108–19 Additional Investment Protocol with the Slovak Republic (Exec. Rept. No. 108–13)

The text of the resolution of ratification as reported by the Committee on Foreign Relations:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advises and consents to the ratification of the Additional Protocol Between the United States of America and the Slovak Republic to the Treaty Between the United States of America and the Czech and Slovak Federal Republic Concerning the Reciprocal Encouragement and Protection of Investment of October 22, 1991, signed at Brussels on September 22, 2003 (T. Doc. 108–19).

Treaty Doc. 108–18 Additional Investment Protocol with the Czech Republic (Exec. Rept. No. 108–13)

The text of the resolution of ratification as reported by the Committee on Foreign Relations:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advises and consents to the ratification of the Additional Protocol Between the United States of America and the Czech Republic to the Treaty Between the United States of America and the Czech and Slovak Federal Republic Concerning the Reciprocal Encouragement and Protection of Investment of October 22, 1991, signed at Brussels on December 10, 2003 (T. Doc. 108–18).

Treaty Doc. 108–17 Investment Protocol with Estonia (Exec. Rept. No. 108–13)

The text of the resolution of ratification as reported by the Committee on Foreign Relations:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advises and consents to the ratification of the Protocol Between the Government of the United States of America and the Government of the Republic of Estonia to the Treaty for the Encouragement and Reciprocal Protection of

Investment of April 19, 1994, signed at Brussels on October 24, 2003 (T. Doc. 108–17).

Treaty Doc. 108–15 Additional Protocol Amending Investment Treaty with Bulgaria

The text of the resolution of ratification as reported by the Committee on Foreign Relations:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advises and consents to the ratification of the Additional Protocol Between the United States of America and the Republic of Bulgaria Amending the Treaty Between the United States of America and the Republic of Bulgaria Concerning the Encouragement and Reciprocal Protection of Investment of September 23, 1992, signed at Brussels on September 22, 2003 (T. Doc. 108–15).

Treaty Doc. 108–13 Additional Protocol to Investment Treaty with Romania

The text of the resolution of ratification as reported by the Committee on Foreign Relations:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advises and consents to the ratification of the Additional Protocol Between the Government of the United States of America and the Government of Romania Concerning the Reciprocal Encouragement and Protection of Investment of May 28, 1992, signed at Brussels on September 22, 2003 (T. Doc. 108–13).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BUNNING (for himself and Mr. MILLER):

S. 2376. A bill to amend the Internal Revenue Code of 1986 to repeal the scheduled restrictions in the child tax credit, marriage penalty relief, and 10 percent rate bracket, and for other purposes; to the Committee on Finance.

By Mr. JEFFORDS (for himself and Mr. SARBANES):

S. 2377. A bill to amend the Safe Drinking Water Act to ensure that the District of Columbia and States are provided with a safe, lead free supply of drinking water; to the Committee on Environment and Public Works.

By Mr. REID (for himself and Mr. ENSIGN):

S. 2378. A bill to provide for the conveyance of certain public land in Clark County, Nevada, for use as a heliport; to the Committee on Energy and Natural Resources.

By Mr. HAGEL (for himself and Mr. NELSON of Nebraska):

S. 2379. A bill to authorize an additional district judgeship for the district of Nebraska; to the Committee on the Judiciary.

By Mr. SUNUNU (for himself, Mr. STEVENS, Mr. WARNER, and Mr. GREGG):

S. 2380. A bill to authorize the President to issue posthumously to the late William ''Billy'' Mitchell a commission as major general, United States Army; to the Committee on Armed Services.

By Mr. KENNEDY (for himself, Mr. FEINGOLD, and Mrs. CLINTON):

S. 2381. A bill to provide for earned adjustment to reward work, reunify families, establish a temporary worker program that protects United States and foreign workers and strengthen national security under the immigration laws of the United States; to the Committee on the Judiciary.

By Mr. INOUYE:

S. 2382. A bill to establish grant programs for the development of telecommunications capacities in Indian country; to the Committee on Indian Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. KENNEDY (for himself, Mr. LEAHY, Mr. DURBIN , Mr. FEINGOLD, Mr. CARPER, and Mr. BIDEN):

S. Res. 349. A resolution recognizing and honoring May 17, 2004, as the 50th anniversary of the Supreme Court decision in Brown v. Board of Education of Topeka; to the Committee on the Judiciary.

By Mr. FRIST (for himself and Mr. DASCHLE):

S. Res. 350. A resolution to authorize the production of records by the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs; considered and agreed to.

By Mr. GREGG (for himself, Mr. LIEBERMAN, Mr. FRIST, Mr. CARPER, Mrs. DOLE, Mr. SUNUNU, Mr. ALEXANDER, Mr. DOMENICI, Mr. CRAIG, Mr. COLEMAN, Ms. LANDRIEU, Mr. DURBIN, Mr. DEWINE, and Mr. BROWNBACK):

S. Res. 351. A resolution congratulating charter schools and their students, parents, teachers, and administrators across the United States for their ongoing contributions to education, and for other purposes; considered and agreed to.

By Ms. MURKOWSKI (for herself, Mrs. BOXER, Ms. CANTWELL, Mrs. CLINTON, Ms. COLLINS, Mrs. DOLE, Mrs. FEINSTEIN, Mrs. HUTCHISON, Ms. LANDRIEU, Mrs. LINCOLN, Ms. MIKULSKI, Mrs. MURRAY, Ms. SNOWE, and Ms. STABENOW):

S. Con. Res. 103. A concurrent resolution honoring the contribution of the women, symbolized by ''Rosie the Riveter'', who served on the homefront during World War II, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 952

At the request of Mr. CORZINE, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 952, a bill to amend title XVIII of the Social Security Act to reduce the work hours and increase the supervision of resident-physicians to ensure the safety of patients and resident-physicians themselves.

S. 976

At the request of Mr. WARNER, the names of the Senator from Tennessee (Mr. ALEXANDER), the Senator from Kansas (Mr. ROBERTS), the Senator from Nevada (Mr. REID), the Senator from Missouri (Mr. BOND), the Senator from Nebraska (Mr. HAGEL) and the Senator from Minnesota (Mr. DAYTON) were added as cosponsors of S. 976, a bill to provide for the issuance of a coin to commemorate the 400th anniversary of the Jamestown settlement.

S. 1223

At the request of Mr. BINGAMAN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1223, a bill to increase the number of well-trained mental health service professionals (including those based in schools) providing clinical mental health care to children and adolescents, and for other purposes.

S. 1393

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. 1393, a bill to amend the Richard B. Russell National School Lunch Act to reauthorize and expand the fruit and vegetable pilot program.

S. 1512

At the request of Mr. DODD, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1512, a bill to amend the Internal Revenue Code of 1986 to exclude from income and employment taxes and wage withholding property tax rebates and other benefits provided to volunteer firefighters and emergency medical responders.

S. 1645

At the request of Mr. CRAIG, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. 1645, a bill to provide for the adjustment of status of certain foreign agricultural workers, to amend the Immigration and Nationality Act to reform the H–2A worker program under that Act, to provide a stable, legal agricultural workforce, to extend basic legal protections and better working conditions to more workers, and for other purposes.

S. 1755

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. 1755, a bill to amend the Richard B. Russell National School Lunch Act to provide grants to support farm-to-cafeteria projects.

S. 1792

At the request of Mr. DOMENICI, the name of the Senator from Alabama (Mr. SHELBY) was added as a cosponsor of S. 1792, a bill to amend the Internal Revenue Code of 1986 to provide the same capital gains treatment for art and collectibles as for other investment property and to provide that a deduction equal to fair market value shall be allowed for charitable contributions of literary, musical, artistic, or scholarly compositions created by the donor.

S. 1798

At the request of Mr. HOLLINGS, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Florida (Mr. NELSON) were added as cosponsors of S. 1798, a bill to provide for comprehensive fire safety standards for upholstered furniture, mattresses, bedclothing, and candles.

S. 1804

At the request of Mr. BREAUX, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 1804, a bill to reauthorize programs relating to sport fishing and recreational boating safety, and for other purposes.

S. 1934

At the request of Mr. NICKLES, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 1934, a bill to establish and Office of Intercountry Adoptions within the Department of State, and to reform United States laws governing intercountry adoptions.

S. 2065

At the request of Mr. JOHNSON, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 2065, a bill to restore health care coverage to retired members of the uniformed services, and for other purposes.

S. 2091

At the request of Mr. FRIST, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 2091, a bill to improve the health of health disparity population.

S. 2132

At the request of Mr. FEINGOLD, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 2132, a bill to prohibit racial profiling.

S. 2165

At the request of Mr. REED, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 2165, a bill to specify the end strength for active duty personnel of the Army as of September 30, 2005.

S. 2261

At the request of Mr. DEWINE, the names of the Senator from Oregon (Mr. SMITH) and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of S. 2261, a bill to expand certain preferential trade treatment for Haiti.

S. 2264

At the request of Mr. FEINGOLD, the names of the Senator from Massachusetts (Mr. KERRY), the Senator from Kansas (Mr. BROWNBACK), the Senator from Louisiana (Ms. LANDRIEU) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of S. 2264, a bill to require a report on the conflict in Uganda, and for other purposes.

S. 2265

At the request of Mr. ROBERTS, the names of the Senator from Illinois (Mr. FITZGERALD) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 2265, a bill to require group and individual health plans to provide coverage for colorectal cancer screenings.

S. 2283

At the request of Mr. GREGG, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S. 2283, a bill to extend Federal funding for operation of State high risk health insurance pools.

S. 2292

At the request of Mr. VOINOVICH, the names of the Senator from Florida (Mr. NELSON), the Senator from Illinois (Mr. DURBIN) and the Senator from Kansas (Mr. BROWNBACK) were added as cosponsors of S. 2292, a bill to require a report on acts of anti-Semitism around the world.

S. 2298

At the request of Mr. BREAUX, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 2298, a bill to amend the Internal Revenue Code of 1986 to improve the operation of employee stock ownership plans, and for other purposes.

S. 2328

At the request of Mr. DORGAN, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 2328, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the importation of prescription drugs, and for other purposes.

S. 2339

At the request of Mr. CORZINE, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2339, a bill to amend part D of title XVIII of the Social Security Act to improve the coordination of prescription drug coverage provided under retiree plans and State pharmaceutical assistance programs with the prescription drug benefit provided under the medicare program, and for other purposes.

S. 2352

At the request of Ms. LANDRIEU, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 2352, a bill to prevent the slaughter of horses in and from the United States for human consumption by prohibiting the slaughter of horses for human consumption and by prohibiting the trade and transport of horseflesh and live horses intended for human consumption, and for other purposes.

S. 2373

At the request of Mr. DOMENICI, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 2373, a bill to modify the prohibition on recognition by United States courts of certain rights relating to certain marks, trade names, or commercial names.

S.J. RES. 28

At the request of Mr. CAMPBELL, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S.J. Res. 28, a joint resolution recognizing the 60th anniversary of the Allied landing at Normandy during World War II.

S.J. RES. 33

At the request of Mr. BROWNBACK, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S.J. Res. 33, a joint resolution expressing support for freedom in Hong Kong.

S.J. RES. 36

At the request of Mrs. FEINSTEIN, the names of the Senator from Minnesota (Mr. DAYTON), the Senator from Washington (Mrs. MURRAY) and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of S.J. Res. 36, a joint resolution approving the renewal of import restrictions contained in Burmese Freedom and Democracy Act of 2003.

S. CON. RES. 78

At the request of Mr. LIEBERMAN, the name of the Senator from New Jersey (Mr. CORZINE) was added as a cosponsor of S. Con. Res. 78, a concurrent resolution condemning the repression of the Iranian Baha'i community and calling for the emancipation of Iranian Baha'is.

S. CON. RES. 83

At the request of Mr. BIDEN, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. Con. Res. 83, a concurrent resolution promoting the establishment of a democracy caucus within the United Nations.

S. CON. RES. 100

At the request of Mr. ALEXANDER, the names of the Senator from Virginia (Mr. ALLEN), the Senator from Nebraska (Mr. HAGEL), the Senator from Michigan (Mr. LEVIN) and the Senator from New Hampshire (Mr. SUNUNU) were added as cosponsors of S. Con. Res. 100, a concurrent resolution celebrating 10 years of majority rule in the Republic of South Africa and recognizing the momentous social and economic achievements of South Africa since the institution of democracy in that country.

S. RES. 164

At the request of Mr. ENSIGN, the name of the Senator from New Hampshire (Mr. SUNUNU) was added as a cosponsor of S. Res. 164, a resolution reaffirming support of the Convention on the Prevention and Punishment of the Crime of Genocide and anticipating the commemoration of the 15th anniversary of the enactment of the Genocide Convention Implementation Act of 1987 (the Proxmire Act) on November 4, 2003.

S. RES. 269

At the request of Mr. LEVIN, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from Maryland (Mr. SARBANES) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. Res. 269, a resolution urging the Government of Canada to end the commercial seal hunt that opened on November 15, 2003.

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. Res. 269, supra.

S. RES. 331

At the request of Mrs. DOLE, her name was added as a cosponsor of S. Res. 331, a resolution designating June 2004 as ''National Safety Month''.

AMENDMENT NO. 2941

At the request of Mr. THOMAS, the name of the Senator from Illinois (Mr. FITZGERALD) was added as a cosponsor of amendment No. 2941 intended to be proposed to S. 1637, a bill to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to

reform and simplify the international taxation rules of the United States, and for other purposes.

AMENDMENT NO. 3109

At the request of Mr. WYDEN, the names of the Senator from South Carolina (Mr. GRAHAM), the Senator from Illinois (Mr. DURBIN), the Senator from New Mexico (Mr. BINGAMAN) and the Senator from Louisiana (Mr. BREAUX) were added as cosponsors of amendment No. 3109 proposed to S. 1637, a bill to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, and for other purposes.

At the request of Ms. CANTWELL, her name was added as a cosponsor of amendment No. 3109 proposed to S. 1637, supra.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BUNNING (for himself and Mr. MILLER):

S. 2376. A bill to amend the Internal Revenue Code of 1986 to repeal the scheduled restrictions in the child tax credit, marriage penalty relief, and 10 percent rate bracket, and for other purposes; to the Committee on Finance.

Mr. BUNNING. Mr. President, I rise today to introduce The Working Family Tax Relief Act of 2004. I would like to thank my colleague, Senator MILLER, for his support of this important legislation. His leadership has laid the foundation of bipartisan support that this critical tax bill and working American families deserve.

Tax relief has contributed to economic growth throughout our economy. We have successfully encouraged companies to create more jobs and Americans to save and spend more. The President's tax cuts and our votes here in the Senate helped to revive an economy that was sagging in 2000 and shocked by the tragedies of September 11, 2001.

We put a plan in place in 2001 to help the American family to keep more of the money they work so hard to earn. In 2003, Congress saw fit to accelerate the effective date of some of this family tax relief in order to give these families this help as quickly as possible. As a result, every American family who paid any income taxes during 2003 saw a reduction in their taxes and they will enjoy those lower taxes for this year as well. However, if we do not act this year, America's working families will face a tax increase next year. We cannot allow this to happen.

The lowest-income Americans have benefited dramatically from the new 10 percent tax bracket. Today, thanks to this new bracket, working Americans are keeping more of their hard-earned paychecks. But if we do nothing, taxpayers with as little as $7,000 in taxable income could face a tax increase next year. My legislation proposes to keep the current 10 percent tax rate bracket in place rather than allowing it to shrink and increase taxes on the working families of America. This extension could bring relief to as many as 1.2 million people in Kentucky and millions of others throughout the country.

And, if we do nothing, the child tax credit will be cut by 30 percent in 2005. We need to keep the $1,000 tax credit and not let it revert to the old $700 credit. There are over 350,000 taxpayers in Kentucky who need this tax relief and will benefit from this legislation. We can't ask millions of Americans to pay an extra $300 per child next year. Will you ask the families of this country, who have worked so hard to raise our entire economy up, to pay more in taxes simply because they have children? I know I won't, and I hope my colleagues won't either.

The accelerated marriage penalty relief will also lapse after this year unless the Senate acts. I propose keeping the current tax deduction in place, which we increased to twice that of an individual taxpayer in 2003. Without this extension, married couples will see a cut in their standardized deduction—actually penalizing couples for being married. Over 465,000 Kentuckians benefits from this legislation. We need to keep this important tax relief intact.

And finally we need to address an unintended consequence of the Alternative Minimum Tax. When the Senate passed the AMT, it was designed to ensure wealthier Americans paid at least some percentage of their income in taxes. Now that same AMT is hurting working families and middle-income America. In 2003, the Senate passed limited AMT relief that is now set to expire. This legislation will keep the current exemption levels of $40,250 for single and $58,000 for married taxpayers in place for 2005. If we fail to act, an additional $7,000 to $13,000 of middle-income taxpayers' income will be subject to this tax. We all know that the AMT is a serious issue and one that we must address—the limited relief contained in this bill is not a final solution to this large problem, but it will keep the problem from getting even worse.

There are other important tax cuts that should be extended and there are other problems with the tax code that I would like to correct. But the four provisions addressed in this bill have to be addressed today not just to provide tax relief, but to prevent an immediate tax increase. We owe it to the working families and low-income Americans who rely on these tax cuts to act quickly and extend these four provisions—the 10 percent tax bracket, child tax credit, marriage penalty relief and AMT relief. Working American families and lower to middle-income America were hit hard with the economic downturn—that is why we passed these tax cuts in the first place. And now, just as these industrious Americans have started to find new jobs and spend a little more money to grow the economy, we cannot hold them back with a tax increase.

And I can't stress this point enough. Many Americans—especially low and middle income families—will have their tax rates increased and face cuts in their deductions and credits unless we act. My bill is about extending the important tax breaks that we all agreed to in 2001 and accelerated in 2003. We made a commitment to the American family in the midst of an economic downturn—offering them tax relief to help stimulate the economy. And now that these tax cuts are starting to work, we can't afford to take them back. We must stay the course and support our Nation's families as we move the American economy forward toward renewed prosperity.

I know how tight government finances are likely to be this year. And as my colleagues know, I have always taken a hard look at spending proposals. But we built about $80 billion into the Senate-passed FY 2005 Budget proposal for these tax provisions. And there are similar provisions in the House-approved budget. I am confident that we can secure the amount we will need for this proposal over the next few years.

We find ourselves in a unique position—we must be proactive to protect the American family from an unjust tax increase. We need to take a stand for low and middle income America. This Bunning-Miller tax relief legislation will protect working Americans from what would be a devastating tax increase in 2005. I urge my colleagues to get behind this bipartisan legislation and support the Working Family Tax Relief Act of 2004.

By Mr. JEFFORDS (for himself and Mr. SARBANES):

S. 2377. A bill to amend the Safe Drinking Water Act to ensure that the District of Columbia and States are provided with a safe, lead-free supply of drinking water; to the Committee on Environment and Public Works.

Mr. JEFFORDS. Mr. President, I rise today to introduce the Lead-Free Drinking Water Act of 2004 with my colleague Senator SARBANES. We are joined by our colleagues, Congresswoman NORTON, Congressman WAXMAN, and others, who will be introducing the House companion bill today.

I was horrified, as I imagine we all were, when it was first reported that lead levels in DC public water system was significantly higher than Federal guidelines, and had been so for at least two years. I asked myself the same thing thousands of DC residents were asking themselves—why weren't we told about this sooner. How much water did I drink? How much water did my children drink? What are the effects of lead in our blood stream? What are the long-term effects? What are we going to do about it?

This is a pretty sad situation no matter where you live, but it is especially upsetting when you live in the Capital

of the free world. Clearly, mistakes were made and changes are needed—because if it can happen in Washington, DC or Boston, it can happen anywhere.

The Senate Environment and Public Works Committee, of which I am the ranking member, held a hearing on this issue last month, and we heard some pretty compelling testimony from DC residents, health experts, risk management professionals and government officials.

But we are going to do more than just hold hearings; today we are introducing the Lead-Free Drinking Waste Act of 2004.

Our bill will overhaul the Safe Drinking Water Act to strengthen the Federal rules governing lead testing and regulations in our public water systems to ensure that our most vulnerable citizens—infants, children, pregnant women, and new moms—are not harmed by lead in the drinking water.

Specifically, the bill requires the EPA to re-evaluate the current regulatory structure to figure out if it really provides the level of public health protection required.

The bill calls on the EPA to establish a maximum contaminant level for lead at the tap, and if that is not practical given the presence of lead inside home plumbing systems, the bill requires EPA to re-evaluate the current action level for lead to ensure that vulnerable populations such as infants, children, pregnant women, and nursing mothers receive adequate protection.

I look forward to working with EPA on this evaluation to determine which approach is most feasible and which provides the greatest level of public health protection.

EPA has three choices—keep current standard, an ''action level'' at 15 parts per billion; lower the current action level below 15 parts per billion; or establish a ''maximum contaminant load.''

For example, it is clear that a maximum contaminant level, which is measured at the water treatment plant, would do little to protect people from lead-contaminated drinking water at their faucets. Our bill requires that standards be measured at the top.

It is also clear that a low lead action level measured at the tap could provide more protection than a high MCL measured anywhere in the system if there were extremely strong and effective public notification procedures in place.

Public notice is the key to success of any lead regulation–parents say to me, ''If only I had known, I could have protected my family.'' It is our job to be sure the public notice system we have in place gets people the information they need when they need it.

The bill will require that information such as the number of homes tested, the lead levels found, the areas of the community in which they were located, and the disproportionate adverse health effects of lead on infants, be made public immediately upon detection of lead.

In addition, the bill requires that, as part of routine testing conducted, any residents whose homes test high for lead receive notification within 14 days, and appropriate medical referrals.

Finally, we don't want the day of an exceedance to be the first time people have heard about lead in drinking water. The bill establishes a basic public education program to ensure that people have a basic understanding that lead may be present in drinking water and what the corrective actions might be even before their water system detects a problem.

Right now, EPA can't say if we have a national problem or not. We need one-time nationwide testing for lead in drinking water at all water systems to determine if DC is an isolated case or if there are other ''sleeping giants'' out there.

The bill requires increased water testing and lead remediation in schools and day-care centers nationwide. This provision exists in law today, but it was affected by previous litigation. This bill corrects the problem by requiring the Administrator to execute this program if States choose not to. It is wholly unacceptable to do anything less than provide a learning environment for our next generation that does not degrade their intellectual capacity. Our bill provides $150 million over five years for this program. And we strengthen existing requirements to ensure that ALL lead service lines will be replaced by a public water system at a rate of 10 percent per year until they are gone. It provides more Federal funding to upgrade water distribution systems to replace lead service lines.

This is common sense—let's get rid of the lead in our distribution systems and get rid of the lead in our water.

Our bill makes the water systems responsible for replacing lead service lines, including the privately-owned sections, once a system exceeds lead standards. Homeowners have the final say in whether their line is replaced. We provide $1 billion over five years for lead service line replacement.

The EPA estimates that our Nation needs 265 billion dollars to maintain and improve its drinking water infrastructure over the next twenty years. If we don't address this, we will be facing more and more health and environmental issues as our Nation's water infrastructure degrades.

Lead service lines are only one part of the picture. Leaded solder was banned in 1987. However, ''lead-free'' plumbing fixtures are currently allowed to have eight percent lead. Our bill bans leaded plumbing fixtures and components.

It is time to get the lead out of our pipes, out of our water, out of our families and out of our lives. Safe drinking water is not a privilege; it is a right—whether you live in Washington, DC, or Washington State or Washington County, VT.

We hope to move this bill this year. My Committee is scheduled to consider water infrastructure legislation later this month, and I think the ''Lead-Free Drinking Water Act of 2004'' would be an important addition to that bill.

I just want to say it has been an honor to work with Senator SARBANES, Congresswoman NORTON, and Congressman WAXMAN on this vitally important issue.

By Mr. REID (for himself and Mr. ENSIGN):

S. 2378. A bill to provide for the conveyance of certain public land in Clark County, Nevada, for use as a heliport; to the Committee on Energy and Natural Resources.

Mr. REID. Mr. President. I arise today to introduce legislation to establish a public heliport facility in Clark County, NV.

The purpose of my bill is simple: It would convey about a third of a square mile of public land managed by the Bureau of Land Management to Clark County for dedicated use as a heliport. The land is located just south of the Henderson city limits and east of Interstate 15.

The establishment of this heliport will help eliminate the ongoing conflict between air tour operators whose overflights of the Grand Canyon represent a classic component of the Las Vegas visitor experience and residents in the west-central and southwestern parts of the Las Vegas Valley whose every day lives are adversely affected by helicopter noise.

For many months now, local officials have sought to establish a heliport on County or private land within the Las Vegas Valley. Their chosen site is currently a go-kart track near Interstate 15 near Henderson. If this site is developed as a heliport facility, helicopter tour operators will soon be flying over the Sloan Canyon National Conservation Area. In fact, if Congress does not enact my bill, air tours will soon be flying over Sloan Canyon itself—one of the richest petroglyph sites in the Mohave Desert. That outcome would be entirely legal, entirely predictable and entirely regrettable.

In 2002, I worked closely with Senator ENSIGN, Congresswoman BERKLEY, Congressman GIBBONS and local advocates to ensure protection of the Sloan Canyon area and its unique cultural resources. Through our combined efforts we created the Sloan Canyon National Conservation Area and the McCullough Mountains Wilderness. I am proud of these efforts and today I offer this legislation as a further effort to protect the precious resources that we worked to safeguard in 2002.

The bill I am introducing in the Senate today would not prohibit helicopter overflights of the Sloan Canyon National Conservation Area but it would ensure that such flights steer clear of the most sensitive and special cultural resources and minimize the impact on the majestic bighorn sheep and other wildlife that live in the McCullough Mountains.

My legislation stipulates that any helicopter flight originating from and/or landing at this heliport would be required by law to fly no further than 5 miles north of the southernmost boundary of the Sloan Canyon National Conservation Area and at least 500 to 1000 feet above ground level while in the NCA. Further, it requires that every such light contribute 3 dollars per passenger to a special fund dedicated to the protection of the cultural, wilderness, and wildlife resources in Nevada.

These provisions justify conveying the land to Clark County at no cost because they provide a stable, long-term source of funding in excess of the market value of the land and because the conveyance and use are in the public interest.

I look forward to working with the Chairman and Ranking member of the Senate Energy and Natural Resources Committee and my other Senate colleagues to ensure swift passage of this important legislation.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2378

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONVEYANCE OF PROPERTY TO CLARK COUNTY, NEVADA.

(a) FINDINGS.—Congress finds that—

(1) the Las Vegas Valley in the State of Nevada is the fastest growing community in the United States;

(2) helicopter tour operations are conflicting with the needs of long-established residential communities in the Valley; and

(3) the designation of a public heliport in the Valley that would reduce conflicts between helicopter tour operators and residential communities is in the public interest.

(b) PURPOSE.—The purpose of this Act is to provide a suitable location for the establishment of a commercial service heliport facility to serve the Las Vegas Valley in the State of Nevada while minimizing and mitigating the impact of air tours on the Sloan Canyon National Conservation Area and North McCullough Mountains Wilderness.

(c) DEFINITIONS.—In this Act:

(1) CONSERVATION AREA.—The term ''Conservation Area'' means the Sloan Canyon National Conservation Area established by section 604(a) of the Clark County Conservation of Public Land and Natural Resources Act of 2002 (116 Stat. 2010).

(2) COUNTY.—The term ''County'' means Clark County, Nevada.

(3) HELICOPTER TOUR.—

(A) IN GENERAL.—The term ''helicopter tour'' means a commercial helicopter tour operated for profit.

(B) EXCLUSION.—The term ''helicopter tour'' does not include a helicopter tour that is carried out to assist a Federal, State, or local agency.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(5) WILDERNESS.—The term ''Wilderness'' means the North McCullough Mountains Wilderness established by section 202(a)(13) of the Clark County Conservation of Public Land and Natural Resources Act of 2002 (116 Stat. 2000).

(d) CONVEYANCE.—As soon as practicable after the date of enactment of this Act, the Secretary shall convey to the County, subject to valid existing rights, for no consideration, all right, title, and interest of the United States in and to the parcel of land described in subsection (e).

(e) DESCRIPTION OF LAND.—The parcel of land to be conveyed under subsection (d) is the parcel of approximately 229 acres of land depicted as tract A on the map entitled ''Clark County Public Heliport Facility'' and dated May 3, 2004.

(f) USE OF LAND.—

(1) IN GENERAL.—The parcel of land conveyed under subsection (d)—

(A) shall be used by the County for the operation of a heliport facility under the conditions stated in paragraphs (2) and (3); and

(B) shall not be disposed of by the County.

(2) IMPOSITION OF FEES.—

(A) IN GENERAL.—Any operator of a helicopter tour originating from or concluding at the parcel of land described in subsection (e) shall pay to the Clark County Department of Aviation a $3 conservation fee for each passenger on the helicopter tour if any portion of the helicopter tour occurs over the Conservation Area.

(B) DISPOSITION OF FUNDS.—Any amounts collected under subparagraph (A) shall be deposited in a special account in the Treasury of the United States, which shall be available to the Secretary, without further appropriation, for the management of cultural, wildlife, and wilderness resources on public land in the State of Nevada.

(3) FLIGHT PATH.—Except for safety reasons, any helicopter tour originating or concluding at the parcel of land described in subsection (e) that flies over the Conservation Area shall not fly—

(A) over any area in the Conservation Area except the area that is between 3 and 5 miles north of the latitude of the southernmost boundary of the Conservation Area;

(B) lower than 1,000 feet over the eastern segments of the boundary of the Conservation Area; or

(C) lower than 500 feet over the western segments of the boundary of the Conservation Area.

(4) REVERSION.—If the County ceases to use any of the land described in subsection (d) for the purpose described in paragraph (1)(A) and under the conditions stated in paragraphs (2) and (3)—

(A) title to the parcel shall revert to the United States, at the option of the United States; and

(B) the County shall be responsible for any reclamation necessary to revert the parcel to the United States.

(g) ADMINISTRATIVE COSTS.—The Secretary shall require, as a condition of the conveyance under subsection (d), that the County pay the administrative costs of the conveyance, including survey costs and any other costs associated with the transfer of title.

By Mr. SUNUNU (for himself, Mr. STEVENS, Mr. WARNER, and Mr. GREGG):

S. 2380. A bill to authorize the President to issue posthumously to the late William ''Billy'' Mitchell a commission as major general, United States Army; to the Committee on Armed Services.

Mr. SUNUNU. Mr. President, today I am introducing a bill to honor one of the Nation's great military visionaries, the late William ''Billy'' Mitchell. My legislation would correct an injustice that has existed for almost eight decades by calling on the President to posthumously award Billy Mitchell a commission as major general in the United States Army.

