United States of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 108th CONGRESS, SECOND SESSION

Vol. 150 WASHINGTON, TUESDAY, JUNE 1, 2004 No. 74

# House of Representatives

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. UPTON).

## DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
*June 1, 2004.*

I hereby appoint the Honorable FRED UPTON to act as Speaker pro tempore on this day.

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

## PRAYER

The Reverend John Roller, Pastor Emeritus, St. Thomas Becket Parish, Mt. Prospect, Illinois, offered the following prayer:

God and Father of us all, You are the primary cause of our joy, the reason for our hope, and the source of our peace. We believe that in You we live and move and have our being.

Filled with confidence, we bring our needs before You, for You are a shepherd who leads us and a light who guides us. Moreover, You are our God who loves us, whose hand is so discernibly present in everything we are and do.

Loving Father, we may be very good at coming to You and asking. Help us to be just as prompt in thanking You for Your gifts, many of which we receive without asking or even being aware.

Once again, in this past weekend of remembrance, we have been made so keenly aware that Your hand has always been upon us. You have blessed us with citizenship in this powerful and potentially great Nation; the call to sit in deliberation as part of this notable Congress; and the awareness that we are all Your chosen sons and daughters. Always we are the recipients of Your love which we will never fully comprehend.

For all of Your gifts, loving Father, we beg You to accept our humble and heartfelt gratitude.

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 Colorado (Mr. BEAUPREZ) come forward and lead the House in the Pledge of Allegiance.

Mr. BEAUPREZ 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.

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate insists upon its amendment to the bill (H.R. 3550) ''An Act to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes,'' requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. INHOFE, Mr. WARNER, Mr. BOND, Mr. VOINOVICH, Mr. GRASSLEY, Mr. HATCH, Mr. NICKLES, Mr. LOTT, Mr. SHELBY, Mr. MCCAIN, Mr. MCCONNELL, Mr. JEFFORDS, Mr. REID, Mr. GRAHAM of Florida, Mr. LIEBERMAN, Mrs. BOXER, Mr. DASCHLE, Mr. HOLLINGS, Mr. SARBANES, Mr. BAUCUS, and Mr. CONRAD, to be the conferees on the part of the Senate.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, Speaker Pro Tempore THORNBERRY signed the following enrolled bill on Monday, May 24, 2004:

S. 2092, to assist the participation of Taiwan in the World Health Organization.

## COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
*Washington, DC, May 21, 2004.*

Hon. J. DENNIS HASTERT,
*The Speaker, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on April 21, 2004 at 1:16 p.m.:

That the Senate passed without amendment H. Con. Res. 409.

That the Senate passed without amendment H. Con. Res. 423.

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
*Clerk of the House.*

## MEDICARE-APPROVED PRESCRIPTION DRUG DISCOUNT CARDS

(Mr. BEAUPREZ asked and was given permission to address the House for 1 minute.)

Mr. BEAUPREZ. Mr. Speaker, today is a good day for America's senior citizens, as the Medicare-approved prescription drug discount cards hit the streets across the country.

From this day forward, seniors will no longer have to pay full retail price for their life-saving drugs.



Printed on recycled paper.

Unfortunately, some of our friends on the other side of the aisle have mounted a misinformation campaign to scare and confuse America's seniors for their own political agenda. They say that prescription drug cards are too confusing and that they will not work.

Well, seniors have already decided that discount cards will work. The verdict is in, and these new discount cards will save seniors hundreds, if not thousands, of dollars.

For example, at current discount drug prices, my mother in Louisville, Colorado, will save just under $400 on her prescription drugs and my father over $900. That is about $1,300 a year for my own parents. Those are real savings, money they can take to the bank, give to the grandkids or pay their own rent.

I encourage seniors to take advantage of this program to begin realizing these savings. Call 1–800–MEDICARE or visit www.medicare.gov.

## PASS A REAL MEANINGFUL MEDICARE PRESCRIPTION DRUG PLAN

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

Mr. ROSS. Mr. Speaker, today the new prescription drug discount cards went into effect as part of the Republicans so-called Medicare bill that passed in December. Few seniors have signed up for these so-called discount cards because they provide little, if any, significant savings.

Under the new law, beneficiaries can only sign up for one card a year, but the drug companies who offer these cards can switch the drugs they cover every week. So a senior who signs up for one particular card just to save money on a specific drug may find that a week later that card no longer helps them, and many drug companies are starting to jack up their prices just so they can offer discounts without losing a dime in profits.

Mr. Speaker, we can do better than this by our seniors. We should and must allow the government to use the purchasing power of 41 million seniors to lower the cost of prescription drugs, but the current Medicare law prohibits this from happening.

I urge my colleagues to pass a real meaningful Medicare prescription drug plan this year.

## AMERICA'S ENERGY NEEDS ARE CHANGING

(Mrs. MILLER of Michigan asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MILLER of Michigan. Mr. Speaker, America's energy needs are changing, and our current situation is certainly different than the oil shocks that we all saw in the 1970s, because there has not been a disruption in supply but an increase in demand from emerging economies such as China.

And what kind of leadership on energy issues do we get from the Democrats and their Presidential nominee, Senator JOHN KERRY? Nothing but finger-pointing and continued bowing to the radical environmentalists that will not allow America to retrieve our own energy reserves.

The result of this lack of leadership is higher prices at the gasoline pumps, higher prices for families to heat their homes, and greater dependence on foreign sources of energy.

In ANWR, we have huge supplies of oil and natural gas that if we were to retrieve would have great benefit for America: greater energy independence, lower prices at the pump, lower prices to heat our homes, and hundreds of thousands of new jobs.

These policies from the Democrats do nothing more than to lead us permanently into high prices and greater reliance on Middle Eastern oil. These are policies that our Nation simply cannot afford.

## REMEMBERING AUXILIARY BISHOP BENNIE ALLISON

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

Mr. DAVIS of Illinois. Mr. Speaker, Auxiliary Bishop Bennie Allison, pastor of Corinthian Temple Church of God in Christ in Chicago, passed away last week.

Bishop Allison had a long and distinguished career as both a religious leader and a civic leader. In addition to his religious duties, he was chairman of the Garfield Organization and founder of the Allison Foundation for Better Living, which provided social services and job development opportunities for residents of the West Garfield community.

I extend condolences to his wife and family and urge them to continue his great work.

## FIGHTING THE WAR ON TERROR

(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, during this past week, I saw firsthand our courageous service members in action successfully fighting the global war on terror in Afghanistan, Uzbekistan, the Persian Gulf, Qatar, and Germany.

Led by Committee on House Administration chairman, the gentleman from Ohio (Mr. NEY), our delegation met with American military and coalition government officials. In every instance, my effort as a Congressman, Guard member, and parent of three service members, which was meant to encourage others, actually encouraged me.

I was particularly impressed by the courage of those wounded in the war on terror that we met at Landstuhl, Germany. I was so touched by a female soldier who had just undergone extreme surgery. We immediately bonded as fellow National Guard members, and later I found out she was a star of the Notre Dame's women's basketball team. She lives Army values.

The war on terror is not just Afghanistan and Iraq. President Bush has been courageous in protecting American families by taking the war to the terrorists overseas and not waiting for a new September 11 on the streets of our communities. I know firsthand the new greatest generation of American servicemembers has the fortitude to win the war on terror.

In conclusion, May God bless our troops; and we will never forget September 11.

## DISCOUNT DRUG CARDS

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

Mr. PALLONE. Mr. Speaker, today, the discount prescription drug cards Republicans have been touting take effect.

Over the last month, seniors faced the confusing task of shopping online between 73 discount cards for more than 60,000 prescription drugs.

The New York Times reported today that less than 1 million seniors have signed up, well off the Bush administration's prediction of 7.3 million.

Seniors should be skeptical. While the Bush administration says that these cards will cut bills by 10 to 25 percent, a new report out from Families U.S.A. shows prices on the top-selling five drugs for seniors increased 9.9 percent over the last year, wiping out any savings from the discount cards.

We cannot do anything to help seniors out with their prescription drug bills until we actually do something about the skyrocketing drug prices. Until then, these cards will not provide any meaningful relief, and the program will continue to be a failure.

## 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 vote 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.

## CONGRATULATING AND SALUTING FOCUS: HOPE ON ITS 35TH ANNIVERSARY

Mrs. MILLER of Michigan. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 295) congratulating and

saluting Focus: HOPE on the occasion of its 35th anniversary and for its remarkable commitment and contributions to Detroit, the State of Michigan, and the United States.

The Clerk read as follows:

H. CON. RES. 295

Whereas Focus: HOPE began as a civil and human rights organization in 1968 in the wake of the devastating Detroit riots, and was co-founded by the late Father William T. Cunningham, a Roman Catholic priest, and Eleanor M. Josaitis, a suburban housewife, who were inspired to establish Focus: HOPE by the work of Dr. Martin Luther King Jr.;

Whereas Focus: HOPE is committed to bringing together people of all races, faiths, and economic backgrounds to overcome injustice and build racial harmony, and it has grown to one of the largest nonprofit organizations in Michigan;

Whereas the Focus: HOPE mission statement states: ''Recognizing the dignity and beauty of every person, we pledge intelligent and practical action to overcome racism, poverty and injustice. And to build a metropolitan community where all people may live in freedom, harmony, trust and affection. Black and white, yellow, brown and red from Detroit and its suburbs of every economic status, national origin and religious persuasion we join in this covenant.'';

Whereas one of Focus: HOPE's early efforts was to support African-American and female employees in a seminal class action suit against AAA, resulting in one of the finest affirmative action commitments made by any corporation up to that time;

Whereas Focus: HOPE helped to conceive of and develop the Department of Agriculture's Commodity Supplemental Food Program which has been replicated in 32 states, and through this program Focus: HOPE helps to feed 43,000 people per month throughout Southeast Michigan;

Whereas Focus: HOPE has revitalized several city blocks in central Detroit by redeveloping obsolete industrial buildings, beautifying and landscaping Oakman Boulevard, creating pocket parks, and rehabilitating homes in the surrounding areas;

Whereas Focus: HOPE's Machinist Training Institute has been training individuals from Detroit and beyond for careers in advanced manufacturing and precision machining since 1981, and has sent forth nearly 2,500 certified graduates, providing an opportunity for primarily under-represented minority youth, women, and others to gain access to the financial mainstream and learn in-demand skills;

Whereas Focus: HOPE, with assistance from Michigan, the Department of Housing and Urban Development, and other generous private and public partners, has within the last two years invested over $10 million to complete the renovation of the industrial building housing its Machinist Training Institute;

Whereas Focus: HOPE has recognized that manufacturing and information technologies are key to the economic growth and security of Michigan and the United States, and is committed to designing programs that would contribute to the participation of under-represented urban individuals in these critical sectors;

Whereas, in 1982, Focus: HOPE began a for-profit subsidiary that was initiated for community economic development purposes and is now designated with Federal HUBZone status;

Whereas Focus: HOPE created two pioneering programs—FAST TRACK and First Step—designed to help individuals improve their reading and math competencies by a minimum of two grade levels in 4–7 weeks;

Whereas these programs have graduated over 7,000 individuals since their inception, a new offsite training facility in Detroit's Empowerment Zone in southwest Detroit has been established to reach out to individuals in other parts of the city, and the success of the programs has inspired Michigan (in its State-wide FAST BREAK program) and other States to replicate the efforts of Focus: HOPE;

Whereas, in 1987, Focus: HOPE reclaimed and renovated an abandoned building and opened it as a Center for Children, which has now served over 5,000 children of colleagues, students, and neighbors with quality child care, including latchkey, early childhood education, and other educational services;

Whereas Focus: HOPE, through an unprecedented co-operative agreement between the Departments of Defense, Commerce, Education, and Labor, established a National demonstration project—the Center for Advanced Technologies—in which candidates earn associates and bachelors degrees in either manufacturing engineering or technology, and engage in hands-on manufacturing within-real world conditions, producing parts for DaimlerChrysler, Detroit Diesel, Ford Motor Company, General Motors Corporation, the Department of Defense, and others;

Whereas Focus: HOPE has caused over $22 million to be invested in renovating a previously obsolete building to house the Center for Advanced Technologies, transforming the building into a model facility for 21st century advanced manufacturing, education, and research;

Whereas Focus: HOPE has made outstanding contributions toward increasing diversity within the traditional homogenous science, math, engineering, and technology fields, and 95 percent of currently enrolled degree candidates are African-American, representing perhaps the United States' largest producer of bachelor-degreed minority graduates in manufacturing engineering;

Whereas Focus: HOPE's unique research and development partnership with the Department of Defense has resulted in a nationally recognized demonstration project, the Mobile Parts Hospital, whose Rapid Manufacturing System has recently been deployed to Kuwait in support of the Armed Forces' current operations in Afghanistan and Iraq;

Whereas Focus: HOPE began a community arts program in 1995, presenting multicultural arts programming and gallery exhibitions designed to educate and encourage area residents, while fostering integration in a culturally diverse metropolitan community, and over 43,000 people have viewed sponsored exhibits or participated in this program;

Whereas Focus: HOPE established an Information Technologies Center in 1999, providing Detroit students with industry-certified training programs in network administration, network installation, and desktop and server administration, and has graduated nearly 475 students to date, and has initiated, in collaboration with industry and academia, the design of a new bachelors degree program to educate information management systems engineers;

Whereas Focus: HOPE's initiatives and programs have been nationally recognized for excellence and leadership by such organizations as the Government Accounting Office, the Department of Labor, the International Standards Organization, the National Science Foundation, the Cisco Networking Academy Program, Fortune Magazine, Forbes Magazine, the Aspen Institute, and many others, and former Presidents George H. W. Bush and Bill Clinton have visited Focus: HOPE's campus;

Whereas Focus: HOPE is currently led by Eleanor M. Josaitis, its co-founder and chief executive officer, and she has received honorary degrees from 11 outstanding universities and colleges, was named one of the 100 Most Influential Women in 2002 by Crain's Detroit Business, has been inducted into the Michigan Women's Hall of Fame, has received the Detroit NAACP Presidential Award, the Arab-American Institute Foundation's Kahlil Gibran Spirit of Humanity Award, as well as many other awards;

Whereas through the generous partnerships and support of individuals from all walks of life, Federal, State, and local government, and foundations and corporations across the United States, the vision of Focus: HOPE will continue to grow and inspire;

Whereas Focus: HOPE has been blessed with an active board of directors and advisory board from the senior most levels of corporate and public America, and has benefited from an annual average of 25,000 volunteers and countless colleagues;

Whereas Focus: HOPE has been a tremendous force for good in the City of Detroit, the State of Michigan, and the United States for the past 35 years;

Whereas Focus: HOPE continues to strive to eliminate racism, poverty, and injustice through the use of passion, persistence, and partnerships, and continues to seek improvement in its quality of service and program operations; and

Whereas Focus: HOPE and its colleagues will continue to identify ways in which it can lead Detroit, the State of Michigan, and the United States into the future with creative urban leadership initiatives: Now, therefore, be it

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

(1) congratulates and salutes Focus: HOPE for its remarkable commitment and contributions to Detroit, the State of Michigan, and the United States; and

(2) directs the Clerk of the House of Representatives to make available enrolled copies of this resolution to Focus: HOPE and Ms. Eleanor M. Josaitis for appropriate display.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Michigan (Mrs. MILLER) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Michigan (Mrs. MILLER).

GENERAL LEAVE

Mrs. MILLER of Michigan. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Con. Res. 295, the concurrent resolution under consideration.

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

There was no objection.

Mrs. MILLER of Michigan. Mr. Speaker, I yield myself as much time as I might consume.

Mr. Speaker, in the wake of the 1967 terrible Detroit riots, Father William Cunningham and Eleanor Josaitis founded Focus: HOPE as an organization to fight racism and poverty in the metropolitan Detroit area. This resolution congratulates and salutes Focus: HOPE for its remarkable commitment and contributions to Detroit, to the State of Michigan, and to the entire United States.

I commend my colleague, the gentleman from Michigan (Mr. CONYERS), for introducing this resolution. The entire Michigan delegation has cosponsored the resolution, and I am pleased that we can recognize Focus: HOPE and all of the great things that this organization has done for its surrounding communities.

Mr. Speaker, outside of the metropolitan Detroit area, Focus: HOPE may not be well known to our average citizen, but people who are familiar with this organization know how great an organization it is.

In 1971, Focus: HOPE began providing food for children, as well as pregnant and post-partum women. The program soon expanded to include senior citizens; and today, with food that is provided through the U.S. Department of Agriculture, Focus: HOPE provides food to an incredible number, 43,000 children, women and senior citizens, each month in the Detroit metropolitan area.

Focus: HOPE has provided hope to individuals and families for over 35 years. In addition to providing food for those in immediate need, the organization's revolutionary job-training and education programs provide people with the tools and the resources necessary to pull themselves and their families out of the brutal cycle of poverty.

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Mr. Speaker, Focus: HOPE opened its Machinists Training Institute in 1981. It is a 31-week program in which students receive over 1,100 contact hours. The training is very comprehensive and at a fraction of the cost of traditional job training. Along with their FAST TRACK program and First Step programs, students develop necessary skills to enter the workforce.

In 1993, Focus: HOPE developed the Center for Advanced Technologies to form a coalition of universities and corporations to design a 21st century curriculum for manufacturing engineering education. Very sadly, Father Cunningham passed away in 1997. But along with the incredible Eleanor Josaitis, who still acts as the Chief Executive Officer, their great visions and hard work has provided people with an opportunity which would not exist otherwise.

Mr. Speaker, Focus: HOPE's value to the poor and disadvantaged of the Detroit metropolitan area cannot be measured. It is a great organization run by individuals who truly care about our Nation's citizens. This resolution, 295, will bring much-deserved attention to Focus: HOPE and its dedicated employees and volunteers. The work they do is sometimes thankless and sometimes goes unnoticed, but I urge my colleagues to support House Concurrent Resolution 295 and to thank these outstanding individuals for their great work.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is often asked, what makes a person a hero? Working with others to improve one's community, I believe, is the act of a hero. In 1967, a riot left metropolitan Detroit sharply divided along racial lines. By early 1968, shock had deepened into bitterness and hostility.

Among all of this chaos and confusion, two members of the Detroit community, Father William T. Cunningham and Eleanor M. Josaitis, joined together to make a difference. Soon, Focus: HOPE was born, and out of it came a tightly-knit movement of like-minded people who are committed to intelligent and practical action to overcome racism, poverty and injustice.

Over the last 37 years, Focus: HOPE has participated in countless projects that have improved the quality of life for thousands of America's neediest people. In 1971, after gathering scientific evidence of the effects of hunger and malnutrition on the critical early development of infants, Focus: HOPE designed a supplemental food program for children up to age 6 and for pregnant and postpartum women. The program, which was later expanded to include senior citizens, was the first and remains one of the largest Commodity Supplemental Food Programs in the country. Food for this program has been provided to as many as 43,000 women, children, and senior citizens each month in the Detroit metropolitan area.

Focus: HOPE's contributions are not limited to its food program. When years of negligence turned one of Detroit's oldest neighborhoods into a canyon of vacant and dilapidated homes, Focus: HOPE took the initiative and revitalized several blocks of the once prosperous neighborhood by redeveloping outdated buildings, improving the landscape of Oakman Boulevard, developing parks and rebuilding homes. In addition, over the past 2 years alone, Focus: HOPE has helped raise $10 million to complete renovations of an old industrial building that is to house its own Machinists Training Institute.