I would like to first recognize the support this measure has received from the Senator from Alaska, Mr. STEVENS, the Chairman of the Appropriations Committee and the Subcommittee on Defense Appropriations, the Senator from Virginia, Mr. WARNER, the Chairman of the Armed Services Committee, and the Senator from New Hampshire, Mr. GREGG, who is a member of the Defense Appropriations Subcommittee. And I would also like to commend my colleague in the House, Mr. BASS, who, with the support of House Armed Services Chairman DUNCAN HUNTER, steered identical legislation to unanimous passage in that chamber in the fall of last year. I am pleased to join my colleagues as we recognize the accomplishments of this important figure in our country's military history.

Billy Mitchell joined the Army at age 18 in 1898. As he quickly rose in rank, he began to realize the incredible potential for air power in establishing military superiority. After World War I, Billy Mitchell became a brigadier general and deputy commander of the Air Service, and in this position he began pressing senior military officials and the White House for increased funding for the development of a formidable air force. In fact, he conducted a test for senior Army and Navy officials in the Chesapeake Bay in 1921 that bolstered his contention that air power represented the future of combat, while embarrassing many naysayers.

Although Billy Mitchell was long on vision and foresight, he was short on tact. After the 1921 test, his relationship with his superiors deteriorated as his very public battle for Air Service funding had taken an increasingly bitter tone, and after an accident that took the lives of Navy sailors, Mitchell accused senior military leaders of ''almost treasonable administration of the national defense.'' He was court-martialed for insubordination, found guilty, sentenced to 5 years loss of pay, and demoted to the rank of colonel. Yet to the surprise of no one, Billy Mitchell continued to be a strong and effective voice in support of air power after resigning his commission in 1926 until his untimely death 10 years later.

Billy Mitchell sacrificed his career to help change the way our country defends itself and projects military force across the globe to protect and preserve freedom. We have seen over time—most recently during the war on terror in Afghanistan and Iraq—how important air power is in achieving our military objectives. Mitchell's prognostications many years ago about the future of air power has been proven correct many times over, and it is now time for our nation to recognize the enormous contribution Billy Mitchell has made to the citizens and soldiers of the United States of America. I urge my colleagues to support this bill to finally give the late Billy Mitchell the rank of major general, United States Army.

By Mr. KENNEDY (for himself, Mr. FEINGOLD, and Mrs. CLINTON):

S. 2381. A bill to provide for earned adjustment to reward work, reunify families, establish a temporary worker program that protects United States and foreign workers and strengthen national security under the immigration laws of the United States; to the Committee on the Judiciary.

Mr. KENNEDY. Mr. President, it is a privilege to introduce the Safe Orderly Legal Visas and Enforcement (SOLVE) Act of 2004.

Much of the Nation's economy today depends on the hard work and the many contributions of immigrants. Many industries depend heavily on immigrant labor. These workers enrich our Nation and improve the quality of our lives. Yet millions of today's immigrant workers are undocumented. These workers and their families live in constant fear of deportation, and are easy targets of abuse and exploitation by unscrupulous employers and by criminals. Many risk great danger, and even death, to cross our borders.

For important reasons—to strengthen national security, to guarantee sound economic and labor practices, and to ensure fundamental fairness—it is essential to reform our immigration system. We need immigration policies that provide a safe, orderly system where legality is the prevailing norm. We need immigration policies that reflect current economic realities, that respect the core values of family unity and fundamental fairness and that uphold our proud tradition as a Nation of immigrants.

These are complex issues, deserving careful consideration and debate. But they are also issues that demand immediate attention. Our bill creates a genuine earned legalization program for undocumented workers and a revised temporary worker program with protections for both U.S. and foreign workers. It also creates a realistic path to citizenship for all deserving immigrants, and takes clear steps to reunite immigrant families.

The legislation will benefit both workers and businesses. It improves wages and working conditions, and provides an effective way for foreign-born workers to become permanent residents if they wish to do so. It benefits immigrant families by reducing the unacceptable backlogs and obstacles that have separated families for too many years.

Family unity has always been a fundamental cornerstone of America's immigration policy. Despite this fact, over three million individuals are awaiting immigrant visas in order to reunite with their families. This bill will allow immigrant families to be reunited more quickly and humanely. It also removes other obstacles in our current immigration laws that are separating families, such as the stringent affidavit-of-support requirements and the bars to admissibility.

No immigration proposal is complete without an earned adjustment program. Hard-working immigrants living in the United States contribute to the economic growth and prosperity of our Nation. Immigrant workers are, and will continue to be, essential to the success of many American businesses. Our legislation will allow these long-term, tax-paying immigrants to apply for earned adjustment of status, providing employers with a more stable workforce and improving the wages and working conditions of all workers.

A revised temporary worker program is a necessary component of any immigration reform, but it cannot stand alone. It must be enacted in conjunction with earned legalization and family unity priorities, and it must avoid the troubling legacy of exploitation that has marred past guest worker programs.

This legislation strikes a fair balance. It will ensure that individuals participating in the program receive the same labor protections as those given to U.S. workers, including the right to organize, the right to change jobs between employers and economic sectors, and the protection of wages, hours, and working conditions. Anything else would subject migrants to abuse, and undermine the jobs, wages and working conditions of U.S. workers. The bill also provides participants with an opportunity to become permanent residents, and eventually citizens, if they wish to do so. Without such an opportunity, we will be creating second class status for temporary workers.

Since the terrorist attacks of September 11th, we can no longer tolerate policies that fail to protect and control our borders. For the last decade, Congress has invested millions of dollars to vastly increase the number of immigration border patrol agents, improve surveillance technology, and install other controls to strengthen border enforcement, especially at our southwest border. Yet, almost everyone will agree that these policies have failed to stop illegal immigration. The proof is in the numbers—several hundred thousand people continue to enter the U.S. illegally each year.

Our border enforcement strategy has, in effect, diverted migration flows to the most inhospitable desert and mountain terrains, causing dramatic increases in deaths due to exposure to the elements. According to statistics from the U.S. Border Patrol, since 1998 nearly 2,000 people have died making the treacherous journey across our southern border. Desperate migrants are being drawn into criminal smuggling syndicates, increasing the danger of violence to border patrol agents, border communities, and the migrant themselves. As Stephen Flynn, an expert on terrorism, noted at a recent Congressional hearing, these ''draconian measures'' have produced chaos at our borders, which ''makes it ideal for exploitation by criminals and terrorists.''

Our borders must be safe and secure. Although no terrorists have been apprehended crossing the southern border, the conditions there are ripe for abuse. Our present enforcement policies are not effective. Our bill will replace the chaotic, deadly illegal crossings along our southwest border with orderly and safe legal avenues for immigrant workers and immigrant families. Substantially legalizing the flow of people at our borders will strengthen our security and substantially reduce criminal activities, enabling immigration enforcement agents to focus their resources on terrorists and criminals attempting to enter the country. The bill will strengthen national security by encouraging undocumented persons to come forward to become legal.

We have a unique opportunity to reform the current immigration system, and apply sensible policies that reaffirm our commitment to family unity, fundamental fairness, economic opportunity, and humane treatment.

The bill we are introducing today will achieve the full reforms we need. A good first step would be to enact two bills that are already pending—the AgJOBS bill to reform the immigration laws for migrant workers, and the DREAM Act, to enable undocumented high school students to qualify for legal status so they can attend college. The Administration's wholehearted endorsements of these two bills would guarantee their immediate passage. Let's at least get these bills done now. We cannot afford any more delays.

I look forward to working with my colleagues to reform our immigration laws. It's time to make these long-overdue reforms happen.

By Mr. INOUYE:

S. 2382. A bill to establish grant programs for the development of telecommunications capacities in Indian country; to the Committee on Indian Affairs.

Mr. INOUYE. Mr. President, I rise to introduce a bill that is long overdue and much needed in Indian country.

On May 22nd of last year, the Committee on Indian Affairs held a hearing on the status of telecommunications across Native America. Testimony received at that hearing and reports of Federal agencies that were made part of the hearing record indicate that there is most definitely a vast difference in access to the most basic telecommunications services.

For instance, telephone service to Indian homes is from 30 to 60 percent less than the national average, and only 10 percent of Indian homes have Internet service.

The bill that I introduce today is modeled after the community development block grant program and provides authorization for the establishment of two block grant programs in the Department of Commerce. The first block grant would enable tribal governments to develop the necessary infrastructure

to support expanded telecommunications capabilities, to develop comprehensive plans for enhancing telecommunications services in Indian communities, and to provide support for telemedicine.

The second block grant program would support the provision of training and technical assistance in the very complex field of telecommunications.

The objectives of this bill can be rather simply stated. For too long, when it comes to access to even the most basic telecommunications services—telephone and Internet access—we have relegated Indian country to third world status. We must bridge this gap—it is that fundamental.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2382

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Native American Connectivity Act''.

SEC. 2. FINDINGS.

Congress finds that—

(1)(A) disparities exist in the areas of education, health care, workforce training, commerce, and economic activity of Indians due to the rural nature of most Indian reservations; and

(B) access to basic and advanced telecommunications infrastructure is critical in eliminating those disparities;

(2) currently, only 67.9 percent of Indian homes have telephone service, compared with the national average of 95.1 percent;

(3) the telephone service penetration rate on some reservations is as low as 39 percent;

(4) even on reservations and trust land, non-Indian homes are more likely to have telephone service than Indian homes;

(5) only 10 percent of Indian households on tribal land have Internet access;

(6) only 17 percent of Indian tribes have developed comprehensive technology plans;

(7) training and technical assistance have been identified as the most significant needs for the development and effective use of telecommunications and information technology in Indian country;

(8) funding for telecommunications and information technology projects in Indian country remains inadequate to address the needs of Indian communities;

(9) many Indian tribes are located on or adjacent to Indian land in which unemployment rates exceed 50 percent;

(10) the lack of telecommunications infrastructure and low telephone and Internet penetration rates adversely affects the ability of Indian tribes to pursue economic development opportunities; and

(11) health care, disease prevention education, and cultural preservation are greatly enhanced with access to and use of telecommunications technology and electronic information.

SEC. 3. PURPOSES.

The purposes of this Act are—

(1) to promote affordable and universal access among Indian tribal governments, tribal entities, and Indian households to telecommunications and information technology in Indian country;

(2) to encourage and promote tribal economic development, self-sufficiency, and strong tribal governments;

(3) to enhance the health of Indian tribal members through the availability and use of telemedicine and telehealth; and

(4) to assist in the retention and preservation of native languages and cultural traditions.

SEC. 4. DEFINITIONS.

In this Act:

(1) BLOCK GRANT.—The term ''block grant'' means a grant provided under section 5.

(2) ELIGIBLE ACTIVITY.—The term ''eligible activity'' means an activity carried out—

(A) to acquire or lease real property (including licensed spectrum, water rights, dark fiber, exchanges, and other related interests) to provide telecommunications services, facilities, and improvements;

(B) to acquire, construct, reconstruct, or install telecommunications facilities, sites, or improvements (including design features), or utilities;

(C) to retain any real property acquired under this Act for tribal communications purposes;

(D) to pay the non-Federal share required by a Federal grant program undertaken as part of activities funded under this Act;

(E) to carry out activities necessary—

(i) to develop a comprehensive telecommunications development plan; and

(ii) to develop a policy, planning, and management capacity so that an eligible entity may more rationally and effectively—

(I) determine the needs of the entity;

(II) set long term and short term goals;

(III) devise programs and activities to meet the goals of the entity, including, if appropriate, telehealth;

(IV) evaluate the progress of the programs and activities in meeting the goals; and

(V) carry out management, coordination, and monitoring of activities necessary for effective planning implementation;

(F) to pay reasonable administrative costs and carrying charges relating to the planning and execution of telecommunications development activities, including the provision of information and resources about the planning and execution of the activities to residents of areas in which telecommunications development activities are to be concentrated;

(G) to increase the capacity of an eligible entity to carry out telecommunications activities;

(H) to provide assistance to institutions of higher education that have a demonstrated capacity to carry out eligible activities;

(I) to enable an eligible entity to facilitate telecommunications development by—

(i) providing technical assistance, advice, and business support services (including services for developing business plans, securing funding, and conducting marketing); and

(ii) providing general support (including peer support programs and mentoring programs) to Indian tribes in developing telecommunications projects;

(J) to evaluate eligible activities to ascertain and promote effective telecommunications and information technology deployment practices and usages among Indian tribes; or

(K) to provide research, analysis, data collection, data organization, and dissemination of information relevant to telecommunications and information technology in Indian country for the purpose of promoting effective telecommunications and information technology deployment practices and usages among tribes.

(3) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(A) an Indian tribe;

(B) an Indian organization;

(C) a tribal college or university;

(D) an intertribal organization; or

(E) a private or public institution of higher education acting jointly with an Indian tribe.

(4) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce.

(6) TECHNICAL ASSISTANCE.—The term ''technical assistance'' means the facilitation of skills and knowledge in planning, developing, assessing, and administering eligible activities.

(7) TRAINING AND TECHNICAL ASSISTANCE GRANT.—The term ''training and technical assistance grant'' means a grant provided under section 6.

(8) TRIBAL COLLEGE OR UNIVERSITY.—The term ''tribal college or university'' has the meaning given the term ''tribally controlled college or university'' in section 2 of the Tribally Controlled Community College Assistance Act of 1978 (25 U.S.C. 1801), except that the term also includes an institution listed in the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note).

(9) TELEHEALTH.—The term ''telehealth'' means the use of electronic information and telecommunications technologies to support long-distance clinical health care, patient and professional health-related education, public health, and health administration.

SEC. 5. BLOCK GRANT PROGRAM.

(a) ESTABLISHMENT.—There is established within the National Telecommunications and Information Administration a Native American telecommunications block grant program to provide grants on a competitive basis to eligible entities to carry out eligible activities under subsection (c).

(b) BLOCK GRANTS.—The Secretary may provide a block grant to an eligible entity that submits a block grant application to the Secretary for approval.

(c) ELIGIBLE ACTIVITIES.—A grant under this section may only be used for an eligible activity.

(d) REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Secretary shall promulgate regulations establishing specific criteria for the competition conducted to select eligible entities to receive grants under this section for each fiscal year.

SEC. 6. TRAINING AND TECHNICAL ASSISTANCE GRANTS.

(a) NOTIFICATION AND CRITERIA.—The Secretary—

(1) shall provide notice of the availability of training and technical assistance grants; and

(2) publish criteria for selecting recipients.

(b) GRANTS.—The Secretary may provide training and technical assistance grants to eligible entities with a demonstrated capacity to carry out eligible activities.

(c) USE OF FUNDS.—A training and technical assistance grant shall be used—

(1) to develop a training program for telecommunications employees; or

(2) to provide assistance to students who—

(A) participate in telecommunications or information technology work study programs; and

(B) are enrolled in a full-time graduate or undergraduate program in telecommunications-related education, development, planning, or management.

(d) SETASIDE.—

(1) IN GENERAL.—For each fiscal year, the Secretary shall set aside $2,000,000 of the amount made available under section 12 for training and technical assistance grants, to remain available until expended.

(2) TREATMENT.—A training and technical assistance grant to an entity shall be in addition to any block grant provided to the entity.

(e) PROVISION OF TECHNICAL ASSISTANCE BY THE SECRETARY.—The Secretary may provide technical assistance, directly or through contracts, to—

(1) tribal governments; and

(2) persons or entities that assist tribal governments.

SEC. 7. COMPLIANCE.

(a) AUDIT BY THE COMPTROLLER GENERAL.—

(1) IN GENERAL.—The Comptroller General of the United States may audit any financial transaction involving grant funds that is carried out by a block grant recipient or training and technical assistance grant recipient.

(2) SCOPE OF AUTHORITY.—In conducting an audit under paragraph (1), the Comptroller General shall have access to all books, accounts, records, reports, files, and other papers, things, or property belonging to or in use by the grant recipient that relate to the financial transaction and are necessary to facilitate the audit.

(3) REGULATIONS.—The Comptroller General shall promulgate regulations to carry out this subsection.

(b) ENVIRONMENTAL PROTECTION.—

(1) IN GENERAL.—After consultation with Indian tribes, the Secretary may promulgate regulations to carry out this subsection that—

(A) ensure that the policies of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), and other laws that further the purposes of that Act (as specified by the regulations), are most effectively implemented in connection with the expenditure of funds under this Act; and

(B) assure the public of undiminished protection of the environment.

(2) SUBSTITUTE MEASURES.—Subject to paragraph (3), the Secretary may provide for the release of funds under this Act for eligible activities to grant recipients that assume all of the responsibilities for environmental review, decisionmaking, and related action under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), and other laws that further the purposes of that Act (as specified by the regulations promulgated under paragraph (1)), that would apply to the Secretary if the Secretary carried out the eligible activities as Federal projects.

(3) RELEASE.—

(A) IN GENERAL.—The Secretary shall approve the release of funds under paragraph (2) only if, at least 15 days prior to approval, the grant recipient submits to the Secretary a request for release accompanied by a certification that meets the requirements of paragraph (4).

(B) APPROVAL.—The approval by the Secretary of a certification shall be deemed to satisfy the responsibilities of the Secretary under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and the laws specified by the regulations promulgated under paragraph (1), to the extent that those responsibilities relate to the release of funds for projects described in the certification.

(4) CERTIFICATION.—A certification shall—

(A) be in a form acceptable to the Secretary;

(B) be executed by the tribal government;

(C) specify that the grant recipient has fully assumed the responsibilities described in paragraph (2); and

(D) specify that the tribal officer—

(i) assumes the status of a responsible Federal official under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and each law specified by the regulations promulgated under paragraph (1), to the extent that the provisions of that Act or law apply; and

(ii) is authorized to consent, and consents, on behalf of the grant recipient and on behalf of the tribal officer to accept the jurisdiction of the Federal courts for enforcement of the responsibilities of the tribal officer as a responsible Federal official.

SEC. 8. REMEDIES FOR NONCOMPLIANCE.

(a) FAILURE TO COMPLY.—If the Secretary finds, on the record after opportunity for an agency hearing, that a block grant recipient or training and technical assistance grant recipient has failed to comply substantially with any provision of this Act, the Secretary, until satisfied that there is no longer a failure to comply, shall—

(1) terminate payments to the grant recipient;

(2) reduce payments to the grant recipient by an amount equal to the amount of payments that were not expended in accordance with this Act;

(3) limit the availability of payments under this Act to programs, projects, or activities not affected by the failure to comply; or

(4) refer the matter to the Attorney General with a recommendation that the Attorney General bring an appropriate civil action.

(b) ACTION BY THE ATTORNEY GENERAL.—After a referral by the Secretary under subsection (a)(4), the Attorney General may bring a civil action in United States district court for appropriate relief (including mandatory relief, injunctive relief, and recovery of the amount of the assistance provided under this Act that was not expended in accordance with this Act).

SEC. 9. REPORTING REQUIREMENTS.

(a) ANNUAL REPORT TO CONGRESS.—Not later than 180 days after the end of each fiscal year in which assistance under this Act is provided, the Secretary shall submit to Congress a report that includes—

(1) a description of the progress made in accomplishing the objectives of this Act;

(2) a summary of the use of funds under this Act during the preceding fiscal year; and

(3) an evaluation of the status of telephone, Internet, and personal computer penetration rates, by type of technology, among Indian households throughout Indian country on a tribe-by-tribe basis.

(b) REPORTS TO SECRETARY.—The Secretary may require grant recipients under this Act to submit reports and other information necessary for the Secretary to prepare the report under subsection (a).

SEC. 10. CONSULTATION.

In carrying out this Act, the Secretary shall consult with other Federal agencies administering Federal grant programs.

SEC. 11. HISTORIC PRESERVATION REQUIREMENTS.

A telecommunications project funded under this Act shall comply with the National Historic Preservation Act (16 U.S.C. 470 et seq.).

SEC. 12. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to carry out this Act—

(1) $20,000,000 for fiscal year 2005; and

(2) such sums as are necessary for each subsequent fiscal year.

(b) AVAILABILITY.—Funds made available under subsection (a) shall remain available until expended.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 349—RECOGNIZING AND HONORING MAY 17, 2004, AS THE 50TH ANNIVERSARY OF THE SUPREME COURT DECISION IN BROWN V. BOARD OF EDUCATION OF TOPEKA

Mr. KENNEDY (for himself, Mr. LEAHY, Mr. DURBIN, Mr. FEINGOLD, Mr. CARPER, and Mr. BIDEN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 349

Whereas May 17, 2004, marks the 50th anniversary of the Supreme Court decision in the case of Brown v. Board of Education of Topeka, 347 U.S. 483 (1954);

Whereas in the 1896 case of Plessy v. Ferguson, 163 U.S. 537 (1896), the Supreme Court upheld the doctrine of ''separate but equal'', which allowed the continued segregation of common carriers, and, by extension, of public schools, in the United States based on race;

Whereas racial segregation and the doctrine of ''separate but equal'' resulted in separate schools, housing, and public accommodations that were inferior and unequal for African-Americans and many other minorities, severely limited the educational opportunities of generations of racial minorities, negatively impacted the lives of the people of the United States, and inflicted severe harm on American society;

Whereas in 1945, Mexican-American students in California successfully challenged the constitutionality of their segregation on the basis of national origin in Westminster School District of Orange County v. Mendez (161 F.2d 774 (9th Cir. 1947));

Whereas in 1951, Oliver Brown, on behalf of his daughter Linda Brown, an African-American third grader, filed suit against the Board of Education of Topeka after Linda was denied admission to an all-white public school in Topeka, Kansas;

Whereas in 1952, the Supreme Court combined Oliver Brown's case (Brown v. Board of Education of Topeka, 98 F. Supp. 797 (D. Kan. 1951)) with similar cases from Delaware (Gebhart v. Belton, 91 A.2d 137 (Del. 1952)), South Carolina (Briggs v. Elliott, 98 F. Supp. 529 (E.D.S.C. 1951)), and Virginia (Davis v. County School Board of Prince Edward County, 103 F. Supp. 337 (E.D. Va. 1952)) challenging racial segregation in education and determined that the constitutionality of segregation in public schools in the District of Columbia would be considered separately in Bolling v. Sharpe, 347 U.S. 497 (1954);

Whereas the students in these cases argued that the inequality caused by the segregation of public schools was a violation of their right to equal protection under the law;

Whereas on May 17, 1954, in Brown v. Board of Education of Topeka, the Supreme Court overturned the decision of Plessy v. Ferguson, concluding that ''in the field of public education, the doctrine of 'separate but equal' has no place'' and, on that same date, in Bolling v. Sharpe, held that the doctrine of ''separate but equal'' also violated the fifth amendment to the Constitution; and

Whereas the decision in Brown v. Board of Education of Topeka is of national importance and profoundly affected all people of the United States by outlawing racial segregation in education and providing a foundation on which to build greater equality: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes and honors May 17, 2004, as the 50th anniversary of the Supreme Court

decision in Brown v. Board of Education of Topeka;

(2) encourages all people of the United States to recognize the importance of the Supreme Court decision in Brown v. Board of Education of Topeka; and

(3) acknowledges the need for the Nation to recommit to the goals and purposes of this landmark decision to finally realize the dream of equal educational opportunity for all children of the United States.

SENATE RESOLUTION 350—TO AUTHORIZE THE PRODUCTION OF RECORDS BY THE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS OF THE COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. FRIST (for himself and Mr. DASCHLE) submitted the following resolution; which was considered and agreed to:

S. RES. 350

Whereas, the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs has been conducting an investigation into the credit counseling industry;

Whereas, the Subcommittee has received a number of requests from law enforcement and regulatory officials and agencies for access to records of the Subcommittee's investigation;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate can, by administrative or judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate is needed for the promotion of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That the Chairman and Ranking Minority Member of the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs, acting jointly, are authorized to provide to law enforcement and regulatory entities and officials records of the Subcommittee's investigation into the credit counseling industry.

SENATE RESOLUTION 351—CONGRATULATING CHARTER SCHOOLS AND THEIR STUDENTS, PARENTS, TEACHERS, AND ADMINISTRATORS ACROSS THE UNITED STATES FOR THEIR ONGOING CONTRIBUTIONS TO EDUCATION, AND FOR OTHER PURPOSES

Mr. GREGG (for himself, Mr. LIEBERMAN, Mr. FRIST, Mr. CARPER, Mrs. DOLE, Mr. SUNUNU, Mr. ALEXANDER, Mr. DOMENICI, Mr. CRAIG, Mr. COLEMAN, Ms. LANDRIEU, Mr. DURBIN, Mr. DEWINE, and Mr. BROWNBACK) submitted the following resolution; which was considered and agreed to:

S. RES. 351

Whereas charter schools deliver high-quality education and challenge our students to reach their potential;

Whereas charter schools provide thousands of families with diverse and innovative educational options for their children;

Whereas charter schools are public schools authorized by a designated public entity that are responding to the needs of our communities, families, and students and promoting the principles of quality, choice, and innovation;

Whereas in exchange for the flexibility and autonomy given to charter schools, they are held accountable by their sponsors for improving student achievement and for their financial and other operations;

Whereas 41 States, the District of Columbia, and the Commonwealth of Puerto Rico have passed laws authorizing charter schools;

Whereas nearly 3,000 charter schools are now operating in 37 States, the District of Columbia, and the Commonwealth of Puerto Rico and serving 750,000 students;

Whereas over the last 10 years, Congress has provided more than $1,000,000,000 in support to the charter school movement through facilities financing assistance and grants for planning, startup, implementation, and dissemination;

Whereas charter schools improve their students' achievement and stimulate improvement in traditional public schools;

Whereas charter schools must meet the student achievement accountability requirements under the Elementary and Secondary Education Act of 1965 in the same manner as traditional public schools, and often set higher and additional individual goals to ensure that they are of high quality and truly accountable to the public;

Whereas charter schools give parents new freedom to choose their public school, routinely measure parental satisfaction levels, and must prove their ongoing success to parents, policymakers, and their communities;

Whereas nearly 40 percent of charter schools report having a waiting list, and the total number of students on all such waiting lists is enough to fill over 1,000 average-sized charter schools;

Whereas charter schools nationwide serve a higher percentage of low-income and minority students than the traditional public system;

Whereas charter schools have enjoyed broad bipartisan support from the Administration, Congress, State Governors and legislatures, educators, and parents across the United States; and

Whereas the fifth annual National Charter Schools Week, to be held May 3 to 7, 2004, is an event sponsored by charter schools and grassroots charter school organizations across the United States to recognize the significant impact, achievements, and innovations of charter schools: Now, therefore, be it—

Resolved, That—

(1) the Senate acknowledges and commends charter schools and their students, parents, teachers, and administrators across the United States for their ongoing contributions to education and improving and strengthening our public school system;

(2) the Senate supports the fifth annual National Charter Schools Week; and

(3) it is the sense of the Senate that the President should issue a proclamation calling on the people of the United States to conduct appropriate programs, ceremonies, and activities to demonstrate support for charter schools during this weeklong celebration in communities throughout the United States.

SENATE CONCURRENT RESOLUTION 103—HONORING THE CONTRIBUTION OF THE WOMEN, SYMBOLIZED BY ''ROSIE THE RIVETER'', WHO SERVED ON THE HOMEFRONT DURING WORLD WAR II, AND FOR OTHER PURPOSES

Ms. MURKOWSKI (for herself, Mrs. BOXER, Ms. CANTWELL, Mrs. CLINTON, Ms. COLLINS, Mrs. DOLE, Mrs. FEINSTEIN, Mrs. HUTCHISON, Ms. LANDRIEU, Mrs. LINCOLN, Ms. MIKULSKI, Mrs. MURRAY, Ms. SNOWE, and Ms. STABENOW) submitted the following concurrent resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. CON. RES. 103

Whereas during World War II, 6,000,000 women stepped forward to work in homefront industries to produce the ships, planes, tanks, trucks, guns, and ammunition that were crucial to achieving an Allied victory;

Whereas women worked in homefront industries as welders, riveters, engineers, designers, and managers, and held other positions that had traditionally been held by men;

Whereas these women demonstrated great skill and dedication in the difficult and often dangerous jobs they held, which enabled them to produce urgently needed military equipment at recordbreaking speeds;

Whereas the need for labor in homefront industries during World War II opened new employment opportunities for women from all walks of life and dramatically increased gender and racial integration in the workplace;

Whereas the service of women on the homefront during World War II marked an unprecedented entry of women into jobs that had traditionally been held by men and created a lasting legacy of the ability of women to succeed in those jobs;

Whereas these women devoted their hearts and souls to their work to assure safety and success for their husbands, sons, and other loved ones on the battle front;

Whereas the needs of working mothers resulted in the creation of child care programs, leading to the lasting legacy of public acceptance of early child development and care outside the home;

Whereas the needs of women on the homefront led to employer-sponsored prepaid and preventative health care never before seen in the United States; and

Whereas in 2000, Congress recognized the significance to the Nation of the industrial achievements on the homefront during World War II and the legacy of the women who worked in those industries through the establishment of the Rosie the Riveter World War II Home Front National Historical Park in Richmond, California, as a unit of the National Park System: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) honors the extraordinary contributions of the women whose dedicated service on the homefront during World War II was instrumental in achieving an Allied victory;

(2) recognizes the lasting legacy of equal employment opportunity and support for child care and health care that developed during the ''Rosie the Riveter'' era; and

(3) calls on the people of the United States to take the opportunity to study, reflect on, and celebrate the stories and accomplishments of women who served the Nation as ''Rosies'' during World War II.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3110. Mr. DORGAN (for himself, Ms. MIKULSKI, Mr. HARKIN, Mr. FEINGOLD, Mr. KENNEDY, and Mr. EDWARDS) proposed an amendment to the bill S. 1637, to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, and for other purposes.

SA 3111. Mr. GREGG proposed an amendment to the bill S. 1637, supra.

SA 3112. Mr. GRAHAM, of Florida (for himself and Mr. DAYTON) proposed an amendment to the bill S. 1637, supra.

SA 3113. Mr. ALLEN (for himself, Mrs. DOLE, Mr. EDWARDS, and Mr. GRAHAM, of South Carolina) submitted an amendment intended to be proposed by him to the bill S. 1637, supra.

SA 3114. Ms. CANTWELL (for herself and Mr. VOINOVICH) proposed an amendment to the bill S. 1637, supra.

SA 3115. Mr. LAUTENBERG (for himself, Mrs. FEINSTEIN, Mr. FEINGOLD, and Mrs. CLINTON) submitted an amendment intended to be proposed by him to the bill S. 1637, supra; which was ordered to lie on the table.