Today, we stand united in this Chamber to pay homage to Focus: HOPE for its remarkable commitment and contributions to Detroit, the State of Michigan, and the United States. Americans who possess the vision and generosity of Eleanor M. Josaitis and the late Father William T. Cunningham are truly American heroes, and Focus: HOPE is a tribute to their legacy.

Mr. Speaker, I commend the gentleman from Michigan (Mr. CONYERS) for introducing this legislation, and I urge its support.

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

Mrs. MILLER of Michigan. Mr. Speaker, I yield myself such time as I may consume to urge all Members to support the adoption of House Concurrent Resolution 295.

Mr. KNOLLENBERG. Mr. Speaker, I would like to join my Michigan colleagues in rising in support of House Concurrent Resolution 295, which congratulates and salutes Focus: HOPE on its 35th anniversary.

Focus: HOPE, located in Detroit, is the result of the vision of Father William T. Cunningham and Eleanor Josaitis, who were compelled to make a difference as the 1967 riot left metropolitan Detroit sharply divided along racial lines. Ever since, Focus: HOPE has been committed to bringing together people of all races, faiths, and economic backgrounds. In short, the accomplishments of this organization are nothing short of remarkable. For example, Focus: HOPE helped to conceive and develop the Department of Agriculture's Commodity Supplemental Food Program, which has been replicated in 32 states. Through this program, Focus: HOPE helps feed 43,000 people monthly throughout Southeast Michigan.

Additionally, Focus: HOPE has revitalized several city blocks in central Detroit by redeveloping obsolete industrial buildings, beautifying and landscaping Oakman Boulevard, creating pocket parks, and rehabilitating homes in the surrounding areas.

For these reasons, as a senior member of the House Appropriations Committee, I have been pleased to assist Focus: HOPE over the past several years. Their growing list of accomplishments fills me with pride and I will continue to support them in future years.

And so, Mr. Speaker, I ask my colleagues to join me in commemorating this pillar of the community that has achieved so much in the great state of Michigan. I am confident Focus: HOPE will continue down this path for many years to come. Their mission statement states in part: "Recognizing the dignity and beauty of every person, we pledge intelligent and practical action to overcome racism, poverty and injustice." Focus: HOPE's years of excellence have demonstrated that they do indeed stand behind their message.

Ms. KILPATRICK. Mr. Speaker, I rise today to support H. Con. Res. 295 introduced by Congressman JOHN CONYERS. This resolution congratulates and salutes Focus: HOPE on its 35th anniversary and for its remarkable commitment and contributions to the City of Detroit, the State of Michigan, and the United States.

FOCUS: HOPE was founded in 1968 by Father William Cunningham and Eleanor M. Josaitis in response to the Detroit riots that left the city in turmoil. It is a nationally recognized civil and human rights organization in Detroit, Michigan and is one of the largest nonprofit organizations in Michigan.

Since its beginning, Focus: HOPE has been committed to fighting racism, poverty, and injustice. In 1968, in response to a study by the Detroit Free Press and the Urban League, Focus: HOPE organized a search for evidence of widespread discrimination in food and prescription drug prices. From the investigation, the HOPE '68 study was published. The study was the first to offer definitive proof of systematic discrimination in food pricing.

In 1971, after gathering scientific evidence of the effects of hunger and malnutrition on the critical early development of infants, Focus: HOPE developed a supplemental food program for children up to age six, and for pregnant and post-partum women. The program, later expanded to include senior citizens, was the first and remains one of the largest Commodity Supplemental Food Programs in the country, with food provided

through the Department of Agriculture to 43,000 women, children and senior citizens each month throughout Southeast Michigan.

In addition to addressing the societal needs of the community, in 1981, the organization opened its Machinist Training Institute (MTI), to provide skills development in precision machining and metalworking. The institute has graduated more than 2,300 machinists.

Focus: HOPE created two pioneering programs—FAST TRACK and First Step—designed to help individuals improve their reading and math competencies by a minimum of two grade levels in 4–7 weeks. The organization also opened a Center for Children, which has now served over 5,000 children of colleagues, students, and neighbors with quality childcare and early childhood education.

Focus: HOPE has also partnered with many businesses and schools through the years. In 1993 Focus: HOPE developed the Center for Advanced Technologies to address the shortage of manufacturing engineers with hands-on skills. The organization formed a coalition with three university partners: Lawrence Technological University, Wayne State University and the University of Detroit Mercy and several corporations to design a curriculum for manufacturing engineering education.

The volunteer effort of Focus: HOPE brings together thousands of people each year to operate various programs including preparing boxes of food that are delivered to low-income families during the holidays, neighborhood cleanup and revitalization projects and programs that concentrate on education, the arts, manufacturing, engineering, and information technology training.

Last year in October, I joined Michigan's Governor Jennifer Granholm and Senators CARL LEVIN and DEBBIE STABENOW for Focus: HOPE's Walk 2003. This annual walk through the streets of Detroit, to celebrate our rich diversity, is patterned after the nonviolent marches led by Dr. Martin Luther King, Jr. Approximately 8,000 people from metropolitan Detroit walked an eight-mile route through Highland Park and Detroit. The route includes the area where the 1967 riots broke out, the first Ford Motor Company automotive production facility, and the original Motown recording studios.

Again, I would like to thank the late Father Cunningham and Eleanor M. Josaitis for their vision. Focus: HOPE has helped thousands of people fulfill their purpose in life. Focus: HOPE's commitment to bringing together people of all races, faiths, and economic backgrounds to overcome injustice and build racial harmony is an inspiration for us all.

I also thank the leadership for allowing this resolution to be included on today's suspension calendar.

Mr. LEVIN. Mr. Speaker, I rise in strong support of House Concurrent Resolution 295, which congratulates Focus: HOPE on the occasion of its 35th anniversary. I am proud to be an original cosponsor of this measure, and urge all my colleagues to vote for it today.

Focus: HOPE was established in 1968 by the late Father William Cunningham and Eleanor Josaitis. The riots of 1967 had a deep impact on the entire Detroit metropolitan area. For all the damage the riots did to our communities, one positive and lasting impact was that they served as a catalyst for the creation of Focus: HOPE. This organization started out as a food program and grew into a broad-scale attack on poverty, racism and injustice. Today, Focus: HOPE is a vital part of Detroit and the surrounding metropolitan area, focusing its energy and innovation on practical solutions to the difficult problems of Hunger, economic disparity, joblessness, discrimination, and educational disadvantage.

I feel fortunate to have known Father Cunningham during the many years of his work with Focus: HOPE. This work continues under the guidance of my dear friend, Eleanor Josaitis, who co-founded this organization and serves as its chief operating officer.

As the resolution notes, Focus: HOPE has been a unique force for good for the past 35 years. For all of us who share Father Cunningham's dream that all people may live and work together in freedom, harmony, trust and affection, this resolution congratulates and salutes the contributions of Focus: HOPE to Detroit, the State of Michigan, and the nation.

Mr. DINGELL. Mr. Speaker, I rise today in strong support of House Concurrent Resolution 295, congratulating Focus: HOPE on its 35th anniversary. For three and a half decades, Focus: HOPE has been a leading voice for the poor and underprivileged in Southeastern Michigan. It has helped feed the poor, educate our young, and foster cultural understanding between diverse populations. Focus: HOPE deserves our recognition and gratitude for all that is has done and will continue to do.

Co-founded by Father William Cunningham and Eleanor Josaitis, Focus: HOPE is a community based organization dedicated to employing practical and intelligent action to eliminate racism, poverty, and injustice. It has the largest United States Department of Agriculture (USDA) Commodity Supplemental Food Program in the nation. Each month, more than 43,000 mothers, children under age six, and senior citizens living on meager incomes get help through the Focus: HOPE Commodity Supplemental Food Program. That alone would garner recognition and plaudits for Focus: HOPE.

Yet, this organization has made economic opportunity the primary focus, leading to the development of some of the most highly respected and innovative education and training programs in the nation. By partnering with industry, universities, and governments, Focus: HOPE has created a pipeline of programs that offer both the technical and educational knowledge critical for a 21st century workforce. Moreover, Focus: HOPE supplies the opportunity, including childcare on campus and softskills training, for its students to be successful in their chosen career. More than 3,000 individuals have graduated from Focus: HOPE's Centers of Opportunity, obtaining jobs in the manufacturing, engineering and information technology fields. Mr. Speaker, I have long supported the efforts of Focus: HOPE, and congratulate them on their 35th anniversary. I ask my colleagues to recognize the importance of this very fine organization by supporting this concurrent resolution.

Mr. CONYERS. Mr. Speaker, I rise today to congratulate Focus: HOPE, a non-profit organization inspired by the work of Dr. Martin Luther King, Jr., and founded by Father William T. Cunningham in 1968 in the city of Detroit. Focus: HOPE was founded as a civil rights organization, and now works to overcome racial and economic injustices, and has numerous other accomplishments

Focus: HOPE has played an important role in acquiring affirmative action commitments from many employers through supporting African-American and female employees in class-action lawsuits. The non-profit organization has also helped to develop a program through the Agriculture Department's Commodity Supplemental Food Program, which is now responsible for feeding more than 43,000 people per month in southeast Michigan. Additionally, it has assisted in the revitalization of several areas in central Detroit by creating parks, rehabilitating homes, and redeveloping obsolete buildings.

Additionally, Focus: HOPE has trained individuals for courses in advanced manufacturing and precision machining, which has resulted in the graduation of 2,500 people from their certification programs, thereby providing work opportunities to under-represented youth, women, and many others. Focus: HOPE has also developed two programs aimed at helping individuals improve their reading and math competencies. The organization has also enrolled candidates toward associate and bachelor degrees in engineering and technology programs, and as a result, has made contributions toward increasing diversity within these fields. Most of all, this resolution recognizes Focus: HOPE for its commitment and contributions to human rights in Detroit and the United States.

Focus: HOPE is a critically important organization that has been a tremendous asset to the city of Detroit. For this reason, I commend Focus: HOPE's work in improving the quality of life for citizens of Detroit who may not have had access to many opportunities, but who have the desire to succeed in life, and want to become contributing citizens of the economic mainstream.

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

The SPEAKER pro tempore (Mr. UPTON). The question is on the motion offered by the gentlewoman from Michigan (Mrs. MILLER) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 295.

The question was taken.

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

Mrs. MILLER of Michigan. 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 AND HONORING FIREFIGHTERS, POLICE, PUBLIC SERVANTS, CIVILIANS, AND PRIVATE BUSINESSES WHO RESPONDED TO DEVASTATING FIRE IN RICHMOND, VIRGINIA, ON MARCH 26, 2004

Mrs. MILLER of Michigan. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res.

612) recognizing and honoring the firefighters, police, public servants, civilians, and private businesses who responded to the devastating fire in Richmond, Virginia, on March 26, 2004, as amended.

The Clerk read as follows:

H. RES. 612

Whereas fire kills more Americans than all other natural disasters combined;

Whereas all Americans must work together for the common goal of fire prevention, fire use, and fire suppression;

Whereas firefighters routinely risk their lives to save others, and some sacrifice their lives in the line of duty;

Whereas on March 26, 2004, the Carver Community of Richmond, Virginia, and Virginia Commonwealth University experienced a devastating fire resulting in the condemnation and destruction of numerous buildings and property;

Whereas strong winds quickly spread the fire through several city blocks and a section of the Virginia Commonwealth University campus;

Whereas firefighters, police, public servants, and civilians exhibited resilience and courage in combating the dangerous fire and in dealing with its aftermath;

Whereas the local firefighters who initially answered the call were later assisted by countless firefighters from fire stations throughout the region who united in a determined effort to defeat the blaze and fight the challenging wind, smoke, and heat conditions in order to save the remaining area;

Whereas public, private, and civic organizations worked as a seamless team preserving and protecting human lives, defending property, and providing food and comfort to all affected; and

Whereas all involved met their community's call to duty by providing brave and steadfast assistance and upholding the finest traditions of the Commonwealth of Virginia: Now, therefore, be it

*Resolved*, That the House of Representatives recognizes and honors the firefighters, police, public servants, civilians, and private businesses who responded to the devastating fire in Richmond, Virginia, on March 26, 2004, and commends them for their dedicated service to the people of the Commonwealth of Virginia.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Michigan (Mrs. MILLER) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Michigan (Mrs. MILLER).

GENERAL LEAVE

Mrs. MILLER of Michigan. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Resolution 612.

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

There was no objection.

Mrs. MILLER of Michigan. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 612 recognizes those who responded to the tremendous fire in downtown Richmond, Virginia, on March 26, 2004. On that day, a colossal fire ripped through Richmond and the Virginia Commonwealth University campus area as well. The wind-fueled blaze damned more than 30 buildings in the downtown Richmond area and several more buildings, and about 50 nearby homes were evacuated. Fortunately, no one was killed, and there were only a handful of reports of minor injuries. This resolution commends those citizens in the Richmond area who helped to minimize the effects of this terrible fire.

Mr. Speaker, our Nation's first responders provide an invaluable and largely thankless service, sometimes, to many of our citizens. The scene in Richmond on March 26 and the days that followed proved a stirring testament to that fact. Firefighters from Richmond and several neighboring counties rallied to extinguish the incredible fire. Law enforcement officers went door to door insisting that residents leave their homes. Many members of the downtown workforce, private organizations, and just your everyday average citizens helped to protect lives and defend property to limit the damage and the loss from the blaze.

Mr. Speaker, I want to recognize the distinguished gentleman from Virginia (Mr. CANTOR) for his work on House Resolution 612. And on behalf of the gentleman from Virginia and all the Members of this House, I want to thank the firefighters, the police, the businesses, organizations, civilians, and others who aided residents affected by the fire on March 26, 2004.

But even beyond the fine men and women from Richmond, Virginia, I want to thank all emergency responders across the country who protect every one of us every day. First responders routinely put their lives at risk to promote the general welfare of all Americans. I am pleased that the consideration of this resolution gives us a chance to praise medical services personnel, firefighters, law enforcement officials, as well as others who serve and protect all of us each and every day, and I urge support for this important resolution.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to join with my colleague from Michigan in consideration of H. Res. 612, recognizing and honoring firefighters, police, public servants, civilians, and private businesses who responded to the devastating fire in Richmond, Virginia, on March 26, 2004.

Mr. Speaker, far too often we, as Americans, overlook or take for granted the truly courageous risks that the men and women of our police and fire departments take to save the lives of others. I am pleased that we take time today to recognize and to honor the firefighters and police, as well as the public servants, civilians, and private businesses, who responded in the face of grave danger to a devastating fire in Richmond, Virginia, on March 26, 2004.

On March 26, 2004, a series of fires, fueled by strong winds, erupted in downtown Richmond. This potentially deadly blaze forced hundreds of students at Virginia Commonwealth University from their dorm rooms and prompted city officials to declare the region a disaster area. By the time the fire was extinguished, it had destroyed six buildings and had seriously damaged 12 others.

Despite the enormity of this threat, no serious injuries were reported. This was due in large part to the quick reaction of the fire and police departments, as well as local public servants, civilians, and private businesses which all worked together to control the dangerous blaze. According to the City of Richmond's Assistant Fire Marshal, the fire could have been much worse. However, the selfless actions of the police and fire department and others turned a life-threatening disaster into a miracle.

Again, Mr. Speaker, I commend all of those who joined together in this great spirit of cooperation to save not only property but countless lives. I commend the gentleman for introducing this legislation and urge its passage.

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

Mrs. MILLER of Michigan. Mr. Speaker, I yield such time as he may consume to my distinguished colleague, the gentleman from the great State of Virginia (Mr. CANTOR), who authorized House Resolution 612.

Mr. CANTOR. Mr. Speaker, I thank the gentlewoman from Michigan and the gentleman from Illinois for their leadership in bringing this resolution to the floor.

Mr. Speaker, I rise today to recognize and honor the brave firefighters, police, public servants, civilians, and private businesses that responded to the devastating fire in Richmond, Virginia, on March 26, 2004.

Our brave firefighters and first responders routinely risk their lives to save others, and some sacrifice their lives in the line of duty. The history of our great Nation has been marked with the heroic efforts of valiant individuals and organizations exhibiting resilience and courage as they combat dangerous fires and deal with their scorched aftermath.

Each year, fire kills more Americans than all other natural disasters combined. In order to lessen the death toll, all Americans must work together for the common goal of fire prevention, fire use, and fire suppression. The valiant firefighters, police, public servants, and civilians who protect the Richmond region have added their story to our Nation's history of selfless acts.

On March 26 of this year, the Carver community of Richmond, the City of Richmond, and Virginia Commonwealth University experienced a devastating fire which resulted in the destruction of numerous buildings and property. During the course of the day, strong winds quickly spread the fire through several city blocks and a section of the Virginia Commonwealth

University campus. The local firefighters, who initially answered the call, were later assisted by countless others from fire stations throughout the region. These units joined together to defeat the blaze and fight the challenging wind, smoke, and heat conditions. Their efforts prevented further destruction and helped protect innocent lives from being lost.

These firefighters were not alone that day, as public, private, and civic organizations worked as a seamless team preserving and protecting human lives, defending property, and providing food and comfort to all those affected. All of these organizations met their community's call to duty by providing brave and steadfast assistance to our community. They stand as a symbol to all who give of themselves in an effort to better our Nation and uphold the finest traditions of the Commonwealth of Virginia.

□ 1430

In closing, I am proud to recognize and honor the firefighters, police, public servants, civilians, and private businesses who responded to the devastating fire in Richmond on March 26, 2004, and commend them for their dedicated service to the people of the Commonwealth of Virginia and urge passage of House Resolution 612.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I rise today in strong support of H. Res. 612, which recognizes and honors the firefighters, police, public servants, civilians, and private businesses who responded to the devastating fire in Richmond, Virginia, on March 26, 2004.

On March 26, 2004, a destructive fire swept through Virginia Commonwealth University and the Carver Community of Richmond, Virginia. The size of this blaze quickly grew out of control such that local Richmond firefighters called for assistance from fire stations throughout the region. The quick response and valiant united effort of firefighters, police, public servants, and civilians extinguished the blaze and averted further destruction of property. Additionally, public, private and civic organizations provided shelter, food and comfort to those affected by the fire. This is a further example of the amazing courage and perseverance required on a daily basis by fire and rescue personnel across the country. These citizens don the uniforms of service to protect and provide for our communities and for our Nation.

Mr. Speaker, this resolution honors the firefighters, police, public servants and private businesses who responded to this emergency with swiftness and courage, working together to protect the citizens of the Commonwealth of Virginia. I urge all of my colleagues to support this important resolution.

Mrs. MILLER of Michigan. Mr. Speaker, I urge adoption of H. Res. 612, as amended; and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. UPTON). The question is on the motion offered by the gentlewoman from Michigan (Mrs. MILLER) that the House suspend the rules and agree to the resolution, H. Res. 612, 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.

Mrs. MILLER of Michigan. 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.

## HONORING TUSKEGEE AIRMEN AND THEIR CONTRIBUTION IN CREATING AN INTEGRATED UNITED STATES AIR FORCE

Mr. COLE. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 417) honoring the Tuskegee Airmen and their contribution in creating an integrated United States Air Force, the world's foremost Air and Space Supremacy Force.

The Clerk read as follows:

H. CON. RES. 417

Whereas the United States is currently combating terrorism around the world and is highly dependent on the global reach and presence provided by the Air Force;

Whereas these operations require the highest skill and devotion to duty from all personnel involved;

Whereas the Tuskegee Airmen proved that such skill and devotion, and not skin color, are the determining factors in aviation;

Whereas the Tuskegee Airmen served honorably in the Second World War struggle against global fascism; and

Whereas the example of the Tuskegee Airmen has encouraged millions of Americans of every race to pursue careers in air and space technology: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring)*, That it is the sense of Congress that the United States Air Force should continue to honor and learn from the example provided by the Tuskegee Airmen as it faces the challenges of the 21st century and the war on terror.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oklahoma (Mr. COLE) and the gentleman from Arkansas (Mr. SNYDER) each will control 20 minutes.

The Chair recognizes the gentleman from Oklahoma (Mr. COLE).

GENERAL LEAVE

Mr. COLE. 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. 417.

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

There was no objection.

Mr. COLE. Mr. Speaker, I yield such time as he may consume to the gentleman from Nevada (Mr. PORTER), the author of this resolution.

(Mr. PORTER asked and was given permission to revise and extend his remarks.)

Mr. PORTER. Mr. Speaker, the storied history of our Nation's Armed Forces was written by the great men and women who served our country with honor and bravery. This past weekend, we celebrated the commemoration of a monument to World War II honoring all military veterans of the war, citizens on the home front, the Nation at large, and the high moral purpose and idealism that motivated our Nation's call to arms. In my home State of Nevada, I had the honor of spending Memorial Day at several events honoring veterans, many of whom served during World War II.

Among the most courageous of all those who served our country was a group of men who defied both fascism abroad and racism at home while establishing a record as one of the most successful fighting units in American history.

The Tuskegee Airmen were a group of dedicated and determined young men who enlisted to become America's first African American airmen. These airmen were trained at Tuskegee Army Airfield in Tuskegee, Alabama, beginning in 1941. Over the course of their service during World War II, the Tuskegee Airmen distinguished themselves over the skies of Europe.

Airmen trained at Tuskegee received two Presidential Unit citations for outstanding tactical air support and aerial combat, and they established the incredible and unprecedented record of flying more than 200 bomber escort missions without the loss of a single bomber to enemy aircraft. The outstanding record of these men was accomplished while fighting two wars, one against military forces overseas and the other against racism both at home and abroad.

Over the course of World War II, the Tuskegee Airmen returned home with some of our Nation's highest military honors, including 150 Distinguished Flying Crosses, 744 Air Medals, eight Purple Hearts, and 14 Bronze Stars. In addition, these brave pilots destroyed more than 1,000 German aircraft.

Many Americans became aware of the accomplishments of the Tuskegee Airmen from the 1995 feature film starring Lawrence Fishburn called ''The Tuskegee Airmen.'' My first personal experience with these fine men came through a former member of my staff, Traci Scott, now serving with the Pentagon in Baghdad, whose father served with the Airmen, Captain Jesse H. Scott. After hearing his story, I wanted to do something special to honor this brave and honored group of soldiers.

Captain Scott was an original member of the Tuskegee Airmen. In fact, he was so eager to join that he lied about his age to get accepted. As he progressed through flight training, Captain Scott learned he was color blind and went on to serve on the ground crew of General Ben Davis. Captain Scott passed away in the year 2000, and he is honored being buried in Arlington Cemetery.

I am proud to offer a resolution in honor of Captain Scott and honoring

the Tuskegee Airmen for their contributions to our Nation and the example they continue to offer us today.

I also had the opportunity to meet with Mr. George Sherman, another former Tuskegee Airman, who now resides in Las Vegas, Nevada. I was privileged to spend the morning with Mr. Sherman and his son as he shared with me firsthand accounts of what it was like to be a Tuskegee Airman. Mr. Sherman's memories and photos provided a small glimpse into the life of these men and how their life was led. Mr. Sherman and his son now travel to various schools sharing the story of the Tuskegee Airmen and are also actively involved in the Young Eagles program encouraging students to become more involved in aviation.

As a Tuskegee Airman, George Sherman gained a lifelong love of aviation, and today he continues to share that love as he passes his knowledge and experience to new generations.

I urge Members to join in recognizing the accomplishments of this unique group of American heroes as our Nation engages in combating terrorism around the world. We rely upon the global reach and the presence provided by our Air Force. Mr. Speaker, the example set by the Tuskegee Airmen encouraged millions of Americans of every race to pursue careers in space and air technology. The Tuskegee Airmen proved that skill and determination, not skin color, are the determining factors in aviation.

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

Mr. Speaker, I rise in support of House Concurrent Resolution 417, introduced by the gentleman from Nevada (Mr. PORTER). This resolution recognizes and honors the Tuskegee Airmen for their contribution in World War II that led to the creation of an integrated United States Air Force.

The Tuskegee Airmen not only faced the dangers of war but they did so in the face of prejudice and discrimination back home. Prior to 1940, African Americans were denied the opportunity to fly military aircraft. However, after pressure from civil rights organizations and others, the Army Air Force began a program to train African Americans as military pilots. The so-called ''Tuskegee Experiment'' began on July 19, 1941, at the Tuskegee Institute in Alabama. The institute, founded by Booker T. Washington in 1881, provided the primary flight training for the first fighter pilots and became the center of African American aviation during World War II.

The Tuskegee Airmen included not only fighter pilots but also navigators, bombardiers, maintenance and support personnel that provided support for the famed 99th Fighter Squadron and the 332nd Fighter Group.

I think of one of my constituents, Mr. Milton Crenshaw from Arkansas, who was one of the pilot instructors. In 1939, he took a bus from Little Rock to Tuskegee, a young, African American man seeking a career in car engineering at the Tuskegee Institute only to be drawn into the excitement of flight. He became one of the few African American pilot instructors in America and taught numerous Tuskegee Airmen of the 99th Fighter Wing how to fly. The 99th Fighter Squadron, led by the late General Ben Davis, was originally sent to North Africa but moved to the European continent and flew over Anzio in 1944. The 99th held the record of 200 combat missions without losing a single bomber to enemy fire.

The men and women who were part of the Tuskegee experience proved that service, duty, and country were not limited by the color of a person's skin, but that all Americans regardless of race could succeed through hard work, dedication, and commitment. While their training occurred under a segregated condition, their focus was on the goal of all pilots regardless of race: avoidance of abrupt and surprising contact with Mother Earth.

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

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

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

Mr. Speaker, it is a great honor for me to request consideration of H. Con. Res. 417 because this resolution honors a remarkable group of African Americans who played a pivotal role in the military history of our country. They are not the only segregated unit to do so, of course. The 54th Massachusetts during the Civil War, the 9th and 10th Buffalo Calvary, which were honored with the name Buffalo Soldiers by their native American adversaries in the latter part of the 19th century, a group which constructed Fort Sill in my own district and won lasting fame there. And of course more recently, the 761st Tank Battalion whose exploits have been chronicled in a fine volume by Kareem Abdul-Jabbar.

But today, we are here to honor the Tuskegee Airmen who with their professionalism, their skill, and courage not only made an important contribution to fighting tyranny during the Second World War but also helped to forge the United States Air Force into the world's dominant air and space team.

On July 19, 1941, the Army Air Force began a program in Alabama at the Tuskegee Institute to train African Americans as military pilots. The primary flight training was conducted by the Division of Aeronautics at the institute founded by Booker T. Washington, and the transition to combat aircraft was conducted at nearby Tuskegee Army Airfield.

The first group of pilots completed training 9 months later in March 1942. Among that vanguard group was then-Captain Benjamin O. Davis, Jr., a future living legend in the Air Force who went on to become one of its greatest leaders. In the National Defense Authorization Act for fiscal year 1999, the Congress authorized the President to advance Lieutenant General Davis to the grade of General on the retired list of the United States Air Force.

That initial group of Tuskegee pilots was assigned to the famous 99th Fighter Squadron, which was eventually deployed on May 31, 1943, to fly P–40 Warhawks in combat missions in North Africa, Sicily, and throughout Italy. Later Tuskegee graduates were assigned to the 332nd Fighter Group and began overseas combat operations in Italy flying the P–40 and P–39 Airacobra.

Before the war ended, the Tuskegee program had graduated 992 pilots and 450 Tuskegee Airmen had flown over 15,000 combat sorties overseas. Approximately 150 men had been killed over the course of the program, with 66 killed in action. The combat record of these segregated units was superb. They destroyed or damaged 136 enemy aircraft in air-to-air combat and another 273 on the ground. They were highly decorated with over 150 Distinguished Flying Crosses being awarded to African American pilots.

The most impressive achievement of the 332nd Fighter Group was flying over 200 bomber escort missions over Central and Southern Europe without losing a single bomber to enemy aircraft. This unprecedented record was not lost on enemy fighter pilots who often elected to avoid attacking bomber formations when they realized that the fighter escort was the Red Tail fighters of the 332nd.

The challenges confronted by the Tuskegee Airmen were not limited to the wartime skies over Europe. Each of these men proudly met all challenges with skill and determination when racism and bigotry had caused lesser men to harass them and to seek their failure. There are a number of ways for men to display courage in their lives, but seldom are men confronted with as many tests of courage as were the Tuskegee Airmen; and very few men can claim as successful and enduring a legacy as they.

These combat pioneers distinguished themselves throughout their service in war and peace and over time redefined America's understanding of African Americans as warriors and leaders and set the stage for the racially integrated Air Force that achieved so much in the years to follow.

Mr. Speaker, I commend the gentleman from Nevada (Mr. PORTER) for introducing this resolution. I feel very fortunate to have had the opportunity to address the House on this issue and recognize the contributions of Tuskegee Airmen to America.

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

Mr. SNYDER. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. DAVIS), formerly from Arkansas.

Mr. DAVIS of Illinois. Mr. Speaker, I thank the gentleman from Nevada (Mr. PORTER) for introducing this legislation.

It just happens that yesterday I spent part of the morning with several former, and one is never a former Tuskegee Airman, with several Tuskegee Airmen as we gathered, as we do every Memorial Day, at the Oakwood Cemetery in Chicago, to pay tribute to veterans and especially to our former mayor, Harold Washington. Of course, we got wet in the rain because these guys would never quit until they accomplished what they set out to do.

All African Americans that I know take great pride in Tuskegee Institute, the institution founded by Booker Washington; but they take even greater pride in the exploits of this group of airmen who learned to fly, many of whom had no idea as they were growing up that they would get an opportunity to sail like a bird across the sky.

□ 1445

I have been fortunate to interact with the Dodo Chapter, and one of my most prized possessions is a jacket that they gave me one year that I still have, because every year we also honor African American women who pioneered in aviation. I am also fortunate because every year I have a picnic and parade for kids to go back to school, and the Tuskegee Airmen always fly a formation across the site of our picnic. So I say thanks to them on a very personal basis.

My good friend Roy Chappell was president of the Dodo Chapter for a number of years; Mr. Rufus Hunt is their historian; and, yes, they have created and provide a great legacy; and they teach young African American children how to fly.

I have been able to send a large number of youngsters, and they take them, and they used to use Meigs Field until it was closed, and now they use the airport in Gary, Indiana, and they take these young inner-city children for their first ride in an airplane. So I salute their past exploits, but I also commend them for what they are doing today to continue this great legacy and this great tradition.

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

Mr. SNYDER. Mr. Speaker, I yield such time as he may consume to the gentleman from Missouri (Mr. SKELTON).

Mr. SKELTON. Mr. Speaker, I thank the gentleman from Arkansas (Mr. SNYDER) for yielding me time.

Mr. Speaker, today I am pleased to support this resolution honoring the Tuskegee Airmen and their valuable contribution to the United States of America.

During the Second World War, the Army Air Force, as it was then known, and now, of course, known as the United States Air Force, played a vital role in achieving allied victory, particularly in Europe. With their superior aviation skills and with courage in the face of danger, the men who flew for the Army Air Force demonstrated the true meaning of honor.

While World War II was being fought to provide human dignity and freedom to millions of people there on the European continent, here at home there were millions of people prevented on a daily basis from exercising full freedom and full equality.

The Tuskegee Airmen were the first to break that cycle in the military and to emerge as highly qualified pilots in the United States. They proved that race does not matter, they proved that where you come from does not matter, and it does not matter whether anyone else thinks you are capable. The only thing that matters is that you devote yourself to your talents and let history take it from there, and that is just what happened. As a matter of fact, the Tuskegee Airmen, in escorting bombers on to the European continent, never lost a bomber that they were escorting; and they were sought after by the bomber pilots because of their tremendous record and tremendous skill.

The Tuskegee Airmen led the way in opening doors for people from all races and all walks of life to follow their dreams of aviation and military service. Of course, I am very pleased that it was our own Missourian, Harry S. Truman, who integrated the Armed Forces in 1948 after this very positive effort by the Tuskegee Airmen during the Second World War.

As highly skilled pilots, the Tuskegee Airmen made great contributions to the fields of military air as well as space technology. The Nation owes these men a debt of gratitude for having the courage to stand up for something in which they believed and for forcing the rest of the Nation to look past its prejudices and truly appreciate the skills and loyalty with which they served our Nation. I am honored to stand here today and support this important resolution.

As a matter of fact, Mr. Speaker, on two occasions I had the honor of being with Tuskegee Airmen. The first was a dinner where I was the Speaker at an event at then Richards Gebaur Air Force Base south of Kansas City, where Tuskegee Airmen from all across the country were honored; and another time at Ramstein Air Force Base, where a leader of that group was honored at a luncheon. So it is with great pride that I am here to speak in favor of this resolution.

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

Mr. Speaker, I would like to offer a personal observation that was actually provoked by the gentleman from Missouri.

My father was a member of the United States Army Air Force. He joined in 1940. He grew up in a time and in a place where segregation was a very common thing, and not only common in the culture, but legal, recognized by law, enforced by law, and he thought joining the United States Army Air Corps was a way out and a way up for him, and it certainly was, given his background and given his station in life.

But it did more than that. Over the course of his lifetime, it transformed his views, it widened his horizons. He often talked about the United States Air Force or the Army Air Corps and later the Air Force to me as I grew up. I actually grew up when he was still a member of that. And he reflected on the tremendous lesson it had taught him about humanity, about the wonderful diversity of America and about the equality of all men in combat and all men under the law.

He often cited, frankly, the Tuskegee Airmen as people who had begun the transformation of the South, had begun the transformation of race in this country and had contributed mightily.

So it is a particular honor again to recognize these people, who were not only so brave in defending their country and so skilled in combat that they were recognized by their enemy but who taught us Americans a far greater lesson than we could expect any group of men to do, who reminded us again of the unfulfilled ideals of our country and moved us toward the ultimate realization of those ideals.

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

Mr. Speaker, I urge the House to support this resolution that recognizes not only the contributions of the Tuskegee Airmen to World War II but also how they helped transform America.

Mr. SPRATT. Mr. Speaker, I rise in favor of H. Con. Res. 417, the Tuskegee Airmen Recognition Resolution. Books and movies both document the historic achievements of the Tuskegee Airmen. Today, I urge my colleagues to pass this resolution confirming the renown of these World War II heroes. Despite racial segregation and discrimination, the Tuskegee Airmen lived up to the words of General MacArthur, years before he spoke them: "Yours is the profession of arms, the will to win, the sure knowledge that in war there is no substitute for victory . . . the very obsession of your public service must be duty, honor, country."

The Tuskegee Airmen were dedicated young men who became America's first African-American airmen, defying the many people who thought they lacked the intelligence, skill, courage, and patriotism to fly. Training for the first aviation class began in July 1941 and ended 9 months later in May 1942 with the successful graduation of five of the 13 original cadets. From 1942 until 1946, the Tuskegee Experiment produced nearly 1,000 pilots, with 450 serving overseas in the 99th Fighter Squadron and the 332nd Fighter Group. The 332nd flew 1,578 missions which involved nearly 16,000 sorties and accumulated 111 kills (plus one destroyer sunk using a plane's machine gun).

The feats of the Tuskegee Airmen weren't limited to its aviators. For every mission flown, there were scores of men and women who performed ground-support duty as aircraft and engine mechanics, armament specialists, radio repairmen, parachute riggers, control tower operators, military policemen, and administrative clerks. Their achievements represented a true team effort. The unit was highly decorated, earning 150 Distinguished Flying

Crosses, 744 Air Medals, 8 Purple Hearts and 14 Bronze Stars. But their most important achievement was never losing a single bomber to enemy aircraft—the only escort unit to earn that record.

The impact of the Tuskegee Airmen was felt well beyond the skies of Europe and North Africa. Their actions spearheaded and influenced social changes back home, and resulted in the integration of our Armed Forces. In 1948, President Harry Truman enacted Executive Order Number 9981 which directed equality of treatment and opportunity in all of the United States Armed Services. This order not only led to the end of racial segregation in the military; it was also a long step towards racial integration in the United States.

I proudly salute the Tuskegee Airmen and ask my colleagues to support this resolution.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to support this important resolution and to send a word of thanks to Mr. PORTER of Nevada as well as to the Members of the House Committee on Armed Services for having passed it. At a time when we must deal with a human rights crisis potentially perpetrated by our own military, it is admirable that we now highlight a positive example of respect for human rights and civil rights in our Armed Forces.

In conjunction with the ''Wings Over Houston Air Show'' (WOHA) that took place in Houston during this past fall school semester, five members of the famed Tuskegee Airmen visited middle and high school students at M.O. Campbell Educational Center in Houston's Aldine Independent School District. Lt. Col. Lee Archer, Lt. Col. Charles McGee, Dr. Roscoe C. Brown, Jr., Lt. Col. Herbert ''Gene'' Carter and George Watson, Sr. visited with Leadership Officer Training Corps (LOTC) and Junior Reserve Officer Training Corps (JROTC) students to talk about their roles as pilots and ground support personnel during World War II and how their presence in the armed forces helped to break down racial barriers for those who came after them. I am proud to also acknowledge my father-in-law Philip Lee, a committed and dedicated Tuskegee Airman, his service contributed to the finest servicing their country well in time of war.

One of the things that stood out was a question that Lt. Col. Charles McGee posed before leaving the students:

> Think about this, you are going to be responsible for what happens in this country for the next 15 or so years . . . What will you contribute to it?

I highlighted this question because it is very applicable to the current situation that we face in Abu Ghraib. We must be accountable for the way we treat our brothers as well as our foreign neighbors. The human rights element of the civil rights struggle for African Americans can be used to guide our actions today in Iraq and every day. Because of the fortitude and commitment shown by the Tuskegee Airmen, our Armed Forces have the talent and skill that allow us to sleep at night knowing that we are in the most capable hands.

A program began on July 19, 1941 in Alabama to train black Americans as military pilots. Flight training was conducted by the Division of Aeronautics of Tuskegee Institute, the famed school of learning founded by Booker T. Washington in 1881. Once a cadet completed primary training at Tuskegee's Moton Field, he was sent to nearby Tuskegee Army Air Field for completion of flight training and for transition to combat type aircraft. The first classes of Tuskegee airmen were trained to be fighter pilots for the famous 99th Fighter Squadron, slated for combat duty in North Africa. Additional pilots were assigned to the 332d Fighter Group which flew combat along with the 99th Squadron from bases in Italy.

In Sept. 1943, a twin-engine training program was begun at Tuskegee to provide bomber pilots. However, World War II ended before these men were able to get into combat. By the end of the war, 992 men had graduated from pilot training at Tuskegee. 450 of these men were sent overseas for combat assignment. Approximately 150 lost their lives while in training or on combat flights. More men were trained at Tuskegee for aircrew and ground crew duties—flight engineers, gunners, mechanics, and armorers.

Mr. Speaker, as we move forward in the international fight against terrorism, the spirit and tenacity of the Tuskegee Airmen must inspire us to fight terror together as a team. The team must be comprised of all of our international neighbors. I support this resolution and am honored to share these words.