SA 3116. Mr. DASCHLE submitted an amendment intended to be proposed by him to the bill S. 1637, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3110. Mr. DORGAN (for himself, Ms. MIKULSKI, Mr. HARKIN, Mr. FEINGOLD, Mr. KENNEDY, and Mr. EDWARDS) proposed an amendment to the bill S. 1637, to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, and for other purposes; as follows:

At the end of subtitle E of title IV, add the following:

SEC. ___. TAXATION OF INCOME OF CONTROLLED FOREIGN CORPORATIONS ATTRIBUTABLE TO IMPORTED PROPERTY.

(a) GENERAL RULE.—Subsection (a) of section 954 (defining foreign base company income) is amended by striking ''and'' at the end of paragraph (4), by striking the period at the end of paragraph (5) and inserting '', and'', and by adding at the end the following new paragraph:

''(6) imported property income for the taxable year (determined under subsection (j) and reduced as provided in subsection (b)(5)).''

(b) DEFINITION OF IMPORTED PROPERTY INCOME.—Section 954 is amended by adding at the end the following new subsection:

''(j) IMPORTED PROPERTY INCOME.—

''(1) IN GENERAL.—For purposes of subsection (a)(6), the term 'imported property income' means income (whether in the form of profits, commissions, fees, or otherwise) derived in connection with—

''(A) manufacturing, producing, growing, or extracting imported property,

''(B) the sale, exchange, or other disposition of imported property, or

''(C) the lease, rental, or licensing of imported property.

Such term shall not include any foreign oil and gas extraction income (within the meaning of section 907(c)) or any foreign oil related income (within the meaning of section 907(c)).

''(2) IMPORTED PROPERTY.—For purposes of this subsection—

''(A) IN GENERAL.—Except as otherwise provided in this paragraph, the term 'imported property' means property which is imported into the United States by the controlled foreign corporation or a related person.

''(B) IMPORTED PROPERTY INCLUDES CERTAIN PROPERTY IMPORTED BY UNRELATED PERSONS.—The term 'imported property' includes any property imported into the United States by an unrelated person if, when such property was sold to the unrelated person by the controlled foreign corporation (or a related person), it was reasonable to expect that—

''(i) such property would be imported into the United States, or

''(ii) such property would be used as a component in other property which would be imported into the United States.

''(C) EXCEPTION FOR PROPERTY SUBSEQUENTLY EXPORTED.—The term 'imported property' does not include any property which is imported into the United States and which—

''(i) before substantial use in the United States, is sold, leased, or rented by the controlled foreign corporation or a related person for direct use, consumption, or disposition outside the United States, or

''(ii) is used by the controlled foreign corporation or a related person as a component in other property which is so sold, leased, or rented.

''(3) DEFINITIONS AND SPECIAL RULES.—

''(A) IMPORT.—For purposes of this subsection, the term 'import' means entering, or withdrawal from warehouse, for consumption or use. Such term includes any grant of the right to use intangible property (as defined in section 936(h)(3)(B)) in the United States.

''(B) UNITED STATES.—For purposes of this subsection, the term 'United States' includes the Commonwealth of Puerto Rico, the Virgin Islands of the United States, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

''(C) UNRELATED PERSON.—For purposes of this subsection, the term 'unrelated person' means any person who is not a related person with respect to the controlled foreign corporation.

''(D) COORDINATION WITH FOREIGN BASE COMPANY SALES INCOME.—For purposes of this section, the term 'foreign base company sales income' shall not include any imported property income.''

(c) SEPARATE APPLICATION OF LIMITATIONS ON FOREIGN TAX CREDIT FOR IMPORTED PROPERTY INCOME.—

(1) IN GENERAL.—Paragraph (1) of section 904(d) (relating to separate application of section with respect to certain categories of income) is amended by striking ''and'' at the end of subparagraph (H), by redesignating subparagraph (I) as subparagraph (J), and by inserting after subparagraph (H) the following new subparagraph:

''(I) imported property income, and''.

(2) IMPORTED PROPERTY INCOME DEFINED.—Paragraph (2) of section 904(d) is amended by redesignating subparagraphs (H) and (I) as subparagraphs (I) and (J), respectively, and by inserting after subparagraph (G) the following new subparagraph:

''(H) IMPORTED PROPERTY INCOME.—The term 'imported property income' means any income received or accrued by any person which is of a kind which would be imported property income (as defined in section 954(j)).''

(3) LOOK-THRU RULES TO APPLY.—Subparagraph (F) of section 904(d)(3) is amended by striking ''or (E)'' and inserting ''(E), or (I)''.

(d) TECHNICAL AMENDMENTS.—

(1) Clause (iii) of section 952(c)(1)(B) (relating to certain prior year deficits may be taken into account) is amended—

(A) by redesignating subclauses (III), (IV), (V), and (VI) as subclauses (IV), (V), (VI), and (VII), and

(B) by inserting after subclause (II) the following new subclause:

''(III) imported property income,''.

(2) Paragraph (5) of section 954(b) (relating to deductions to be taken into account) is amended by striking ''and the foreign base company oil related income'' and inserting ''the foreign base company oil related income, and the imported property income''.

(e) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to taxable years of foreign corporations beginning after the date of the enactment of this Act, and to taxable years of United States shareholders within which or with which such taxable years of such foreign corporations end.

(2) SUBSECTION (c).—The amendments made by subsection (c) shall apply to taxable years beginning after such date of enactment.

(f) SENSE OF THE SENATE.—It is the sense of the Senate that any increase in revenues in the Treasury resulting from the amendments made by this section should be applied to reduce the phasein of the deduction relating to income attributable to domestic production activities under section 199 of the Internal Revenue Code of 1986 (as added by section 102 of this Act).

SEC. ___. AMENDMENTS TO THE WORKER ADJUSTMENT AND RETRAINING NOTIFICATION ACT.

(a) DEFINITION.—Section 2(a) of the Worker Adjustment and Retraining Notification Act (29 U.S.C. 2101(a)) is amended—

(1) in paragraph (3)(B), by striking ''for—'' and all that follows through ''500 employees'' in clause (ii), and inserting ''for at least 50 employees'';

(2) in paragraph (7), by striking ''and'' at the end;

(3) in paragraph (8), by striking the period and inserting ''; and''; and

(4) by adding at the end the following:

''(9) the term 'offshoring of jobs' means any action taken by an employer the effect of which is to create, shift, or transfer employment positions or facilities outside the United States and which results in an employment loss during any 30 day period for 15 or more employees.''.

(b) NOTICE.—Section 3 of the Worker Adjustment and Retraining Notification Act (29 U.S.C. 2102) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''60-day'' and inserting ''90-day''; and

(B) in paragraph (1), by striking ''and'' at the end;

(C) in paragraph (2), by striking the period and inserting ''; and''; and

(D) by inserting after paragraph (2), the following:

''(3) to the Secretary of Labor.'';

(2) in subsection (b), by striking ''60-day'' each place that such appears and inserting ''90-day''; and

(3) by adding at the end the following:

''(e) NOTICE FOR OFFSHORING OF JOBS.—In the case of a notice under subsection (a) regarding the offshoring of jobs, the notice shall include, in addition to the information otherwise required by the Secretary with respect to other notices under such subsection, information concerning—

''(1) the number of jobs affected;

''(2) the location that the jobs are being shifted or transferred to; and

''(3) the reasons that such shifting or transferring of jobs is occurring.''.

(c) TECHNICAL AMENDMENTS.—The Worker Adjustment and Retraining Notification Act (29 U.S.C. 2101 et seq.) is amended—

(1) by striking ''plant closing or mass layoff'' each place that such appears and inserting ''plant closing, mass layoff, or offshoring of jobs'';

(2) by striking ''closing or layoff'' each place that such appears and inserting ''closing, layoff, or offshoring'';

(3) in section 3—

(A) in the section heading by striking ''**PLANT CLOSINGS AND MASS LAYOFFS**'' and inserting ''**PLANT CLOSINGS, MASS LAYOFFS, AND OFFSHORING OF JOBS**'';

(B) in subsection (b)(2)(A), by striking ''closing or mass layoff'' and inserting ''closing, layoff, or offshoring''; and

(C) in subsection (d), by striking ''section 2(a)(2) or (3)'' and inserting ''paragraph (2), (3), or (9) of section 2(a)''; and

(4) in section 5(a)(1), in the matter following subparagraph (B), by striking ''60 days'' and inserting ''90 days''.

(d) POSTING OF EMPLOYEE RIGHTS.—The Worker Adjustment and Retraining Notification Act (29 U.S.C. 2101 et seq.) is amended by adding at the end the following:

''SEC. 11. POSTING OF NOTICE OF RIGHTS.

''(a) DEVELOPMENT.—Not later than 60 days after the date of enactment of this section, the Secretary of Labor shall develop a notice of employee rights under this Act for posting by employers.

''(b) POSTING.—Each employer shall post in a conspicuous place in places of employment the notice of the rights of employees as developed by the Secretary under subsection (a).''.

(e) ANNUAL REPORT.—The Worker Adjustment and Retraining Notification Act (29 U.S.C. 2101 et seq.), as amended by subsection (d), is further amended by adding at the end the following:

''SEC. 12. CONTENTS OF ANNUAL REPORTS BY THE SECRETARY OF LABOR.

''(a) IN GENERAL.—The Secretary of Labor shall collect and compile statistics based on the information submitted to the Secretary under subsections (a)(3) and (e) of section 3.

''(b) REPORT.—Not later than 120 days after the date on which each regular session of Congress commences, the Secretary of Labor shall prepare and submit to the President and the appropriate committees of Congress a report on the offshoring of jobs (as defined in section 2(a)(9)). Each such report shall include information concerning—

''(1) the number of jobs affected by offshoring;

''(2) the locations to which jobs are being shifted or transferred;

''(3) the reasons why such shifts and transfers are occurring; and

''(4) any other relevant data compiled under subsection (a).''.

SA 3111. Mr. GREGG proposed an amendment to the bill S. 1637, to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. ___. PROTECTION OF OVERTIME PAY.

Section 13 of the Fair Labor Standards Act of 1938 (29 U.S.C. 213) is amended by adding at the end the following:

''(k)(1) The Secretary shall not promulgate any rule under subsection (a)(1) that exempts from the overtime pay provisions of section 7 any employee who earns less than $23,660 per year.

''(2) The Secretary shall not promulgate any rule under subsection (a)(1) concerning the right to overtime pay that is not as protective, or more protective, of the overtime pay rights of employees in the occupations or job classifications described in paragraph (3) as the protections provided for such employees under the regulations in effect under such subsection on March 31, 2003.

''(3) The occupations or job classifications described in this paragraph are as follows:

''(A) Any worker paid on an hourly basis.

''(B) Blue collar workers.

''(C) Any worker provided overtime under a collective bargaining agreement.

''(D) Team leaders.

''(E) Computer programmers.

''(F) Registered nurses.

''(G) Licensed practical nurses.

''(H) Nurse midwives.

''(I) Nursery school teachers.

''(J) Oil and gas pipeline workers.

''(K) Oil and gas field workers.

''(L) Oil and gas platform workers.

''(M) Refinery workers.

''(N) Steel workers.

''(O) Shipyard and ship scrapping workers.

''(P) Teachers.

''(Q) Technicians.

''(R) Journalists.

''(S) Chefs.

''(T) Cooks.

''(U) Police officers.

''(V) Firefighters.

''(W) Fire sergeants.

''(X) Police sergeants.

''(Y) Emergency medical technicians.

''(Z) Paramedics.

''(AA) Waste disposal workers.

''(BB) Day care workers.

''(CC) Maintenance employees.

''(DD) Production line employees.

''(EE) Construction employees.

''(FF) Carpenters.

''(GG) Mechanics.

''(HH) Plumbers.

''(II) Iron workers.

''(JJ) Craftsmen.

''(KK) Operating engineers.

''(LL) Laborers.

''(MM) Painters.

''(NN) Cement masons.

''(OO) Stone and brick masons.

''(PP) Sheet metal workers.

''(QQ) Utility workers.

''(RR) Longshoremen.

''(SS) Stationary engineers.

''(TT) Welders.

''(UU) Boilermakers.

''(VV) Funeral directors.

''(WW) Athletic trainers.

''(XX) Outside sales employees.

''(YY) Inside sales employees.

''(ZZ) Grocery store managers.

''(AAA) Financial services industry workers.

''(BBB) Route drivers.

''(CCC) Assistant retail managers.

''(4) Any portion of a rule promulgated under subsection (a)(1) after March 31, 2003, that modifies the overtime pay provisions of section 7 in a manner that is inconsistent with paragraphs (2) and (3) shall have no force or effect as it relates to the occupation or job classification involved.''.

SA 3112. Mr. GRAHAM of Florida (for himself and Mr. DAYTON) proposed an amendment to the bill S. 1637, to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, and for other purposes; as follows:

Strike section 102 and title II and insert the following:

SEC. 102. MANUFACTURING JOBS CREDIT.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 (relating to business-related credits), as amended by this Act, is amended by adding at the end the following:

''SEC. 45S. MANUFACTURING JOBS CREDIT.

''(a) GENERAL RULE.—For purposes of section 38, in the case of an eligible taxpayer, the manufacturing jobs credit determined under this section is an amount equal to 1.66 percent of the W–2 wages paid by the taxpayer during the taxable year attributable to the taxpayer's domestic production gross receipts for such taxable year.

''(b) ELIGIBLE TAXPAYER.—For purposes of this section, the term 'eligible taxpayer' means any taxpayer which has domestic production gross receipts for the taxable year and the preceding taxable year.

''(c) W–2 WAGES.—For purposes of this section—

''(1) W–2 WAGES.—The term 'W–2 wages' means the sum of the aggregate amounts the taxpayer is required to include on statements under paragraphs (3) and (8) of section 6051(a) with respect to employment of employees of the taxpayer during the taxpayer's taxable year.

''(2) LIMITATION.—The aggregate amount of W–2 wages taken into account with respect to any employee for any taxable year shall not exceed $35,000.

''(3) SPECIAL RULES.—

''(A) PASS-THRU ENTITIES.—In the case of an S corporation, partnership, estate or trust, or other pass-thru entity, the determination of W–2 wages shall be made at the entity level.

''(B) ACQUISITIONS AND DISPOSITIONS.—The Secretary shall provide for the determination of W–2 wages in cases where the taxpayer acquires, or disposes of, the major portion of a trade or business or the major portion of a separate unit of a trade or business during the taxable year.

''(C) COORDINATION WITH TARGETED JOBS CREDIT, ETC.—Such term shall not include wages attributable to service taken into account in determining the credit under section 45A, 51, or 1396.

''(d) DOMESTIC PRODUCTION GROSS RECEIPTS.—For purposes of this section, the term 'domestic production gross receipts' means the gross receipts of the taxpayer which are derived from—

''(1) any sale, exchange, or other disposition of, or

''(2) any lease, rental, or license of,

that portion of qualifying production property which was manufactured, produced, grown, or extracted by the taxpayer within the United States.

''(e) QUALIFYING PRODUCTION PROPERTY.—For purposes of this section—

''(1) IN GENERAL.—Except as otherwise provided in this paragraph, the term 'qualifying production property' means—

''(A) any tangible personal property,

''(B) any computer software, and

''(C) any property described in section 168(f) (3) or (4), including any underlying copyright or trademark.

''(2) EXCLUSIONS FROM QUALIFYING PRODUCTION PROPERTY.—The term 'qualifying production property' shall not include—

''(A) consumable property that is sold, leased, or licensed by the taxpayer as an integral part of the provision of services,

''(B) oil or gas,

''(C) electricity,

''(D) water supplied by pipeline to the consumer,

''(E) utility services, or

''(F) any film, tape, recording, book, magazine, newspaper, or similar property the market for which is primarily topical or otherwise essentially transitory in nature.

''(f) UNITED STATES.—For purposes of subsection (e), the term 'United States' includes the Commonwealth of Puerto Rico, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the Virgin Islands of the United States.

''(g) CERTAIN RULES MADE APPLICABLE.—For purposes of this section, rules similar to the rules of section 52 shall apply.''.

(b) CREDIT TO BE PART OF GENERAL BUSINESS CREDIT.—Section 38(b) (relating to current year business credit), as amended by this Act, is amended by striking ''plus'' at the end of paragraph (29), by striking the period at the end of paragraph (30) and inserting '', plus'', and by adding at the end the following:

''(31) the manufacturing jobs credit determined under section 45S.''.

(c) DENIAL OF DEDUCTION FOR PORTION OF WAGES EQUAL TO MANUFACTURING JOBS CREDIT.—

(1) Subsection (a) of section 280C (relating to rule for targeted jobs credit) is amended by inserting ''45S(a),'' after ''45A(a),''.

(2) Subsection (c) of section 196 (relating to deduction for certain unused business credits), as amended by this Act, is amended by striking ''and'' at the end of paragraph (12), by striking the period at the end of paragraph (13) and inserting '', and'', and by adding at the end the following new paragraph:

''(14) the manufacturing jobs credit determined under section 45S(a).''.

(d) DENIAL OF CARRYBACKS TO PREENACTMENT YEARS.—Subsection (d) of section 39, as amended by this Act, is amended by adding at the end thereof the following new paragraph:

''(16) NO CARRYBACK OF SECTION 45S CREDIT BEFORE ENACTMENT.—No portion of the unused business credit for any taxable year which is attributable to the manufacturing jobs credit determined under section 45S may be carried to a taxable year ending on or before the date of the enactment of section 45S.''.

(e) CLERICAL AMENDMENT.—The table of sections for subpart D of part IV of subchapter A of chapter 1, as amended by this Act, is amended by adding at the end the following:

''Sec. 45S. Manufacturing jobs credit.''.

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after the date of the enactment of this Act.

TITLE II—INTERNATIONAL TAX PROVISIONS

SEC. 201. DETERMINATION OF FOREIGN PERSONAL HOLDING COMPANY INCOME WITH RESPECT TO TRANSACTIONS IN COMMODITIES.

(a) IN GENERAL.—Clauses (i) and (ii) of section 954(c)(1)(C) (relating to commodity transactions) are amended to read as follows:

''(i) arise out of commodity hedging transactions (as defined in paragraph (4)(A)),

''(ii) are active business gains or losses from the sale of commodities, but only if substantially all of the controlled foreign corporation's commodities are property described in paragraph (1), (2), or (8) of section 1221(a), or''.

(b) DEFINITION AND SPECIAL RULES.—Subsection (c) of section 954 is amended by adding after paragraph (3) the following new paragraph:

''(4) DEFINITION AND SPECIAL RULES RELATING TO COMMODITY TRANSACTIONS.—

''(A) COMMODITY HEDGING TRANSACTIONS.—For purposes of paragraph (1)(C)(i), the term 'commodity hedging transaction' means any transaction with respect to a commodity if such transaction—

''(i) is a hedging transaction as defined in section 1221(b)(2), determined—

''(I) without regard to subparagraph (A)(ii) thereof,

''(II) by applying subparagraph (A)(i) thereof by substituting 'ordinary property or property described in section 1231(b)' for 'ordinary property', and

''(III) by substituting 'controlled foreign corporation' for 'taxpayer' each place it appears, and

''(ii) is clearly identified as such in accordance with section 1221(a)(7).

''(B) TREATMENT OF DEALER ACTIVITIES UNDER PARAGRAPH (1)(C).—Commodities with respect to which gains and losses are not taken into account under paragraph (2)(C) in computing a controlled foreign corporation's foreign personal holding company income shall not be taken into account in applying the substantially all test under paragraph (1)(C)(ii) to such corporation.

''(C) REGULATIONS.—The Secretary shall prescribe such regulations as are appropriate to carry out the purposes of paragraph (1)(C) in the case of transactions involving related parties.''.

(c) MODIFICATION OF EXCEPTION FOR DEALERS.—Clause (i) of section 954(c)(2)(C) is amended by inserting ''and transactions involving physical settlement'' after ''(including hedging transactions''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to transactions entered into after December 31, 2004.

SA 3113. Mr. ALLEN (for himself, Mrs. DOLE, Mr. EDWARDS, and Mr. GRAHAM of South Carolina) submitted an amendment intended to be proposed by him to the bill S. 1637, to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, and for other purposes; as follows:

At the end add the following:

TITLE IX—HOMESTEAD PRESERVATION ACT

SEC. 901. SHORT TITLE.

This title may be cited as the ''Homestead Preservation Act''.

SEC. 902. MORTGAGE PAYMENT ASSISTANCE.

(a) ESTABLISHMENT OF PROGRAM.—The Secretary of Housing and Urban Development (referred to in this section as the ''Secretary'') shall establish a program under which the Secretary shall award low-interest loans to eligible individuals to enable such individuals to continue to make mortgage payments with respect to the primary residences of such individuals.

(b) ELIGIBILITY.—To be eligible to receive a loan under the program established under subsection (a), an individual shall be—

(1) an individual that is a worker adversely affected by international economic activity, as determined by the Secretary;

(2) a borrower under a loan which requires the individual to make monthly mortgage payments with respect to the primary place of residence of the individual; and

(3) enrolled in a training or assistance program.

(c) LOAN REQUIREMENTS.—

(1) IN GENERAL.—A loan provided to an eligible individual under this section shall—

(A) be for a period of not to exceed 12 months;

(B) be for an amount that does not exceed the sum of—

(i) the amount of the monthly mortgage payment owed by the individual; and

(ii) the number of months for which the loan is provided;

(C) have an applicable rate of interest that equals 4 percent;

(D) require repayment as provided for in subsection (d); and

(E) be subject to such other terms and conditions as the Secretary determines appropriate.

(2) ACCOUNT.—A loan awarded to an individual under this section shall be deposited into an account from which a monthly mortgage payment will be made in accordance with the terms and conditions of such loan.

(d) REPAYMENT.—

(1) IN GENERAL.—An individual to which a loan has been awarded under this section shall be required to begin making repayments on the loan on the earlier of—

(A) the date on which the individual has been employed on a full-time basis for 6 consecutive months; or

(B) the date that is 1 year after the date on which the loan has been approved under this section.

(2) REPAYMENT PERIOD AND AMOUNT.—

(A) REPAYMENT PERIOD.—A loan awarded under this section shall be repaid on a monthly basis over the 5-year period beginning on the date determined under paragraph (1).

(B) AMOUNT.—The amount of the monthly payment described in subparagraph (A) shall be determined by dividing the total amount provided under the loan (plus interest) by 60.

(C) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to prohibit an individual from—

(i) paying off a loan awarded under this section in less than 5 years; or

(ii) from paying a monthly amount under such loan in excess of the monthly amount determined under subparagraph (B) with respect to the loan.

(e) REGULATIONS.—Not later than 6 weeks after the date of enactment of this section, the Secretary shall promulgate regulations necessary to carry out this section, including regulations that permit an individual to certify that the individual is an eligible individual under subsection (b).

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $10,000,000 for each of fiscal years 2005 through 2009.

SA 3114. Ms. CANTWELL (for herself and Mr. VOINOVICH) proposed an amendment to the bill S. 1637, to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, and for other purposes; as follows:

At the end, add the following:

TITLE ___—UNEMPLOYMENT COMPENSATION

SEC. ___01. EXTENSION OF THE TEMPORARY EXTENDED UNEMPLOYMENT COMPENSATION ACT OF 2002.

(a) IN GENERAL.—Section 208 of the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107–147; 116 Stat. 30), as amended by Public Law 108–1 (117 Stat. 3) and the Unemployment Compensation Amendments of 2003 (Public Law 108–26; 117 Stat. 751), is amended—

(1) in subsection (a)(2), by striking ''December 31, 2003'' and inserting ''November 30, 2004'';

(2) in subsection (b)(1), by striking ''December 31, 2003'' and inserting ''November 30, 2004'';

(3) in subsection (b)(2)—

(A) in the heading, by striking ''DECEMBER 31, 2003'' and inserting ''NOVEMBER 30, 2004''; and

(B) by striking ''December 31, 2003'' and inserting ''November 30, 2004''; and

(4) in subsection (b)(3), by striking ''March 31, 2004'' and inserting ''February 28, 2005''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107–147; 116 Stat. 21).

SEC. ___02. ADDITIONAL REVISION TO CURRENT TEUC–X TRIGGER.

(a) IN GENERAL.—Section 203(c)(2)(B) of the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107–147; 116 Stat. 30) is amended to read as follows:

''(B) such a period would then be in effect for such State under such Act if—

''(i) section 203(d) of such Act were applied as if it had been amended by striking '5' each place it appears and inserting '4'; and

''(ii) with respect to weeks of unemployment beginning after December 27, 2003—

''(I) paragraph (1)(A) of such section 203(d) did not apply; and

''(II) clause (ii) of section 203(f)(1)(A) of such Act did not apply.''.

(b) APPLICATION.—Section 203(c)(2)(B)(ii) of the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107–147; 116 Stat. 30), as added by subsection (a), shall apply with respect to payments for weeks of unemployment beginning on or after the date of enactment this Act.

SEC. ___03. TEMPORARY STATE AUTHORITY TO WAIVE APPLICATION OF LOOKBACKS UNDER THE FEDERAL-STATE EXTENDED UNEMPLOYMENT COMPENSATION ACT OF 1970.

For purposes of conforming with the provisions of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note), a State may, during the period beginning on the date of enactment of this Act and ending on June 30, 2004, waive the application of either subsection (d)(1)(A) of section 203 of such Act or subsection (f)(1)(A)(ii) of such section, or both.

SA 3115. Mr. LAUTENBERG (for himself, Mrs. FEINSTEIN, Mr. FEINGOLD, and Mrs. CLINTON) submitted an amendment intended to be proposed by him to the bill S. 1637, to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE IX—NON-REVENUE PROVISIONS

SEC. 901. CLARIFICATION OF CERTAIN SANCTIONS.

(a) IN GENERAL.—

(1) CLARIFICATION OF CERTAIN ACTIONS UNDER IEEPA.—In any case in which the President takes action under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) with respect to a foreign country, or persons dealing with or associated with that foreign government, as a result of a determination by the Secretary of State that the government has repeatedly provided support for acts of international terrorism, such action shall apply to a United States person or other person as defined in paragraph (2).

(2) DEFINITIONS.—In this section:

(A) PERSON.—The term ''person'' means an individual, partnership, corporation, or other form of association, including any government or agency thereof.

(B) UNITED STATES PERSON.—The term ''United States person'' means—

(i) any resident or national (other than an individual resident outside the United States and employed by other than a United States person); and

(ii) any domestic concern (including any permanent domestic establishment of any foreign concern) or any foreign subsidiary or affiliate (including any permanent foreign establishment) of any domestic concern, which is controlled in fact by such domestic concern.

(C) CONTROLLED.—The term ''is controlled'' means—

(i) in the case of a corporation, holds at least 50 percent (by vote or value) of the capital structure of the corporation; and

(ii) in the case of any other kind of legal entity, holds interests representing at least 50 percent of the capital structure of the entity.

(b) APPLICABILITY.—

(1) IN GENERAL.—In any case in which the President has taken action under the International Emergency Economic Powers Act and such action is in effect on the date of enactment of this Act, the provisions of subsection (a) shall not apply to a United States person (or other person) if such person divests or terminates its business with the government or person identified by such action within 90 days after the date of enactment of this Act.

(2) ACTIONS AFTER DATE OF ENACTMENT.—In any case in which the President takes action under the International Emergency Economic Powers Act on or after the date of enactment of this Act, the provisions of subsection (a) shall not apply to a United States person (or other person) if such person divests or terminates its business with the government or person identified by such action within 90 days after the date of such action.

SEC. 902. NOTIFICATION OF CONGRESS OF TERMINATION OF INVESTIGATION BY OFFICE OF FOREIGN ASSETS CONTROL.

(a) NOTIFICATION REQUIREMENT.—The Office of Federal Procurement Policy Act (41 U.S.C. 403 et seq.) is amended by adding at the end the following new section:

''SEC. 42. NOTIFICATION OF CONGRESS OF TERMINATION OF INVESTIGATION BY OFFICE OF FOREIGN ASSETS CONTROL.

''The Director of the Office of Foreign Assets Control shall notify Congress upon the termination of any investigation by the Office of Foreign Assets Control of the Department of the Treasury if any sanction is imposed by the Director of such office as a result of the investigation.''.

(b) CLERICAL AMENDMENT.—The table of sections in section 1(b) of such Act is amended by adding at the end the following new item:

''Sec. 42. Notification of Congress of termination of investigation by Office of Foreign Assets Control.''.

SA 3116. Mr. DASCHLE submitted an amendment intended to be proposed by him to the bill S. 1637, to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. MODIFICATION OF EXEMPTION FROM SELF-EMPLOYMENT TAX FOR CERTAIN TERMINATION PAYMENTS RECEIVED BY FORMER INSURANCE SALESMEN.

(a) INTERNAL REVENUE CODE.—Paragraph (4) of section 1402(k) of the Internal Revenue Code of 1986 (relating to codification of treatment of certain termination payments received by former insurance salesmen) is amended to read as follows:

''(4) the amount of such payment depends primarily on policies sold by or credited to the account of such individual or the extent to which such policies remain in force for some period after such termination, or both.''.

(b) SOCIAL SECURITY ACT.—Paragraph (4) of section 211(j) of the Social Security Act is amended to read as follows:

''(4) the amount of such payment depends primarily on policies sold by or credited to the account of such individual or the extent to which such policies remain in force for some period after such termination, or both.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to payments after the date of the enactment of this Act.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the committee on Armed Services be authorized to meet during the session of the Senate on May 4, 2004, at 10 a.m., in closed session to receive a classified briefing regarding allegations of mistreatment of Iraqi Prisoners.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Tuesday, May 4, 2004, at 9:30 a.m., on Reauthorization of the Satellite Home Viewers Improvement Act of 1999 (SHVIA).

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on May 4, 2004, at 2:30 p.m., to hold a closed mark-up.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON AIRLAND

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Subcommittee on Airland of the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, May 4, 2004, at 2:30 p.m., in closed session to mark up the

Airland programs and provisions contained in the Department of Defense Authorization Act for Fiscal year 2005.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON COMPETITION, FOREIGN COMMERCE, AND INFRASTRUCTURE

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Subcommittee on Competition, Foreign Commerce, and Infrastructure be authorized to meet on Tuesday, May 4, 2004, at 2:30 p.m. on Lessons Learned From Security at Past Olympic Games.

COMMITTEE ON SEAPOWER

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Subcommittee on Seapower of the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, May 4, 2004, at 3:30 p.m., in closed session to mark up the Seapower programs and provisions contained in the Department of Defense Authorization Act for Fiscal Year 2005.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THREATS AND CAPABILITIES

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Subcommittee on Emerging Threats and Capabilities of the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, May 4, 2004, at 5 p.m., in closed session to mark up the Emerging Threats and Capabilities programs and provisions contained in the Department of Defense Authorization Act for Fiscal Year 2005.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR

Mr. BAUCUS. Mr. President, I ask unanimous consent that Sara Hagigh of Senator LIEBERMAN's office be granted the privilege of the floor during consideration of the JOBS bill.