Ms. KILPATRICK. Mr. Speaker, I welcome the opportunity to speak in support of this resolution honoring the Tuskegee Airmen. It is only fitting after coming off a Memorial Day weekend where we celebrated and remembered those who served our country in World War II that we pay tribute to the contributions the Tuskegee Airmen made to the Allied victory. They did more than just help win the war. The Tuskegee Airmen had a major impact on the U.S. armed services, in general, and our air force in particular.

The men of Tuskegee overcame prejudice, racism and bigotry in order to serve their country. In many quarters, they were not wanted. Tuskegee trainees were expelled from the flight-training program for the slightest reasons, but they would not be denied the opportunity to do their duty for their country. They were determined to overcome tremendous obstacles because they had to exceed standards established for regular recruits. From them, more was expected, and to the benefit of our country, more was given. The Tuskegee pilots who survived a rigorous training program were an elite and highly motivated group.

The Tuskegee Airmen were organized in 1941 when plans were approved to establish a segregated air unit, the 99th Pursuit Squadron, and base it near Tuskegee, Alabama. They provided close air support and bomber escort missions and saw action in Italy, the Mediterranean, North Africa, and the bombing of Berlin.

In World War II, the Tuskegee Airmen compiled a record of shooting down 111 enemy aircraft and destroyed another 150 aircraft on the ground. They destroyed transport railroads, sank a Germany destroyer and 40 other boats and barges. Some 450 pilots flew combat missions. They flew 200 bomber escort missions against some of the most heavily defended targets in Hitler's Germany and never lost a bomber to the German Luftwaffe.

They played a vital role in defending our country against the Axis powers and just as importantly played a major part in breaking down racial barriers in the military and American society as a whole. They served in the most technically advanced and sophisticated branch of America's fighting forces, the Army Air Corps. When they earned their wings they engaged in one of the advanced air forces in the world, the Luftwaffe. And in doing so, they and we emerged victorious.

Being privileged to represent a good part of the City of Detroit, I am proud to say Detroit hosts the National Museum of the Tuskegee Airmen. Among the Tuskegee alumni was our own former Mayor of Detroit, Coleman Young. It was in Detroit that the Tuskegee Airmen, Incorporated was founded. This organization exists to motivate and inspire young Americans to pursue careers in aviation, aerospace, the military and to become active participants in civic affairs. We in Detroit have a close affinity with the Tuskegee Airmen, and I thank the leadership for allowing this resolution to be scheduled for today.

Mr. RANGEL. Mr. Speaker, I rise to acknowledge the Tuskegee Airmen, African-American pioneers for their courageous service to our country and lasting legacy of valor and military excellence. I strongly support H. Con. Res. 417 in honoring the Tuskegee Airmen and their contribution in creating an integrated United States Air Force, the world's foremost Air and Space Supremacy Force.

The service that the Tuskegee Airmen performed during World War II for our country was extraordinary. In a time of racial turmoil they dedicated their lives and served this country to their fullest capability. They simultaneously defied the odds and limitations set both abroad and at home. These men overcame what were seemingly insurmountable obstacles at the time and are regarded as American military pioneers.

The Tuskegee Airmen epitomize the American dream. History shows that blacks had been trying to gain entrance into the Army Air Corps since World War I. By the end of World War II the Tuskegee Airmen had received 95 Distinguished Flying Crosses, 744 Air Medals and Clusters, a Legion of Merit, completed 1,578 missions and 15,553 sorties, and graduated 993 pilots. They had gone from being barred from the Air Corps to being regarded as one of the most successful units in American history. The Tuskegee Airmen were called upon by our country and willingly accepted the challenge. They proved that skill and dedication were the determining factors of success, not race or skin color.

The Tuskegee Airmen continue to serve as role models for members of the armed forces throughout the world. Many of their combat records are unmatched today and their sacrifices must never be forgotten. These courageous men embody the spirit of America and are an integral part of our nation's history. It is only appropriate that servicemen of such valor be acknowledged.

Ms. MAJETTE. Mr. Speaker, as we stand here on the heels of Memorial Day, a time for honoring those who have fought and died to preserve our freedom, I rise to add my voice to the growing chorus of those singing the praises of the Tuskegee Airmen.

When the brave men and women of our armed services swear their enlistment oath, they pledge to defend the Constitution against enemies both foreign and domestic. And although the Tuskegee Airmen won many a battle in the skies over North Africa and Europe, it is their triumph over oppression at home that counts as their greatest victory.

From their inception at the Tuskegee Army Air Field in the summer of 1941, to their first

combat in North Africa in 1943, to President Truman's desegregation order in 1948, the Tuskegee Airmen battled racism and hatred at every turn.

They represented their country when we needed them most, and, despite all hardships, they did so with class, professionalism, and excellence, earning distinction among the Army Air Corps' most decorated pilots.

The Tuskegee Airmen served with pride and honor, and returned home to find that the freedoms they had fought so hard to preserve were not extended to them. Instead of being welcomed as the heroes they were, they faced intense segregation in the very land many of them gave their lives to protect. Still, they held their heads high and continued to struggle for justice and equality, this time not in a far-of nation, but from their homes in rural Alabama.

Mr. Speaker, we are all beneficiaries of the work of these brave men both at home and abroad, and I am privileged to count several of them among my constituents.

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

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

The SPEAKER pro tempore (Mr. UPTON). The question is on the motion offered by the gentleman from Oklahoma (Mr. COLE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 417.

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. COLE. 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 60TH ANNIVERSARY OF ALLIED LANDING AT NORMANDY DURING WORLD WAR II

Mr. RYUN of Kansas. Mr. Speaker, I move to suspend the rules and pass the Senate joint resolution (S.J. Res. 28) recognizing the 60th anniversary of the Allied landing at Normandy during World War II.

The Clerk read as follows:

S.J. RES. 28

Whereas June 6, 2004, marks the 60th anniversary of D-Day, the first day of the Allied landing at Normandy during World War II by American, British, and Canadian troops;

Whereas the D-Day landing, known as Operation Overlord, was the most extensive amphibious operation ever to occur, involving on the first day of the operation 5,000 naval vessels, more than 11,000 sorties by Allied aircraft, and 153,000 members of the Allied Expeditionary Force;

Whereas the bravery and sacrifices of the Allied troops at 5 separate Normandy beaches and numerous paratrooper and glider landing zones began what Allied Supreme Commander Dwight D. Eisenhower called a ''Crusade in Europe'' to end Nazi tyranny and restore freedom and human dignity to millions of people;

Whereas that great assault by sea and air marked the beginning of the end of Hitler's ambition for world domination;

Whereas American troops suffered over 6,500 casualties on D-Day; and

Whereas the people of the United States should honor the valor and sacrifices of their fellow countrymen, both living and dead, who fought that day for liberty and the cause of freedom in Europe: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That Congress—

(1) recognizes the 60th anniversary of the Allied landing at Normandy during World War II; and

(2) requests the President to issue a proclamation calling on the people of the United States to observe the anniversary with appropriate ceremonies and programs to honor the sacrifices of their fellow countrymen to liberate Europe.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kansas (Mr. RYUN) and the gentleman from Arkansas (Mr. SNYDER) each will control 20 minutes.

The Chair recognizes the gentleman from Kansas (Mr. RYUN).

GENERAL LEAVE

Mr. RYUN of Kansas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on S.J. Res. 28.

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

There was no objection.

Mr. RYUN of Kansas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, 60 years ago this month, on June 6, 1944, Allied airborne and seaborne forces invaded Normandy, France, at the start of Operation Overlord. On that first day, more than 150,000 Allied military personnel came ashore and over 6,500 American troops became casualties.

Leading the overall Allied effort in what he would describe as a ''Crusade in Europe'' was a Kansas native, General Dwight D. Eisenhower. Among the first wave of soldiers on June 6 to storm ashore into the devastating fires of the German defenses were soldiers of the 1st Infantry Division, a proud Army unit with long-standing ties to Fort Riley, Kansas, which I am privileged to represent.

By the end of the ''Crusade in Europe,'' the 1st Division, also known as the Big Red One, had suffered more than 21,000 casualties among the nearly 44,000 men who had served in its ranks. Sixteen of its soldiers were awarded the Medal of Honor. The division's motto exemplified its service: ''No mission too difficult, no sacrifice too great. Duty first.''

Mr. Speaker, this resolution properly honors the valor and sacrifices of our fellow countrymen who 60 years ago answered the call to duty and fought to restore freedom and human dignity to millions of people.

This resolution should also remind us, Mr. Speaker, that today many tens of thousands of American military men and women are fighting a global war on terrorism. In the process, they are again answering the same call to duty as the men of D-Day. While the places and enemies have changed, the objective has not. They fight today to protect America and to restore freedom and human dignity to millions.

Mr. Speaker, I urge my colleagues to support this resolution. It truly is a recognition and celebration of the brave deeds by bold men who earned a rightful place in American history over 60 years ago in the landing zones, beaches and battlefields of Normandy. But as we celebrate their achievements, let us not forget that bold brave men and women continue to serve this Nation admirably around the world.

Mr. Speaker, I ask for a ''yes'' vote as a fitting honor for today's heroes.

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

Mr. Speaker, I rise in support of Senate Joint Resolution 28, introduced by Senator BEN NIGHTHORSE CAMPBELL, and commend my colleague, the gentleman from New Jersey (Mr. SMITH), the chairman of the Committee on Veterans Affairs, for introducing an identical bill in the House, H.J. Res. 93.

Mr. Speaker, this resolution recognizes the 60th anniversary of one of the most important and critical military operations of World War II, the Allied landing at Normandy on June 6, 1944.

This past Saturday, we honored World War II veterans with the official dedication of the first National Memorial that honors all those who served in the Second World War. This memorial is a tribute to the band of brothers who fought to restore freedom and liberty for all across the world.

The turning point in the fight to liberate Europe from the Nazis during World War II was the successful Allied invasion of France on June 6, 1944. While officially named Operation Overlord, ''D-Day'' will forever be known as the day the Allied forces stormed the beaches of Normandy that fateful morning.

As the Supreme Commander, General Dwight D. Eisenhower led the largest, most aggressive air, land and sea campaign ever undertaken during World War II. On that day, the forces of liberty stared down the evils of fascism. Five thousand naval vessels, including 3,000 landing crafts, carried 153,000 Allied forces across the channel to hit the beaches of Normandy.

While Gold, Juno Sword and Utah were taken by our allies and American forces with relatively minor opposition, for American forces that fought on the sands at Omaha, D-Day will forever live in their minds and hearts.

The landing at Omaha truly captured the bravery, determination and fortitude of the American soldier. Many of them never reached the shores of Omaha, heavily fortified and defended by the Germans. Nearly 2,500 were killed or wounded in the attack.

As the sun set on June 6, 1944, over 6,000 soldiers gave their lives that extraordinary day. Their sacrifices and those of all who fought that day allowed over 100,000 men and 10,000 vehicles to come ashore that evening, the

first wave of Americans that would be sent to the European continent to defeat Nazi Germany.

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

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

Mr. RYUN of Kansas. Mr. Speaker, I yield 6 minutes to the gentleman from New Jersey (Mr. SMITH), the sponsor of this resolution.

Mr. SMITH of New Jersey. Mr. Speaker, I thank my good friend for yielding me time.

Mr. Speaker, I rise to urge all of my colleagues to support S.J. Res. 28, a resolution recognizing the sixtieth anniversary of the Allied landing at Normandy.

Mr. Speaker, like many of my colleagues, this past weekend both my wife Marie and I joined with President Bush, former Senator Bob Dole and tens of thousands of veterans, many of them from the Second World War, as the new National World War II Memorial was dedicated.

As Marie and I stood on the Mall, we were reminded of the valor and sacrifice of millions of American men and women who wore our Nation's uniform during this war, including my father, a combat Army veteran who saw horrific combat that began in New Guinea and ended in the Philippines, and my wife's father, who served with honor and distinction on the USS *Canberra* in the South Pacific.

Several of our relatives saw combat during the Second World War, including Marie's uncle, Joseph Hahn, of the 29th Division, 116th Regiment, 121st Engineering Battalion, who hit the beaches on that historic day when the tides of war were turned in our favor. Corporal Hahn hit the beach on Omaha Beach on June 6, and he was part of that very courageous group of men who bravely fought their way through one of the most treacherous battlefields in history and made it to St. Lo on July 18th. Six weeks to advance about 30 miles underscores how bad that battle really was and how vociferous were the forces that were arrayed against them. But they prevailed!

□ 1500

It occurred to me at the monument dedication Saturday, Mr. Speaker, that World War II could have had a different outcome and could have turned out differently. Nowhere is this more evident than the D-Day landings on June 6 of 1944.

Many Americans look back upon D-Day and think that it was the inevitable beginning of Europe's liberation from the clutches of Nazi Germany. Yet, on June 6, 1944, failure was still possible. In fact, when we pause and consider the magnitude and the scale of such an enormously complicated military operation waged by multiple nations, it sometimes seems amazing that the operation ever succeeded.

Historian Stephen Ambrose put the significance of this operation into perspective. He said, ''You can't exaggerate it. You can't overstate it. D-Day was the pivot point of the 20th century. It was the day on which the decision was made as to who was going to rule this world in the second half of the 20th century. Is it going to be Nazism, is it going to be Communism, or are the democracies going to prevail?'' He goes on to say, ''If we would have failed on Omaha Beach and on the other beaches on the 6th of June in 1944, the struggle for Europe would have been a struggle between Hitler and Stalin, and we would have been out of it.''

Mr. Speaker, it is worth noting that even General Dwight D. Eisenhower himself was not completely confident of victory. Prior to the launch of the great amphibious assault, he scribbled a note, a brief note about what he would say to the press in the event that the invasion failed, and he kept it in his wallet. While General Eisenhower had reasonable faith in his war plan, he was also fully cognizant of just how badly things could go awry in the fog of war, even if everything else had gone perfectly and went out on schedule.

As we all know now, Mr. Speaker, as dawn broke on June 6, 1944, a great invasion force stood off the coast of Normandy awaiting the commencement of Operation Overlord. In all, there were nine battleships, 23 cruisers, 104 destroyers, and 71 large landing craft of various descriptions, as well as troop transports, mine sweepers, and merchantmen. Combined, these forces constituted nearly 5,000 ships of every type, the largest armada ever assembled. Allied air forces flew 11,000 sorties to provide air cover, bomb fortifications, and, most importantly, to pin down German tanks poised to drive any Allied beachhead back into the sea.

As Operation Overlord continued, several of the Allied beach landings went relatively smoothly and according to plan. But at the beach codenamed Omaha, many things seemed to go wrong all at once for the primarily American force. According to some estimates, barely one-third of the first wave of attackers ever reached dry land. Only sheer bravery and the monumental effort of human will posed against impossible odds carried the day at Omaha Beach. About 2,500 men were killed or wounded at Omaha Beach alone.

By the end of D-Day, the total of dead and injured topped 9,000. The American share was about 6,500. Among the American airborne divisions, about 2,500 became casualties. Canadian forces experienced about 1,100 casualties, and another 3,000 British soldiers were killed or wounded. Approximately one-third of the casualties were killed in action.

Despite the losses and the unspeakable hardship endured by so many, the invasion succeeded. More than 100,000 men and 10,000 vehicles came ashore that day, the first of millions who would join them and finally put an end to Nazi Germany.

Mr. Speaker, our Nation must never take for granted the sacrifices that were made to liberate Europe and to preserve freedom. We must never forget the veterans who scaled the cliffs and stormed the beaches of Normandy against overwhelming odds.

I urge all Members to strongly support this resolution.

Mr. SNYDER. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. EVANS), the ranking member of the House Committee on Veterans' Affairs.

Mr. EVANS. Mr. Speaker, I rise in support of this resolution, a measure to recognize the 60th anniversary of D-Day in honor of the Allied forces who participated in that battle.

I want to thank the ranking member, the gentleman from Missouri (Mr. SKELTON), and the gentleman from Arkansas (Mr. SNYDER), and the gentleman from California (Chairman HUNTER) for their leadership as well.

Mr. Speaker, the World War II era was a decisive time for this Nation and the world; and June 6, 1944 marked perhaps the most decisive moment of that time. Winston Churchill, while discussing with President Franklin Roosevelt the Allied landing on the beaches of Normandy stated, ''This is much the greatest thing we have ever attempted.''

The D-Day landing on the Normandy beaches was the largest air, land, and sea invasion that was ever undertaken. Operation Overlord started in the early hours of June 6, 1944, and the battle for Normandy would continue throughout the summer. Indeed, the war in Europe would wage for nearly another year, until May 8, 1945. It is clear now, however, that D-Day was the beginning of the end for the war in Europe and Hitler's forces.

The Allied forces participating in that invasion suffered nearly 10,000 casualties. American troops suffered over 6,500 casualties that day. Over 9,000 American servicemembers now rest on the hallowed grounds of the World War II Normandy-American Cemetery and Memorial, situated on a cliff overlooking Omaha Beach and the English Channel, a peaceful and lasting tribute to a generation.

Mr. Speaker, this resolution is indeed an important measure as we approach the anniversary of D-Day. Let us honor and celebrate the commitments and sacrifices of our servicemembers; their efforts that day will forever stand as a defining moment in history. I urge all Members to support the resolution.

Mr. RYUN of Kansas. Mr. Speaker, I have no further speakers; however, I reserve the balance of my time.

Mr. SNYDER. Mr. Speaker, I yield such time as he may consume to the gentleman from Missouri (Mr. SKELTON), the ranking member of the Committee on Armed Services.

Mr. SKELTON. Mr. Speaker, I thank my friend, the gentleman from Arkansas (Mr. SNYDER), for yielding me this time.

Mr. Speaker, I rise today to voice my strong support for this resolution authorizing and recognizing the 60th anniversary of the Allied landing at Normandy, France, during the Second World War. By supporting this resolution, we not only encourage Americans everywhere to honor the heroic deeds and the sacrifices made by the brave Allied troops on June 6, 1944, but we also take a moment to remember our personal debt to what is now known as the Greatest Generation.

Dedication to duty, love of freedom, these things drove these courageous men to undertake and accomplish a task that seemed impossible. Such a comprehensive operation was unheard of at the time, and these men knew the risks involved. On that day, June 6, 1944, when the beaches of Normandy were stormed in the face of intense opposition, over 6,500 American soldiers made the ultimate sacrifice so that true freedom could be restored to millions of people across the European continent.

It is interesting to note that I have two good friends who were there: Dr. Tommy McDonald from Marshfield, Missouri, a sniper on that day, a recipient of the Silver Star, wounded three times; Frank Luce, from my hometown of Lexington, who not only was at Normandy but he had three tanks shot out from under him and was the recipient of the Bronze Star and the Purple Heart.

Mr. Speaker, this last Saturday I had the opportunity to have lunch with many American Legion veterans at Higginsville, Missouri, and any number of them were at day 1, 2, 3, 4, 5, 6, 7 at Normandy beach head. It was an honor and a privilege to meet with them and to thank them for their duty.

June 6, 1944, was a pivotal day. At the time, it was almost impossible to understand the full impact it would have, but here we are. Sixty years of reflection have shown that after the success of that landing, the tide of the war swung in favor of the Allies, and Adolf Hitler began his ultimate demise. Allied victory in World War II preserved freedom and humanity for millions of people and for every generation since.

On this day, we honor one generation of heroes. But as we do so, we cannot help but take a moment to remember that there is another generation making its mark right now in the middle of the deserts in the Middle East. Hundreds of thousands of men and women are currently serving overseas with the same dedication, the same love of freedom that made the landing at Normandy such a remarkable moment in history. Whether the year is 1944 or the year 2004, these individuals deserve our respect, and they deserve our gratitude.

Mr. Speaker, I am honored to support this resolution, and I commend its authors for bringing it before us today.

Mr. RYUN of Kansas. Mr. Speaker, I yield myself such time as I might consume.

In closing, I think this is a fitting tribute to the brave men who 60 years ago stormed the sandy beaches of Normandy, risking all, so that we might enjoy the freedoms that we have become accustomed to. I urge my colleagues to vote ''yes'' on this resolution, a fitting honor.

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

Mr. SNYDER. Mr. Speaker, I have no further speakers, and I urge the House to adopt this resolution in support of our many fine heroes that participated in D-Day on June 6, 1944.

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

The SPEAKER pro tempore (Mr. MURPHY). The question is on the motion offered by the gentleman from Kansas (Mr. RYUN) that the House suspend the rules and pass the Senate joint resolution, S.J. Res. 28.

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. RYUN of Kansas. 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.

## CHARLES WILSON DEPARTMENT OF VETERANS AFFAIRS OUTPATIENT CLINIC

Mr. MILLER of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4317) to name the Department of Veterans Affairs outpatient clinic located in Lufkin, Texas, as the ''Charles Wilson Department of Veterans Affairs Outpatient Clinic''.

The Clerk read as follows:

H.R. 4317

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. NAME OF DEPARTMENT OF VETERANS AFFAIRS OUTPATIENT CLINIC, LUFKIN, TEXAS.**

The Department of Veterans Affairs outpatient clinic located in Lufkin, Texas, shall after the date of the enactment of this Act be known and designated as the ''Charles Wilson Department of Veterans Affairs Outpatient Clinic''. Any reference to such outpatient clinic in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the Charles Wilson Department of Veterans Affairs Outpatient Clinic.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MILLER) and the gentleman from Texas (Mr. RODRIGUEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Florida (Mr. MILLER).

(Mr. MILLER of Florida asked and was given permission to revise and extend his remarks.)

Mr. MILLER of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 4317 would name the VA outpatient clinic in the city of Lufkin, Texas, for our former colleague, the honorable Charles Wilson of Texas. I did not have the opportunity to know Mr. Wilson during his time in Congress, but Members who worked with him remember Charlie Wilson for his steadfast support of our Nation's defense and intelligence operations.

Mr. Wilson's personal history is as spirited as the Lone Star State where he was born. Growing up in Lufkin in east Texas, he graduated from the United States Naval Academy at Annapolis in 1956 and thereafter served honorably in the United States Navy. After serving in the Texas House of Representatives and the senate, Mr. Wilson was elected to Congress in 1972. Mr. WILSON represented the second congressional district of Texas for 12 terms. He retired in 1996 and has maintained a successful consulting business here in Washington and in his native Texas.

Over 20 years ago, as a Member of the House Committee on Appropriations and the Permanent Select Committee on Intelligence, Mr. Wilson focused his energy on the plight of the Afghan people, then under invasion by the old Soviet Union. Mr. Wilson's singular effort to sustain covert U.S. aid for the rebels in Afghanistan was a crucial resource for the Afghan people to drive the Soviets out of their country. Influenced by Mr. Wilson's work in Afghanistan, the U.S. Cold War operation contributed to the eventual collapse of the USSR. These events are vividly depicted in the recent book, ''Charlie Wilson's War: The Extraordinary Story of the Largest Covert Operation in History.''

I believe using any definition of the term, Charlie Wilson is an extraordinary man in foreign affairs and in intelligence matters. Closer to home, as an advocate for our veterans and our Armed Forces, who were his constituents in Texas, Mr. Wilson played a key role in convincing the VA to open an outpatient clinic in his hometown of Lufkin.

□ 1515

The clinic can was dedicated in 1991, and it remains an important provider of health care to veterans in East Texas. I believe that our colleague, the gentleman from Texas (Mr. TURNER), the sponsor of this bill, will speak in greater detail about our former Member Charles Wilson.

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

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

Mr. Speaker, I rise in support of H.R. 4317, a bill to rename the Department of Veterans Affairs clinic in Lufkin, Texas, after a fellow Texan and our fellow Congressman Charles Wilson.

I appreciate the effort of my good friend, the gentleman from Texas (Congressman TURNER), for sponsoring this particular piece of legislation; and I

am honored to manage the time today on behalf of the Committee on Veterans' Affairs.

Charlie Wilson has had a remarkable and noteworthy career, and it is fitting to honor him by naming the VA clinic in Lufkin after him. He began his career at the prestigious U.S. Naval Academy, and he served in the Navy from 1956 to 1960. After he left the Navy, he decided to try his hand at elected office. He did well. He won his first race in 1960 and then got elected again 18 times for various offices.

He began his distinguished career representing the people of East Texas in the Texas House of Representatives for over 6 years and in the Texas Senate for an additional 3 terms. As a former member of the Texas house myself, I know the hard work and dedication required. I know Charlie Wilson gave it his all.

On November 7, 1972, in the 2nd District of Texas, Charlie Wilson was elected to the U.S. House of Representatives. The House has not known many like him. For 24 years he represented the people of East Texas often in very colorful and unforgettable ways but always with a dedication and commitment to his constituents.

His hard work earned him a spot on the Committee on Appropriations Subcommittee on Defense. He used his position not only to help Texas and America and also his constituents but to advance the United States' effort to win the Cold War and defeat the Soviet expansion. Perhaps most notably Charlie used his influence to secure billions of dollars to counter the Soviet occupation of Afghanistan. Without a doubt, his efforts helped push the Soviets out of Afghanistan and helped end the eastern bloc communism.

The CIA recognized the special nature of his efforts by making him the only civilian to receive the CIA's Honored Colleague Award. His work is now enshrined in a well-known book that may even become a movie.

While in Congress, Charlie made constituent service a top priority; and his staff regularly won praise for their hard work on behalf of the district. As a Korean War veteran, Charlie Wilson was always a strong advocate of veterans, especially in his district. He brought more veterans affairs resources to his constituents than ever before.

It is appropriate that we name the VA clinic in Lufkin for him, a proud Texan, a proud American, an outstanding veteran.

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

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

Mr. RODRIGUEZ. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. TURNER), who is the author of the legislation and also the ranking minority leader on the Select Committee on Homeland Security.

Mr. TURNER of Texas. Mr. Speaker, I thank my colleague from Texas for yielding. I want to thank all of my colleagues. I want to thank the distinguished majority leader from Texas for cosponsoring this legislation with me along with other colleagues from Texas.

This legislation, I think, does something that needs to be done, that should be done; and I think our former colleague, Congressman Charles Wilson, could think of nothing that he would rather for this Congress to do than to put his name on the veterans outpatient clinic in Lufkin, Texas, which is the largest community in our congressional district.

Charlie Wilson had a distinguished career in this body as well as in the Texas legislature. He served the public for over 36 years. He served three terms in the Texas house, three terms in the Texas Senate, and 12 terms in this body.

Charlie Wilson is, first and foremost, a soldier. In his very youngest years he dreamed of being a soldier, and he became a student of history because he loved to read about battles and about the great wars. He ended up being admitted to the Naval Academy and served both at home and abroad in the United States Navy with great distinction.

Charlie Wilson served in this body on the House Committee on Appropriations, and when he left this body he was the most senior Democrat on the Subcommittee on Foreign Operations, Export Financing and Related Programs, and a senior Democrat on the Appropriations Subcommittee on Defense. He was appointed to the Permanent Select Committee on Intelligence in the 100th Congress.

Charlie Wilson became a recognized expert on defense and intelligence matters. And as the gentleman from Florida mentioned earlier, in the book ''Charlie's War,'' the story is recounted of Charlie's devotion, commitment, and his enthusiastic efforts to help kick the Soviets out of Afghanistan. We all know that that was the last big battle before the Soviet Union fell, and many credit our efforts against the Soviets in Afghanistan as leading to the fall of the Iron Curtain.

Charlie Wilson believed in this country. He was a fierce fighter against the Communist influence that at that time was going around the world.

Charlie Wilson was recognized for his expertise not only in defense and intelligence but in the area of international energy policy. He served on the Energy Conference Committee that is responsible for the landmark comprehensive National Energy Act of 1978.

Charlie Wilson established the outpatient clinic in Lufkin. It was something that he really believed in, because in our part of this country and the rural piney woods of East Texas we have a large number of patriotic Americans who have served in the United States military. He knew that our veterans in our part of the State were having to travel over 100 miles to get to the nearest VA hospital to receive care. Because Charlie was a veteran, because he believed in standing up for veterans and he believed that every veteran should be honored for the service they have given, he fought to establish this outpatient clinic in Lufkin; and it has served the people of our area very well.

Charlie Wilson worked hard during his career to serve the needs of all veterans and of all senior citizens, and he had in his office one of the largest caseloads of veterans work of any Member of Congress. I have been pleased, in succeeding him, to have carried on that responsibility of assisting the many veterans in deep East Texas.

Charlie Wilson was a colorful Member of Congress. One did not have to wonder where Charlie Wilson stood on the issues, and one did not have to know whether you were getting a straight story or not. Because whether Charlie was talking about an issue on the floor of the Congress or talking about something going on in his district or talking about something in his own personal life, he was always very candid with his constituents; and for that they reelected him 12 times to this body.

So I am very proud that my colleagues have joined with us in introducing this resolution honoring Charlie Wilson, and I would invite all Members to join with us in adopting it.

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

Mr. RODRIGUEZ. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. LAMPSON), who also has the distinction of representing our Missing and Exploited Children Caucus and does a tremendous job in that area.

Mr. LAMPSON. Mr. Speaker, I thank my colleague for allowing me to have a few seconds to talk about my friend Charlie Wilson.

We knew him at the beginning of his service in the Texas legislature as Timber Charlie, a tall, lanky, East Texan who, as the gentleman from Texas (Mr. TURNER) just said, always spoke as straight and as straightforward as one human being can.

What a nice gentleman. Many colorful stories obviously can and have been told about him. The people remembered him and loved him throughout all of East Texas.

I remember fondly the days he would come to all of those parades we would have through East Texas. He always had a mule that he saddled up and rode in the parade, wearing brightly colored clothes and those suspenders that were always his trademark. A wonderful, caring, human being.

Charlie Wilson probably taught me more about, and I think many of the other of his colleagues and those of the House that followed him, about the job of a Member of Congress providing constituent service. He prided himself on what he did for the people at home. And it was interesting a comment that was made in an article not long ago

when he said that when the day was done, says Charlie, the working people knew I was on their side. And the blacks knew I was on their side. It is hard to explain, but there is a tolerance for human frailty that does not exist outside of East Texas.

Charlie Wilson loved his folks, still does today, and will continue; and southeast Texas will never, ever forget him. The fact that we are honoring him there with the naming of this veterans' facility is a magnificent tribute to a wonderful gentleman.

We wish you well in your retirement, Charlie Wilson. I am glad to support my colleagues in supporting this legislation.

Mr. MILLER of Florida. Mr. Speaker, I reserve the balance of our time.

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

Mr. Speaker, I would like to close with a little story that I read about Charlie Wilson. That was in his first campaign he talks about the fact that at one time when he came back from the Navy and was going to be running for office he thought that there was going to be a discussion about issues regarding taxes. He found out that, and according to the article, the story was that one of the biggest issues in East Texas at that time was that they were using dogs to hunt deer at that time way back in the early 1960s. And they got the impression that Charlie was against that, and they were extremely angry with him and upset. So one of the first things he talks about is going to deliver a speech among 3,000 people and bringing about five or six hounds with him.

So he was and is a very colorful individual. I take pride in being the manager for this bill, and I ask for the naming of the VA clinic in his name and in his honor.

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

Mr. MILLER of Florida. Mr. Speaker, this is a bipartisan bill. I urge all Members of this body to support H.R. 4317 to name the Lufkin, Texas, VA clinic the Charles Wilson Department of Veterans Affairs Outpatient Clinic.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in support of H.R. 4317.

A fellow Texan, Charlie Wilson was educated at the U.S. Naval Academy and served overseas as well as at the Pentagon. After retiring from the Navy in 1960 with the rank of Lieutenant, he returned back to Lufkin and ran successfully for the Texas Legislature, serving in that capacity for twelve years.

In 1972, Charlie was elected as the U.S. Representative for the 2nd Congressional District of Texas and began has distinguished 24-year career in the U.S. House of Representatives.

Naming the Lufkin VA Clinic in honor of Congressman Wilson would be a fitting tribute to such a devoted public servant.

Mr. MILLER of Florida. 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 Florida (Mr. MILLER) that the House suspend the rules and pass the bill, H.R. 4317.

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

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. MILLER of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4317.

The SPEAKER pro tempore (Mr. MURPHY). Is there objection to the request of the gentleman from Florida?

There was no objection.

## HEALTH, SAFETY, AND SECURITY OF PEACE CORPS VOLUNTEERS ACT OF 2004

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4060) to amend the Peace Corps Act to establish an Ombudsman and an Office of Safety and Security of the Peace Corps, and for other purposes.

The Clerk read as follows:

H.R. 4060

*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 ''Health, Safety, and Security of Peace Corps Volunteers Act of 2004''.

**SEC. 2. OMBUDSMAN OF THE PEACE CORPS.**

The Peace Corps Act (22 U.S.C. 2501 et seq.) is amended by inserting after section 4 the following new section:

**''SEC. 4A. OMBUDSMAN OF THE PEACE CORPS.**

''(a) ESTABLISHMENT.—There is established in the Peace Corps the Office of the Ombudsman of the Peace Corps (hereinafter in this section referred to as the 'Office'). The Office shall be headed by the Ombudsman of the Peace Corps (hereinafter in this section referred to as the 'Ombudsman'), who shall be appointed by and report directly to the Director of the Peace Corps.

''(b) VOLUNTEER COMPLAINTS AND OTHER MATTERS.—The Ombudsman shall receive and, as appropriate, inquire into complaints, questions, or concerns submitted by current or former volunteers regarding services or support provided by the Peace Corps to its volunteers, including matters pertaining to—

''(1) the safety and security of volunteers;

''(2) due process, including processes relating to separation from the Peace Corps;

''(3) benefits and assistance that may be due to current or former volunteers;

''(4) medical or other health-related assistance; and

''(5) access to files and records of current or former volunteers.

''(c) EMPLOYEE COMPLAINTS AND OTHER MATTERS.—The Ombudsman shall receive and, as appropriate, inquire into complaints, questions, or concerns submitted by current or former employees of the Peace Corps on any matters of grievance.

''(d) ADDITIONAL DUTIES.—The Ombudsman shall—

''(1) recommend responses to individual matters received under subsections (b) and (c);

''(2) make recommendations for administrative or regulatory adjustments to address recurring problems or other difficulties of the Peace Corps;

''(3) identify systemic issues that relate to the practices, policies, and administrative procedures of the Peace Corps affecting volunteers and employees; and

''(4) call attention to problems not yet adequately considered by the Peace Corps.

''(e) STANDARDS OF OPERATION.—The Ombudsman shall carry out the duties under this section in a manner that is—

''(1) independent, impartial in the conduct of inquiries, and confidential; and

''(2) consistent with the revised Standards for the Establishment and Operation of Ombudsman Offices (August 2003) as endorsed by the American Bar Association.

''(f) INVOLVEMENT IN MATTERS SUBJECT TO ONGOING ADJUDICATION, LITIGATION, OR INVESTIGATION.—The Ombudsman shall refrain from any involvement in the merits of individual matters that are the subject of ongoing adjudication or litigation, or investigations related to such adjudication or litigation.

''(g) REPORTS.—

''(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this section, and semiannually thereafter, the Ombudsman shall submit to the Director of the Peace Corps, the Chair of the Peace Corps National Advisory Council, and Congress a report containing a summary of—

''(A) the complaints, questions, and concerns considered by the Ombudsman;

''(B) the inquiries completed by the Ombudsman;

''(C) recommendations for action with respect to such complaints, questions, concerns, or inquiries; and

''(D) any other matters that the Ombudsman considers relevant.

''(2) CONFIDENTIALITY.—Each report submitted under paragraph (1) shall maintain confidentiality on any matter that the Ombudsman considers appropriate in accordance with subsection (e).

''(h) DEFINITION.—In this section, the term 'employee' means an employee of the Peace Corps, an employee of the Office of Inspector General of the Peace Corps, an individual appointed or assigned under the Foreign Service Act of 1980 (22 U.S.C. 3901 et seq.) to carry out functions under this Act, or an individual subject to a personal services contract with the Peace Corps.''.

**SEC. 3. OFFICE OF SAFETY AND SECURITY OF THE PEACE CORPS.**

The Peace Corps Act (22 U.S.C. 2501 et seq.), as amended by section 2 of this Act, is further amended by inserting after section 4A the following new section:

**''SEC. 4B. OFFICE OF SAFETY AND SECURITY OF THE PEACE CORPS.**

''(a) ESTABLISHMENT.—There is established in the Peace Corps the Office of Safety and Security of the Peace Corps (hereinafter in this section referred to as the 'Office'). The Office shall be headed by the Associate Director of Safety and Security of the Peace Corps, who shall be appointed by and report directly to the Director of the Peace Corps.

''(b) RESPONSIBILITIES.—The Office established under subsection (a) shall be responsible for all safety and security activities of the Peace Corps, including background checks of volunteers and staff, safety and security of volunteers and staff (including training), safety and security of facilities, security of information technology, and

other responsibilities as required by the Director.

''(c) SENSE OF CONGRESS.—It is the sense of Congress that—

''(1) the Associate Director of Safety and Security of the Peace Corps, as appointed pursuant to subsection (a) of this section, should assign a Peace Corps country security coordinator for each country where the Peace Corps has a program of volunteer service for the purposes of carrying out the field responsibilities of the Office established under subsection (a); and

''(2) each country security coordinator—

''(A) should be under the supervision of the Peace Corps country director in each such country;

''(B) should report directly to the Associate Director of Safety and Security of the Peace Corps, as appointed pursuant to subsection (a) of this section, on all matters of importance as the country security coordinator considers necessary;

''(C) should be responsible for coordinating with the regional security officer of the Peace Corps responsible for the country to which such country security officer is assigned; and

''(D) should be a United States citizen who has access to information, including classified information, relating to the possible threats against Peace Corps volunteers.''.

**SEC. 4. OFFICE OF MEDICAL SERVICES OF THE PEACE CORPS.**

(a) REPORT ON MEDICAL SCREENING AND PLACEMENT COORDINATION.—Not later than 120 days after the date of the enactment of this Act, the Director of the Peace Corps shall submit to the appropriate congressional committees a report that—

(1) describes the medical screening procedures and guidelines used by the office responsible for medical services of the Peace Corps to determine whether an applicant for Peace Corps service has worldwide clearance, limited clearance, a deferral period, or is not medically, including psychologically, qualified to serve in the Peace Corps as a volunteer;

(2) describes the procedures and guidelines used by the Peace Corps to ensure that applicants for Peace Corps service are matched with a host country where the applicant, reasonable accommodations notwithstanding, can complete at least two years of volunteer service without interruption due to foreseeable medical conditions; and

(3) with respect to each of the fiscal years 2000 through 2003 and the first six months of fiscal year 2004, states the number of—

(A) medical screenings of applicants conducted;

(B) applicants who have received worldwide clearance, limited clearance, deferral periods, and medical disqualifications to serve;

(C) appeals to the Medical Screening Review Board of the Peace Corps and the number of times that an initial screening decision was upheld;

(D) requests to the head of the office responsible for medical services of the Peace Corps for reconsideration of a decision of the Medical Screening Review Board and the number of times that the decision of the Medical Screening Review Board was upheld by the head of such office;

(E) Peace Corps volunteers who became medically qualified to serve because of a decision of the Medical Screening Review Board and who were later evacuated or terminated their service early due to medical reasons;

(F) Peace Corps volunteers who became medically qualified to serve because of a decision of the head of the office responsible for medical services of the Peace Corps and who were later evacuated or terminated their service early due to medical reasons;

(G) Peace Corps volunteers who the agency has had to separate from service due to the discovery of undisclosed medical information; and

(H) Peace Corps volunteers who have terminated their service early due to medical, including psychological, reasons.