The PRESIDING OFFICER. Without objection, the request of the Senator from Montana is granted.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the majority leader, after consultation with the members of the Committee on Health, Education, Labor, and Pensions, and the Committee on Aging, pursuant to Public Law 100–175, as amended by Public Laws 102–375, 103–171, and 106–501, appoints the following individuals as members of the Policy Committee to the White House Conference on Aging: The Senator from Iowa, Mr. GRASSLEY and the Senator from Idaho, Mr. CRAIG.

AUTHORIZING PRODUCTION OF RECORDS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 350.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 350) to authorize the production of records by the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. Mr. President, the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs has received requests from various law enforcement and regulatory officials and agencies for assistance in connection with pending investigations into the credit counseling industry, which has been the subject of recent investigation by the subcommittee.

The resolution would authorize the chairman and ranking member of the Permanent Subcommittee on Investigations, acting jointly, to provide investigative records obtained by the subcommittee in the course of its investigation in response to these requests.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 350) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 350

Whereas, the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs has been conducting an investigation into the credit counseling industry;

Whereas, the Subcommittee has received a number of requests from law enforcement and regulatory officials and agencies for access to records of the Subcommittee's investigation;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate can, by administrative or judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate is needed for the promotion of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That the Chairman and Ranking Minority Member of the Permanent Subcommittee on Investigations of the Committee on Government Affairs, acting jointly, are authorized to provide to law enforcement and regulatory entities and officials records of the Subcommittee's investigation into the credit counseling industry.

CONGRATULATING CHARTER SCHOOLS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 351, which was submitted earlier today by Senator GREGG.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 351) congratulating charter schools and their students, parents, teachers, and administrators across the United States for their ongoing contributions to education, and for other purposes.

There being no objection, the Senate proceeded to consider the resolution.

Mr. GREGG. Mr. President, today my colleagues, Senators LIEBERMAN, FRIST, CARPER, DOLE, SUNUNU, ALEXANDER, DOMENICI, CRAIG, COLEMAN, LANDRIEU, DURBIN, DEWINE, and BROWNBACK joined me in submitting S. Res. 351, a resolution to designate the week of May 3 through May 7, 2004 as National Charter Schools Week. This year marks the 12th anniversary of the opening of the Nation's first charter school in Minnesota. We have come a long way since that auspicious moment when one teacher, collaborating with parents, started a public school specifically designed to meet the needs of the students in the community.

Today, we have almost 3,000 charter schools serving nearly 750,000 students in 37 States, the District of Columbia, and Puerto Rico. Charter schools are immensely popular. Forty percent report having waiting lists, and there are enough students on these waiting lists to fill another 1,000 average-sized charter schools. Survey after survey shows parents are overwhelmingly satisfied with their children's charter schools.

Charter schools are popular for a variety of reasons. They are generally free from the burdensome regulations and policies that govern traditional public schools. They are founded and run by principals, teachers, and parents who share a common vision of education, a vision which guides each and every decision made at the schools, from hiring personnel to selecting curricula. Furthermore, charter schools are held accountable for student performance in a very unique way—if they fail to educate their students well and meet the goals of their charters, they are shut down.

Since each charter school represents the unique vision of its founders, these schools vary greatly, but all strive for excellence.

For example, Summit Middle School in Boulder, CO is a charter school serving grades 6 through 8 in mixed-age classes grouped by interest, motivation, ability, developmental level, and mastery of previous material. Summit provides a choice at the middle school level for students interested in a more rigorous and individualized academic program, and its students—admitted without regard to past academic accomplishment or prior testing—have risen to the challenge. In 2003, Summit was one of 214 public and private elementary and secondary schools nationwide, and the only public middle school

in Colorado, to be named a No Child Left Behind-Blue Ribbon School in recognition of its students' outstanding performance on State tests.

Here in the District of Columbia, the Capital City Public Charter School serves 227 students and has more than 400 students on its waiting list after only four years of operation. The award-winning school uses an innovative approach to learning based on two research-based, nationally recognized education models that promote rigorous academic and character standards—and the results speak for themselves. Students at Capital City are making significant, measurable academic progress with solid gains in both reading and math. In 2003, Capital City achieved all six goals outlined for District charter schools on academic progress and excellence on the SAT–9 tests. Two new charter schools modeled after Capital City are expected to open in the District this fall, further increasing options for students and parents.

These are but a few of the success stories in the charter school movement, which includes a wide range of schools serving a variety of different learning needs and styles, often at a lower cost than traditional public schools.

I expect that we will see the popularity of charter schools continue to expand. Two years ago, the President signed into law the No Child Left Behind Act, which gives parents in low-performing schools the option to transfer their children to another public school. No Child Left Behind also provides school districts with the option of converting low-performing schools into charter schools. I believe these provisions will strengthen the charter school movement by creating more opportunities for charter school development. And as parents exercise their right to school choice and ''vote with their feet'', the demand for charter schools will increase.

I commend the ever-growing number of people involved in the charter school movement, from parents and teachers to community leaders and members of the business community. Together, they have led the charge in education reform and have started a revolution with the potential to transform our system of public education. Districts with a large number of charter schools have reported that they are becoming more customer service-oriented, increasing interaction with parents, and creating new education programs, many of which are similar to those offered by charter schools. These improvements benefit all our students, not just those who choose charter schools.

I encourage my colleagues to visit a charter school this week to witness firsthand the ways in which these innovative schools are making a difference, both in the lives of the students they serve as well as in the community in which they reside.

Mr. LIEBERMAN. Mr. President, I rise today as an original cosponsor of this resolution to support the designation of May 3 through May 7, 2004 as National Charter Schools Week. I urge my colleagues to support this resolution to recognize and honor the success of charters schools across the nation. I strongly believe that charter schools enrich our nation and enhance our public education system by providing diverse and innovative educational options for parents and their children.

Currently, nearly 3,000 charter schools are operating in 37 States and the District of Columbia and are serving about 750,000 students. We must continue to sponsor and encourage the development of charter schools. The fact is that nearly 40 percent of charter schools report having a waiting list. Indeed, with these students, we could fill over 1,000 new charter schools.

One of the many positive aspects of the charter movement is that it has managed to bring together educators, parents, community activities, business leaders, and politicians from across the political spectrum to support a common goal of better educating our children by offering more choice and more accountability within our public schools. In many cases, charter schools are built from the ground up by educational leaders and thinkers, working with teachers, parents and local leaders, to reinvent the public school with fresh ideas and expanded options. To their credit, studies have shown that student achievement gains in public schools are substantial and that charter schools are serving a higher percentage of low-income and minority students than the traditional school system.

Now, more than ever, we must continue to support and encourage the charter movement to give parents and children meaningful public school choices, particularly to children in low-performing schools. I am, therefore, most pleased to join my distinguished colleague from New Hampshire, Mr. GREGG, along with Senators CARPER, DURBIN, DEWINE, COLEMAN, LANDRIEU, DOLE, SUNUNU, DOMENICI, CRAIG, ALEXANDER and FRIST, in recognizing the success of charter schools and the value they add to public education. I also commend the Charter School Leadership Council and express my full support for the activities planned this week to celebrate charter schools, teachers and developers, and the parents and children they serve.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 351) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 351

Whereas charter schools deliver high-quality education and challenge our students to reach their potential;

Whereas charter schools provide thousands of families with diverse and innovative educational options for their children;

Whereas charter schools are public schools authorized by a designated public entity that are responding to the needs of our communities, families, and students and promoting the principles of quality, choice, and innovation;

Whereas in exchange for the flexibility and autonomy given to charter schools, they are held accountable by their sponsors for improving student achievement and for their financial and other operations;

Whereas 41 States, the District of Columbia, and the Commonwealth of Puerto Rico have passed laws authorizing charter schools;

Whereas nearly 3,000 charter schools are now operating in 37 States, the District of Columbia, and the Commonwealth of Puerto Rico and serving 750,000 students;

Whereas over the last 10 years, Congress has provided more than $1,000,000,000 in support to the charter school movement through facilities financing assistance and grants for planning, startup, implementation, and dissemination;

Whereas charter schools improve their students' achievement and stimulate improvement in traditional public schools;

Whereas charter schools must meet the student achievement accountability requirements under the Elementary and Secondary Education Act of 1965 in the same manner as traditional public schools, and often set higher and additional individual goals to ensure that they are of high quality and truly accountable to the public;

Whereas charter schools give parents new freedom to choose their public school, routinely measure parental satisfaction levels, and must prove their ongoing success to parents, policymakers, and their communities;

Whereas nearly 40 percent of charter schools report having a waiting list, and the total number of students on all such waiting lists is enough to fill over 1,000 average-sized charter schools;

Whereas charter schools nationwide serve a higher percentage of low-income and minority students than the traditional public system;

Whereas charter schools have enjoyed broad bipartisan support from the Administration, Congress, State Governors and legislatures, educators, and parents across the United States; and

Whereas the fifth annual National Charter Schools Week, to be held May 3 to 7, 2004, is an event sponsored by charter schools and grassroots charter school organizations across the United States to recognize the significant impact, achievements, and innovations of charter schools: Now, therefore, be it—

Resolved, That—

(1) the Senate acknowledges and commends charter schools and their students, parents, teachers, and administrators across the United States for their ongoing contributions to education and improving and strengthening our public school system;

(2) the Senate supports the fifth annual National Charter Schools Week; and

(3) it is the sense of the Senate that the President should issue a proclamation calling on the people of the United States to conduct appropriate programs, ceremonies, and activities to demonstrate support for charter schools during this weeklong celebration in communities throughout the United States.

ORDERS FOR WEDNESDAY, MAY 5, 2004

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, May 5. I further ask that following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and following the time for the two leaders the Senate then begin a period for morning business for up to 60 minutes, with the first 30 minutes under the control of the Democratic leader or his designee, and the final 30 minutes under the control of the majority leader or his designee; provided that following morning business, the Senate then resume consideration of Calendar No. 381, S. 1637, the FSC/ETI JOBS bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. I further ask consent that when the Senate resumes consideration of S. 1637, the pending amendments be set aside and Senator BREAUX be recognized in order to offer an amendment, which is at the desk, on repatriation; further, there be 60 minutes equally divided in the usual form and that following that time the amendment be set aside and the Senate proceed to a vote in relation to the amendment at a time determined by the majority leader, after consultation with the Democratic leader, with no amendments in order prior to the vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. MCCONNELL. So tomorrow morning, following morning business, the Senate will resume consideration of the JOBS bill. We made good progress on the bill today, disposing of five amendments. The chairman and ranking member of the Finance Committee will be here tomorrow morning to continue working through the remaining amendments. Senators should expect rollcall votes on amendments throughout the afternoon. However, I would announce there will be no votes prior to 2 p.m.

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. REID. Mr. President, if I could, and I appreciate the Senator yielding, after we finish with the Breaux amendment, there is an agreement that if there is a Republican amendment to be offered we would deal with that. If not, the next amendment we would go to would be to complete the amendment that has already been offered by Senator DORGAN. Following that, if the Republicans want to offer an amendment, that would be fine. If they do not, we would then go to an amendment that has been filed by Senator GRAHAM. We would complete those and perhaps have at least those three votes at or near 2 tomorrow afternoon. That is not a unanimous consent. That is just indicating what we have worked on with the managers of the bill.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. MCCONNELL. Therefore, Mr. President, if there is no further business to come before the Senate, I ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:50 p.m., adjourned until Wednesday, May 5, 2004, at 9:30 a.m.

EXTENSIONS OF REMARKS

IN RECOGNITION OF WILLIAM DILLS McKEE

HON. E. CLAY SHAW JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. SHAW. Mr. Speaker, this past week, Cashiers, North Carolina, lost an institution. With a memory that stretched across decades and generations, William McKee who served as Cashiers' resident historian and gatekeeper, slipped away from earth, just days short of his 90th birthday.

I first met Bill as a guest of his family's famous hotel; the High Hampton, Inn. As was his way, Bill turned guests quickly into friends. My wife Emilie and I were no exception and soon after our meeting, developed a personal friendship with Bill. When I mentioned to Bill that I might be interested in buying a lot in Cashiers for a family summer home, Bill quickly did a thorough background check to determine my merit as a potential resident. By the time I returned. Bill knew more about me than many members of my family. It seems I was acceptable.

It appeared no one was exempt from his scrutiny. In one of my favorite stories about Bill, years later when my brother-in-law wanted to purchase property in the area, Bill rang me up and asked, ''Clay, you want him in here?''.

Beyond watching over the area like a shepherd to his flock, Bill entrenched himself in the enrichment of his community. He was a trustee of the Cherokee Historical Society, and instrumental in the establishment and flourishing success of the Cherokee Historical Museum. He also served as a trustee and officer of the Highlands Biological Association, as well as Chairman of the Jackson County Morehead Scholarship Foundation. He was also a member of the Biltmore Forest Country Club, a former member of the Pen and Plate Club, and the Zeb Vance Debating Society.

If the measure of a man is his ability to affect the lives of others, few among us measure up to William McKee. The life he led touched so many others. Indeed, we will feel the ripples of his influence throughout this community well into the future.

As we remember Bill, let us remember the warmth he radiated and his gift for hospitality that made each of us feel right at home in his beloved home of Cashiers, North Carolina.

HONORING 2004 RN OF THE YEAR AWARD RECIPIENT ALLEN GILES

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. RADANOVICH. Mr. Speaker, I rise today to recognize Allen Giles on the occasion of receiving the Central Valley Coalition of Nursing Organizations' 2004 RN of the Year Award for Clinical Practice. A banquet honoring him and three other award winners will be held Friday, May 7th at the Radisson Hotel in Fresno, California.

Allen Giles consistently provides the highest quality care to all of his patients. He started his career with Community Medical Center in 1978 as a Registered Nurse and later became a clinical instructor. Allen is currently employed by Community Home Health as an RN. Allen demonstrates proficiency in assessing, planning, implementing and evaluating the delivery of patient care. He has a proven track record for accurate assessment and appropriate treatment plans, which has earned him the respect of the physicians and colleagues.

Allen is an expert in IV management. He is a Certified Registered Nurse in Infusion and provides IV infusion training to other health care professionals on his own time. Allen reviews IV cases to determine if additional staff are needed. He assists in introducing new technology to the Home Care field by reviewing new product literature, field testing of the product and practical application in the Home Care setting. He collaborates with members of the health care team to formulate, implement and develop techniques for nursing care. Mr. Giles is a genuine humanitarian. He attends case conferences even on his days off so that he can communicate an accurate summary of care to his team members. Allen truly cares for every patient and does so with courage and poise that only a leader in the field of nursing could possess.

Mr. Speaker, I rise today to recognize Allen Giles for his excellence in the field of Clinical Practice. I invite my colleagues to join me in wishing Allen many years of continued success.

COMMENTING ON THE UPCOMING ELECTIONS IN THE DOMINICAN REPUBLIC

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. BURTON of Indiana. Mr. Speaker, just 200 miles off the coast of Florida lies the island of Hispaniola, an island that contains two politically diverse countries, Haiti and the Dominican Republic. While Haiti is slowly emerging from civil unrest and developing democratic institutions, their Dominican neighbors will once again exercise their right to elect their nation's next President on May 16th. Since 1966, a little less than 4 decades, the Dominican Republic has elected its President in free and fair elections, and 2004 will likely be no different.

Particularly in light of recent events in neighboring Haiti, it is important for us to recognize this notable moment of democracy in the Dominican Republic. I believe it is essential that we applaud these worthy developments in the Dominican Republic as a noble example for other Caribbean and Latin American nations of the power and strength of democracy.

Relations between Washington and Santo Domingo are strong, and the Dominican Republic is an important ally in the global war on terror. Indeed, they have been a partner in the war against Saddam Hussein's despotic and terrorist regime and the Dominican Republic has also been a committed ally in the war against illegal drugs. Dominican officials have provided invaluable assistance to our immigration officials and have worked closely with our law enforcement agents to cut off the flow of illegal narcotics to our shores.

The Dominican Republic's democratic elections will impact the future of the island of Hispaniola, the greater Caribbean, Americans of Dominican descent, and the foreign policy of the United States. I sincerely hope that the Dominican Republic, its current government and the respective presidential candidates will continue to demonstrate their commitment to democratic stability, and the transparency of the electoral process.

Once again, Mr. Speaker, I salute the Dominican people for their willingness and passion to support and promote a free and fair democratic process in their country, and for sharing our common ideals of liberty and the rule of law.

TRIBUTE TO KATHY FRANCIS

HON. BERNARD SANDERS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. SANDERS. Mr. Speaker, I rise today to honor a resident of Vermont, Kathy Francis. I am not the first to recognize her merits. She has already been honored by the Vermont Foster and Adoptive Family Association as the Vermont Social Worker of the Year. In a week she will be recognized by the National Foster and Adoptive Families Association as National Social Worker of the Year.

We all know that our nation's future lies with its children. The young of today will be the adults of tomorrow. But being young is not always an easy or comfortable position: many children in America are at risk, and need adults—parents, relatives; teachers, social workers, families—to support and guide them.

Perhaps most at risk are those without birth parents. And it is toward these children that Kathy Francis has made a major, ongoing commitment. A child protective social worker for Vermont's Social and Rehabilitative Services Department for the past ten years, Kathy has worked overtime, and with great dedication, to make sure that the children she serves, and the families they are placed with, have support of every kind. That these children will move forward to live rich and productive lives, and that the families they live with will surround them with support and love (and will receive love in return), has much to do

with Kathy's ardor, perseverance and devotion to these Vermont children.

She is profoundly deserving of being honored Social Worker of the Year, and Vermont is greatly proud of her.

A TRIBUTE TO WAYNE PHILLIPS

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. LANTOS. Mr. Speaker, I rise today to honor the career of Wayne R. Phillips, an extraordinarily gifted teacher of Geography, World History, Government, Economics, and International Relations at the San Mateo and Mills High Schools located in my Congressional district. During the past 32 years, Wayne Phillips has demonstrated a caring, supportive concern for each of his students and has profoundly influenced the lives of over 5,000 individuals with his extensive knowledge and wisdom, and his innovative teaching methods.

Even from the early days of his career, Wayne Phillips had a talent for creating and implementing innovative classes. For example, while at San Mateo High School, he helped to create and teach the Social Science freshman curriculum. In addition he created and taught a course titled, Government In Action, which required students to intern in different types of governmental agencies in order to acquire a first hand knowledge of the realities of public service. When he taught economics, his students participated in a San Francisco Bay Area stock market simulation. His instructions proved so successful that many students went on to win the competition. Currently, at Mills High School he created and is teaching a stimulating elective for Junior and Senior students in International Relations. In addition to his teaching duties, Wayne Phillips has served as the Social Science Department Chairman for the past 12 years, where he has helped to bring positive changes to the curriculum, teaching methods, and organization of Mills High School. For his diligent efforts, Wayne Phillips was recently selected as the San Mateo Union High School District's Teacher of the Year.

Mr. Speaker, beyond devoting countless hours in the classroom, Wayne Phillips has also selflessly dedicated himself to extracurricular activities that have enriched the school environment, in particular working tirelessly to create an understanding of, and tolerance for the many ethnic and cultural groups on the campus. Along with other school and community leaders he helped to create a unique all day program to understand, appreciate, and celebrate cultural diversity. He was also the driving force behind the production of assemblies to honor Dr. Martin Luther King, the Chinese New Year, and the Japanese Cherry Blossom festival. Connected to the production of the Chinese New Year celebrations, students created a one hundred-foot dragon that has appeared in the San Francisco Chinese New Year's Parade for the past six years. Mr. Speaker, I had the privilege of participating in a very special event Wayne coordinated to commemorate the 50th anniversary of the United Nations' Declaration of Human Rights, and needless to say I was very impressed with what I saw. For the last 24 years he served as the Freshman Class Advisor and assisted students with planning get-acquainted evenings, welcome dances, homecoming parades, class competition activities, holiday decorations, class elections, fund raisers and much more.

For Mr. Phillips, the classroom extends beyond the campus and he has consistently encouraged young people to participate in many types of educational opportunities. I am always delighted to see his students in Washington, DC, as part of Project Close-Up, which brings young people to Washington to see their government in action. His students also traveled to the Southern part of this country to learn first hand about the Civil Rights movement with the ''Sojourn to the Past'' program. As a long-time member of the World Affairs Council of Northern California, Mr. Phillips reads scholarship applications for the Council, leads ''Great Decisions'' student discussion groups on foreign policy issues, and chaperones students to Council meetings, special events, and the annual conference on world affairs at the Asilomar in Pacific Grove, California. Mr. Speaker, Wayne Phillips' influence spreads even to the United States House of Representatives, where we have benefited from an outstanding Congressional Page whom only became involved in the page program due to Mr. Phillips' encouragement and recommendation.

Throughout Mr. Phillips' entire career, he has been an example of the best in the teaching profession, earning the respect and admiration of students, parents, faculty, staff, administrators, and members of the community. It is not hyperbole to suggest that the teaching profession is losing one of its giants with his retirement. Every student learns from him and knows that he values them and is there for them whenever and however they need help. He truly loves his kids, and his crowded classroom during non-class time is but one expression of his students' respect and love for him. Wayne Phillips may be retiring from his formal classroom responsibilities, but to paraphrase the famous Dr. Seuss book, Oh, the Places You'll Go, he will continue to learn and share knowledge, and continue his commitment to education.

Mr. Speaker, as a former educator, I am proud to honor Wayne Phillips on his extraordinary career, to thank him for his contributions and dedication to public service, and to wish him the best of luck in all of his future endeavors.

HONORING 2004 RN OF THE YEAR AWARD RECIPIENT NANCY SCHREIBER

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. RADANOVICH. Mr. Speaker, I rise today to recognize Nancy Schreiber on the occasion of receiving the Central Valley Coalition of Nursing Organizations' 2004 RN of the Year Award for Advanced Practice. A banquet honoring her and three other award winners will be held Friday, May 7th at the Radisson Hotel in Fresno, California.

Nancy Schreiber is a skilled, experienced nurse practitioner who provides exemplary care. She is currently a Perioperative Advanced Practice nurse at Community Medical Centers in Fresno and is an adjunct faculty member at Fresno City College. Nancy was a clinical nurse educator and neurosurgical coordinator. She holds a Master of Science degree in Nursing.

Ms. Schreiber has been a significant part of Community Medical Center's surgical services for over 17 years. She is a genuinely thoughtful person who is not only doing her job to help others, but also, trying to make an impact on their lives. She is a founding member of the Fresno/Clovis/Madera OR Educators Group. Nancy is fluent in Spanish and provides classes in Spanish for Perioperative Services Providers and has developed an English-Spanish phrase manual for use in the Perioperative areas. She is also a ''hands-on'' educator and has been involved in the design and implementation of the Operating Room Scrub Class.

Nancy has been involved in the process of writing two nursing standardized procedure manuals, The Nurses Pre-operative Screening of Patients by Criteria, and Assisting Endoscopic PEG Insertion. She has also contributed to nursing research in numerous projects and provided legal consultation.

Mr. Speaker, I rise today to recognize Nancy Schreiber for her excellence in the field of Advanced Practice. I invite my colleagues to join me in wishing Nancy many years of continued success.

HONORING OUTSTANDING EXAMPLES OF PUERTO RICO YOUTH: MÓNICA CRISTINA MAYOL SABATIER AND RIDGE OLIVIERI

HON. ANÍBAL ACEVEDO-VILÁ

OF PUERTO RICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. ACEVEDO-VILÁ. Mr. Speaker, I rise today to recognize the extraordinary achievements of two young constituents that have excelled with particular success in community service. Mónica Mayol and Ridge Olivieri, both of San Juan, Puerto Rico, have been selected as Honorees of the prestigious Prudential Spirit of Community Awards representing the Commonwealth of Puerto Rico. This is an honor bestowed to only two students per jurisdiction, and as such is a very treasured award in our Island and in the Nation.

Mr. Speaker, Mónica Mayol is a 17-year old senior from Academia María Reina High School in San Juan. She serves as the activities coordinator at Centros Sor Isolina Ferré, one of the most renowned charity institutions in Puerto Rico. She tutors disadvantaged children and teenagers in several subjects, organizes drives to obtain food contributions, and even coordinated an awards ceremony and a Christmas party to bring happiness to those in need.

Mr. Speaker, the other student recognized by the Prudential Awards is 11-year old Ridge Olivieri, a sixth-grader at Saint John's School. Ridge is a very motivated sixth-grader who established a project to collect gently used clothing for disadvantaged children in Haiti. He felt that it was important to foster a sense of citizenship in his fellow peers, and his program got off to a very successful start with the help

of students, faculty, and sponsors such as American Airlines, who delivered the clothing to Haiti free of charge. He has followed the footsteps of a very close role model, his brother Chase, who is an eighth-grader at Saint John's, began a book recollection program and recently won the Do Something Brick Awards, a program that recognizes community service involvement in young men and women.

Mr. Speaker, I can attest to the fact that both are extraordinary students and remarkable young people. I feel very proud of representing first-rate students like Mónica and Ridge in Congress. They are members of a whole new generation of Puerto Ricans greatly concerned with their people and their country and willing to take action to improve their community. During the course of their projects, they have demonstrated superb intellectual ability and undertaken a very commendable task: service to their neighbor.

PERMANENTLY EXTENDING INCREASED STANDARD DEDUCTION, AND 15-PERCENT INDIVIDUAL INCOME TAX RATE BRACKET EXPANSION, FOR MARRIED TAXPAYERS FILING JOINT RETURNS

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. CAMP. Mr. Speaker, I rise today in support of legislation that provides permanent relief from the marriage penalty for millions of married Americans.

Congress has debated this issue for years, but this is the first time we have really come close to getting rid of this onerous, unfair tax. Frankly, we should have done away with this tax a long time ago. It has not been for lack of trying by Republicans. In 2000, the Republican Congress sent President Clinton a bill that provided marriage penalty relief. President Clinton vetoed the bill before leaving Washington that day for a round of golf in Martha's Vineyard. Couples were left with another year of paying higher taxes simply because they were married.

In 2001 the Republican Congress sent President Bush a bill that gradually phased-in tax benefits for married couples. The 2001 Economic Growth and Tax Relief Reconciliation Act increased the standard deduction for married couples that filed joint returns and increased the width of the 15 percent bracket for joint filers. These provisions would be phased-in beginning in 2005. Shortly after Congress passed this legislation, President Bush signed it into law. After years of frustration, progress was finally being made on lowering the tax burden on married Americans.

Again in 2003 the Republican Congress signaled support for legislation that accelerated the tax benefits given to married couples. Instead of waiting around until 2005, under the Jobs and Growth Tax Relief Reconciliation Act, married couples would be able to receive tax benefits in 2003 and 2004. Beginning in 2005, however, the full strength of the marriage tax will again penalize taxpayers. We must not retreat from the progress we have made on eliminating the marriage tax.

Opponents of making permanent marriage penalty relief argue that the country cannot afford lowering taxes for married couples. Certainly, it is without dispute that the country is facing a federal deficit. Federal deficits are a concern and we must work immediately to erase the red ink. In my view, cutting wasteful government spending should be a top priority.

The legislation today leads us to accomplishing three main Republican priorities: permanent elimination of an unfair tax on marriage; continued economic growth through tax cuts; and deficit reduction because of a growing economy and job creation. For these important reasons, I support permanent repeal of the marriage penalty and urge my colleagues to support this legislation.

IN RECOGNITION OF YOM HA'SHOAH—THE HOLOCAUST REMEMBRANCE DAY

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. SHAW. Mr. Speaker, I rise today in recognition of Holocaust Remembrance Day. As in years past, today we honor those who were lost to the world forever in the horrors of the Holocaust.

More than fifty years have elapsed since that dark period in human history. Since that time, Grandparents have taught their children and those children have taught their own, to remember the events that changed our world forever so as never to repeat the mistakes of our past. Year-round, we fight ignorance and disbelief through educating and informing others about the causes, realities, and legacies of the Holocaust. Today however, we set aside the day of Yom Ha'Shoah, to memorialize the tragedy and pay tribute to all who suffered.

We remember those who endured, those who fought, and those who died during World War II. We recognize not only the loss of more than six million Jewish lives, but also the loss of human potential. Entire families were lost to the world forever. We think of the descendants of victims of the Holocaust who never had the opportunity to make their contributions to mankind. And we recall the heroes who risked and surrendered their lives in the greatest fight for freedom and democracy the modern world has ever known.

Our greatest tribute to the millions who suffered at the hands of the Nazis will be to ensure that their suffering was not in vain. It is through our reflections on Holocaust Remembrance Day that we acknowledge their loss, and it is through our actions that we build a better world for us all.

With contemporary examples of hatred and terrorism all around us, we think back and marvel at the strength and character of the Jewish people. Their steadfast determination to rebuild their lives following the Holocaust has given the world a remarkable model of resolve. Through their example, we can glimpse the extraordinary human spirit that rises above the fruitlessness of anger and resentment. With this special day and with our deeds we honor that spirit.

Mr. Speaker, today we observe Holocaust Remembrance Day and call to action all peoples of the world to build a more tolerant and loving society. I am proud to recognize Yom Ha'Shoah and urge all Americans to do the same.

HONORING 2004 RN OF THE YEAR AWARD RECIPIENT CYNTHIA DOLATA

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. RADANOVICH. Mr. Speaker, I rise today to recognize Cynthia Dolata on the occasion of receiving the Central Valley Coalition of Nursing Organizations' 2004 RN of the Year Award for Outstanding Education. A banquet honoring her and three other award winners will be held on Friday, May 7th at the Radisson Hotel in Fresno, California.

Cynthia Dolata shows a strong dedication to the nursing profession. She has taught in a variety of healthcare, academic, and community settings. Cindy began her career as a staff nurse in Gynecology at Saint Agnes Medical Center in 1999. While maintaining her position in the Gynecology department she was also a clinical nursing instructor at California State University, Fresno and Fresno City College. In 2003 Cindy became a Breast Health Educator, a position she continues to serve in today.

As a Breast Health educator, Ms. Dolata meets with patients and their families prior to breast surgery and listens to their fears and anxieties while providing support. She also received grant money to purchase books for patient's family members. Her latest project was creating a video tape for women with breast cancer called, ''A Patient's Journey.'' The video takes a patient with breast cancer on a journey from diagnosis through postsurgical follow up. She has also developed ''comfort kits,'' a bag that includes educational materials and other items for her patients. Her lifelong achievements are reflective in her love for the profession and for the welfare of all people.

Mr. Speaker, I rise today to recognize Cynthia Dolata for her excellence in the field of Outstanding Education. I invite my colleagues to join me in wishing Cynthia many years of continued success.