(b) DEFINITION.—In subsection (a), the term ''appropriate congressional committees'' means the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

(c) FULL TIME DIRECTOR OF MEDICAL SERVICES.—Section 4(c) of the Peace Corps Act (22 U.S.C. 2503(c)) is amended by adding at the end the following new paragraph:

''(5) The Director of the Peace Corps shall ensure that the head of the office responsible for medical services of the Peace Corps does not occupy any other position in the Peace Corps.''.

**SEC. 5. REPORTS ON THE "FIVE YEAR RULE" AND ON WORK ASSIGNMENTS OF VOLUNTEERS OF THE PEACE CORPS.**

(a) REPORT BY THE COMPTROLLER GENERAL.—

(1) IN GENERAL.—Not later than one year after the date of enactment of this Act, the Comptroller General shall submit to the appropriate congressional committees a report on the effects of the limitation on the duration of employment, appointment, or assignment of officers and employees of the Peace Corps under section 7 of the Peace Corps Act (22 U.S.C. 2506) on the ability of the Peace Corps to effectively manage Peace Corps operations.

(2) CONTENTS.—The report described in paragraph (1) shall include—

(A) a description of such limitation;

(B) a description of the history of such limitation and the purposes for which it was enacted and amended;

(C) an analysis of the impact of such limitation on the ability of the Peace Corps to recruit capable volunteers, establish productive and worthwhile assignments for volunteers, provide for the health, safety, and security of volunteers, and, as declared in section 2(a) of the Peace Corps Act (22 U.S.C. 2501(a)), ''promote a better understanding of the American people on the part of the peoples served and a better understanding of other peoples on the part of the American people'';

(D) an assessment of whether the application of such limitation has accomplished the objectives for which it was intended; and

(E) recommendations, if any, for legislation to amend provisions of the Peace Corps Act relating to such limitation.

(b) REPORT ON WORK ASSIGNMENTS OF VOLUNTEERS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of the Peace Corps shall submit to the appropriate congressional committees a report on the extent to which the work assignments of Peace Corps volunteers fulfill the commitment of the Peace Corps to ensuring that such assignments are well developed, with clear roles and expectations, and that volunteers are well-suited for their assignments.

(2) CONTENTS.—The report described in paragraph (1) shall include—

(A) an assessment of the extent to which agreements between the Peace Corps and host countries delineate clear roles for volunteers in assisting host governments to advance their national development strategies;

(B) an assessment of the extent to which the Peace Corps recruits volunteers who have skills that correlate with the expectations cited in the country agreements and assigns such volunteers to such posts;

(C) a description of procedures for determining volunteer work assignments and minimum standards for such assignments;

(D) a volunteer survey on health, safety, and security issues as well as satisfaction surveys which will have been conducted after the date of the enactment of this Act; and

(E) an assessment of the plan of the Peace Corps to increase the number of volunteers who are assigned to projects in sub-Saharan Africa, Asia, and the Western Hemisphere, particularly among communities of African descent within countries in the Western Hemisphere, which help combat HIV/AIDS and other global infectious diseases.

(c) DEFINITION.—In this section, the term ''appropriate congressional committees'' means the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

**SEC. 6. INSPECTOR GENERAL OF THE PEACE CORPS.**

(a) ESTABLISHMENT OF INDEPENDENT INSPECTOR GENERAL.—

(1) IN GENERAL.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(A) in section 8G(a)(2), by striking '', the Peace Corps'';

(B) in section 9(a)(1), by adding at the end the following new subparagraph:

''(X) of the Peace Corps, the office of that agency referred to as the 'Office of Inspector General'; and''; and

(C) in section 11—

(i) in paragraph (1), by striking ''or the Office of Personnel Management'' and inserting ''the Office of Personnel Management, or the Peace Corps''; and

(ii) in paragraph (2), by inserting '', the Peace Corps'' after ''the Office of Personnel Management''.

(2) TECHNICAL AMENDMENT.—Section 9(a)(1)(U) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by striking ''and'' at the end.

(b) TEMPORARY APPOINTMENT.—The Director of the Peace Corps may appoint an individual to assume the powers and duties of the Inspector General of the Peace Corps under the Inspector General Act of 1978 (5 U.S.C. App.) on an interim basis until such time as a person is appointed by the President, by and with the advice and consent of the Senate, pursuant to the amendments made in this section.

(c) EXEMPTION FROM EMPLOYMENT TERM LIMITS UNDER THE PEACE CORPS ACT.—

(1) IN GENERAL.—Section 7 of the Peace Corps Act (22 U.S.C. 2506) is amended—

(A) by redesignating subsection (c) as subsection (b); and

(B) by adding at the end the following new subsection:

''(c) The provisions of this section that limit the duration of service, appointment, or assignment of individuals shall not apply to—

''(1) the Inspector General of the Peace Corps;

''(2) officers of the Office of the Inspector General of the Peace Corps;

''(3) any individual whose official duties primarily include the safety and security of Peace Corps volunteers or employees;

''(4) the head of the office responsible for medical services of the Peace Corps; or

''(5) any health care professional within the office responsible for medical services of the Peace Corps.''.

(2) CONFORMING AMENDMENT.—The first proviso of section 15(d)(4) of the Peace Corps Act (22 U.S.C. 2514(d)(4)) is amended by striking ''7(c)'' and inserting ''7(b)''.

(d) COMPENSATION.—Section 7 of the Peace Corps Act (22 U.S.C. 2506), as amended by subsection (c) of this section, is further amended by adding at the end the following new subsection:

''(d) The Inspector General of the Peace Corps shall be compensated at the rate provided for level IV of the Executive Schedule under section 5315 of title 5, United States Code.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentlewoman from California (Ms. LEE) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SMITH).

GENERAL LEAVE

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill under consideration.

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

There was no objection.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of the Health, Safety, and Security of Peace Corps Volunteers Act of 2004.

□ 1530

The members of the Committee on International Relations received testimony in March at an important oversight hearing on the Peace Corps. We heard about some of the past problems and current problems the Peace Corps faces as it expands the number of volunteers around the world while at the same time taking into account the changed circumstances for American citizens living abroad during the post-September 11 period.

I am a very strong, long-time supporter of the Peace Corps. My colleagues and I who are strong supporters of the Peace Corps admire the sacrifice and important work that these volunteers do. We want to ensure through this legislation that the Peace Corps has the necessary procedures in place to protect our Nation's sons and daughters, or parents and grandparents, who dedicate 2 years of their lives to improving the circumstances of the peoples of the developing world.

Mr. Speaker, at the March hearing we inquired into the adequacy of safety and security practices that govern volunteer assignments in more dangerous places around the world. We found that in Bolivia in 2001 the Peace Corps did not have in place the necessary management procedures to monitor or to account for a missing volunteer named Walter Poirier. We learned that the Poirier family of Lowell, Massachusetts, had to notify the Peace Corps that their son was missing. We understand from the General Accounting Office that the Peace Corps has taken important steps to remedy some of these problems, but still there is room for improvement.

H.R. 4060 is intended to prepare the Peace Corps for expansion in a more dangerous world. The bill makes a number of important changes to the Peace Corps Act.

The legislation creates the position of ombudsman to receive and inquire into complaints, questions or concerns raised by current or former volunteers or employees regarding services or support provided by the Peace Corps. The legislation statutorily creates an Office of Safety and Security within the Peace Corps to be headed by an Associate Director for Safety and Security who shall be responsible for all safety and security activities of the Peace Corps.

This bill requires a report on the medical screening procedures and guidelines used by the Peace Corps to determine whether an applicant is medically and psychologically qualified to serve in the Peace Corps as a volunteer. The legislation also requires a report by the Comptroller General on the ''5-year rule'' which was cited by the GAO in previous reports as one of the reasons for an unacceptably high degree of staff turnover and loss of institutional memory, especially on safety and security matters.

The legislation also creates a more independent Inspector General of the Peace Corps, exempting that individual and the staff of the I.G. from the 5-year rule, and creating more accountable oversight by this committee through increased access to information from the I.G. on all matters relating to the management of the Peace Corps.

Mr. Speaker, this legislation responds to the concerns addressed by our witnesses last week and also responds to the concerns raised by current and former volunteers who have contacted the committee to discuss their experience with the Peace Corps. I ask support for this legislation.

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

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

Mr. Speaker, let me just say, Mr. Speaker, I rise today in strong support of this legislation; and I urge my colleagues to do so as well.

First, Mr. Speaker, I would like to thank the gentleman from Illinois (Mr. HYDE), the ranking member, the gentleman from California (Mr. LANTOS), and the gentleman from New Jersey (Mr. SMITH). I want to thank all of them for their very strong interest and support of the Peace Corps, its nearly 8,000 volunteers and the larger Peace Corps community.

Now, last year, Mr. Speaker, the House of Representatives approved the Peace Corps Expansion Act, which is designed to double the size of the Peace Corps and to increase its effectiveness overseas.

The legislation before us today builds upon this important initiative by focusing on the need to improve the safety and the security of our Peace Corps volunteers. While most Peace Corps volunteers have a safe and positive experience, the General Accounting Office testified before the committee that volunteers under-reported crimes against them in part due to the belief that the Peace Corps lacks the capacity or the willingness to help.

The GAO and the other witnesses also testified that the lack of well-developed assignments really discourages volunteers from adequately immersing themselves in their host communities and thereby benefiting from the protections afforded to members from these villages and also those towns.

Finally, the witnesses noted that the administrative impediments such as limitations on terms of employment within the Peace Corps and worrisome changes within the Office of Medical Services constrain Peace Corps employees from providing the best possible support to volunteers.

Mr. Speaker, the bill that we are considering today addresses these issues by establishing an ombudsman within the agency to listen and to attend to volunteer and employee concerns by increasing the independence of the Inspector General of the Peace Corps to strengthen his ability or her ability to act as a watchdog on behalf of volunteers, also by requiring the agency to study and to report to us on how it can improve programming for volunteers and by lifting the term limits for key offices within the agency. I strongly support all of these provisions.

Now, just as I support this bill to enhance the security and well-being of the volunteers, I also might mention support for legislation which I have introduced to create a special postage stamp through the Peace Stamp Act which calls for the creation of a stamp, the revenues from which would send money to the Peace Corps. This stamp would help provide funding, badly needed funding, for the increased Peace Corps force that President Bush has called for. This bill, H.R. 4060, which we have before us today, will help us ensure the well-being of an expanded Peace Corps.

Mr. Speaker, we must not lose sight of the fact that Peace Corps volunteers for over 40 years have been doing extraordinary jobs as our development ambassadors to the most remote centers of the world. They have truly been our very best ambassadors; and they have been doing their jobs, quite frankly, under very difficult and oftentimes very risky conditions. However, as we consider measures to improve the health, safety and security of our volunteers, we must be careful not to forge shields around our volunteers which will make it harder for them to reach the young English student, for example, in Central Asia or the Women's Cooperative in Peru and to reach and really pursue their own growth and development. So there is this very delicate balance that we must meet and we must put together, and I believe this bill does that.

I strongly support passage of this legislation and urge my colleagues to do so as well.

Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. FARR), a good friend, a great leader in this

House, a former Peace Corps volunteer who served in Colombia and who knows the Peace Corps backwards and forwards and who has provided many years of service not only in this body but in many legislative bodies, and I think especially and most importantly for us today as our Peace Corps volunteer.

Mr. FARR. Mr. Speaker, I thank the gentlewoman from California (Ms. LEE) for yielding me time and for allowing me to join her on the floor today. I want to thank the gentleman from Illinois (Mr. HYDE) and members of the committee for allowing me to attend the hearing that led to the markup of this bill.

I served in the Peace Corps, and it holds a really special place in my heart, as it does for four other Members of Congress who are also return Peace Corps volunteers. Our colleagues, the gentleman from Connecticut (Mr. SHAYS), the gentleman from New York (Mr. WALSH), the gentleman from Wisconsin (Mr. PETRI), the gentleman from California (Mr. HONDA) and myself all are return Peace Corps volunteers.

In the 1960s I spent 2 years serving as a Peace Corps volunteer in Colombia, South America. My experience as a Peace Corps volunteer helped me to motivate my life to public service and I think helped shape me into the person I am today. And there are tens and tens of thousands of Americans who have served in the Peace Corps in over 130 countries throughout the world and who have had similar experiences.

The vast majority of the return Peace Corps volunteers agree with the sentiment that the Peace Corps experience was the toughest job they ever loved. Peace Corps not only benefits individual Americans, but it also helps the developing world and makes the world a bit safer one volunteer at a time. The important community-based jobs the Peace Corps volunteers perform are instrumental in helping to bring about greater peace and security in the world. Not only are PCVs helping people in developing countries overcome poverty, one of the root causes of terrorism, they are also showing the world a different, friendlier face of what Americans are really like.

Peace Corps volunteers live, eat and work amongst the people in countries from Albania to Zambia. In this type of environment, where a Peace Corps volunteer is teaching hand washing to a child or computer literacy to a brother, the realization quickly dawns on the people, regardless of their nationality, that we have more similarities than differences. This people-to-people interaction is the real recipe for creating more peace and stability in the world.

Today we are discussing the Health, Safety and Security of Peace Corps Volunteers Act of 2004, which tries to improve the safety of volunteers who can sometime serve in isolated areas of the world. H.R. 4060 addresses some important issues and tries to increase the safety and oversight of the Peace Corps.

I am very pleased that this bill does not mandate that volunteers must be paired together in communities. The best security measure for Peace Corps volunteers is for them to integrate quickly into their communities. Pairing volunteers would impede I think in this integration into the host country.

My major concern with H.R. 4060, though, is that the safety and security measures should not take away from the important existing budgetary requirements of the Peace Corps. Let me end by reminding this body that in the currently constricted budget environment we need to carefully allocate our resources. Just recently, General Abizaid, who is head of the Middle East, let our Committee on Appropriations know that he thought America would never be able to have world peace until we were able to cross the cultural divides.

I cannot think of any better investment that the United States Congress can make than to fully fund the Peace Corps as the President has requested in his State of the Union Address. What he asked was to double the size of the Peace Corps, which we have, but now we have failed to meet the President's demands on what it will take to do that. That is a very bad mistake at this time in the history of the United States.

I am glad the Congress is concerned with the safety of volunteers, but I urge each of our Members, when it comes to the appropriations process, let us meet the President's request. Let us fully fund the Peace Corps. Let us indeed teach America how to cross the cultural divide and create world peace forever.

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

Mr. Speaker, I will close for our side with just these few comments. I want to thank the gentleman from California (Mr. FARR) for his comments and for his really deep and abiding commitment to the Peace Corps.

I will say that I have had the privilege since I guess about 1980 to travel and meet with Peace Corps volunteers throughout the world. What I have witnessed in terms of their level of commitment, their level of understanding of their work and their real commitment not only to their region or their community or their village where they are working but really to the entire world is really phenomenal; and I want to support the gentleman from California (Mr. FARR) in his position and his comment that we need to fully fund the Peace Corps at the levels that the administration has requested.

Having said that, let me just say how important this measure is today. Those Peace Corps volunteers who are out there, as I said earlier, representing our country, they are really our best ambassadors; and, minimally, we should provide for every bit of security and safety that they need, everything that they need to make their job not only rewarding but safe so that they can return and really share their experiences with those who have not had the opportunity to volunteer abroad and help develop even an expanded and larger Peace Corps force.

Let me thank everyone for their support of this bill for ensuring that it is a bipartisan bill.

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

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank the gentlewoman from California (Ms. LEE) for managing the bill for the Democrats and the gentleman from California (Mr. LANTOS) for his work in crafting this legislation. I especially want to thank the gentleman from Illinois (Mr. HYDE) for authoring this very important piece of legislation to make sure to the greatest extent possible that U.S. professionals—of all ages—who are deployed abroad as part of the Peace Corps, one of the finest U.S. initiatives ever created, get the best possible protection and security. We need to provide them protection, that is second to none, so that they can be safe and secure.

□ 1545

Obviously, when people are deployed to dangerous areas, there are risks that are associated with that commitment. Still, it is up to this Congress, the State Department, and the administration, to ensure that no stone is left unturned in trying to make sure that Peace Corps volunteers are safe and secure in that environment

No bill comes to this floor without a tremendous amount of work by very competent staff, and Peter Smith has helped to draft this legislation. I want to thank him especially for his fine work and his skill and expertise in drafting this bill, as well as Paul Oostburg for his work on it as well.

Mr. Speaker, I urge Members to support H.R. 4060.

Mr. HONDA. Mr. Speaker, I rise today in support of H.R. 4060—the Health, Safety, and Security of Peace Corps Volunteers Act of 2004.

This important measure amends the Peace Corps Act to establish the Office of the Ombudsman of the Peace Corps. This office will have the important role of addressing complaints or concerns regarding services or support provided by the Peace Corps to its Volunteers. The measure also establishes the Office of Safety and Security of the Peace Corps, which as the title of the section implies, will be responsible for safety and security activities of the Peace Corps.

The Peace Corps' mission of compassion, skill-sharing and diplomacy is more important today than ever before to our global village. As many parts of the world become an increasingly dangerous place to carry out this mission, we must do all we can to provide safety and security for our Volunteers.

Since 1961, Peace Corps Volunteers have strengthened the ties of friendship and understanding between the people of the United States and those of other countries. Some one hundred and seventy thousand volunteers have served in 137 countries over the past 43 years to make an impact on this world. We owe it to these Volunteers to create avenues for their concerns to be heard.

I am proud to say that as a young man, I served as a Volunteer in the Republic of El Salvador, building schools and health clinics, learning the language, and developing an enduring bond with the people, culture, and language. The experience instilled in me a profound connection to that country, and a dedication to improving international relations around the world.

Over the past 43 years, the Peace Corps has become an enduring symbol of our nation's commitment to progress, opportunity, and development at the grass-roots level in the developing world.

Mr. Speaker, the Peace Corps has been a part of my life for almost forty years. I have served as a Volunteer, I have supported important Peace Corps legislation and today I rise in support of the Health, Safety, and Security of Peace Corps Volunteers Act of 2004.

Mr. SMITH of New Jersey. Mr. Speaker, I yield back the balance of our time.

The SPEAKER pro tempore (Mr. MURPHY). The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 4060.

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

A motion to reconsider was laid on the table.

## MOUNT RAINIER NATIONAL PARK BOUNDARY ADJUSTMENT ACT OF 2003

Mr. GIBBONS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 265) to provide for an adjustment of the boundaries of Mount Rainier National Park, and for other purposes, as amended.

The Clerk read as follows:

H.R. 265

*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 ''Mount Rainier National Park Boundary Adjustment Act of 2003''.*

***SEC. 2. FINDINGS.***

*The Congress finds the following:*

*(1) The Carbon River watershed within Pierce County in the State of Washington has unique qualities of ecological, economic, and educational importance, including clean water, productive salmon streams, important wildlife habitat, active geologic processes, outdoor recreational opportunities, scenic beauty, educational opportunities, and diverse economic opportunities.*

*(2) Mount Rainier National Park is one of the premier attractions in the State of Washington, providing recreational, educational, and economic opportunities that will be enhanced by the construction of new campgrounds and visitor contact facilities in the Carbon River valley outside old-growth forest habitats and above the flood plain.*

*(3) Coordination of management across national forest and national park lands in this corridor will enhance the conservation of the forest ecosystem and public enjoyment of these public lands.*

*(4) Protection and development of historic and recreational facilities in the Carbon River valley, such as trails and visitor centers, can be facilitated by the National Park Service.*

***SEC. 3. MOUNT RAINIER NATIONAL PARK BOUNDARY ADJUSTMENT.***

*(a) BOUNDARY ADJUSTMENT.—The boundary of Mount Rainier National Park is modified to include the area within the boundary generally depicted on the map entitled ''Mount Rainier National Park, Carbon River Boundary Adjustment'', numbered 105/92,002B, and dated June 2003. The Secretary of the Interior shall keep the map on file in the appropriate offices of the National Park Service.*

*(b) LAND ACQUISITION.—The Secretary of the Interior may acquire, only with the consent of the owner, by donation, purchase with donated or appropriated funds, or exchange—*

*(1) land or interests in land, totaling not more than 800 acres, and improvements thereon within the boundary generally depicted on the map referred to in subsection (a) for development of camping and other recreational facilities; and*

*(2) land or interests in land, totaling not more than one acre, and improvements thereon in the vicinity of Wilkeson, Washington, for a facility to serve visitors to public lands along the Carbon and Mowich Corridors.*

*(c) ADMINISTRATION OF ACQUIRED LANDS.—Lands acquired under this section shall be administered by the Secretary of the Interior as part of Mount Rainier National Park in accordance with applicable laws and regulations.*

***SEC. 4. ASSOCIATED LANDS.***

*The Secretary of Agriculture shall manage that portion of the Mt. Baker-Snoqualmie National Forest lying adjacent to Mt. Rainier National Park, as identified on the map referred to in section 3(a), to maintain the area's natural setting in a manner consistent with its management as of June 1, 2003.*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nevada (Mr. GIBBONS) and the gentleman from Texas (Mr. RODRIGUEZ) each will control 20 minutes.

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

GENERAL LEAVE

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 265, the bill now under consideration.

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

There was no objection.

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

Mr. Speaker, H.R. 265, introduced by the gentlewoman from Washington (Ms. DUNN) and amended by the Committee on Resources, would authorize the Secretary of the Interior to adjust the boundary of the Mount Rainier National Park by creating a new noncontiguous unit to the park. The new area would provide for improved camping opportunities near the northwest entrance of the park, while ensuring continued access for the Muckleshoot Tribe to nearby U.S. Forest Service lands.

Today, the only road leading to the current popular campgrounds in the northwestern portion of the park continues to be flooded out by the Carbon River. I believe this bill represents a commonsense solution to this ongoing problem.

Mr. Speaker, H.R. 265, as amended, is supported by both the majority and minority members of the committee, as well as the Muckleshoot Tribe and the National Park Service. I commend the gentlewoman from Washington (Ms. DUNN) for her tireless efforts to work with all parties concerned to reach the consensus that is before us on the House floor today.

That said, Mr. Speaker, I urge adoption of this bill.

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

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

(Mr. RODRIGUEZ asked and was given permission to revise and extend his remarks.)

Mr. RODRIGUEZ. Mr. Speaker, the majority has adequately explained this piece of legislation.

I would simply note that H.R. 265, as amended, represents a cooperative effort among the bill's sponsors, the Committee on Resources and the National Park Service and the Forest Service.

The bill, as amended, is a workable solution to the resource management needs in the area, and we support the adoption of this legislation by the House today.

Ms. DUNN. Mr. Speaker, H.R. 265, The Mount Rainier Boundary Adjustment Act of 2003, will allow the National Park Service to relocate a popular campground that has limited access as the result of road damage caused by years of reoccurring floods. The road to Ipsut Creek Campground in Mount Rainier National Park is now located below the level of the Carbon River in many areas. Due to frequent road washouts, it can be difficult—if not impossible—for visitors and residents to drive safely to the campground.

There have been numerous attempts to repair this road—but, unfortunately, it continues to wash out. Previous road reconstruction after flooding has cost $750,000.

The road to the campground serves as one of the most primitive and popular entrances into Mount Rainier Park and leads to a temperate rainforest within the park as well as the beautiful Carbon Glacier.

This boundary adjustment will allow for the purchase of approximately 800 acres of private land just outside the park, allowing the campground to be moved to a more secure area and providing safe travel to the site. All of the private landowners are willing sellers, and this vital project is currently included in the National Park Service Management Plan. It has the strong support of the local residents, the Muckleshoot Indian Tribe and numerous conservation organizations.

The Congressional Budget Office released a favorable estimate for this project—stating that

this act will have no significant impact on the budgets of State, local, or tribal governments. In addition, the CBO found that annual maintenance spending at Mount Rainier will not notably increase, ensuring that the Park will not have to assume additional, costly responsibilities.

Mr. Speaker, H.R. 265 has broad, bi-partisan support and is a critical priority not only for ensuring safe travel to the Carbon River area of Mount Rainier Park, but for providing a permanent solution to an expensive, ongoing maintenance problem for our Park personnel.

I would like to thank Chairman RADANOVICH on the National Parks Subcommittee, as well as Chairman POMBO and Ranking Member RAHALL on the full Resources Committee for their help and support in bringing this legislation to the floor for consideration. I would also like to thank the majority and minority staff on the Resources Committee for their work.

Mr. Speaker, I urge my colleagues to support this legislation to help ensure safe travel in one of our Nation's most visited and well-loved National Parks.

Mr. RODRIGUEZ. Mr. Speaker, I have no additional speakers, and I yield back the balance of my time.

Mr. GIBBONS. Mr. Speaker, I have no additional speakers, and I yield back the balance of my time and urge a favorable vote on this measure.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. GIBBONS) that the House suspend the rules and pass the bill, H.R. 265, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

## REAFFIRMATION OF CERTAIN RIGHTS OF THE OSAGE TRIBE

Mr. GIBBONS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2912) to reaffirm the inherent sovereign rights of the Osage Tribe to determine its membership and form of government.

The Clerk read as follows:

H.R. 2912

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. REAFFIRMATION OF CERTAIN RIGHTS OF THE OSAGE TRIBE.**

(a) FINDINGS.—The Congress finds as follows:

(1) The Osage Tribe is a federally recognized tribe based in Pawhuska, Oklahoma.

(2) The Osage Allotment Act of June 28, 1906 (34 Stat. 539), states that the ''legal membership'' of the Osage Tribe includes the persons on the January 1, 1906 roll and their children, and that each ''member'' on that roll is entitled to a headright share in the distribution of funds from the Osage mineral estate and an allotment of the surface lands of the Osage Reservation.

(3) Today only Osage Indians who have a headright share in the mineral estate are ''members'' of the Osage Tribe.

(4) Adult Osage Indians without a headright interest cannot vote in Osage government elections and are not eligible to seek elective office in the Osage Tribe as a matter of Federal law.

(5) A principal goal of Federal Indian policy is to promote tribal self-sufficiency and strong tribal government.

(b) REAFFIRMATION OF CERTAIN RIGHTS OF THE OSAGE TRIBE.—

(1) MEMBERSHIP.—Congress hereby clarifies that the term ''legal membership'' in section 1 of the Act entitled, ''An Act For the division of lands and funds of the Osage Indians in Oklahoma Territory, and for other purposes'', approved June 28, 1906 (34 Stat. 539), means the persons eligible for allotments of Osage Reservation lands and a pro rata share of the Osage mineral estate as provided in that Act, not membership in the Osage Tribe for all purposes. Congress hereby reaffirms the inherent sovereign right of the Osage Tribe to determine its own membership, provided that the rights of any person to Osage mineral estate shares are not diminished thereby.

(2) GOVERNMENT.—Notwithstanding section 9 of the Act entitled, ''An Act For the division of lands and funds of the Osage Indians in Oklahoma Territory, and for other purposes'', approved June 28, 1906 (34 Stat. 539), Congress hereby reaffirms the inherent sovereign right of the Osage Tribe to determine its own form of government.

(3) ELECTIONS AND REFERENDA.—At the request of the Osage Tribe, the Secretary of the Interior shall assist the Osage Tribe with conducting elections and referenda to implement this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nevada (Mr. GIBBONS) and the gentleman from Texas (Mr. RODRIGUEZ) each will control 20 minutes.

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

GENERAL LEAVE

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2912, the bill now under consideration.

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

There was no objection.

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

Mr. Speaker, H.R. 2912 is sponsored by the gentleman from Oklahoma (Mr. LUCAS). This legislation would put the Osage Tribe on the same footing as every other sovereign, federally recognized tribe in the United States in terms of defining its own membership criteria and its form of government.

The Committee on Resources ordered H.R. 2912 reported by unanimous consent, and the report was filed on May 19, 2004.

The Osage Tribe is the only federally recognized tribe for which a specific act of Congress, which was passed nearly 100 years ago, mandates terms of membership in the tribe, as well as its form of government.

Under the Osage Allotment Act of 1906, as interpreted by subsequent Federal court decisions, the only legal members of the Osage Tribe are the lineal descendents of those Osage persons living before July 1, 1907, who also possess what is called a ''headright share.'' A headright share, Mr. Speaker, is a share in the royalties from mineral development in the Osage reservation.

This has had the unfortunate result of excluding people who have a high degree of Osage blood from membership in the tribe. Even though the Osage tribal leaders want to allow such disenfranchised people to become members, the 1906 act precludes them from altering their tribe's membership criteria.

The reasons for how the 1906 act came about are complicated, and though Congress may have had its reasons for mandating membership rules for the Osage people, such reasons are no longer relevant today. Preventing the tribe from determining its membership and form of government is the exact opposite of promoting self-determination.

The Committee on Resources held a hearing within the Osage reservation on March 15, 2004. We received testimony from several witnesses with a high degree of Osage blood who are part of the Osage community in Oklahoma and whom many of the tribal members want to welcome into the tribe.

But because of the 1906 act, they are not eligible to be members of the tribe because they do not own a headright share in the Osage mineral estate. They are denied the basic benefit, as well as responsibilities, of tribal membership. Some are not eligible for certain services and benefits, such as Native American scholarships. They are prohibited by law from participating in certain rituals and ceremonial events, even though they may or might, in theory, have a higher degree of Osage blood than official members of the tribe.

It is past time to consider letting the Osage Tribe decide how to govern itself as it sees fit, providing that no one loses any property or other vested legal rights in the process. H.R. 2912 includes language to ensure that no one's interest in headright shares is touched. Headrights are private property, and there is no intent to affect them under this bill.

This bill received support from all the witnesses testifying at the hearing, including the representatives of the Osage Shareholders Association, which is comprised of individuals who have a vested interest in the mineral estate of the Osage reservation.

Again, Congress is overdue in addressing this unusual problem, and I urge passage of H.R. 2912.

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

Mr. RODRIGUEZ. Mr. Speaker, I yield myself as much time as I might consume.

(Mr. RODRIGUEZ asked and was given permission to revise and extend his remarks.)

Mr. RODRIGUEZ. Mr. Speaker, the honorable gentleman from Nevada (Mr. GIBBONS) has done a beautiful job of adequately explaining the legislation.

I would simply like to add, for almost a century now the Osage Tribe of Oklahoma has lived with a cloud over their ability to determine tribal membership roles. This is a basic right afforded all Indian tribes, and I am pleased we are here to clarify the matter for the tribe.

I would also like to commend the gentleman from Oklahoma (Mr. CARSON) for his work on behalf of the legislation during its consideration by the Committee on Resources.

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

Mr. GIBBONS. Mr. Speaker, I yield such time as he may consume to the gentleman from Oklahoma (Mr. LUCAS), who is the author of this bill.

Mr. LUCAS of Oklahoma. Mr. Speaker, I am here today to bring my strong support to H.R. 2912 to reaffirm the inherent sovereign rights of the Osage Tribe to determine their membership and form of government. Because of a law created in 1906 by this Congress, the Osage Tribe has not been afforded the same rights as every other federally recognized tribe. According to that law, membership in the tribe would be extended only to those who owned a share of the Osage mineral estate and their descendents. Today, there are literally thousands of Osage Indians denied the benefits of membership simply because they do not hold a share of that estate.

H.R. 2912, which I introduced in July of 2003, was designed to clarify the 98-year-old law. It is intended to put the Osage Tribe on equal footing with all other federally recognized tribes by allowing them to determine their own membership criteria and system of government, while protecting the headrights of the shareholders.

I believe most importantly it will give many Osages, many young Osages, the opportunity to take part in Indian programs that have been previously denied to them.

At a field hearing in March of this year, members of the Committee on Resources and I heard testimony from members of the Osage Tribe, as well as others involved with Indian affairs. It was clear from the warm reception that the bill received that the Osage people are prepared for the right to decide for themselves who is and who is not a tribal member.

Mr. Speaker, I am quite confident in 1906 that this body was acting in the spirit of benevolent support to protect the Osages from what was, at that time, I should say, fantastic mineral wealth within their tribal reservation. Times have changed. The oil fields are not quite what they once were. It is important, I believe, now that we allow the Osages the same rights as every other federally recognized tribe; that we allow the Osages to go forward with their tribe.

Therefore, Mr. Speaker, I urge my colleagues to vote in favor of H.R. 2912, bringing the Osage Tribe one step closer to finally receiving that right.

Mr. RODRIGUEZ. Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

Mr. GIBBONS. Mr. Speaker, I have no further speakers, and 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. GIBBONS) that the House suspend the rules and pass the bill, H.R. 2912.

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

A motion to reconsider was laid on the table.

## NATIONAL GREAT BLACK AMERICANS COMMEMORATION ACT OF 2004

Mr. GIBBONS. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1233) to authorize assistance for the National Great Blacks in Wax Museum and Justice Learning Center, as amended.

The Clerk read as follows:

S. 1233

*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 ''National Great Black Americans Commemoration Act of 2004''.

**SEC. 2. FINDINGS.**

Congress finds the following:

(1) Black Americans have served honorably in Congress, in senior executive branch positions, in the law, the judiciary, and other fields, yet their record of service is not well known by the public, is not included in school history lessons, and is not adequately presented in the Nation's museums.

(2) The Great Blacks in Wax Museum, Inc. in Baltimore, Maryland, a nonprofit organization, is the Nation's first wax museum presenting the history of great Black Americans, including those who have served in Congress, in senior executive branch positions, in the law, the judiciary, and other fields, as well as others who have made significant contributions to benefit the Nation.

(3) The Great Blacks in Wax Museum, Inc. plans to expand its existing facilities to establish the National Great Blacks in Wax Museum and Justice Learning Center, which is intended to serve as a national museum and center for presentation of wax figures and related interactive educational exhibits portraying the history of great Black Americans.

(4) The wax medium has long been recognized as a unique and artistic means to record human history through preservation of the faces and personages of people of prominence, and historically, wax exhibits were used to commemorate noted figures in ancient Egypt, Babylon, Greece, and Rome, in medieval Europe, and in the art of the Italian renaissance.

(5) The Great Blacks in Wax Museum, Inc. was founded in 1983 by Drs. Elmer and Joanne Martin, 2 Baltimore educators who used their personal savings to purchase wax figures, which they displayed in schools, churches, shopping malls, and festivals in the mid-Atlantic region.

(6) The goal of the Martins was to test public reaction to the idea of a Black history wax museum and so positive was the response over time that the museum has been heralded by the public and the media as a national treasure.

(7) The museum has been the subject of feature stories by CNN, the Wall Street Journal, the Baltimore Sun, the Washington Post, the New York Times, the Chicago Sun Times, the Dallas Morning News, the Los Angeles Times, USA Today, the Afro American Newspaper, Crisis, Essence Magazine, and others.

(8) More than 300,000 people from across the Nation visit the museum annually.

(9) The new museum will carry on the time honored artistic tradition of the wax medium; in particular, it will recognize the significant value of this medium to commemorate and appreciate great Black Americans whose faces and personages are not widely recognized.

(10) The museum will employ the most skilled artisans in the wax medium, use state-of-the-art interactive exhibition technologies, and consult with museum professionals throughout the Nation, and its exhibits will feature the following:

(A) Blacks who have served in the Senate and House of Representatives of the United States, including those who represented constituencies in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Virginia during the 19th century.

(B) Blacks who have served in the judiciary, in the Department of Justice, as prominent attorneys, in law enforcement, and in the struggle for equal rights under the law.

(C) Black veterans of various military engagements, including the Buffalo Soldiers and Tuskegee Airmen, and the role of Blacks in the settlement of the western United States.

(D) Blacks who have served in senior executive branch positions, including members of Presidents' Cabinets, Assistant Secretaries and Deputy Secretaries of Federal agencies, and Presidential advisers.

(E) Other Blacks whose accomplishments and contributions to human history during the last millennium and to the Nation through more than 400 years are exemplary, including Black educators, authors, scientists, inventors, athletes, clergy, and civil rights leaders.

(11) The museum plans to develop collaborative programs with other museums, serve as a clearinghouse for training, technical assistance, and other resources involving use of the wax medium, and sponsor traveling exhibits to provide enriching museum experiences for communities throughout the Nation.

(12) The museum has been recognized by the State of Maryland and the city of Baltimore as a preeminent facility for presenting and interpreting Black history, using the wax medium in its highest artistic form.

(13) The museum is located in the heart of an area designated as an empowerment zone, and is considered to be a catalyst for economic and cultural improvements in this economically disadvantaged area.

**SEC. 3. ASSISTANCE FOR NATIONAL GREAT BLACKS IN WAX MUSEUM AND JUSTICE LEARNING CENTER.**

(a) ASSISTANCE FOR MUSEUM.—Subject to subsection (b), the Attorney General, acting through the Office of Justice Programs of the Department of Justice, shall, from amounts made available under subsection (c), make a grant to the Great Blacks in Wax Museum, Inc. in Baltimore, Maryland, to be used only for carrying out programs relating to civil rights and juvenile justice through the National Great Blacks in Wax Museum and Justice Learning Center.

(b) GRANT REQUIREMENTS.—To receive a grant under subsection (a), the Great Blacks

in Wax Museum, Inc. shall submit to the Attorney General a proposal for the use of the grant, which shall include detailed plans for the programs referred to in subsection (a).

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000, to remain available through the end of fiscal year 2009.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nevada (Mr. GIBBONS) and the gentleman from Texas (Mr. RODRIGUEZ) each will control 20 minutes.

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

GENERAL LEAVE

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on S. 1233, the Senate bill under consideration.

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

There was no objection.

□ 1600

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

Mr. Speaker, Senate Bill 1233, introduced by Senator BARBARA MIKULSKI of Maryland and amended by the Committee on the Judiciary, authorizes assistance for the National Great Blacks in Wax Museum and Justice Learning Center located in Baltimore, Maryland.

Mr. Speaker, the Great Blacks in Wax Museum was founded in 1983 by Doctors Elmer and Joanne Martin, two Baltimore educators who used their personal savings to purchase wax figures which they displayed in schools, churches, shopping malls, and festivals in the mid-Atlantic region. The goal of the Martins was to test public reaction to the idea of a black history wax museum. So positive was the response over time that the museum has been heralded by the public and the media as a national treasure.

As part of a proposed expansion of the museum, which is to occur over the next several years, S. 1233 would allow the museum to receive grants from the U.S. Department of Justice to establish programs relating to civil rights and juvenile justice.