CONGRATULATING LISA C. HERMAN ELLISON ON BEING NAMED ONE OF THE FINALISTS FOR THE NCEE/NASDAQ NATIONAL TEACHING AWARDS

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. BURTON of Indiana. Mr. Speaker, I rise today to congratulate Ms. Lisa Herman Ellison for being nominated as one of only five national finalists in the National Council on Economic Education (NCEE) and NASDAQ National Teaching Awards. Lisa was selected from among applicants around the United States for her originality, creativity, and effectiveness in the teaching of economics.

One of the greatest educational challenges we face today is ensuring that students enter

the world financially literate. A sound grounding in economics is necessary for individuals to participate in an increasingly complex global economy. The need for innovative and effective methods for teaching about the global economy has never been greater, and Lisa effectively prepares Kokomo High School students for that environment. Lisa teaches senior-level Advanced Placement Macro- and Microeconomics, Economics, U.S. Government and Advanced Placement Government and Politics at Kokomo High School in my district.

Lisa's creative approach to the topic of economics tasks her students with running a mock corporation. The students develop written and graphic analyses of the effects of international political events, trade policies, and finance issues on their simulated corporations. The students then complete a mock stock market analysis based on their corporation's involvement in international trade and the effects of government policies. Finally, students participate in ''International Day,'' which involves researching and preparing papers and presentations on a country and how government policies, cultural influences, and geography affect that Nation's economy.

Mr. Speaker and my esteemed colleagues, please join me in honoring and recognizing the service and commitment that Ms. Lisa Herman Ellison gives to her students on a daily basis. She is a fine example of the best the teaching profession has to offer.

TRIBUTE TO DONNA COVAIS

HON. BERNARD SANDERS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. SANDERS. Mr. Speaker, we live in a nation in which the mass media are so obsessed with the antics of celebrities like Michael Jackson and Donald Trump that we often forget that courage and heroism are all around us, that for many of our friends and neighbors each day is a difficult but victorious struggle against tough conditions.

I want to talk today about Donna Covais, a Vermont woman who represents what is best in American daily life. Seven years ago, Donna began to lose her sight as a result of diabetic retinopathy. A year later, she was blind. Of course, she was afflicted by despair: who wouldn't be, in those conditions?

But she did not succumb to that despair. Formerly a florist, she began taking courses at the Community College of Vermont, and through the intercession of a local business, Gardener's Supply Company, she was encouraged to begin, even though blind, a garden. What a success her foray into gardening has been! Blindness has not impeded her from making the world bloom—or from playing a vital role in our social community.

Donna Covais has won a local prize for the best use of gardening space in Burlington. She has drawn upon her experience and made a gardening video for the Vermont Association for the Blind. She has traveled to Virginia to speak before the American Horticultural Therapy Association. Donna has recently completed her degree program in horticultural therapy at Johnson State College; she's even done a practicum in the world beyond the safe harbors of college classrooms, at Essex High School in Vermont. A wife, a mother, a gardener, Donna has not let physical disability stand in the way of living a rich and fulfilling life, and giving much to the community in which she lives.

I began by saying that many of our friends and neighbors struggle with adversity and triumph over it. Let me conclude by pointing out that not only Donna, but her husband Joe, has been the master of his fate. For Joe too has suffered first deteriorating vision and then blindness, as was the case with Donna. Joe too has had to remake his life, which he has done by earning first a B.A. in psychology and the then an M.A.: he is now teaching Psychology at the Community College of Vermont, and is interested in counseling disturbed adolescents. He will be particularly qualified to bring them proof that facing life with courage, determination, and an openness toward the future can really work. Donna and Joe Covais are examples, I believe, of what is best in America and the American spirit, and I commend them for the example they have provided to all of us.

COMMEMORATING THE CREATION OF THE MARLA BENNETT PEACE TILE GARDEN PROJECT

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. LANTOS. Mr. Speaker, nearly two years ago, Marla Bennett, age 24, was one of the nine innocent victims of a terrorist attack at the Frank Sinatra cafeteria of the Hebrew University Mt. Scopus campus in Jerusalem. Ms. Bennett was a recent graduate of the University of California at Berkeley who was studying to get her Masters at Hebrew University. Marla's tragic and needless death brought the horror of the Israeli conflict home to the Berkeley community and on May 9, 2004, the Berkeley Hillel will unveil its permanent tribute to her with the dedication of the Marla Bennett Peace Tile Garden Project. This is a fitting tribute to a young lady whose life was ripped from those who loved her by a senseless act of terrorism.

During her academic career at UC Berkeley, Marla's face was a familiar one among the Jewish student population as well as the Jewish community of the Bay Area. She was an active student organizer, a Hebrew school teacher, and resident of the Bayit, the Jewish student cooperative of UC Berkeley. Marla's personality, her enthusiasm, and her zest for Judaism and the Jewish way of life made her well-known within her community and she was the first recipient of the Berkeley Hillel award, Hineni, given to the student who best exemplifies selfless devotion to the Jewish Community by answering ''here I am'' whenever a task needs to be completed.

Marla's tragic death had a profound effect on the Jewish Community at Berkeley and led to many inspiring endeavors in honor of Marla. The Rosh Chodesh Women's Group at the Berkeley Hillel was revived to honor her memory and scholarship funds in Marla's name for students seeking to study Jewish education in Israel were established. As wonderful as these tributes were, Dana Blecher, the Cultural Arts and Educational Programs Coordinator, for Berkeley's Hillel wanted to create a permanent memorial to this extraordinary individual who blessed our world for too short a time. Ms. Blecher envisioned the unused backyard of the Berkeley Hillel as an ideal space to construct a lasting tribute to the memory of Marla Bennett.

During the past year, Ms. Blecher has been instrumental in the creation of the Marla Bennett Peace Tile Garden Project and I want to publicly commend her for incorporating so many aspects of the Berkley and Bay Area community into the project. For example, she collaborated with Bay Area artist Jodi Gladstone, and invited the students of Berkeley Hillel to contribute sketches, poetry, and memories of Marla to be the foundation of the inspirational material for the creation and design of a tile project. Keeping with our Bay Area sensibilities, Dana contacted Jonathan Pilch, a student instructor in the subject of organic farming, and a UC Berkeley student, to prepare, recommend, and supervise the formation of the garden.

Mr. Speaker, friends of Marla's, as well as students who never had the opportunity to meet her, have come from across the country to help build the Marla Bennett Peace Tile Garden Project. They all came to Berkeley to create a lasting tribute to a person whose life touched so many and was tragically cut short. This new space at the Berkeley Hillel, while dedicated to Marla, also will be presented in the name of peace and hope that there will be a time in the future of Israel when violence does not play such a tragic and terrifying role in the history of the Jewish state.

The Marla Bennett Tile Garden will serve as a place for recollection and reflection, an appropriate memorial to a person who took investigating her Judaism very seriously. As the expression says, ''to live in the hearts of those who love you is to never die,'' and this wonderful memorial will allow the memory of Marla to continue to live on so that in the words of the Executive Director of Berkeley Hillel, Adam Weisberg, ''Her name will be for a blessing.''

HONORING 2004 RN OF THE YEAR AWARD RECIPIENT MARY FARRELL

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. RADANOVICH. Mr. Speaker, I rise today to recognize Mary Farrell on the occasion of receiving the Central Valley Coalition of Nursing Organizations' 2004 RN of the Year Award for Outstanding Administration. A banquet honoring her and three other award winners will be held Friday, May 7th at the Radisson Hotel in Fresno, California.

Mary Farrell has been a strong leader in the health care community. She is currently the Vice President of Patient Care Services at Madera Community Hospital. She holds a Bachelor of Science degree in Management and is also a Registered Nurse. In her present position, all nursing and allied health care departments report directly to her. Mary always focuses on safe and professional health care delivery. Patients and families appreciate her open and playful way of taking chaos and replacing it with calmness and logical problem solving.

Ms. Farrell uses innovative strategies for workforce development and promotion of nursing. Faced with an increasing demand and a limited supply of nurses, she established partnerships with the local high school and higher education to train new nurses. In 2002, Mary initiated the MCH Nursing Scholarship Program, funded by MCH employees, which has provided over $9,000 for local nursing students. She has been honored by various organizations for her leadership, and has formed partnerships with many organizations to keep the best and brightest nurses in their communities. Her dedication to nursing is an inspiration to nursing leaders.

Mr. Speaker, I rise today to recognize Mary Farrell for her excellence in the field of Outstanding Administration. I invite my colleagues in wishing Mary many years of continued success.

ON THE CELEBRATION OF THE NATIONAL TEACHER DAY

HON. ANÍBAL ACEVEDO-VILÁ

OF PUERTO RICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. ACEVEDO-VILÁ. Mr. Speaker, as Resident Commissioner of Puerto Rico, I am proud to recognize the significance of ''National Teacher Day''. Teachers are a valuable source of morals, veracity and integrity for millions of students in Puerto Rico and the United States. The Congress of the United States and various teachers' organizations have recognized their devotion and commitment through ''National Teachers Day,'' since the 1940's.

The work that teachers perform every single day is worthy of such recognition. Unfortunately, violence in schools has become a common denominator affecting teachers and students alike. Earlier this year in Puerto Rico, we have seen students and teachers attacked or killed by students in their classrooms, turning schools into a battle field where teachers and students are losing their lives. Episodes of this nature demean and undermine this remarkable profession, and erode the spirit of education.

Teachers are a testament of perseverance in every student. As Members of Congress, we must focus on the contributions that every single teacher makes to the development of a healthy, well-educated and cultured youth in our society. The issues affecting our teachers challenge all of us to contemplate what we genuinely value in our society.

Looking into the future of our communities in Puerto Rico, the role of a teacher in our children's lives becomes a necessity more than a luxury. The progress of a population is determined by the skills and the preparation that an individual acquires and develops during the early learning phases, phases that are often initiated by teachers.

Teachers are more than authority figures inside a classroom full of students—they are heroes in our society. Their love for their work should be awarded and respected everyday, ''National Teacher Day'' is a symbolic indication of the importance and magnitude of their profession in creating the future leaders of our society. As a proud Puerto Rican, I salute and thank the teachers in Puerto Rico and in the United States for their remarkable job, and I ask my colleagues to join me in celebrating the ''National Teacher Day.''

TRIBUTE TO NEIL DE KOKER, IN HONOR OF EXECUTIVE LEADERSHIP AWARD

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. CAMP. Mr. Speaker, I rise today to pay tribute to Neil De Koker, a giant in the automotive supply industry and the recipient of the 2004 Executive Leadership Award from the Marketing & Sales Executives of Detroit.

Known as a man who can turn a concept into reality, Neil founded the Original Equipment Suppliers Association, a strategic forum for automotive suppliers. With 353 members and global sales exceeding $300 billion worth of components, modules, systems, materials, and equipment used by the original equipment automotive industry, the OESA has provided information for over 4800 customers since its founding in August of 1998.

A veteran auto industry executive, Neil's extraordinary skills as a manager creating consensus and delivering results, has led him to being recognized around the world as a key spokesman for the automotive supplier industry in North America.

Neil's career, from furthering the growth and welfare of OESA members, to his 39 years in the automotive field, including playing a key part in establishing the Saturn Corporation, has vastly improved the automotive industry, the outlook of this key economic sector and the people who work within it.

I am honored today to recognize Neil De Koker for his outstanding achievements and the undeniably positive impact he has had upon our State and Nation. He is truly an invaluable citizen.

TRIBUTE TO U.S. COAST GUARD PETTY OFFICER THIRD CLASS NATHAN B. BRUCKENTHAL

HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. MEEK of Florida. Mr. Speaker, I rise to honor the memory of U.S. Coast Guard Petty Officer Third Class Nathan B. Bruckenthal, who was killed on April 24th in a suicide attack in the northern Arabian Gulf. He is a true hero—a man who served his country and did the nation's work in the most dangerous part of the world. Our entire community grieves his loss.

Petty Officer Bruckenthal, 24, along U.S. Navy Petty Officer First Class Michael J. Pernaselli, 27, and U.S. Navy Petty Officer Second Class Christopher E. Watts, 28, boarded a small boat that approached the Khawr Al Amaya Oil Terminal in the northern Arabian Gulf in order to inspect it. As it turns out, the boat was carrying bombs and exploded, killing all three young men.

Petty Officer Bruckenthal was stationed at Air Station Miami at the Opa Locka Airport in my Congressional district prior to his deployment in Iraq. He and his wife had their home together in nearby Ft. Lauderdale.

Our brave men and women in the U.S. Coast Guard have long fought alongside our other members of the U.S. Armed Forces, but Petty Officer Bruckenthal's death is the first combat death of a member of the Coast Guard since the Vietnam War. He will be buried on May 7th at Arlington National Cemetery.

My heartfelt condolences go out to the family and friends of Petty Officer Bruckenthal and those of the other young men who were mortally wounded in this terrorist assault. They gave the ultimate sacrifice to their country, and we will never forget them.

PERSONAL EXPLANATION

HON. DAVE WELDON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. WELDON of Florida. Mr. Speaker, my vote on H.R. 4181 was not recorded. I would ask that the RECORD reflect that as a cosponsor of H.R. 4181 the record should reflect that I should have been recorded as voting ''aye'' on final passage.

CONGRATULATING RALPH AND CATHERINE BROSI ON THEIR 50TH WEDDING ANNIVERSARY

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. RADANOVICH. Mr. Speaker, I rise today to congratulate Ralph and Catherine Brosi as they celebrate their 50th wedding anniversary. A party is being held in their honor on May 2, 2004 at the Dante Club in Fresno, California.

Ralph and Catherine Brosi were married on May 2, 1954 at Our Lady of Victory Church in Fresno, California. They are both natives of Fresno, California and currently make their home in Clovis, California. Ralph graduated from Clovis High School in 1946 and went on to serve in the United States Army from 1952–1954. Catherine graduated from Edison High School in 1945, and was later employed as a medical secretary. Ralph and Catherine started a successful farming and ranching business, Brosi's Poultry Farm.

Ralph and Catherine have always set a strong example of family values for their children. Their son, Robert, was born in 1955 and is currently a dentist practicing in Oakhurst, California. In 1956 their daughter, Karen, was born. Karen currently works as a Financial Planner in Mountain View, California. They enjoy spending time with their three grandchildren, Deena, Jenna, and Cayla.

The Brosi's are currently retired, but have been involved with various volunteer organizations in their community throughout the years. Ralph is a member of the California Water Fowlers Association, the Sons of Italy, Ducks Unlimited and has served as the President of the Clovis 20/30 Club. Catherine is an active member of Our Lady of Perpetual Help Catholic Church.

Mr. Speaker, I would like to congratulate Ralph and Catherine Brosi on their Golden Wedding Anniversary. I urge my colleagues to join me in wishing them many more years of happiness.

INTRODUCTION OF H. RES. 618

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. YOUNG of Alaska. Mr. Speaker. I rise today to introduce H. Res. 618, a resolution commemorating the 101st anniversary of Jack London's inspirational novel, The Call of the Wild. Originally published in installments from June 20th to July 18th 1903, The Call of the Wild is considered a uniquely American narrative, recounting the trials and tribulations surrounding the Klondike Gold Rush of the Yukon Territory in Canada, which impacted the District of Alaska and Washington State during the 1890s. This classic of world literature contributed to the spirit of exploration and discovery that swept the United States in the early part of the last century and led many others to explore what is now the great State of Alaska. One of the most widely translated and published works by an American author; The Call of the Wild has not been out-of-print in the past century.

Born John Griffith London in 1876 in San Francisco, California, the author began working during his adolescent years at various labor-intensive jobs, which included pirating for oysters on the San Francisco Bay, and serving on a fish patrol to capture poachers. It was his strong desire to escape the prospect of adult life as a factory worker that motivated him to begin his career as a writer. A restless spirit and strong sense of adventure led Jack to leave his native California in 1897, with his brother-in-law, James Shepard, to join the Klondike Gold Rush. His experiences that winter spent in a cabin by the Klondike river provided much of the rich material for his most well renowned novels, The Call of the Wild and White Fang, both of which became inspirations for full-length feature films. He went on to produce over fifty volumes of work in his lifetime, which included novels, short stories, and political essays. His literary portrayals of adventure and frontier life, unparalleled in their time, helped mark him as a truly great American author and seminal figure in turn-of-the century social history.

The Call of the Wild, which remains London's most celebrated work, tells a story through the eyes of Buck the dog, half St. Bernard, half Scotch Shepard. Captured from his comfortable life on an estate in California's Santa Clara Valley, he is sold to dog traders who ship him north to the Klondike to serve as a sled puller. Surrounded by inexperienced and cruel masters, Buck must learn to survive the realities of the harsh winter. The Call of the Wild is a tale of travel, transformation, and adaptation, filled with Darwinian undertones of survival and written in a naturalistic style that London is so often praised for.

As a young child, my father read this moving novel to me on many occasions. Filled with recollections of adventure and exploration, I too, as a young man left my home in California to explore a world full of budding possibilities. These notions led me to a land less discovered, the Last Frontier, the State of Alaska. What I found when I arrived there was an untold potential for greatness for the land and its people, an inspiring setting for leadership and representation. Had it not been for the spirit of Jack London's experiences that he eloquently shared with the world—and me—in The Call of the Wild, I might never have journeyed to this great state that I have called home for more than 47 years and have had the great honor to represent, here in Washington, for the past 31 years.

HONORING GENERAL LARRY R. ELLIS, COMMANDING GENERAL, U.S. ARMY FORCES COMMAND, FORT MCPHERSON, GA

HON. DAVID SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. SCOTT of Georgia. Mr. Speaker, I rise to honor General Larry R. Ellis, Commanding General of U.S. Army Forces Command, on the occasion of his retirement from military service on May 7, 2004. His distinguished military career spans more than 35 years and as a four-star general and Commander of United States Army Forces Command he is the highest ranking African American officer within any branch of the United States military.

General Ellis assumed his current post as Commander, U.S. Army Forces Command (FORSCOM), at Fort McPherson, Georgia on November 21, 2001. FORSCOM, the Army's largest major command, consists of more than 750,000 Active Army, U.S. Army Reserve and Army National Guard soldiers. FORSCOM trains, mobilizes, deploys and sustains combat ready forces capable of responding rapidly to crises world-wide. The FORSCOM commander functions as commander of the Army forces of this unified command and plans for and, on order, provides military support to civil authorities, including response to natural disasters and civil emergencies.

As the Army service component commander for U.S. Joint Forces Command, General Ellis has been responsible for the training and readiness of Army forces stationed in the continental U.S. and with the mission of performing as the Department of Defense's premier force provider, meeting the needs of Combatant Commanders worldwide. Therefore, General Ellis has overseen the preparation and deployment of every active duty division in the United States. In addition, he has commanded the mobilization, training, and deployment of more than 225,000 reserve component soldiers in more than 550 units across the nation.

Previously, General Ellis commanded the 1st Armored Division in Bad Kreuznach, Germany from May, 1997 to July, 1999. Following this division command, General Ellis served as Deputy Chief of Staff, Operations, and Plans from August, 1999 to November, 2001. When terrorists attacked the United States on September 11, 2001, General Ellis was responsible for Army operations, planned and executed the Army's role in the National Military Strategy, and developed and implemented the Army's Transformation Campaign Plan. The Army's Transformation Campaign Plan serves as the Army's roadmap into the 21st century which General Ellis devised as a comprehensive modernization of the Army's doctrine, training, leadership and education, organizations, soldiers, personnel, and facilities through the year 2010. As part of this project, he oversaw the research, development, and fielding of the Stryker family of vehicles and designed ''Task Force Soldier'' which codified the Army's warrior ethos and fostered the redesign of basic combat training.

General Ellis devised the Army's initial response to the September 11th attacks which involved the deployment of force protection and security units to Washington, D.C. and the Capitol region, chemical and munitions storage facilities, airports and other transportation terminals, military installations across the world, and the nation's borders. He also led the deployment of Army forces to combat the war on terror in Afghanistan.

General Ellis has served in the United States, Vietnam, Germany, the Republic of Korea, and Bosnia and Herzegovina. His command assignments include lst Armored Division, Germany; Multinational Division (North), Bosnia and Herzegovina; Assistant Division Commander, 2d Infantry Division, Korea; Brigade Commander, 3d Infantry Division, Germany Battalion Commander, 5th Infantry Division, Fort Polk, La.; Company Commander, 101st Airborne Division, Vietnam; and 82d Airborne Division, Fort Bragg, N.C.

General Ellis' awards include the Defense Distinguished Service Medal, the Army Distinguished Service Medal, the Defense Superior Service Medal, the Legion of Merit with two Oak Leaf Clusters, the Bronze Star Medal, the Meritorious Service Medal with two Oak Leaf Clusters, the Air Medal, the Army Commendation Medal with Oak Leaf Cluster, the National Defense Service Medal with three stars, the Armed Forces Expeditionary Medal, the Vietnam Service Medal with three stars, the Armed Forces Service Medal, the Vietnam Cross of Gallantry/Palm, the Korean Cheonsu Medal, the German Armed Forces Honor Cross (Gold), the NATO Medal, the Combat Infantryman Badge, the Senior Parachutist Badge, the Office of Secretary of Defense Staff Identification Badge, the Joint Chiefs of Staff Identification Badge, and the Army General Staff Identification Badge.

General Ellis received a Bachelor of Science degree from Morgan State University and a Master of Science degree from Indiana University. He is married to Jean and has two daughters, Renee and Debra. Ebony Magazine recently recognized General Ellis as one of the ''100 plus most influential people in America.'' General Ellis enjoys physical fitness activities, traveling, and playing golf. Responding to an inquiry about his future plans, General Ellis says he is ''sprinting to the finish line, moving 101 miles per hour, and has not slowed to consider what he will do following retirement.''

Due to his honorable military career, I am pleased to honor him and his service to this great country. God bless General Larry Ellis and his family.

DAILY DOUBLE-WIDE

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. DUNCAN. Mr. Speaker, Aaron Tallent, a member of my staff, has written a very interesting and entertaining article for the current issue of the Washington City Paper.

He makes the very important point that just possibly some sophisticated city dwellers should not look down their noses at those millions around the country who live in mobile homes.

There are many good and intelligent people who live in these homes, and I would like to call this outstanding article to the attention of my colleagues and other readers of the RECORD.

[From the Washington City Paper, Apr. 30, 2004]

DAILY DOUBLE-WIDE

(By Aaron Tallent)

One night at the Capitol Lounge, after I'd been in Washington for a few months, I found myself talking to an aide for a Northern congressman. He was sharing a fact he'd picked up in a meeting with a housing-coalition representative that day: ''Trailers are not considered real housing, because they depreciate in value the minute they are dropped off the truck.''

Then he added, ''Have you ever been in a trailer? They're downright trashy.''

I let it slide. He didn't know that I come from Tellico Plains, Tenn.—population 900, according to the last census. Many of my closest friends still live in Tellico Plains. And many of them live in trailers.

My friend Chris, for instance, spent more than three years living in a single-wide after college. He's a high-school English teacher now, and his wife is a schoolteacher as well. He's also an ordained preacher. With the money they saved living up on blocks, he and his wife are now homeowners at 26.

No one in my group at the Capitol Lounge, freely cracking trailer jokes, was even close to owning a home. They weren't even able to take care of themselves. The Yankee socioeconomics expert ended the night puking on the floor. A self-proclaimed Southern belle kept talking about how frustrated she was because the guy she'd been hooking up with for two months still hadn't taken her out to dinner. I went out to get cigarettes with a lobbyist for a fiscally conservative nonprofit; he put Marlboro Lights on his Visa.

You want to talk about trailer trash? Put down your Stella, turn-off your Blackberry, and listen: You are trailer trash.

Just because your neighborhood is geographically broken down by blocks does not mean that you metaphorically don't live up on them. Urban America is full of trailer parks. You just have fancier names for them.

Let's stop by your studio apartment, shall we? You're proud of the location, naturally. In Dupont Circle, on Capitol Hill, in Georgetown—so sophisticated! So many urbane attractions: Now let's go inside.

Whoa! Almost tripped over your futon. Didn't expect it to be so close to the doorway! It seems your futon is the center of your place. Sitting on it, you can reach over to the bed and fluff your pillows with one hand, while you pop a DVD into your entertainment center with the other. How convenient!

Of course, I caught you at a bad time. Normally when you're expecting company, you put the room divider up to hide the bed from the ''living room.'' That's about as concealing as hair in a can. In the kitchenette, you have a two-burner stove and a counter with just enough room to make a peanut-butter sandwich. Is there a dishwasher? I think not. We could go into your bathroom, but with the clothes hamper, there's no room to move.

Your mini-estate, like a trailer, is simply the compromise you make to live on a lower income. And yours isn't necessarily the nicer compromise. Climb up on the porch and I'll take you inside a Tennessee trailer.

How about that! There's a living room with enough space for a couch, love seat, and recliner. Stick your head in the kitchen—the separate kitchen—and you've got a four-grill stove and a counter big enough for preparing dinner parties. Still convinced your prison cell is nicer? Walk down the hall and see, not one, not two, but three bedrooms! Then to top it off, we have a bathroom that can hold a hamper, a magazine rack, and two people. If you want to upgrade, there's room for a Jacuzzi.

On the inside, a well-kept trailer could hang with any nice apartment in the D.C. metro area. Step out the back door and . . . oh, look, it's a yard.

Most efficiency apartments don't even have a back door. But that's not your real home, you say. You're not planning on living there forever. You've just come to Washington to work for a politician or a nonprofit that stands for everything you believe in. The efficiency is just a stepping-stone, a place to lay your head until you figure out where you want to go with your life and career. Or until you buy a condo in Arlington.

Welcome to Tellico Plains. My college-graduate friends, starting out in nursing, physical therapy, or factory work, were able to buy or inherit pieces of land. They just couldn't build houses right away. So they bought trailers. Yes, their purchases depreciated fast. But not as fast as the $12,000 you threw away in rent last year.

Now, some of the folks I went to school with may spend the rest of their lives in trailers. They've got low-income jobs and no means to find better ones. They can build a house now, or they can guarantee that their children will always have clothes on their back and three meals a day. It is no different from an urban family living in a cramped apartment.

I have received an e-mail no less than 10 times titled ''Tennessee's Latest Lottery Winner.'' It contains a picture of a trailer with a limousine parked out front. Like most jokes based on stereotypes, it has some truth behind it. Growing up, I saw my fair share of broken-down trailers with new Corvettes in the driveway or satellite dishes in the yard.

But for every trailer owner who blows a third of his modest paycheck on lotto tickets, there is a D.C. studio-dweller running up a $300 tab at McFadden's or Café Citron, then putting milk and bread on his credit card the next day. For every trailer with a brand-new, souped-up Ford F–150 in the driveway, there is a Washington efficiency with Brooks Brothers suits and a Burberry coat in the closet. And for every one of you who thinks a mobile home is the end of existence, trust me, there's someone who'd take one look at your one-room wonder, shudder, and thank the stars for his comfortable double-wide.

COMMEMORATING THE BIRTHDAY OF PRESIDENT JAMES MONROE

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. WOLF. Mr. Speaker, I rise today to commemorate the birthday of a great American president, and a son and servant of Virginia, James Monroe.

James Monroe was born in Westmoreland County, Virginia, on April 28, 1758, attended the College of William and Mary in Virginia, and served in the Revolutionary War, in which he was wounded at the pivotal battle of Trenton. After the Revolutionary War, Monroe was a member of the Continental Congress, the United States Senate, minister to France, governor of Virginia, was again sent to France to assist in negotiating the Louisiana Purchase, served again as governor of Virginia, as secretary of state for President James Madison, and briefly as secretary of war.

This extraordinary record of service to the Nation and the Commonwealth was further enhanced when James Monroe was elected president of the United States in 1816, and was reelected in 1820. It was in President Monroe's second term that he annunciated what would become a vital foundation of our Nation's foreign policy: the Monroe Doctrine. The doctrine announced American opposition to European colonization and interference in the Western Hemisphere, and served as a touchstone of American foreign policy for generations of presidents, helping to keep the Americas free of intervention by European powers.

After completing his second term as president, James Monroe retired to Oak Hill, his home in Loudoun County. I am proud to represent Loudoun County in the Congress, and proud of my district's association with President Monroe.

Mr. Speaker, I call the attention of the House to the life, legacy, and accomplishments of James Monroe.

PERSONAL EXPLANATION

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. HASTINGS of Florida. Mr. Speaker, while attending meetings of the Organization for Security and Cooperation in Europe's Parliamentary Assembly and fulfilling my official duties as a Vice President of the Parliamentary Assembly, I missed votes on April 20 through April 22. Additionally, while representing the U.S. Helsinki Commission at the OSCE Conference on Anti-Semitism; I missed votes on April 27 and 28. Had I been present, I would have voted the following way:

Rollcall 118: ''aye''; rollcall 119: ''aye''; rollcall 120: ''aye''; rollcall 121: ''aye''; rollcall 122: ''aye''; rollcall 123: ''aye''; rollcall 124: ''aye''; rollcall 125: ''aye''; rollcall 126: ''no''; rollcall 127: ''no''; rollcall 128: ''aye''; rollcall 129: ''aye''; rollcall 130: ''no''; rollcall 131: ''aye''; rollcall 132: ''aye''; rollcall 133: ''aye''; rollcall 134: ''aye''; rollcall 135: ''aye''; rollcall 136: ''aye''; rollcall 137: ''aye''; rollcall 138: ''no.''

HONORING OFFICER RODNEY CHAMBERS

HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Ms. CORRINE BROWN of Florida. Mr. Speaker, I rise today to pay honor to a true American hero, Officer Rodney Chambers, who without thought for his own safety, risked his life to save others from harm. Officer Chambers has been chosen to receive the prestigious Officer of the Year Award from the Amtrak Police Department because of his selfless heroism and courage, and I am proud to join them in saluting his bravery.

On June 9, 2003, Officer Chambers was on patrol in Washington's Union Station when he was dispatched to respond to a call for service from Union Station. Security reporting that a male put a grenade in a trash receptacle. Officer Chambers responded to First Street where a Union Station security officer identified the suspect. Capitol Police Officer Michael DeCarlo joined Officer Chambers in pursuit of the suspect. Officer Chambers came upon the suspect and instructed him to put his hands on the wall. The suspect removed a piece of clothing that he was holding and revealed a grenade. He then pulled the pin and attempted to drop the grenade.

Officer Chambers reacted immediately by pinning the suspect against the wall while wrestling the grenade away from him, holding the spoon and fuse from priming. At this time, Officer DeCarlo arrived on the scene and assisted in controlling the suspect.

As the suspect was being taken into custody by police officers, Officer Chambers along with his Sergeant removed himself to a safe distance from the area of onlookers while continuing to hold down the spoon on the grenade. Officer Chambers maintained his position for approximately 15 minutes while waiting for the arrival of the EOD team. During this period of time, a search revealed a second grenade.

The Capitol Police EOD responded and placed both grenades in an isolation chamber. Ultimately, both grenades were found to be inactive and filled with a gel-like substance. However, during the period of time Officer Chambers spent with the grenade he had no way of knowing this.

Officer Chambers was awarded the Medal of Honor from the Amtrak Police Department on November 10, 2003; a Resolution from Amtrak's Board of Directors on June 12, 2003; the Officer of the Month Award from the National Law Enforcement Memorial Fund; and the Department of Transportation Award for heroism from the U.S. Secretary of Transportation, Norman Y. Mineta and Federal Railroad Administrator Allan Rutter on October 21, 2003.

COMMENDING TEACHERS FROM NORTHWEST INDIANA

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. VISCLOSKY. Mr. Speaker, it is my distinct honor to commend seven dedicated teachers from Northwest Indiana who have been voted outstanding educators by their peers for the 2003–2004 school year. These individuals, Yvonne Stoll, Laura Cullen, Jeremy Walker, Sandra Sidock, David Markley, Linda Scheffer, and Valerie Giacomin will be presented with the Crystal Apple Award at a reception sponsored by the Indiana State Teachers Association. This prestigious event will take place at the Andorra Restaurant and Banquets in Schererville, Indiana, on Tuesday, May 4, 2004.

Yvonne Stoll, from the North Newton School Corporation, has been a role model, an inspiration to her students, and an outstanding professional for more than 30 years. Yvonne, a dedicated kindergarten school teacher, knows the importance of developing creative thinking skills in her students. In addition to Yvonne's teaching abilities, she has made tireless efforts to further the education of kindergarten students through her active participation in organizations such as: the Indiana Association for the Education of Young Children, the Reading Council, and NNEA/ISTA/NEA.

Laura Cullen has been teaching kindergarten in the Hanover Community School Corporation for nearly 20 years. She is a loyal and enthusiastic person who has a passion to teach her kindergarten students. Laura's students graduate from her class with strong reading and writing skills which provide a solid foundation for a lifetime of learning. She is actively involved in the Jane Ball Literacy for Life Team, Grade Level Chairperson at Jane Ball Elementary, Teacher Assistance Team, Climate Committee, and the Public Law 221 Committee.

Jeremy Walker is known for his ability to connect with students in a way few other teachers are able to duplicate. Jeremy teaches Latin in the Crown Point Community School Corporation and is an integral person in his school's Latin program. A testament to Jeremy's teaching abilities, his students recently won the Indiana State Sweepstakes, establishing his Latin club as the best in Indiana. Jeremy truly has an outstanding teaching ability, while his dedication to his profession and to his students is equally outstanding.

Sandra Sidock has 30 years of experience in teaching and tutoring students in mathematics. At the Lake Central School Corporation, Sandra instilled in her students the skills needed to be successful at the next level. Although many students benefited from Sandra's knowledge, the students who needed extra assistance could always rely on her. Sandra incorporates the Legos, Cuisenaire Rods, and other techniques into her teaching curriculum to benefit the students who need extra guidance.

David Markley has taught music for seven years at Highland High School. The love and passion David has for music, both personally and professionally, is demonstrated through the creativity and enthusiasm that he projects. He not only inspires his students, but also the teachers at Highland High School, the parishioners of Gloria Dei Lutheran Church, and many others in Northwest Indiana.

Linda Scheffer has been nurturing young minds at Munster High School for the past 32 years. Her enthusiasm for the subject matter, as well as her teaching style, has withstood the test of time. Linda makes learning an enjoyable experience, for she blends her creative spirit and her willingness to experiment with new ideas and techniques to better foment home economic concepts in the minds of her students. Linda's compassion for others is exhibited by her thoughtfulness towards both students and teachers.

Valerie Giacomin has been a great asset to the Tri-Creek School Corporation throughout her years of teaching. She is conscientious about having her students meet the standards expected of them. Valerie's strong work ethic as a teacher allows her to make an extraordinary effort to provide the best possible education for her students. Valerie is a continuous source of strength and enthusiasm for her students, parents, and colleagues.

Mr. Speaker, I ask you and my distinguished colleagues to join me in commending these outstanding educators on their receipt of the 2003–2004 Crystal Apple Award. The years of hard work they have put forth in shaping the minds and futures of Northwest Indiana's young people is a true inspiration to us all.

RECOGNIZING THE TIRELESS WORK OF THE DURAND PATRIOTS

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. ROGERS of Michigan. Mr. Speaker, I rise today to recognize the work of some great Americans in Michigan's Eighth District, the Durand Patriots. The Durand Patriots are a non-profit organization working hard to support our fighting troops abroad by providing them with some of the comforts of home.

Since October, 2001, the Durand Patriots have shipped over 500 packages to active military personnel. Last year alone, the Durand Patriots raised $25,000 for the purchase of convenience items and holiday gifts to be sent to our troops. In their latest undertaking, the Durand Patriots came to the rescue of a local soldier, CW3 Mike Mogg, when he lost all of his possessions in a fire in his Baghdad living quarters. The Durand Patriots sent over fifty boxes of supplies to Chief Warrant Officer Mogg and his unit to replace their lost possessions.

Mr. Speaker, I would like to ask my colleagues to join me in recognizing the support of the Durand Patriots to our armed forces. Their commitment to helping boost military morale by ensuring that our fighting men and women have the comforts of home while they protect America, showcases the best of the American spirit.

DO NOT DISMANTLE TITLE IX

HON. DIANE E. WATSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Ms. WATSON. Mr. Speaker, the Bush Administration's record on education has been nothing but disastrous, and as a former member of the Los Angeles Unified School District board, I am especially dismayed by the Administration's relentless attack on Title IX, one of the most effective laws designed to expand educational opportunities for countless women.

Last year, President Bush attempted to roll back Title IX by dramatically reducing the participation and scholarships opportunities for women athletes. Just recently, the Department of Education announced its intention to throw out basic protections against sex discrimination in public schools.

Last week 58 members of Congress joined me in registering our opposition to the proposed changes in Title IX regulations. All Americans need to be aware of this Administration's abysmal education record. This President has adopted a ''bait and switch'' attitude regarding his support for education programs. He is at it again with a plan to dismantle Title IX. It is time for real educational funding and commitments, not just another hypocritical proposal.

RECOGNIZING MR. STEPHEN G. SHEETZ

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. SHUSTER. Mr. Speaker, I rise today to recognize the extraordinary vision of entrepreneur Stephen G. Sheetz, owner and chairman of Sheetz, Inc. for his ''2004 Lifetime Achievement Award for Business Advocacy''.

This prestigious award, presented by the Chamber of Commerce of Blair County, Pennsylvania, has been designed to honor an individual who has set the standard of excellence in achievement, both personal and professional.

Steve Sheetz is recognized as a true leader of both his family's business, Sheetz, Inc., as well as, the business community of central Pennsylvania.

He has served as a longtime mentor and visionary for generations of fellow business associates, family members, and employees, as well as, a devoted following of consumers.

He constantly sets an example of selflessness by helping to promote the overall business climate without focusing efforts on his own business or personal gains.

I am pleased to commemorate the excellence in achievement of Stephen G. Sheetz, of Sheetz, Inc.

This honor is appropriately ''Made To Order''.

TRIBUTE TO CYNTHIA MASON-CORLETT

HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. TANCREDO. Mr. Speaker, it is my extreme pleasure and privilege to take this opportunity to pay tribute to Cynthia Mason-Corlett for being awarded the 2003 Milken National Education Award.

Ms. Corlett began her teaching career in 1988, teaching science and math to middle school students. Currently, she teaches eighth grade at Sierra Middle School in Parker, Colorado. She has excelled at energizing students by using hands-on teaching methods. Students investigate everything from air pressure to space travel, and share their knowledge by conducting science demonstrations for second graders from neighborhood elementary schools.

The Milken National Educator Award is today one of the largest teacher recognition programs in the United States; one hundred new educators from across the country will receive their awards for excellence in their profession. Ms. Corlett will join 72 previous winners from the state of Colorado to work on strengthening teacher quality, and serving as expert resources for policy makers.

Mr. Speaker, it is quite clear that Cynthia Mason-Corlett is a person who possesses dedication and commitment to her life long pursuit of educating young people. It is not only her devotion, but also her passion for contributing to the betterment of the Colorado community that I wish to recognize before this body. It is my distinct pleasure to honor Cynthia here today, and wish her all the best in her future endeavors.

WORLD MAGAZINE

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. PENCE. Mr. Speaker, on Wednesday, April 21, I inadvertently failed to give proper attribution to World Magazine during my Case for Life Special Order. I read the following quote and would like to credit World Magazine as its source:

''A native of India, he just does not meet the stereotype, not just the head wrap, the neat beard, the Rollie Fingers-style mustache, but he views abortion as an unalienable right for women in America.''

TREE CITY USA

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. BURGESS. Mr. Speaker, I rise today to recognize the Tree City USA cities located in the 26th District of Texas: Arlington, Carrollton, Colleyville, Coppell, Denton, Euless, Flower Mound, Fort Worth, Frisco, Grapevine, Keller, Lewisville, McKinney, Plano, Southlake, Trophy Club and Westlake.

The National Arbor Day Foundation is the primary sponsor of the Tree City USA program and works in cooperation with the USDA Forest Service Urban and Community Forestry program and state foresters. The Tree City USA program creates a technology-transfer network that involves nearly 3,000 Tree City USAs in all 50 states, Mayors, City Foresters, and concerned citizens throughout the nation.

The Tree City USA designation is awarded to cities that meet four distinct qualifications. To become a Tree City USA, a city must designate responsibility for public tree care to a volunteer board or city department; have a tree-care ordinance in effect; spend at least $2 per capita annually on community forestry; and proclaim and observe Arbor Day. Cities that fulfill these requirements display a clear dedication to the environment and trees in their community.

I believe that trees and forests are very important national resources. Community forests help to improve the quality of our air and water, reduce runoff and erosion and contribute to important national energy-conservation goals.

So I would like to congratulate the seventeen cities in the 26th District, as well as all of the other cities nationwide, that received the Tree City USA designation. It is my hope that other communities will take note of the model activities in these cities and strive to earn the Tree City USA distinction for their city in the future.

TRIBUTE TO HAZARD VARSITY CHEERLEADERS

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. ROGERS of Kentucky. Mr. Speaker, I rise today to pay tribute to the members and coaches of the 2004 Hazard High School varsity cheerleading squad. This year alone, the squad has cheered their way to four first place victories, an admirable accomplishment for a small-town team competing against much larger schools.

The Hazard cheerleaders began their winning streak in January, when they secured the top spot in the annual WYMT–TV Mountain Classic Cheerleading Competition. In February, the team traveled to Richmond, KY, where they competed with more than 50 cheerleading squads in the Kentucky All ''A'' State Cheerleading Competition. Their enthusiastic and skillful performance landed the squad with a first place showing. The team also received the coveted Team Spirit Award.

After their impressive showing in Richmond, the cheerleaders finished first at the KAPOS 54th District and KAPOS 14th Regional competitions, and earned the right to compete in the state competition. The squad earned an admirable fourth place finish in the statewide competition, marking the first time a Hazard squad has placed in the top five since they won the state championship in 1970.

It should be noted that the Hazard Cheerleaders accomplish as much during their regular season as they do in competitions. The squad cheers at all football games and basketball games, stirring up school spirit through their energetic routines and skillful stunts. They also have a commitment to community involvement, often volunteering at charitable organizations and local homeless shelters. I am proud of their contributions to Eastern Kentucky, both in cheerleading and their community.

Mr. Speaker, I want to congratulate the Hazard High School cheerleaders for their tremendous success this year. I ask each of my colleagues to join me in honoring Hazard High School, coaches Cathy Hammonds, Vivian Carter, Lisa Combs, Wayne Noble and Shane Noble, and each and every talented member of the squad: Casey Smith, Lindsey Fields, Sydney Napier, Sarah Johnson, Jennifer Bryant, Jennifer Brock, Ashlei Mullins, Amber Hammonds, Paige Whitaker, Roxanne Whitaker, Marry Simms Carter, Kelly Hoskins, Becky Jo Brotherton, Sarah Hall, Whitney Francis, Brandi Hayes, Katie Hanson, Kayla

Sandlin, Chelsea Combs, Gabriella Woods, Reagan Kilgore and Lauren Delpont.

PERMANENTLY EXTENDING INCREASED STANDARD DEDUCTION, AND 15-PERCENT INDIVIDUAL INCOME TAX RATE BRACKET EXPANSION, FOR MARRIED TAXPAYERS FILING JOINT RETURNS

SPEECH OF

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 2004

Mr. MILLER of Florida. Mr. Speaker, today we will be voting on important legislation; legislation that will help roughly 21 million young Americans financially. I am speaking about marriage penalty relief. Thanks to the peculiarities of the tax code, when married couples earn roughly the same salaries, they tend to pay more in taxes than they would if both were single filers. Our previous action to extend this tax relief benefit has encouraged marriage and saved the average married couple $1,400 a year, allowing them to spend on items that support their families.

This discrepancy financially penalizes couples for doing nothing more than choosing to get married, which creates a strong disincentive for people to build families. With a breakdown of the family and high divorce rates, we need to strengthen marriage not weaken it. As every study shows, children fare best and have the most promising life prospects when they are raised in intact families. Promoting marriage has the potential to significantly decrease poverty and dependence, increase child well-being and adult happiness, and to provide the safest environment for women and children.

Mr. Speaker, letting the tax penalty relief expire would cost families 1,400 a year. The federal government should not be picking pockets of people just because they are married. If we do not extend the marriage penalty tax today, Uncle Sam will not only once again be taking a gift at the wedding reception instead of giving one, but will also be contributing to the breakdown of our basic social institution: marriage.

IN RECOGNITION OF PUBLIC SAFETY APPRECIATION DAY

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. FARR. Mr. Speaker, I rise today to support Monterey County's recognition of April 29, 2004 as Public Safety Appreciation Day. The County Supervisors have adopted a resolution on behalf of Monterey County and its residents recognizing the men and women who undertake the difficult and important work demanded of emergency services personnel. I would like to join the residents of Monterey County in thanking these personnel for their professional, heroic response to emergencies.

These men and women do their work to provide a timely, effective first response to unpredictable, often dangerous circumstances with admirable bravery and commitment. Emergency services personnel include 9–1–1 dispatchers, fire fighters, peace officers and emergency medical personnel, but in fulfilling their responsibility for maintaining public safety their actions often transcend their job descriptions.

I would like to include in this recognition the efforts of the personnel of the Monterey County Emergency Communications Department and Office of Emergency Services, and all those who work to ensure that first responders have the support they need to continue providing effective emergency services to our community.

Mr. Speaker, I am proud to join the Board of Supervisors and the residents of Monterey County in showing my appreciation to the men and women who maintain public safety and work quickly to restore it following an emergency. These same personnel are often mentors and role models even outside their job, and I am pleased to recognize their contribution.

RECOGNIZING WILLIAM BOYAN'S SERVICE AS CHAIRMAN OF THE BOARD OF TRUSTEES AT CHILDREN'S HOSPITAL BOSTON

HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. CAPUANO. Speaker, I rise today to recognize William Boyan's leadership as Chairman of the Children's Hospital Boston Board of Trustees.

Mr. Boyan has had a long and distinguished business career in my state, culminating as President and Chief Executive Officer of John Hancock Financial Services. No less impressive, however, is his work on behalf of the children of Massachusetts.

Mr. Boyan recently completed a five-year term as Chairman of the Children's Hospital Board. He will remain as a Board member, where he has served with distinction for the past twenty-five years. Under his leadership, Children's Hospital Boston has continued its preeminent work in clinical medicine, research, and training, on behalf of our nation's youngest patients.

As a true public servant, Mr. Boyan has lent his wisdom and expertise to many initiatives throughout Massachusetts. He also currently serves on the Boston School Committee, and his commitment to the city's children and their education is well-known. His passion for excellence and his philanthropic efforts on behalf of the schools have made a real difference in the lives of children in every neighborhood of the city.

Children's Hospital has been a leading voice on behalf of children's health care needs. The hospital's many community service projects touch the lives of children and families throughout the state. Mr. Boyan's dedication has been an essential part of the hospital's success.

Mr. Speaker, it is with pleasure that I recognize and honor William Boyan's efforts and achievements.

THANK YOU, BILLIE BRIGGS

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. GREEN of Texas. Mr. Speaker, I rise today to extend my gratitude and appreciation for Billie Briggs who has been named a recipient of the Milken Family Foundation's National Educator Award.

Ms. Briggs teaches math at Cobb Sixth Grade School in Houston, TX and is regarded as the best though she has only been teaching for eight years. I commend Ms. Briggs for her accomplishment and dedication to her students and to education itself.

Ms. Briggs displays her dedication to all students at Cobb Sixth Grade School and throughout HISD by Serving as Sponsor of the Math and Science Club, National Junior Honor Society Advisor, Math Department Chair and by representing secondary-level math on the District Planning and Advisory Committee. In addition, her innovative methods of presenting students with fun projects through which they learn essential skills are praised throughout the education community.

I would like to congratulate Billie Briggs on being named one of our nation's top teachers and extend my thanks for her dedication to students in Houston.

CONGRATULATING FELLOW ALUMNI ON THEIR INDUCTION INTO COLLINGWOOD'S HALL OF FAME

HON. STEPHANIE TUBBS JONES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mrs. JONES of Ohio. Mr. Speaker, as a proud Collinwood High School alumna, I would like to congratulate some of my fellow alumni on their induction into Collinwood's Hall of Fame.

The mission of Collinwood High School, in partnership with parents and community, is to provide a challenging academic and technologically based atmosphere with a commitment to literacy that encourages academic excellence and prepares all students to become productive members of a diverse society. The alumni that I am honoring today certainly reflect the success of this mission.

Ten people will be inducted into the Collinwood High School Alumni Hall of Fame on May 5. They are Francine Bruening, class of 1960, former Lake County domestic relations judge; Joseph Cannavino Jr., 1953, former Ohio State football star and basketball coach; Michael Cannavino, 1945, retired teacher and coach; Primo Del Calzo, 1952, retired speech, hearing and language teacher; Dan DiLiberto, 1966, Eastlake mayor; Dr. Albert Iosue, 1958, doctor and former chief radiologist in a Florida hospital; Milton Schalois, 1949, an insurance executive; Elinor Scricca, 1949, retired teacher, Principal and schools superintendent; Rocco Scotti, 1939, singer, noted for his rendition of the national anthem; and Mildred Teuscher, 1951, former Lake County commissioner. A pre-induction dinner will be at 4 p.m. at Redeemer on the Avenue Hall, 15901 St. Clair Ave., with the induction at 6 p.m. in the high school auditorium.

It is my pleasure to join with the Collinwood High School community and the citizens of the 11th Congressional District of Ohio in honoring this group of Hall of Fame inductees for their remarkable achievements. I encourage them to continue to demonstrate outstanding professionalism and leadership and thank them for the contributions they have made to their communities.

PRECIOUS LITTLE TIME REMAINING TO ENSURE A SUCCESSFUL IRAQ

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. DINGELL. Mr. Speaker, it was a year ago that President Bush landed on the USS *Abraham Lincoln* and pronounced that major combat operations in Iraq had ended. The banner strung across the command tower of the carrier read ''Mission Accomplished'', and the President's words that evening gave the American people, and the families of those in Iraq, that our men and women would soon be coming home.

If this was a perfect world, our President's made-for-TV excursion would have made the perfect Hollywood ending to mercifully short war. Sadly, this is not a perfect world. War is never perfect, it is messy. It is grotesque, and it does not end on any schedule but its own.

The month that marked the year anniversary of announcing the end to major combat operations has been the bloodiest of the war. Since May 1, 2003 over five hundred men and women have been killed, including Private Holly McGeogh of Taylor, Michigan, killed when her vehicle hit a roadside bomb. Almost three thousand more have been injured. Many of our returning young men and women will have an even tougher fight ahead of them as they adjust to life in a wheelchair or with a prosthetic limb.

I say this, not to heap criticism on a situation where young men and women are risking their lives. I say this because one year after the tyrant was toppled we still have a long way to meet our goals. The men and women stationed outside Fallujah and Najaf can tell you that major combat is still a fact of life.

Today we have little more than eight weeks before we turn some measure of sovereignty to the Iraqi people. And much like a college student trying to cram before finals, our Iraq policy is now at a fever pitch trying to right the wrongs of a poorly planned reconstruction effort. General Eisenhower once said, ''In preparing for battle I have found that plans are useless, but planning is indispensable.'' Sadly, today we are watching the results of cavalier planning.

The arrogant manner in which pre-war criticism was dismissed is tragic in hindsight. General Shinseki's belief that it would take 200,000 more troops to provide post-war security led to his unceremonious dismissal. Presidential economic adviser Larry Lindsey estimated the war would cost at least $150 billion, rather than pay for itself as Vice President CHENEY asserted, led to his forced resignation. The wholesale dismissal of the Iraqi army created hundreds of thousands Iraqis unemployed with bitterness towards the US as their only severance. Ironically, it's has been the dismissed generals who have tried to foster the tenuous truce in Fallujah.

Mr. Speaker, I voted against giving the President the authority to go to war in Iraq. Yet once engaged in battle, I believe we must do all we can to bring the troops home safely, provide them with the equipment needed to keep them safe, and to have a plan to bring them home. We have had none of these?

For all the vaunted leadership of this White House, with all accusations thrown around by their allies in Congress that impugn the patriotism of those that might question the President, our military is bearing the brunt of their poor planning. The hollow rhetoric from the President and his allies has not put more troops on the ground, has not brought more countries into the coalition, has not unburdened America of the costs of the reconstruction, and has not brought our brave men and women home to their families. Challenging terrorists and insurgents to, ''Bring it on'' is not a policy; it is a substitute for bravery that threatens our soldiers in the field.

This April has been the deadliest month of combat we have had since the Vietnam War. We all hope and pray that the months ahead will not be so brutal. I am not asking that President present the Congress and the American people with a detailed plan of how long we will be there; how much it will cost; who will take charge; and a myriad of other questions. I know that in war a plan can easily be overtaken by events. What I ask, one year after his now infamous speech, is that he just be honest with us. Respond to our questions, put our soldiers before other concerns, and level with us. We are a great nation, the Congress is a great institution and the voice of the people. We have precious little time remaining to ensure a successful Iraq.

It is my hope, that a year from today, that we can mark the end of this bloody month as the true turning point for the future of a free, prosperous, and democratic Iraq.

BI-PARTISAN REGIONAL SUPPORT FOR THE DISTRICT OF COLUMBIA FAIR FEDERAL COMPENSATION ACT OF 2004

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Ms. NORTON. Mr. Speaker, today, for the first time, I am not alone in introducing a bill for a federal contribution to address the District's structural imbalance. I am grateful to my Republican and Democratic colleagues who, in generously joining me today, have made this the first structural imbalance bill to have critical bipartisan regional support. Their sponsorship is particularly valuable because these are the members of Congress who know the District best because they are from the region—Government Reform Chair TOM DAVIS, Appropriations Subcommittee Chair FRANK WOLF, Congressional Black Caucus Chair ELIJAH CUMMINGS and Representatives JIM MORAN, CHRIS VAN HOLLEN, and ALBERT WYNN. Montgomery County Council Executive Doug Duncan has authorized me to say that he supports the bill as well. These Members recognize the importance of federal support to compensate the District for federally imposed requirements in order to forestall another fiscal crisis in the nation's capital, while the District itself continues on the path of improvement of its finances and services that the Congress has acknowledged.

This bill ranks as one of the most important I have introduced during my seven terms in Congress. Because of its significance, I have delayed introducing other bills this year until I achieved bipartisan support in order to make the Fair Federal Compensation Act my first bill of 2004. Without this bill, the long-term viability of the District of Columbia is at risk. This risk arises from a structural imbalance caused by expenditures rising faster than revenues. Notwithstanding this dangerous situation, the District is able to balance its budget every year and avoid operating deficits by maintaining tax rates and debt that are among the highest in the nation. District of Columbia Chief Financial Officer Natwar M. Gandhi has issued forecasts that show that in the out years, the structural deficit will overtake the city's diminished and inadequate tax base, not because of overspending by the D.C. government but because of the cost of federal requirements and statutes imposed on the District.

Today's bill is different from structural imbalance bills I have introduced in the past. This bill has as its predicate a May 2003 Government Accounting Office (GAO) report, which made three major findings—the first concerning the size of the imbalance, the second concerning its federal origin, and the third regarding the unavailability of options internal to the D.C. government.

First, the GAO confirmed that the District has a structural imbalance that it found is between $470,000,000 and $1,100,000,000 annually, the first determination that is based on a precise methodology for valuing, documenting and calculating the imbalance. This congressional report confines two prior privately commissioned reports that arrived at similar conclusions, a 2002 McKenzie study commissioned by the Federal City Council (an organization of regional and local business leaders) and a Brookings Institution study under the leadership of former Congressional Budget Office Director, Alice Rivlin, who also served as a chair of the former D.C. Control Board (Financial Management and Assistance Authority).

The GAO's second finding was that D.C.'s structural imbalance is caused by federal mandates and is therefore beyond the reach of D.C. government officials and taxpayers. The federal government retains 42 percent of real property, the most valuable in the city, for its own use; requires the city alone to provide costly state services, such as special education, although the District is not a state and lacks a broad state tax base; requires the District to provide services to more than 200,000 federal employees, who earn 66 percent of the income produced here; and prohibits taxation of federal workers to help pay for these services. These costs to the city trace directly to the federal government and only the federal government.

The GAO's third finding is that the only two options available to the District government are raising taxes and cutting services, each of which the GAO said it could not recommend. Rather, the options are to ''change Federal procedures and expand the District's tax base or provide additional financial support and a

greater role by the Federal government to help the District maintain fiscal balance,'' according to the GAO.

The bill I introduce today is based on these three GAO findings. The bill offsets part, though not all, of the annual structural imbalance, by providing for an annual federal contribution of $800 million. These funds are to be deposited into a D.C. infrastructure support fund that cannot be used for operating expenses but only for the specifically stated infrastructure purposes.

The bill removes some of the harm to the District's investment bond rating and the resulting high interest payments by requiring that federal contribution funds go only to the District Infrastructure Fund to be used exclusively for infrastructure and for debt service, most of which is debt from infrastructure costs. The focus on infrastructure is deliberate because the District's infrastructure is used by the entire region, where 80% of the vehicles originate and includes Metro, used overwhelmingly by regional residents. Regional complaints about the District's roads, bridges and tunnels are justified, but there is no reasonable hope of repair and maintenance if the District's taxpayer-raised budget is the only source. The focus on debt service is calculated to reduce the District's debt, the highest per capita in the country. With some relief from the structural imbalance through a federal contribution, the District will gradually be able not only to reduce its debt but also to lower the high tax rates that the imbalance forces on D.C. residents and businesses. This bill also takes into account past federal contribution failures. This bill does not allow the contribution to wither away by a failure to increase gradually with inflation but provides for annual increases tied to the Consumer Price Index.

In 1995 Congress came to grips with the reality that a city whose structure assumes it is a state although it lacks a broad tax base can no longer be responsible for the full set of costs shouldered by states. However, Congress relieved the District of the cost of some but not all state functions and left the unique federal structural impediments described in the GAO report. The District has made remarkable progress by maintaining balanced budgets and surpluses every year despite adverse national economic conditions and by improving city services. It would be tragic for Congress to allow this progress to be retracted because of uncompensated federal burdens. This bill allows the District to avoid great risks and to continue to build fiscal strength.

RECOGNIZING RANDAL G. HOBBS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Randall G. Hobbs, Senior Auditor for the United States Department of Agriculture, the Great Plains Region, in Kansas City, Missouri.

Mr. Hobbs has been responsible to the Inspector General for development of policies and for providing leadership, supervision, and coordination of audit activities relating to the Department's programs and operations. The Regional Inspector General for Audit plans, directs, and supervises the performance of all auditing activities. Senior Auditor Hobbs has played a major role in all of these activities.

Mr. Hobbs began Federal service with the Internal Revenue Service in January 1979. He then accepted a position as a regulatory auditor with the Commodity Futures Trading Commission in March 1979 and worked there until September 1983. In April 1984, Randall Hobbs began his career with OIG as an auditor in the Great Plains Region in Kansas City, Missouri.

During his career, he was recognized for using advanced audit techniques, pioneering efforts in controls over automated systems, and in leading audits in various USDA agencies. Mr. Hobbs, who became a Certified Public Accountant in the State of Missouri in 1984, was invaluable as OIG began to become heavily involved in financial statement audits in the early 1990s. Mr. Hobbs worked on financial statements audits of the Farmer's Home Administration (now part of Rural Development).

Mr. Speaker, please join me in commending Mr. Hobbs for his outstanding career and wishing him well in retirement.

HONORING THE WORK OF THE PLEASANT VIEW RELIEF SOCIETY AND THEIR GROUP VOLUNTEER LEADERSHIP AWARD

HON. CHRIS CANNON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. CANNON. Mr. Speaker, I rise today to honor the work of a group of women from Utah's Third Congressional District for their dedication to helping children that have been victims of abuse. On Wednesday, May 5, 2004, the Pleasant View Relief Society will be honored at the National Children's Alliance annual luncheon with the Volunteer Group Leadership Award of 2004.

Working with the Utah County Children's Justice Center, this group, now affectionately known as the ''Teddy Bear Ladies,'' has created over 10,000 handmade teddy bears for distribution to children receiving social services as a result of severe abuse. What started as a simple service project has now turned into a labor of love for these giving women. Not only do the Teddy Bear Ladies donate their time and money to this worthy project, but they also help give these children a fresh start after years of abuse.

What is remarkable about these ladies is not just their work, but also the ladies themselves. These dedicated volunteers range in age from the early 20s to mid 90s. Some of the younger volunteers thread needles for the older members of the group. Not even illness can stop the Teddy Bear Ladies from their work. One woman continued to sew teddy bears while suffering from severe headaches as a result from a brain tumor.

The Teddy Bear Ladies from Utah County represent what all Americans should strive to be: caring, dedicated, giving and compassionate. Through volunteering their time and talents, they are making a real difference in one Utah community.

HONORING MR. JUAN ARCELLANA

HON. DENNIS A. CARDOZA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. CARDOZA. Mr. Speaker, I rise today to honor Mr. Juan J. Arcellana (Jay) in recognition of his many years of dedicated service to the State of California. He has served the people of the state for over twenty-five years, and has been with the California Unemployment Insurance Appeals Board for the last sixteen of those years. I would like to take this time to highlight his many achievements and to extend public recognition and commendations to him for his professional and civic leadership over these many years.

Jay has been the Chief Administrative Law Judge for the California Unemployment Insurance Appeals Board for eight years, and is currently serving as both its Chief Administrative Law Judge and Executive Director. Jay has served with the utmost distinction as President of the National Association of Unemployment Insurance Appeals Boards.

Jay has spent an entire career dedicated to serving the unemployed and disabled citizens of California. He is particularly proud of his efforts to enhance the accessibility of the California Unemployment Insurance Appeals Board administrative hearing process, and ensure prompt consideration and action on their appeals.

Jay has received numerous commendations for his professionalism, expertise, hard work, extraordinary effort, and spirit of cooperation over the years, and it is certainly well deserved. Jay has personally touched the lives of many people throughout his career, giving many an employment opportunity allowing them to demonstrate and develop their individual talents.

Jay is married to Betsy Arcellana, and this marriage has been blessed with three sons, Jason, James and Jonathan. Today I call on my colleagues in Congress to join me in thanking Jay Arcellana for his longstanding and continued commitment to the Californians that need his help the most.

TEACHER APPRECIATION WEEK

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. DINGELL. Mr. Speaker, I rise today to praise one of the most under appreciated professions in our society: teachers. In doing so, I would like to offer my sincere gratitude for their often thankless, but noble efforts.

To quote Cicero, ''What nobler a profession, or more valuable to the state, than that of a man who instructs the rising generation.'' Teachers, next to parents, are the most influential people in the lives of our children. Like parents, they prepare students for the future. Teachers serve as role models, mentors and friends. They strive to work with parents and guardians so that the full potential of each child may be realized.

Mr. Speaker, teaching has never been an easy job, and it hasn't gotten easier in recent years. Currently, the people to whom we entrust our children must teach in classes so

large many of us would find it impossible to maintain order, let alone create an atmosphere conducive to learning. Many teachers must work in dilapidated buildings where heating, plumbing and cooling systems are insufficient. At a time when many of us would find it impossible to function without a computer, teachers are confronted with the task of preparing kids to work in an increasingly technological society without the use of this most basic piece of equipment. Not only do teachers deserve our thanks, they also deserve access to the best tools possible. Our nation's future is, after all, in their hands.

The Bush Administration introduced the No Child Left Behind Act with the promise of reforming and improving education in our country. My colleagues have claimed that ''education reform costs money, and this Administration is willing to spend it.'' However, this has proven to be yet another empty promise. This Administration has been unwilling to fund their own education bill, providing $9.4 billion less for education reform next year than was promised in the No Child Left Behind Act. Rather than fund their education program, the Republican budget has found room for over a trillion dollars in tax cuts for their fat cat friends.

Furthermore, the proposed Republican budget provides only $2.9 billion for teacher quality programs, $234 million less than what the No Child Left Behind Act authorized. This means 56,000 teachers will not receive the extra training they need. Cutting extra training for our teachers not only hurts the quality of our education, but also hurts our ability to recruit and retain these teachers.

Mr. Speaker, under-funding education not only affects our children, it affects working families. To compensate for the loss in funding, local communities have been forced to raise taxes to pay for textbooks and teacher's salaries. Budget cuts have also resulted in more than two million children failing to receive tutoring in reading and math and more than one million children being denied access to after-school programs.

My colleagues on the other side of the aisle, Mr. Speaker, not only under-fund education, they attack our public school teachers. In fact, Department of Education Secretary Rod Paige called the National Education Association a ''terrorist organization'', arguing that the NEA was against school standards and accountability. Instead of fostering resentment, this Administration needs to promote unity; education needs to be a cooperative, nonpartisan effort and we need to honor teachers, not demonize them.

Lastly, Mr. Speaker, I am concerned that many of my colleagues and our nation's governors, acting either in haste, desperation or philosophical zeal, have continually tried to undermine real education reform by grasping at ''revolutionary schemes'' such as vouchers, which have proved to be destructive to public schools as well as ineffective in raising student performance. They have attempted to privatize public schools, where 90 percent of America's children are educated. In an attempt to highlight the problems faced by public schools, they have used teachers and schools alike as punching bags to further their own risky, underhanded schemes that only divert education money away from where it's most needed. I stand before you today to say we should not tolerate this rascality any longer. Our teachers, our kids and our nation's future deserve better.

Mr. Speaker, I am hopeful that we can work together, write quality legislation, help our schools and thank our teachers for their efforts by showing them we know how important educating our children—and their role in this mission—is to America's future.

CELEBRATING THE GRAND OPENING OF THE TIBURCIO VASQUEZ HEALTH CENTER CLINIC IN HAYWARD, CA

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. STARK. Mr. Speaker, I rise today to pay tribute to the grand opening of the new Tiburcio Vasquez Health Center, TVHC, Hayward Clinic. TVHC has been providing health care services to Hayward, California, residents since 1990. With a patient volume of more than 14,000 encounters annually, TVHC outgrew its previous clinic. To meet the growing demand for its community based health care services, TVHC embarked on a Hayward Clinic Relocation and Expansion Project, culminating in the grand opening of its new and expanded Hayward Clinic.

As one of the leaders in delivering multicultural and linguistically appropriate health care services in southern Alameda County, Tiburcio Vasquez Health Center, Inc., is part of a centralized, effective system of licensed medical providers, community health education, social work and nutrition services. TVHC has been providing comprehensive primary care and supportive services to the medically indigent, low-income, primarily Latino population in southern Alameda County since 1971.

TVHC has repeatedly been recognized for its achievements in outreach and education that incorporates members of the clinic and surrounding community to govern, direct and participate in all aspects of the clinic operation to insure the quality and success of its service delivery and myriad of programs. They include a nationally recognized Women, Infants and Children, WIC, program out of three sites serving over 5,000 southern Alameda County clients and a comprehensive Family Support Service program through partnerships with the Every Child County/First Five Commission, the California Maternal and Child Health Branch Adolescent Family Life Program and the Alameda County Cal-Learn Program.

TVHC clinic sites are certified California Comprehensive Perinatal Services Program Providers. Comprehensive sick and well childcare, adolescent care, adult care, and care of chronic and acute illness associated with aging are also provided as well as HIV/AIDS education and prevention and case management services.

TVHC's award-winning community health programs, include the Nuestro Salud Nuestro Futuro chronic disease education program and Vide con Esperanza, a breast cancer support group for Spanish speaking Latinas and their families.

A comprehensive staff of over 135 health professionals is expert at providing culturally competent services to people of all ages, races, lifestyles and backgrounds. As a federally qualified health center, TVHC, Inc., as the parent nonprofit corporate entity, operates three primary medical clinic sites, Tiburcio Vasquez Health Center in Union City, the Miranda Health Center in Hayward, and the Logan Health Center, located at the James Logan High School in Union City.

The new Hayward Clinic will have a capacity to provide health care services for 28,000 patient encounters and will attract 3,000 new primary care users. Tiburcio Vasquez Health Center is a model for community-based health care. Its mission reflects its commitment: Tiburcio Vasquez Health Center is dedicated to promoting the health and well being of its community by providing accessible, high quality care. Our organizational and individual commitment is to ensure this human right through quality service, advocacy and community empowerment.

I applaud Tiburcio Vasquez Health Center, Inc.'s commitment to excellence. I offer my heartfelt congratulations on the opening of its newest clinic in Hayward, California to be dedicated on May 20, 2004.

PERSONAL EXPLANATION

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. BONNER. Mr. Speaker, on April 27 and 28, 2004, I was unavoidably detained in my district and was not able to vote on rollcall votes numbered 131, 132, 133, 134, 135, 136, 137, and 138. Had I been present, I would have voted ''aye'' on rollcalls 131, 132, 133, 134, 135, and 138. 1 would have voted ''nay'' on rollcalls 136 and 137.

HONORING THE RHODE ISLAND SMALL BUSINESS PERSONS OF THE YEAR

HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. LANGEVIN. Mr. Speaker, today I rise to congratulate Ian Hardman, David Fowlkes, and Henry Seemore, who were all recently honored as the 2004 Rhode Island Small Business Persons of the Year by the United States Small Business Administration. Mr. Hardman, Mr. Fowlkes, and Mr. Seemore are the founders of Davin Wheels, an automobile wheel company based in Providence, RI.

It was David Fowlkes' design that made Davin Wheels so popular. While attending the Minneapolis College of Art and Design, Fowlkes created a stylish wheel composed of the base wheel and a spinner. After the car stops moving, the spinner continues to rotate, giving the appearance that the car's wheels are still in motion. Today, with 12 years of experience in the engineering and manufacturing industries, Fowlkes still puts his creative touch on all the products of Davin Wheels, where he currently serves as the President and Chief Operating Officer.

Ian Hardman, the Chief Executive Officer of Davin, met Fowlkes while they were both working at Reebok. Ian worked in marketing

while David was a senior designer. Ian used his 15 years of experience in finance, operations, and marketing to help launch and run Davin Wheels. His knowledge and expertise have driven the development, expansion, and success of Davin Wheels since the beginning.

Hank Seemore, Davin's Chief Financial Officer, met Fowlkes while he was Vice President of Fleet Bank's Private Client Group. After 17 years in the banking industry, Seemore was responsible for a $200 million portfolio. Upon observing Fowlkes' prototype, Seemore and Hardman teamed up with Fowlkes to launch the company in 1998.

Davin Wheels' first product, the Revolution 1.0, made its official debut in January 2001. Since then, sales have been driven by word of mouth and celebrity plugs, including features on MTV, ESPN, and in various music videos. Davin Wheels is seen as the final touch to many celebrities' and athletes' flashy cars. The first three lines of the Revolution wheels have completely sold out, a sign that this Rhode Island company is sure to succeed for years to come on this simple, stylish product.

Fowlkes, Seemore, and Hardman join a distinguished group of Rhode Islanders who have been named Small Business Person of the Year. Small businesses are key to the economic growth in my home state, and I wish these gentlemen, and the 33,000 other small business owners in Rhode Island, great success in the future.

INTRODUCTION OF THE READING FAILURE PREVENTION ACT OF 2004

HON. ELIJAH E. CUMMINGS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. CUMMINGS. Mr. Speaker, I rise to introduce the Reading Failure Prevention Act of 2004. This bill would authorize the Secretary of Education to make grants to States to establish statewide screening programs for children who are 5 to 7 years of age, in an effort to prevent reading failure.

Reading failure is epidemic. Declining test scores in reading have been noted in many states. Nationally, 38 percent of 4th graders score below the basic reading level and 28 percent of 8th graders score below the basic reading level in our public schools.

The Reading Failure Prevention Act of 2004 proposes that the grants be used to screen incoming students for traits that indicate dyslexia or other reading failure risks. It would also provide adequate professional development for personnel who administer the screening programs. Dyslexia, often referred to as a language based learning disability, is the most common form of learning disability. Approximately 15–20 percent of the population has a learning disability and, according to the National Institutes of Health, 60 percent to 80 percent of those with learning disabilities have problems with reading and language skills. Predictions for the coming decades indicate that the number of children with learning disabilities will increase for associated social, economic, and educational reasons.

In spite of the fact that reading success in early grades is an essential basis for success in later grades, current methods of identifying children as learning disabled rely on a ''wait and fail'' model, where children must demonstrate severe academic problems before remediation is rendered. The Reading Failure Prevention Act of 2004 allows for the early screening of children so that remediation can begin immediately.

Because reading disorders, such as dyslexia, often affect oral language functioning, individuals with these disorders are at a disadvantage as they enter their adolescent years when language becomes more central to peer relationships. Being at odds with the mainstream environment causes these children to experience great stress, creating social and emotional adjustment problems. Usually, they become vulnerable to feelings of low self-esteem and suffer from frustration and anxiety. If these students are not met with proper intervention, they can begin to experience academic failure. However, when learning disorders, such as dyslexia, are caught early by trained professionals, learning strategies and proper treatment can help them to succeed academically and to develop a positive self-image.

I believe that this legislation will be a very important step in ensuring that our nation's children are adequately prepared for lifelong reading success. I urge my colleagues to join me in this effort by co-sponsoring the Reading Failure Prevention Act of 2004.

ARKANSAS CHAPTER OF THE LUPUS FOUNDATION OF AMERICA

HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. ROSS. Mr. Speaker, Monday, May 10, marks the first observance of World Lupus Day. Coordinated by the Lupus Foundation of America, this event will focus on accurate lupus diagnosis, improved patient healthcare services, and increased research into the treatment and cure of lupus. I am pleased the Arkansas chapter of the Lupus Foundation of America will host World Lupus Day activities. The chapter has scheduled a public open house on May 10 in its main office located in Hot Springs that will feature a live radio broadcast on KLAZ–105.3, videos of lupus patients sharing their experiences, and dissemination of educational materials.

Started in October 1993, in the guestroom of the founder's home, the Arkansas chapter of the Lupus Foundation of America has grown to 200 members and serves the entire State of Arkansas. Mrs. Jamesetta Smith saw the importance of starting the chapter when she and her husband moved to Arkansas in 1992. As a lupus patient herself, Jamesetta knows about the importance of education and support for those directly and indirectly impacted by the devastating disease. Lupus patients need someone to talk to who understands and knows firsthand about the physical and emotional challenges that lie ahead. To help these individuals, the chapter's Hot Springs and Ft. Smith offices host monthly support groups, free of charge. To support the Arkansas chapter's many efforts and awareness activities, patients, family members, and supporters come together regularly to raise funding.

It is estimated that nationally 1 out of every 185 persons has lupus. According to the Lupus Foundation, about 1.5 million Americans have a form of the chronic, incurable disease that can result in severe joint pain and swelling, fevers, fatigue, and other health effects, including organ failure and death. Needless to say, lupus is a widespread disease that touches the lives of millions of Americans. I am glad Mrs. Jamesetta Smith, Founder of the Arkansas Chapter of the Lupus Foundation of America, took on the challenge of developing and implementing a chapter and based it in my Congressional District. She and the chapter's volunteers are to be commended for their hard work in informing Arkansans about the symptoms and health effects of lupus and providing important facts to help the public better understand the impact of the disease.

NEGOTIATIONS ON SHANNON AIRPORT SHOULD NOT PROCEED UNTIL ECONOMIC IMPACT STUDY IS COMPLETED

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. SMITH of New Jersey. Mr. Speaker, I rise today with my colleagues, Chairman HYDE, Ranking Member OBERSTAR, and Rep. PETER KING and DONALD PAYNE, to introduce legislation on a critical and timely issue of interest to both U.S. and Irish companies operating in western Ireland and the impact on jobs in that region. The concern arises out of negotiations between the United States and Ireland that will determine the status of Shannon Airport, an important gateway for commerce and tourism between our two countries.

Under the ''dual gateway'' policy international carriers currently operating flights between to and from the United States through Dublin are required to undertake an equal number of flights to Shannon Airport and Dublin Airport over each calendar year.

The Dual Gateway Policy Review Act we are introducing today provides for an economic impact study proposed changes to the ''dual gateway'' policy might have on U.S. businesses operating in western Ireland, Irish businesses operating in and around Shannon Airport, and U.S. air carriers serving Ireland.

This matter came to my attention recently through the persistent efforts of Dana Rosemary Scallon, a Member of the European Parliament representing much of western Ireland, the region that would be most adversely affected by changes actively under negotiation between Washington and Dublin. In fact, it is my understanding that talks are underway this week in Washington between American and Irish negotiators.

At Ms. Scallon urging, I arranged for us to meet with the chief U.S. aviation negotiators in February, here in Washington. I was shocked and dismayed to learn that no consideration whatsoever had been given to the potential loss of jobs and negative economic impact that such a policy change would have on western Ireland.

A key element missing from these talks—a glaring omission in my view—is an expert assessment of the economic impact of changing the status of Shannon Airport, an economic hub critical to development in western Ireland and the estimated 140 U.S. corporations operating in the region. My legislation would correct this shortcoming.

Mr. Speaker, in a series of meetings arranged last week by Ms. Scallon, I met with representatives of scores of U.S. corporations deeply concerned over the potential impact of modifications or discontinuance of the ''dual gateway'' policy on their operations. Approximately half of U.S. investment in Ireland is made in the western part of the country. Many of these corporations have made sizable investments in western Ireland and are keen to maintain their presence in the region, but would be forced to reevaluate their positions should Shannon Airport's status be downgraded.

These business executives estimate that 40,000 jobs on the western corridor from north of Galway to south of Limerick are directly affected by Shannon Airport. An additional 80,000 jobs are indirectly affected by Shannon operations according to these business representatives. I also met with local leaders along the west coast who were united in their concern over the likely economic and social consequences of a downgrading of Shannon Airport's status. Business leaders from County Donegal warned of the ripple effect their region would feel from such a change.

The potential threat posed by possible changes to the ''dual gateway'' policy have galvanized U.S. business executives representing many different sizes and types of enterprises along the west coast to speak out with a single voice on this matter. They highlight the fact that Shannon Airport is a major access point to and from the U.S. and European cities necessary to sustain and promote development and growth in the region.

Mr. Speaker, for nearly six decades Shannon Airport has served as a vital gateway for the United States to Ireland and beyond. Indeed, many Americans, including me, trace their family roots back generations to counties along the rugged western coast of Ireland. Hundreds of thousands of American tourists pass trough this gateway each year. An estimated 140 U.S. corporations have come to rely upon Shannon Airport as a vital gateway to doing business in western Ireland.

RECOGNITION OF UPCOMING ELECTIONS IN BELARUS

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. SHIMKUS. Mr. Speaker, I rise today to again bring attention to the upcoming elections in Belarus.

The current leader, Aleksandr Lukashenko told the National Assembly on April 14th, ''The new parliament that is to be elected this fall should include representatives of all groups aside from ''businessmen, merchants and capitalists.''

At a time when Belarus desperately needs business and entreuprenuers, it is appalling that the Belaursian leader would declare that candidates with business backgrounds or professions would not be allowed to run or to serve in the Belarus Assembly.

In response to this repressive political environment, we need to focus our efforts on helping to promote the institutional survival of the country's democratic political organizations and helping their leaders and activists prepare for political and public policy.

The important thing for the current regime in Belarus to understand is that Washington and the world are watching.

HONORING FLAG CITY USA

HON. MICHAEL G. OXLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. OXLEY. Mr. Speaker, it is my honor to commemorate the 30th anniversary of the official designation of my hometown of Findlay, Ohio, as Flag City USA.

Findlay's spirited celebration of Flag Day dates back to 1968, when an area businessman shared his passion for Old Glory with the community. John B. Cooke, a member of the Sons of the American Revolution, determined that every household in Findlay should display the flag on June 14. Speaking to industry and community groups throughout Findlay in support of this idea, he spearheaded a successful effort to purchase 14,000 flags. Area Boy Scouts, Girl Scouts, and Camp Fire Girls distributed these flags to area households and businesses.

My predecessor in Congress and former boss, Jackson Betts, recognized this achievement in a speech to the House on June 12, 1968. ''The strong patriotism of residents of my district,'' he said, ''has rarely been better exhibited than the present project which will make Findlay, Ohio, Flag City USA on June 14, 1968.'' Congressman Betts also contributed a flag flown over the U.S. Capitol to Findlay's Flag Day display.

The event was heralded in the House by my immediate predecessor in Congress, Tennyson Guyer. On May 7, 1974, Congressman Guyer introduced a joint resolution to designate Findlay as Flag City USA, citing the 1968 Flag Day event and the dedication of a plaque in Findlay to our armed forces on that day. This Friday, May 7, I will join my constituents at an event in Findlay hosted by the Hancock/Flag City Heritage Commission to commemorate the 30th anniversary of this resolution.

Mr. Speaker, the people of Flag City know that Old Glory is far more than a piece of cloth. This point was most clearly illustrated in 1989, after the Supreme Court upheld flag burning as a protected act. More than 2,000 area residents gathered in Findlay's Dorney Plaza to celebrate our flag end express their strong opposition to this ruling. I was proud to join them at this event, where they presented me with a petition containing more than 5,000 signatures objecting to the Court's act.

Our flag has never gone out of fashion in Findlay, but the post-September 11 era has brought even more poignancy to the banners readily seen throughout our city. They remind us of the debt we owe to the brave men and women who fight in defense of our freedom—both those protecting our homeland domestically and those engaged on our behalf across the globe.

As I go to work each day and see Old Glory flying over the Capitol dome, I reflect on our enduring freedoms celebrated each day in Findlay and in towns and villages throughout the nation. Our flag remains the most visible symbol of our nation and of the liberties we have too often taken for granted. It is a unifying sign in times of peace and war, renewing pride in America and continued hope for our future.

It has been three decades since we were officially named Flag City USA, but Findlay's spirit of patriotism has shined brightly throughout its history. I salute the hard work of the Hancock/Flag City Heritage Commission for coordinating this commemoration, and thank all of the fine citizens of our community who maintain the pride of Flag City USA. They remind us that ours is the greatest nation on earth, and that our city is brimming with the American spirit.

NATIONAL TEACHER DAY

HON. CHARLES W. STENHOLM

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. STENHOLM. Mr. Speaker, I want to take time to recognize an important group of individuals who are being honored today, Tuesday, May 4, National Teacher Day.

Growing up in Stamford, my own teachers played an important role in my upbringing. It is one reason why I chose to become a teacher myself.

Since starting out as a vocational agriculture teacher, education has been a passion of mine. That is why I now spend so much time in our schools. And I certainly realize the important role that teachers play in our children's lives. Our teachers go above and beyond the call of duty time after time to help their students learn and be successful.

I'm happy we take this day to honor those who have chosen to enter this profession. It sometimes can be a thankless job. But it is rewarding to see the kids grow and mature before your very eyes—even after they have left your classroom.

I am pleased to cosponsor several pieces of legislation that support America's teachers, including:

The LEARN Act (H.R. 1643), legislation that would provide a $2,000 tax credit to teachers and principals who work in low-income schools.

Student loan forgiveness legislation (H.R. 1751, H.R. 934 and H.R. 2811), designed to result in the recruitment of new and talented teachers to educate the next generation of students. These bills would provide student loan forgiveness up to $17,500 to a teacher who teaches for five years in a low-income school, rural school or in high-demand subjects such as mathematics, science, special education, foreign languages and bilingual education.

The Social Security Fairness Act (H.R. 594), which would end unfair discrimination against Texas teachers and other public employees who currently are denied the Social Security survivors benefit. I strongly support this legislation, and have signed a discharge petition that would bring H.R. 594 to the House floor for a vote.

As a former educator and grandfather of three, I will continue to be concerned about providing the best educational opportunities to all American children. Yet, the successful education of this nation's children is inextricably tied to the quality of the teachers educating them. We must provide the proper financial

and workforce incentives to retain the dedicated core of education professionals who daily shape the hearts and minds of the children of West Texas.

Today we recognize this important and influential group of people. My hat is off to our Texas teachers. And I encourage all Americans to take time on Tuesday to thank our teachers for the great job.

RECOGNIZING CARNEGIE MEDAL FOR NEIL JAY ROSENBERG

HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. LANGEVIN. Mr. Speaker, I rise today in honor of the late Mr. Neil Jay Rosenberg, formerly of Westerly, Rhode Island, who will be awarded the Carnegie Medal for his heroism on the morning of July 17, 2002. This year, 19 individuals from throughout the United States and Canada will receive the Carnegie Medal for risking their lives to an extraordinary degree while saving or attempting to save the lives of others. The medal and $3,500 grant will be presented posthumously to Mr. Rosenberg's father of Brooklyn, New York.

Alerted to a fire in the livingroom of his family's two-story house on July 17, 2002, Mr. Rosenberg quickly evacuated his step father, Robert L. Ingram, who required the use of a wheelchair. He then turned back into the house where his girlfriend, Tara Verrier, and two half sisters, Crystal L. and Carol Ingram, remained on the second floor. Tragically, neither Mr. Rosenberg nor the others survived the fire.

Mr. Speaker, I hope our colleagues will join me in honoring a true hero, Mr. Neil Jay Rosenberg, for sacrificing his life in the hopes of saving others.

HONORING MR. HOTS MICHELS

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. HYDE. Mr. Speaker, I rise today to call your attention to Hots Michels, one of Chicago's best liked and most enduring entertainers. During his 50-year musical career, Hots has played for three different Presidents and many famous people Including Zsa Zsa Gabor, Abbott and Costello and Bob Hope.

In case you didn't know it, the ''piano bar'' began in Chicago, where people would gather around a piano and sing away their troubles to a wonderful guy like Hots.

Hots started in the old Sherman House Hotel at Clark and Randolph in Chicago. It was the original piano bar across the street from City Hall where politicians, union leaders and the media gathered. More recently he has been playing at the Chicago Chop House for the last 18 years, entertaining the throngs of individuals visiting the ''Windy City.''

On May 2, the Chicago Sun-Times featured Hots Michels in an article entitled, '''Piano Player to the Stars': Hots Michels.'' Today, I am pleased to share this article with my colleagues in recognition of Hots, a guy who still knows how to pack them in.

''PIANO PLAYER TO THE STARS'': HOTS MICHELS

Strangers in the night are the only people who tip piano player Hots Michels. He's got too many pals.

''I was never a tip guy, mainly because people knew me too well,'' Hots says. ''I'd be in business with them, how could I take a tip? And I wouldn't want to; it would have to be from a stranger.''

Hots has a fishbowl on his piano in the Chop House, just in case any strangers drop by.

Hots Michels is the original Chicago piano bar guy. The gang at the bar in the Chicago Chop House busts his chops and calls him ''the pianist to the stars!'' He has tickled the ivories for the likes of Zsa Zsa Gabor, Abbott and Costello, Bob Hope, Don Rickles, Sidney Poitier, Nat King Cole and Wayne Newton. One night while plunking the 88s at the Sherman House, he saw a face peek through the curtains from the dining room. The face belonged to another piano player who had just retired and was on a book tour. Hots says, ''The maitre d' came over to me and said, 'President Truman would like you to join him.'''

He's had pops with three different presidents (Truman, Reagan, Bush I) and said prayers with the Pope. He's been playing piano in saloons for more than 50 years. How old is he? ''That's an unpublished number.''

He's no teenager but he sure looks good for his age.

Hots started out in Little Flower Parish near 79th and Ashland. How did he get the name ''Hots''?

''I have no idea,'' he says, ''It has nothing to do with music.''

Did your parents name you Hots? ''Hots Michels, yeah.'' Gotcha.

His dad, Walt, was a musician and songwriter, and Hots must have it in his genes. ''I play by ear, I can't read music. I don't know what it was, but anything that had to do with a formal education, I just went south. I have no idea how I really got to play the piano, but hey, thank God.''

Chicago Chop House owner John Pontarelli says, ''He can probably play 2,000 songs.''

The piano bar was born in the old Sherman House Hotel at Clark and Randolph. Hots says, ''They had the College Inn, the Porterhouse Room and the Well of the Sea. We had strolling violins at the Porterhouse Room, and in between was a little lounge where people would sit and wait to be called to a table. Someone got the idea, just put a piano in there and entertain 'em while they're in there. Then someone said, well let's build a bar around it. All by accident, it wasn't planned. They did, and it's hard to believe but people would wait in line to sit at the piano bar because it was so new.'' It's karaoke with class.

The Sherman House was across the street from City Hall. Pols would wander over for a couple of carnables along with union leaders and media folk, and most of them became friends with Hots over the years. Along the way he was involved in a multitude of schemes.

''Piano was never enough for me. I was involved in other things all my life. I had a small loan business, used cars, Christmas trees, launched a new lipstick, bubble bath, radio stations in Alaska, Mill Run Playhouse, video games. I had a detective agency. We were in the slot machine business, drilled oil three times in my life, had a burial vault company in Melrose Park, and on and on and on.''

Hots and his friend Hal White raised championship hogs in their backyard in Beverly and entered them in an international livestock show. ''We took grand champion of the show.''

On the wall next to his piano is a picture of the two city slickers crossing the Rock Island Line tracks with their two prize pigs, Lightgreen and Coolbreeze.

Hots used to wear a turban at the piano when he was doing his act, ''The Musical Wizard of Mental Telepathy.'' Folks would conceal the name of a song on a piece of paper and Hots would tear it up and play it for them on the piano. The gang at the Chop House says, ''Carnac stole his act!''

He's been playing from 5 to 8 p.m. every weekday at the Chop House for the last 18 years. The joint is drenched in Chicago history with thousands of photos of the toddling town's sinners and saints, including Sally Rand sitting nude on a horse, a gallery of gangsters and every mayor in the history of the city. Grab a stool at the piano bar and request a tune from Hots. If you feel like singing, he'll be your accompanist. I ask him what's the most requested song and he says, '''As Time Goes By,' requested by the young and the old.'' It's still the same old story.

If you're lucky, Joe Sullivan might stop by to do some crooning at the bar. Hots says, ''He owns Clark & Barlow Hardware, but Joe could have easily made it in show business. He brings down the house.'' I've watched Pete Nolan warble here with hand moves and phrasing that rival Sinatra's.

It's not just the music that draws you to Hots' piano. There's a camaraderie among those half-dozen stools as we listen to him play his favorites. One night Charlie Carey and I were chillin' with Hots, and Charlie mentioned that he was on his way to Washington, D.C. Hots picked up the phone next to his piano, called his best friend, U.S. Rep. Henry Hyde, and handed Charlie the phone. Lobbyists charge heavily for that kind of clout, but Hots was just putting two pals together.

After a half century of playing piano in saloons and more than a few cockeyed business schemes, Hots tells me, ''I have no beefs.''

He's been around long enough to know that only suckers beef.

CONGRATULATIONS TO GIRL SCOUTS ON THEIR 92ND BIRTHDAY

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. FILNER. Mr. Speaker and colleagues, I rise today to honor an American icon and an organization that we all know well, Girl Scouts of the USA. This year, Girl Scouts is celebrating 92 years of service to our communities and our nation. For 92 years, Girl Scouting has made a remarkable difference in the lives of girls in so many ways.

The Girl Scouts is an organization that has always been ahead of its time, and the experiences that girls have in Girl Scouting today are profound. For example, they travel the world, learn about science, math and engineering by working with some of the most innovative thinkers in these fields, and perform community service projects that are literally changing many of our communities for the better.

In March, I had the opportunity to meet with Girl Scout representatives from my district who came to Washington, D.C. with nearly 600 other Girl Scout executives, professional staff and volunteers from across the nation. The

Girl Scouts/San Diego-Imperial Council is the council that serves girls in my district, and I am proud of their work and leading expertise on the challenging issues affecting girls in today's world. This council serves over 30,000 girls in San Diego and Imperial Counties.

During their time in Washington, the representatives of Girl Scouts were discussing a very important issue: safety for girls. I am impressed by their dedication to helping all girls feel emotionally and physically safe, secure and strong. In our contemporary society where child abductions, rampant abuse and other violence against children occurs too frequently, their task is extremely important. I commend the Girl Scouts for their national and local leadership on this issue.

Through a nationwide call to action, Girl Scouts of the USA is leading an effort to create communities in which all girls feel safe and empowered. I ask that schools, churches, youth-serving organizations, Congress, and other government entities join with Girl Scouts to bring attention to this very important issue. All of our nation's children deserve to feel safe, secure and strong.

Mr. Speaker, in conclusion I congratulate Girl Scouts for a job well done and look forward to working with them on ensuring the safety of our nation's youth.

H. RES. 598 RECOGNIZES THE VALUABLE CONTRIBUTIONS OF MILITARY IMPACTED SCHOOLS

HON. SILVESTRE REYES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. REYES. Mr. Speaker, I rise in support of H. Res 598, sponsored by my colleague Mr. HAYES of North Carolina. The resolution recognizes the valuable contributions of military impacted schools, teachers, administration, and staff for their ongoing contributions to the education of military children.

The federal Impact Aid program has been assisting school districts since its inception in 1950. The Impact Aid program provides financial assistance to school districts that are limited in their ability to raise local revenue by the presence of tax-exempt federal property, and must educate larger numbers of children because of the presence of federal employees. The program provides formula grants to cover a portion of per pupil education costs, as well as grants to support construction and maintenance needs.

This program has been a life-line for many school districts like the El Paso Independent School District (EPISD), which I represent, whose annual budget includes a significant amount of federal Impact Aid funds.

Fort Bliss, Texas, also located within my district, is home to the U.S. Army Air Defense Artillery Center as well as the Army's Sergeant Major's Academy. Fort Bliss is also a major employer in my district. The children of troops and civil servants at Fort Bliss attend EPISD schools.

I ask my colleagues to support our troops, their families and this resolution. I would also urge my colleagues to support H.R. 932, a bill sponsored by my colleagues Mr. KIRK and Mr. LARSON. This bill would make Impact Aid an entitlement for our local education agencies. This is a fair, just and more efficient way to fund our federally impacted schools.

COMMEMORATING 20TH ANNIVERSARY OF CENTRO ROMERO

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to commemorate the 20th anniversary of Centro Romero, a community-based organization that has been serving Salvadoran immigrants in the Chicago communities of Rogers Park, Edgewater, Ravenswood, and Uptown. Since its founding in 1984, Centro Romero has served Latino immigrant and refugee populations by providing services to adults and children to help them overcome barriers of integrating into U.S. society. last year, Centro Romero served over 5,600 clients through its adult education, women's empowerment, youth learning and leadership and legal assistance programs.

Centro Romero was founded by a group of Salvadoran refugees living in Chicago who wanted to assist other incoming Central American refugees arriving in the United States to seek safe haven from the political and civil repression and human rights abuses that were plaguing the region during the 1970s and 1980s. Centro Romero is named in honor of Archbishop Oscar Romero, a Salvadoran Roman Catholic cleric, on behalf of his service of the poor and oppressed people. Archbishop Romero was assassinated in 1980 for his outspoken denunciations of the ruling elite and his defense of human and civil rights during El Salvador's civil war.

Centro Romero began its work in Chicago communities by providing basic services such as food, job placement, housing orientation and immigration procedures. Today, Centro Romero provides these services and has added a women's program and youth program to address additional needs in the growing Latino community.

Today, in the House of Representatives, I would like to extend my congratulations and appreciation from the grateful communities of Chicago to the dedicated staff and volunteers of Centro Romero for their many contributions providing vital information and essential services for the Latino communities. All of us who live in the Chicago area are fortunate to have Centro Romero in our midst and we all benefit from its unparalleled commitment to improving our community.

JOIN ME IN IMPROVING INSURANCE FOR DISABLED VETERANS

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 4, 2004

Mr. FILNER. Mr. Speaker and colleagues, I rise today to urge support for improvements for veterans who have become disabled in their service to our country. I have introduced H.R. 4229, the ''Fair Insurance for Disabled Veterans Act'' to address this need.

First, when the Service-Disabled Veterans Insurance, SDVI, began in 1951, it was intended to provide service-disabled veterans with the ability to purchase life insurance coverage at ''standard'' rates.

Unfortunately, these life insurance premiums are based upon mortality rates for 1940, while current standard life insurance policies have premiums based upon the 2001 mortality table. This means that service-disabled veterans are being charged premiums based on a table that is 60 years out of date. The Independent Budget, prepared and endorsed by many veterans service organizations, has recommended that the mortality table be updated so that service-disabled veterans pay lower premiums for insurance. My bill would provide insurance comparable to standard policies, based on 2001 tables.

Second, the VA provides mortgage life insurance, VMLI, up to $90,000 to severely service-disabled veterans who qualify for specially adapted housing grants. Currently, this amount covers only about 72 percent of the outstanding mortgage balances because the maximum amount has not been increased since 1992. We know how the cost of houses has skyrocketed since then in many areas of our country! In May, 2001, an evaluation by the Department of Veterans Affairs recommended that the coverage be increased to between $150,000 and $200,000. The Independent Budget has also recommended that the coverage be increased. H.R. 4229 implements those recommendations by increasing the maximum to $200,000 to cover 98 percent of mortgage benefits outstanding.

I invite my colleagues to support H.R. 4229 to improve insurance policies for our Nation's service-connected disabled veterans.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S4779–S4852

Measures Introduced: Seven bills and four resolutions were introduced, as follows: S. 2376–2382, S. Res. 349–351, and S. Con. Res. 103. **Page S4837**

Measures Reported:

S. 882, to amend the Internal Revenue Code of 1986 to provide improvements in tax administration and taxpayer safe-guards, with an amendment in the nature of a substitute. (S. Rept. No. 108–257)

S. Con. Res. 99, condemning the Government of the Republic of the Sudan for its participation and complicity in the attacks against innocent civilians in the impoverished Darfur region of western Sudan, with an amendment in the nature of a substitute and with an amended preamble. **Page S4836**

Measures Passed:

Record Production Authorization: Senate agreed to S. Res. 350, to authorize the production of records by the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs. **Page S4850**

Congratulating Charter Schools: Senate agreed to S. Res. 351, congratulating charter schools and their students, parents, teachers, and administrators across the United States for their ongoing contributions to education. **Pages S4850–51**

Jumpstart Our Business Strength (JOBS) Act: Senate continued consideration of S. 1637, to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, taking action on the following amendments proposed thereto: **Pages S4787–S4822**

Adopted:

Collins Modified Amendment No. 3108, to provide for a manufacturer's jobs credit. **Pages S4787, S4805–06**

By a unanimous vote of 99 yeas (Vote No. 78), Gregg Amendment No. 3111, to amend the Fair Labor Standards Act of 1938 to clarify provisions relating to overtime pay. **Pages S4790–93, S4806**

By 52 yeas to 47 nays (Vote No. 79), Harkin Amendment No. 3107, to amend the Fair Labor Standards Act of 1938 to clarify provisions relating to overtime pay. **Pages S4787–90, S4806**

Allen Amendment No. 3113, to provide mortgage payment assistance for employees who are separated from employment. **Pages S4821–22**

Pending:

Dorgan Amendment No. 3110, to provide for the taxation of income of controlled foreign corporations attributable to imported property. **Pages S4787–88**

Graham (FL) Amendment No. 3112, to strike the deduction relating to income attributable to United States production activities and the international tax provisions and allow a credit for manufacturing wages. **Page S4793**

Cantwell/Voinovich Amendment No. 3114, to extend the Temporary Extended Unemployment Compensation Act of 2002. **Page S4812**

During consideration of this measure today, the Senate also took the following action:

By 54 yeas to 45 nays (Vote No. 80), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 505 of H. Con. Res. 95, Congressional Budget Resolution for fiscal year 2004, with regard to Wyden Modified Amendment No. 3109, to provide trade adjustment assistance for service workers. Subsequently, a point of order that the amendment would violate section 505 of H. Con. Res. 95 was sustained, and the amendment thus fell. **Pages S4787, S4806–12, S4812–21**

A unanimous-consent-time agreement was reached providing for further consideration of the bill at 10:30 a.m., on Wednesday, May 5, 2004; that Senator Breaux be recognized to offer an amendment, that there be 60 minutes for debate, and that the Senate vote on or in relation to the amendment at a time to be determined by the Majority Leader, after consultation with the Democratic Leader. **Page S4852**

Appointments:

Policy Committee to the White House Conference on Aging: The Chair, on behalf of the Majority Leader, after consultation with the members of the Committee on Health, Education, Labor, and Pensions, and the Committee on Aging, pursuant to Public Law 100–175, as amended by Public Laws 102–375, 103–171, and 106–501, appointed the following individuals as members of the Policy Committee to the White House Conference on Aging: Senators Grassley and Craig. **Page S4850**

Executive Reports of Committees: Senate received the following executive report of a committee:

Report to accompany the Protocol Between the Government of the United States of America and the Government of the Republic of Estonia to the Treaty for the Encouragement and Reciprocal Protection of Investment of April 19, 1994, signed at Brussels on October 24, 2003 (Treaty Doc. 108–17), the Protocol Between the Government of the United States of America and the Government of the Republic of Estonia to the Treaty for the Encouragement and Reciprocal Protection of Investment of April 19, 1994, signed at Brussels on October 24, 2003 (Treaty Doc. 108–17), the Additional Protocol Between the United States of America and the Czech Republic to the Treaty Between the United States of America and the Czech and Slovak Federal Republic Concerning the Reciprocal Encouragement and Protection of Investment of October 22, 1991, signed at Brussels on December 10, 2003 (Treaty Doc. 108–18), the Additional Protocol Between the United States of America and the Czech Republic to the Treaty Between the United States of America and the Czech and Slovak Federal Republic Concerning the Reciprocal Encouragement and Protection of Investment of October 22, 1991, signed at Brussels on December 10, 2003 (Treaty Doc. 108–18), the Additional Protocol Between the United States of America and the Slovak Republic to the Treaty Between the United States of America and the Czech and Slovak Federal Republic Concerning the Reciprocal Encouragement and Protection of Investment of October 22, 1991, signed at Brussels on September 22, 2003 (Treaty Doc. 108–19), the Additional Protocol Between the Government of the United States of America and the Government of the Republic of Latvia to the Treaty for the Encouragement and Reciprocal Protection of Investment of January 13, 1995, signed at Brussels on September 22, 2003 (Treaty Doc. 108–20), the Additional Protocol Between the Government of the United States of America and the Government of the Republic of Lithuania to the Treaty for the Encouragement and Reciprocal Protection of Investment of January 14, 1998, signed at Brussels on September 22, 2003 (Treaty Doc. 108–21), and the Additional Protocol Between the United States of America and the Republic of Poland to the Treaty Between the United States of America and the Republic of Poland Concerning Business and Economic Relations of March 21, 1990, signed at Brussels on January 12, 2004 (Treaty Doc. 108–22) (Ex. Rept. 108–13). **Pages S4836–37**

Petitions and Memorials: **Pages S4831–36**

Executive Reports of Committees: **Pages S4836–37**

Additional Cosponsors: **Pages S4837–39**

Statements on Introduced Bills/Resolutions: **Pages S4839–45**

Additional Statements: **Pages S4828–31**

Amendments Submitted: **Pages S4846–49**

Authority for Committees to Meet: **Pages S4849–50**

Privilege of the Floor: **Page S4850**

Record Votes: Three record votes were taken today. (Total—80) **Pages S4806, S4821**

Adjournment: Senate convened at 9:45 a.m., and adjourned at 6:50 p.m., until 9:30 a.m., on Wednesday, May 5, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S4852.)

Committee Meetings

(Committees not listed did not meet)

OVERTIME PAY RULE

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education held a hearing to examine the final rule on overtime pay, setting forth the criteria for determining who is exempted from the Fair Labor Standards Act's minimum wage and overtime requirements as an executive, administrative, or professional employee, also known as the ''white-collar'' exemptions to the Act, receiving testimony from Tammy D. McCutchen, Administrator, Wage and Hour Division, Employment Standards Administration, Department of Labor; and Craig Becker, AFL–CIO, David S. Fortney, Fortney and Scott, Ross E. Eisenbrey, Economic Policy Institute, and Ronald Bird, Employment Policy Foundation, all of Washington, D.C.

Hearing recessed subject to the call of the Chair.

D.C. CHARTER SCHOOLS

Committee on Appropriations: Subcommittee on District of Columbia concluded a hearing to examine public charter schools in the District of Columbia, focusing on challenges facing D.C. charter schools, and best

practices in D.C. charter school education, after receiving testimony from Peggy Cooper Cafritz, President, District of Columbia Board of Education; Thomas Louglin, Chairman, District of Columbia Public Charter School Board; Eric Adler, Co-Founder and Managing Director, School for Educational Evolution and Development (SEED) School; Joshua Kern, President and Chief Executive Officer, Thurgood Marshall Academy; David Domenici, Executive Director, See Forever Foundation; Joe Nathan, University of Minnesota Hubert H. Humphrey Institute, Minneapolis; and Ariana Quinones, District of Columbia Public Charter School Association, Washington, D.C.

IRAQI PRISONERS

Committee on Armed Services: Committee met in closed session to receive a briefing regarding allegations of mistreatment of Iraqi prisoners from General George W. Casey, Jr., USA, Vice Chief of Staff, U.S. Army; Lieutenant General Paul T. Mikolashek, USA, Army Inspector General; and Major General Michael J. Marchand, USA, Assistant Judge Advocate General, U.S. Army.

AUTHORIZATION—DEFENSE

Committee on Armed Services: Subcommittee on Airland met in closed session and approved for full committee consideration, those provisions which fall within the jurisdiction of the subcommittee, of proposed legislation authorizing appropriations for fiscal year 2005 for military activities of the Department of Defense.

AUTHORIZATION—DEFENSE

Committee on Armed Services: Subcommittee on SeaPower met in closed session and approved for full committee consideration, those provisions which fall within the jurisdiction of the subcommittee, of proposed legislation authorizing appropriations for fiscal year 2005 for military activities of the Department of Defense.

AUTHORIZATION—DEFENSE

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities met in closed session and approved for full committee consideration, those provisions which fall within the jurisdiction of the subcommittee, of proposed legislation authorizing appropriations for fiscal year 2005 for military activities of the Department of Defense.

SATELLITE HOME VIEWER IMPROVEMENT ACT

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to reauthorize the Satellite Home Viewer Improvement Act of 1999, focusing on preserving and extending pro-competitive measures in the current Act, as well as improving regulatory parity between cable and satellite TV providers, after receiving testimony from Charles W. Ergen, EchoStar Communications Corporation, Englewood, Colorado; Jim Yager, Barrington Broadcasting Company, Hoffman Estates, Illinois; Eddy Hartenstein, DirecTV, El Segundo, California; Araceli De Leon, Telemundo Communications Group, Phoenix, Arizona; and Gigi B. Sohn, Public Knowledge, Washington, D.C.

OLYMPIC SECURITY

Committee on Commerce, Science, and Transportation: Subcommittee on Competition, Foreign Commerce, and Infrastructure concluded a hearing to examine lessons learned from security at past Olympic Games, focusing on having a security team selected with complementary skills and the institutional experience to tackle an event of this proportion, after receiving testimony from Massachusetts Governor Mitt Romney, Boston; Mark Camillo, Lockheed Martin Corporation, Arlington, Virginia; David G. Maples, Johnson, Maples, and Associates, Atlanta, Georgia; Carl Lewis, Beaverton, Oregon; and Steven Lopez, Sugar Land, Texas.

INTELLIGENCE AUTHORIZATION

Select Committee on Intelligence: Committee ordered favorably reported an original bill authorizing funds for fiscal year 2005 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System.

House of Representatives

Chamber Action

Measures Introduced: 16 public bills, H.R. 4258–4273; 1 private bill, H.R. 4274; and 9 resolutions, H.J. Res. 96, H. Con. Res. 413–414, and H. Res. 618, 620–624, were introduced. **Pages H2547–48**

Additional Cosponsors: **Pages H2548–50**

Reports Filed: Reports were filed today as follows:

H. Res. 619, providing for consideration of H.R. 4227, to amend the Internal Revenue Code of 1986 to extend to 2005 the alternative minimum tax relief available in 2003 and 2004 and to index such relief for inflation (H. Rept. 108–477); and

H.R. 4011, to promote human rights and freedom in the Democratic People's Republic of Korea, amended (H. Rept. 108–478, Pt. 1). **Page H2547**

Speaker: Read a letter from the Speaker wherein he appointed Representative Burns to act as Speaker pro tempore for today. **Page H2493**

Recess: The House recessed at 1:10 p.m. and reconvened at 2 p.m. **Page H2499**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Recognizing the contributions of military impact schools: H. Res. 598, recognizing the valuable contributions of military impacted schools, teachers, administration, and staff for their ongoing contributions to the education of military children; **Pages H2500–05**

Congratulating charter schools for their contributions to education: H. Res. 600, amended, congratulating charter schools and their students, parents, teachers, and administrators across the U.S. for their ongoing contributions to education, by a ⅔ yea-and-nay vote of 396 yeas with none voting ''nay'' and 3 voting ''present'', Roll No. 139; **Pages H2505–09, H2517–18**

Recognizing the benefits of school-based music education: H. Con. Res. 380, amended, recognizing the benefits and importance of school-based music education, by a ⅔ yea-and-nay vote of 402 yeas with none voting ''nay'', Roll No. 140; **Pages H2509–11, H2518**

Congratulating the University of Connecticut Huskies: H. Res. 599, congratulating the University of Connecticut Huskies for winning the 2004 NCAA Division I men and women's basketball championships, by a ⅔ yea-and-nay vote of 402 yeas with none voting ''nay'' and 2 voting ''present'', Roll No. 141; **Pages H2511–15, H2518–19**

Congratulating the University of Denver men's hockey team: H. Con. Res. 408, congratulating the University of Denver men's hockey team for winning the 2004 NCAA men's hockey national championship; and **Page H2515**

Congratulating the Kennesaw State University Owls: H. Res. 594, congratulating the Kennesaw State University Owls for winning the 2004 NCAA Division II Men's Basketball National Championship. **Pages H2516–17**

Recess: The House recessed at 3:59 p.m. and reconvened at 6:30 p.m. **Page H2517**

Budget Resolution for FY 2005—Motion To Instruct Conferees: Representative Moore announced his intention to offer a motion to instruct conferees on S. Con. Res. 95, original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2005 and including the appropriate budgetary levels for fiscal years 2006 through 2009. **Page H2519**

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H2517–18, H2518, and H2519. There were no quorum calls.

Adjournment: The House met at 12:30 p.m and adjourned at 11:41 p.m.

Committee Meetings

STRENGTHENING VOCATIONAL AND TECHNICAL EDUCATION

Committee on Education and the Workforce: Subcommittee on Education Reform held a hearing entitled ''Strengthening Vocational and Technical Education.'' Testimony was heard from Jean C. Stevens, Assistant Commissioner, Office of Curriculum and Instructional Support, Department of Education, State of New York; Sandy Dunkel, Division Administrator, Career Development Division, Board of Education, State of Illinois; and public witnesses.

FASB STOCK OPTIONS PROPOSAL—EFFECT ON U.S. ECONOMY AND JOBS

Committee on Financial Services: Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises continued hearings entitled ''The FASB Stock Options Proposal: Its Effect on the U.S. Economy and Jobs.'' Testimony was heard from public witnesses.

MIDDLE-CLASS ALTERNATIVE MINIMUM TAX RELIEF ACT

Committee on Rules: Granted, by a vote of 7 to 4, a modified closed rule providing 1 hour of debate in the House on H.R. 4227, Middle-Class Alternative Minimum Tax Relief Act of 2004, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The rule provides for consideration of the amendment in the nature of a substitute printed in the Rules Committee report accompanying the resolution, if offered by Representative Rangel of New York or his designee, which shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent. The rule waives all points of order against the amendment printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Johnson of Connecticut and Israel.

TTIC BRIEFING ON TERRORIST THREATS

Permanent Select Committee on Intelligence: Met in executive session to receive a TTIC Briefing on Terrorist Threats. The Committee was briefed by departmental witnesses.

COMMITTEE MEETINGS FOR WEDNESDAY, MAY 5, 2004

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Defense, to hold hearings on proposed budget estimates for fiscal year 2005 for defense related programs, 9:30 a.m., SD–192.

Committee on Armed Services: Subcommittee on Personnel, closed business meeting to mark up those provisions, which fall within the jurisdiction of the subcommittee, of proposed legislation authorizing appropriations for fiscal year 2005 for military activities of the Department of Defense, 9 a.m., SR–232A.

Subcommittee on Readiness and Management Support, closed business meeting to mark up those provisions, which fall within the jurisdiction of the subcommittee, of proposed legislation authorizing appropriations for fiscal year 2005 for military activities of the Department of Defense, 10 a.m., SR–222.

Subcommittee on Strategic Forces, closed business meeting to mark up those provisions, which fall within the jurisdiction of the subcommittee, of proposed legislation authorizing appropriations for fiscal year 2005 for military activities of the Department of Defense, 11:30 a.m., SR–232A.

Full Committee, closed business meeting to mark up proposed legislation authorizing appropriations for fiscal year 2005 for military activities for the Department of Defense, 2:30 p.m., SR–222.

Committee on Commerce, Science, and Transportation: to hold closed hearings to examine the use of steroids, 9:30 a.m., SR–253.

Subcommittee on Science, Technology, and Space, to hold hearings to examine space shuttle and the future of space launch, 2:30 p.m., SR–253.

Committee on Energy and Natural Resources: Subcommittee on Public Lands and Forests, to hold hearings to examine S. 155, to convey to the town of Frannie, Wyoming, certain land withdrawn by the Commissioner of Reclamation, S. 2285, to direct the Secretary of the Interior to convey a parcel of real property to Beaver County, Utah, S. 1521, to direct the Secretary of the Interior to convey certain land to the Edward H. McDaniel American Legion Post No. 22 in Pahrump, Nevada, for the construction of a post building and memorial park for use by the American Legion, other veterans' groups, and the local community, S. 1826, to direct the Secretary of the Interior to convey certain land in Washoe County, Nevada, to the Board of Regents of the University and Community College System of Nevada, S. 2085, to modify the requirements of the land conveyance to the University of Nevada at Las Vegas Research Foundation, and H.R. 1658, to amend the Railroad Right-of-Way Conveyance Validation Act to validate additional conveyances of certain lands in the State of California that form part of the right-of-way granted by the United States to facilitate the construction of the transcontinental railway, 2:30 p.m., SD–366.

Committee on Finance: Subcommittee on Social Security and Family Policy, to hold hearings to examine the benefits of a healthy marriage, 10 a.m., SD–215.

Committee on the Judiciary: to hold an oversight hearing to examine material support statute relating to aiding terrorists, 10 a.m., SD–226.

House

Committee on Armed Services, Subcommittee on Projection Forces, to mark up H.R. 4200, National Defense Authorization Act for Fiscal Year 2005, 11:30 a.m., 2212 Rayburn.

Subcommittee on Terrorism Unconventional Threats and Capabilities, to mark up H.R. 4200, National Defense Authorization Act for Fiscal Year 2005, 10 a.m., 2118 Rayburn.

Subcommittee on Total Force, to mark up H.R. 4200, National Defense Authorization Act for Fiscal Year 2005, 1 p.m., 2118 Rayburn.

Committee on Education and the Workforce, to mark up the following bills: H.R. 2728, Occupational Safety and Health Small Business Day in Court Act of 2003; H.R. 2729, Occupational Safety and Health Review Commission Efficiency Act of 2003; H.R. 2730, Occupational Safety and Health Independent Review of OSHA Citations Act of 2003; and H.R. 2731, Occupational Safety and Health Small Employer Access to Justice Act of 2003, 10:30 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Energy and Air Quality, hearing entitled ''Alaska Natural Gas Pipeline Status Report,'' 10 a.m., 2322 Rayburn.

Subcommittee on Health, hearing entitled ''Physician Fee Schedule: A Review of the Current Medicare Payment System,'' 10 a.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Housing and Community Opportunity, to consider H.R. 3755, Zero Downpayment Act of 2004, 10 a.m., 2128 Rayburn.

Committee on Government Reform, hearing entitled ''Betting on Transparency: Toward Fairness and Integrity in the Interior Department's Tribal Recognition Process,'' 10 a.m., 2154 Rayburn.

Subcommittee on Energy Policy, Natural Resources and Regulatory Affairs, hearing entitled ''Wildfires in the West—Is the Bush Administration's Response Adequate?'' 2 p.m., 2154 Rayburn.

Committee on International Relations, hearing on Water Scarcity in the Middle East: Regional Cooperation as a Mechanism Toward Peace, 10:30 a.m., 2172 Rayburn.

Subcommittee on Western Hemisphere, to mark up H.R. 3447, Social Investment and Economic Development Fund for the Americas Act of 2003, 2:30 p.m., 2200 Rayburn.

Committee on the Judiciary, to mark up the following: H.J. Res. 83, Proposing an amendment to the Constitution of the United States regarding the appointment of individuals to fill vacancies in the House of Representatives; H.R. 2934, Terrorist Penalties Enhancement Act of 2003; H.R. 3179, Anti-Terrorism Intelligence Tools Improvement Act of 2003; a resolution Recognizing the 50th anniversary of *Brown* v. *Board of Education;* H.R. 3754, Fraudulent Online Identity Sanctions Act; H.R. 1731, Identity Theft Penalty Enhancement Act; S. 1301, Video Voyeurism Prevention Act of 2003; H.R. 1678, Anti-Hoax Terrorism Act of 2003; H.R. 1302, Federal Courts Improvement Act of 2003; H.R. 3632, Anti-Counterfeiting Amendments of 2003; and private relief bills, 10 a.m., 2141 Rayburn.

Committee on Resources, to mark up the following bills: H.R. 142, To amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Inland Empire regional water recycling project, to authorize the Secretary to carry out a program to assist agencies in projects to construct regional brine lines in California, and to authorize the Secretary to participate in the Lower Chino Dairy Area desalination demonstration and reclamation project; H.R. 1014, Gateway Communities Cooperation Act; H.R. 2010, To protect the voting rights of members of the Armed Services in elections for the Delegate representing American Samoa in the United States House of Representatives; H.R. 2201, National War Permanent Tribute Historical Database Act; H.R. 2663, To authorize the Secretary of the Interior to study the suitability and feasibility of designating Castle Nugent Farms located on St. Croix, Virgin Islands, as a unit of the National Park System; H.R. 2828, Water Supply, Reliability, and Environmental Improvement Act; H.R. 2912, To reaffirm the inherent sovereign rights of the Osage Tribe to determine its membership and form of government; H.R. 2966, Right-to-Ride Livestock on Federal Lands Act of 2003; H.R. 2991, Inland Empire Regional Water Recycling Initiative; H.R. 3247, Trail Responsibility and Accountability for the Improvement of Lands Act of 2003; H.R. 3378, Marine Turtle Conservation Act of 2003; H.R. 3504, To amend the Indian Self-Determination and Education Assistance Act to redesignate the American Indian Education Foundation as the National Fund for Excellence in American Indian Education; H.R. 3505, to amend the Bend Pine Nursery Land Conveyance Act to specify the recipients and consideration for conveyance of the Bend Pine Nursery; H.R. 3706, John Muir National Historic Site Boundary Adjustment Act; H.R. 3768, Timucuan Ecological and Historic Preserve Boundary Revision Act of 2004; H.R. 3819, Lewis and Clark National Historical Park Designation Act of 2004; H.R. 3846, Tribal Forest Protection Act of 2004; H.R. 3874, To convey for public purposes certain Federal lands in Riverside County, California, that have been identified for disposal; H.R. 3932, To amend Public Law 99–338 to authorize the continued use of certain lands within the Sequoia National Park by portions of an existing hydroelectric project; and H.R. 4114, Migratory Bird Treaty Reform Act of 2004, 11 a.m., 1324 Longworth.

Committee on Science, hearing entitled ''U.S. Commission on Ocean Policy Preliminary Report,'' 10 a.m., 2318 Rayburn.

Committee on Small Business, hearing entitled ''Improving the Regulatory Flexibility Act—H.R. 2345,'' 2 p.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Railroads, oversight hearing on Railroad Security, 11 a.m., 2167 Rayburn.

Committee on Ways and Means, to mark up H.R. 4103, AGOA Acceleration Act of 2004, 2 p.m., 1100 Longworth.

Permanent Select Committee on Intelligence, executive, hearing on DCI Wrap Up Budget, 10 a.m., H–405 Capitol.

Subcommittee on Human Intelligence, Analysis and Counterintelligence, executive, hearing on Aligning CIA HUMINT, 2 p.m., H–405 Capitol.

Select Committee on Homeland Security, Subcommittee on Infrastructure and Border Security, hearing entitled ''Maritime Security Operations Within the Department of Homeland Security,'' 2 p.m., 210 Cannon.

Joint Meetings

Commission on Security and Cooperation in Europe: to hold a hearing to examine the impact in Northern Ireland of recently published reports on collusion in prominent murder cases, 11:30 a.m., 334 CHOB.

Next Meeting of the SENATE

9:30 a.m., Wednesday, May 5

Senate Chamber

Program for Wednesday: After the transaction of any morning business (not to extend beyond 10:30 a.m.), Senate will continue consideration of S. 1637, Jumpstart Our Business Strength (JOBS) Act, with Senator Breaux being recognized to offer an amendment, with 60 minutes for debate, followed by a vote on or in relation to the amendment at a time to be determined.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, May 5

House Chamber

Program for Tuesday: Consideration of Suspensions:

(1) H. Res. 605—Recognizing the importance of increasing awareness of autism, supporting programs for increased research and improved treatment of autism, improving training and support for individuals with autism and those who care for individuals with autism;

(2) H.R. 2771—To amend the Safe Drinking Water Act to reauthorize the New York City Watershed Protection Program;

(3) H.R. 27—Small Public Housing Authority Act;

(4) H. Res. 402—Expressing the sense of the House of Representatives regarding the urgent need for freedom, democratic reform, and international monitoring of elections, human rights, and religious liberty in the Lao People's Democratic Republic;

(5) H. Con. Res. 326—Expressing the sense of Congress regarding the arbitrary detention of Dr. Wang Bingzhang by the Government of the People's Republic of China and urging his immediate release; and

(6) H. Con. Res. 398—Expressing the concern of Congress over Iran's development of the means to produce nuclear weapons.

Consideration of H.R. 4227—Middle-Class Alternative Minimum Tax Relief Act of 2004 (modified closed rule, one hour of debate).

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