Mr. Speaker, S. 1233, as amended, is supported by the majority and minority of the Committee on Resources, and I submit for the RECORD letters from the Chairman of the Committee on Resources and the Chairman of the Committee on the Judiciary regarding this bill.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
*Washington, DC, March 25, 2004.*

Hon. RICHARD POMBO,
*Chairman, Committee on Resources, House of Representatives, Washington, DC.*

DEAR CHAIRMAN POMBO: I am writing regarding S. 1233, the ''National Great Black Americans Commemoration Act of 2003'' which was referred primarily to the Committee on Resources and secondarily to the Committee on the Judiciary. The Committee on Resources reported the bill favorably on November 17, 2003. H. Rept. No. 108–372, Part I. The Committee on the Judiciary's secondary referral is currently scheduled to expire on April 2, 2004.

The spending authorized by S. 1233 would come from funds appropriated to the Office of Justice Programs within the Department of Justice. For that reason, I had concerns about the bill as reported by your Committee. My staff has had discussions with staff for the sponsor of the companion House measure, Rep. Cummings, and we have reached a mutually agreeable compromise to resolve these concerns. A copy of the compromise language is attached.

I understand that through staff discussions you have indicated your willingness to take the bill to the floor under suspension of the rules and use the attached compromise language as the manager's amendment when you do so. I also understand that you will use your best efforts to get the bill scheduled for floor consideration as soon as you are reasonably able to schedule it with the House leadership.

Based on your willingness to follow this course, I am willing to waive further consideration of the bill in the Committee on the Judiciary so that the bill may proceed expeditiously to the floor. The Committee on the Judiciary takes this action with the understanding that the Committee's jurisdiction over the bill is in no way diminished or altered. I would appreciate your including this letter and your response in the Congressional Record during consideration of the legislation on the House floor.

I appreciate your cooperation in this matter.

Sincerely,
F. JAMES SENSENBRENNER, JR.,
*Chairman.*

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HOUSE OF REPRESENTATIVES,
COMMITTEE ON RESOURCES,
*Washington, DC, March 25, 2004.*

Hon. F. JAMES SENSENBRENNER, JR.,
*Chairman, Committee on the Judiciary, Washington, DC.*

DEAR MR. CHAIRMAN: Thank you for your letter regarding S. 1233, a bill to authorize assistance for the National Great Blacks in Wax Museum and Justice Learning Center. I am delighted that you were able to negotiate a suitable source and amount of funds for the project.

The Committee on Resources will be pleased to take up your negotiated text on the Floor when S. 1233 is considered by the full House of Representatives. I also agree that I will place your letter and this response in the Congressional Record to memorialize this agreement. Finally, I agree that by allowing the Committee on the Judiciary to be discharged from further consideration of the measure, you have not waived or otherwise compromised your jurisdiction over the subject matter of S. 1233.

Thank you for your cooperation on this bill and for the good work of Joseph Gibson of your staff. I look forward to other mutually beneficial dealings in the future.

Sincerely,
RICHARD W. POMBO,
*Chairman.*

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

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

(Mr. RODRIGUEZ asked and was given permission to revise and extend his remarks.)

Mr. RODRIGUEZ. Mr. Speaker, the Great Blacks in Wax Museum is a unique education facility, well-deserving of the enormous support that it receives. The gentleman from Maryland (Mr. CUMMINGS), chairman of the Congressional Black Caucus, a sponsor of the companion legislation here in the House, and Senator MIKULSKI are to be congratulated for their tireless efforts on behalf of this facility and this important piece of legislation.

The museum expansion plans are ambitious, and I urge my colleagues to support S. 1233 to help them on their way.

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

Mr. GIBBONS. Mr. Speaker, I yield myself such time as I may consume to urge an ''aye'' vote on this very positive bill.

Mr. RANGEL. Mr. Speaker, I rise in support of the National Great Black Americans Commemoration Act, an important measure put forth by Hon. ELIJAH CUMMINGS which gives long overdue commemoration to the many Black Americans who have served honorably in this Nation.

By expanding the Great Blacks in Wax Museum, Inc., in Baltimore, Maryland, to establish the National Great Blacks in Wax Museum and Justice Learning Center, Congress is acknowledging the monumental contributions of African Americans who have served in the Senate and House of Representatives; the judiciary and the field of law; various military engagements, including the Buffalo Soldiers and Tuskegee Airmen; senior executive branch positions; and numerous other occupations which have advanced the goals and causes of the United States over the more than 400 year history of people of African descent in America. The museum, which is currently visited by more than 300,000 people annually, will employ the most skilled artisans in the wax medium to accurately and honorably portray those Black Americans who, with ability and perseverance, have worked tirelessly for justice, equal rights, peace, and rule of law in our great Nation.

The National Great Black Americans Commemoration Act is certainly worthy of support by this body, particularly as it is a key complement to the National Museum of African American History and Culture Act, championed by Hon. JOHN LEWIS and signed into law December 16, 2003. However, these gestures are but first steps in the directions of endowing esteemed Black Americans with the veneration that they deserve. More efforts like this Act are needed if proper homage is to be paid to those great Black pioneers who truly laid the foundation upon which this Nation has been built.

Mr. CUMMINGS. Mr. Speaker, I rise in strong support of passage of the National Great Black Americans Commemoration Act of 2003, H.R. 2424 and S. 1233, companion legislation that I introduced along with my friend Senator MUKULSKI. This bill has received bipartisan support in both committees of jurisdiction in the House, as well as bicameral support where it passed quickly to the floor out of the Senate Judiciary Committee. I urge all of my colleagues to vote in support of this measure and I urge the President to sign this important bill into law when it reaches his desk.

With valued input from Drs. Elmer and Joanne Martin, founders of the Great Blacks in

Wax Museum. I introduced this bill to help bring long overdue recognition of African Americans who have served our Nation with great distinction, but who names, faces and achievements may not be well-known by the average citizen. Rest assured that this recognition can and will be accomplished and preserved through expansion of the Great Blacks in Wax Museum—a national treasure located in my district in Baltimore, Maryland.

In addition to the 200 existing figures at the museum, I am pleased to inform my colleagues that a priority will be placed on exhibits presenting the twenty-two Black Americans who served in Congress during the 19th century. Several of these 22 were born into slavery. All of these Americans proudly served their constituents and their Nation. Other members from the 1990s such as Senator Edward Brooke, Representatives Julian Dixon (D–CA), Oscar Stanton De Priest (R–IL), Louis Stokes (D–OH), Parren J. Mitchell (D–MD), J.C. Watts, Jr. (R–OK) and others will also receive special recognition. Some of the existing distinguished figures depict Collin Powell, Harriet Tubman, Martin Luther King, Jr., Mary McLeod Bethune and former Representatives Mickey Leland of Texas as well as Shirley Chisholm and Adam Clayton Powell of New York.

The expanded museum will focus on Black military veterans of various military engagements, including the Buffalo Soldiers and Tuskegee Airmen; on Black judges and prominent attorneys; and the role of Blacks in the discovery and settlement of America. It will also showcase Blacks who served in senior civilian Executive Branch positions, such as Ralph Bunche (FDR administration), E. Frederic Morrow (Eisenhower administration), Robert Weaver (Johnson administration), William Coleman (Ford administration), Patricia Harris (Carter administration), Louis Sullivan (George H.W. Bush administration), and others who have not received appropriate recognition.,

Lastly, this legislation authorizes assistance in establishing a Justice Learning Center as a component of the expanded Museum complex. The Justice Learning Center will include state-of-the art facilities and resources to educate the public, especially at-risk youth about the role of African Americans in our Nation's judicial system. It will include a special focus on the civil rights movement, on the role of African Americans as lawmakers, attorneys and in the Judiciary.

Mr. Speaker, the Great Blacks in Wax Museum was founded in 1983 by Dr. Elmer Martin and Dr. Joanne Martin, who started the museum with their own funds carrying a few figures and exhibit materials around the country in their car. The museum currently occupies part of a city block in East Baltimore, and includes more than 200 wax figures. It is America's first wax museum of Black history. The museum now receives over 200,000 visitors a year; over half of these visitors are school children. I also will mention that several members of Congress and their staff have visited and relayed to me the awesome nature of their visit—how the figures and exhibits both moved and informed. Passage of this bill will ensure that the Museum can continue its mission to preserve a great part of our Nation's history.

I would be remiss if I did not relay to you how important and inspiring this Museum is to its East Baltimore community. The Great Blacks in Wax Museum functions as more than just a museum. It is a stalwart in its community. The Martins established the Museum with the primary motivation "to use education, history and example to help mainly disadvantaged youth overcome feelings of alienation, defeatism and despair." It provides a safe-haven for at-risk youth and offers opportunities for young people in the community to take part in employment, intern and volunteer programs. The Museum has enrichment programs for individuals, families, daycare centers, churches, schools and other non-profit organizations. In keeping with its commitment to community involvement, the Museum's many programs serve as a means for taking learning and cultural enrichment beyond the school walls. The Justice Learning Center will extend the outreach efforts of the Museum to homeless shelters, halfway houses, adult day care, domestic violence centers, youth residential facilities and other places to reach disadvantaged and/or at-risk youth and families.

Mr. Speaker, passage of this bill will be seen as a testament to the Martins' persistence and vision. Passage will also mean that the National Great Blacks in Wax Museum—a national treasure will receive needed Federal support to ensure that generations yet unborn will be told the story of these great Americans. The Museum will ensure that history never forgets this legacy.

Finally, I want to thank Representative SENSENBRENNER and his staffers Joseph Gibson and Katy Crooks, Representative CONYERS and his staffer Lillian German, as well as Representatives POMBO and RAHALL and their staffers, Frank Vitello, Richard Healy and David Watkins for all of their hard work in moving this legislation through their respective Committees. I would especially like to thank my staff, Kimberly Ross in seeing this legislation through to its successful end.

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

The SPEAKER pro tempore (Mr. MURPHY). The question is on the motion offered by the gentleman from Nevada (Mr. GIBBONS) that the House suspend the rules and pass the Senate bill, S. 1233, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill, as amended, was passed.

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 4 o'clock and 2 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 (Mr. TERRY) at 6 o'clock and 30 minutes p.m.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. 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:

H. Con. Res. 295, by the yeas and nays;

H. Res. 612, by the yeas and nays; and

H. Con. Res. 417, by the yeas and nays.

The vote on S.J. Res. 28 will occur tomorrow.

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

## CONGRATULATING AND SALUTING FOCUS: HOPE ON ITS 35TH ANNIVERSARY

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 295.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Michigan (Mrs. MILLER) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 295 on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 374, nays 0, not voting 59, as follows:

[Roll No. 210]

YEAS—374

| | | |
|---|---|---|
| Ackerman | Buyer | Dunn |
| Aderholt | Calvert | Ehlers |
| Akin | Camp | Emerson |
| Alexander | Cannon | Engel |
| Allen | Cantor | Eshoo |
| Andrews | Capito | Etheridge |
| Baca | Capps | Evans |
| Baird | Capuano | Everett |
| Baker | Cardin | Farr |
| Baldwin | Cardoza | Fattah |
| Ballenger | Carson (IN) | Feeney |
| Barrett (SC) | Carter | Ferguson |
| Bartlett (MD) | Case | Filner |
| Barton (TX) | Castle | Flake |
| Beauprez | Chandler | Foley |
| Bell | Chocola | Forbes |
| Berman | Clay | Ford |
| Berry | Clyburn | Fossella |
| Biggert | Coble | Frank (MA) |
| Bilirakis | Cole | Franks (AZ) |
| Bishop (GA) | Cooper | Frelinghuysen |
| Bishop (NY) | Cox | Frost |
| Bishop (UT) | Cramer | Gallegly |
| Blackburn | Crane | Garrett (NJ) |
| Blumenauer | Crenshaw | Gerlach |
| Blunt | Crowley | Gibbons |
| Boehlert | Cubin | Gilchrest |
| Bonilla | Culberson | Gillmor |
| Bonner | Cunningham | Gingrey |
| Bono | Davis (CA) | Gonzalez |
| Boozman | Davis (IL) | Goode |
| Boswell | Davis (TN) | Goodlatte |
| Boucher | Davis, Jo Ann | Gordon |
| Boyd | Davis, Tom | Goss |
| Bradley (NH) | Deal (GA) | Granger |
| Brady (TX) | DeFazio | Graves |
| Brown (OH) | Delahunt | Green (TX) |
| Brown (SC) | DeLauro | Green (WI) |
| Brown, Corrine | DeLay | Greenwood |
| Brown-Waite, Ginny | Diaz-Balart, L. | Grijalva |
| Burgess | Diaz-Balart, M. | Gutknecht |
| Burns | Dingell | Hall |
| Burr | Doggett | Harman |
| Burton (IN) | Doyle | Harris |
| | Dreier | Hart |

Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hensarling
Herger
Hill
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley (OR)
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Jackson (IL)
Jefferson
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Kleczka
Kline
Knollenberg
Kolbe
Kucinich
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)
Majette
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Pallone
Pascrell
Pastor
Paul
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Regula
Rehberg
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
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
Solis
Spratt
Stark
Stearns
Stenholm
Strickland
Stupak
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Toomey
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Vitter
Walden (OR)
Walsh
Watson
Watt
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—59

Abercrombie
Bachus
Ballance
Bass
Becerra
Bereuter
Berkley
Boehner
Brady (PA)
Carson (OK)
Chabot
Collins
Conyers
Costello
Cummings
Davis (AL)
Davis (FL)
DeGette
DeMint
Deutsch
Dicks
Dooley (CA)
Doolittle
Duncan
Edwards
Emanuel
English
Gephardt
Gutierrez
Hefley
Hinchey
Hoeffel
Istook
Jackson-Lee (TX)
John
Jones (OH)
Lynch
Maloney
McCrery
Meehan
Meek (FL)
Michaud
Neal (MA)
Owens
Oxley
Payne
Platts
Rangel
Rogers (KY)
Sandlin
Souder
Sullivan
Sweeney
Tauzin
Towns
Wamp
Waters
Weiner
Woolsey

□ 1855

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent 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. JACKSON-LEE of Texas. Mr. Speaker, I was unavoidably detained by a weather condition and delayed airplane traffic and was unable to vote on H. Con. Res. 295, rollcall vote 210. Had I been present, I would have voted ''yea.''

## RECOGNIZING AND HONORING FIREFIGHTERS, POLICE, PUBLIC SERVANTS, CIVILIANS, AND PRIVATE BUSINESSES WHO RESPONDED TO THE DEVASTATING FIRE IN RICHMOND, VIRGINIA, ON MARCH 26, 2004

The SPEAKER pro tempore (Mr. TERRY). The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 612, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Michigan (Mrs. MILLER) that the House suspend the rules and agree to the resolution, H. Res. 612, 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 377, nays 0, not voting 56, as follows:

[Roll No. 211]

YEAS—377

Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Baird
Baker
Baldwin
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Beauprez
Bell
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Bonilla
Bonner
Bono
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carter
Case
Castle
Chandler
Chocola
Clay
Clyburn
Coble
Cole
Cooper
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
Delahunt
DeLauro
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doggett
Doyle
Dreier
Dunn
Edwards
Ehlers
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
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hensarling
Herger
Hill
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley (OR)
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Jackson (IL)
Jefferson
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Kleczka
Kline
Knollenberg
Kolbe
Kucinich
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)
Majette
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Pallone
Pascrell
Pastor
Paul
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Regula
Rehberg
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
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
Solis
Spratt
Stark
Stearns
Stenholm
Strickland
Stupak
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Toomey
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Vitter
Walden (OR)
Walsh
Watson
Watt
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—56

Abercrombie
Bachus
Ballance
Bass
Becerra
Bereuter
Berkley
Boehner
Brady (PA)
Carson (OK)
Chabot
Collins

Conyers
Costello
Davis (AL)
Davis (FL)
DeGette
DeMint
Deutsch
Dicks
Dooley (CA)
Doolittle
Duncan
Emanuel
English
Gephardt
Gutierrez
Hefley
Hoeffel
Istook
Jackson-Lee (TX)
John
Jones (OH)
Lynch
Maloney
McCrery
Meehan
Meek (FL)
Michaud
Neal (MA)
Owens
Oxley
Payne
Platts
Rangel
Rogers (KY)
Sandlin
Souder
Sullivan
Sweeney
Tauzin
Towns
Wamp
Waters
Weiner
Woolsey

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes left in this vote.

□ 1902

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. JACKSON-LEE of Texas. Mr. Speaker, I was unavoidably detained by airplane delay for rollcall vote 211 on H. Res. 612. Had I been present, I would have voted "yea."

## HONORING TUSKEGEE AIRMEN AND THEIR CONTRIBUTION IN CREATING AN INTEGRATED UNITED STATES AIR FORCE

The SPEAKER pro tempore (Mr. TERRY). The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 417.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oklahoma (Mr. COLE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 417, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 378, nays 0, not voting 55, as follows:

[Roll No. 212]

YEAS—378

Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Baird
Baker
Baldwin
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Beauprez
Bell
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Biggert
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Bishop (GA)
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Bishop (UT)
Blackburn
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Bonilla
Bonner
Bono
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carter
Case
Castle
Chandler
Chocola
Clay
Clyburn
Coble
Cole
Cooper
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
Delahunt
DeLauro
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doggett
Doyle
Dreier
Dunn
Edwards
Ehlers
Emerson
Engel
English
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
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Graves
Green (TX)
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Greenwood
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Hooley (OR)
Hostettler
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Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Kleczka
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Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
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Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Majette
Maloney
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meeks (NY)
Menendez
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore
Moran (KS)
Moran (VA)
Murphy
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Musgrave
Myrick
Nadler
Napolitano
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Pallone
Pascrell
Pastor
Paul
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Regula
Rehberg
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Spratt
Stark
Stearns
Stenholm
Strickland
Stupak
Sweeney
Tancredo
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Taylor (MS)
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Thompson (CA)
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Tierney
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Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
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Walden (OR)
Walsh
Waters
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Waxman
Weldon (FL)
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Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—55

Abercrombie
Bachus
Ballance
Bass
Becerra
Bereuter
Berkley
Boehner
Brady (PA)
Carson (OK)
Chabot
Collins
Conyers
Costello
Davis (AL)
Davis (FL)
DeGette
DeMint
Deutsch
Dicks
Dooley (CA)
Doolittle
Duncan
Emanuel
Gephardt
Gutierrez
Hefley
Hoeffel
Istook
John
Johnson, E. B.
Jones (OH)
Lynch
McCrery
Meehan
Meek (FL)
Mica
Michaud
Neal (MA)
Owens
Oxley
Payne
Platts
Rangel
Rogers (KY)
Sandlin
Shaw
Smith (MI)
Souder
Sullivan
Tauzin
Towns
Wamp
Weiner
Woolsey

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1919

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. COLLINS. Mr. Speaker, I was not present for rollcall vote 210, Congratulating and saluting Focus: HOPE; rollcall vote 211, Recognizing and honoring the firefighters, police, public servants, civilians, and private businesses responding to the Richmond fire on March 26; rollcall vote 212, Honoring the Tuskegee Airmen.

Had I been present, I would have voted "yea" for rollcall votes 210, 211 and 212.

## PERSONAL EXPLANATION

Mr. OXLEY. Mr. Speaker, I was absent from the House floor during today's rollcall votes on H. Con. Res. 295, H. Res. 612, and H. Con. Res. 417. Had I been present, I would have voted in favor of each of these resolutions.

## PERSONAL EXPLANATION

Mr. EMANUEL. Mr. Speaker, I missed rollcall votes 210 through 212 on Tuesday, June 1, 2004. Had I been present, I would have voted "yea" on each measure.

## MEDICARE PRESCRIPTION DRUG BILL

(Ms. GINNY BROWN-WAITE of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I would like to share with the Chamber an email I received from a constituent last week.

The subject line of the email was ''Gratitude'' and the email reads as follows:

''Dear Ginny.

''Warmest regards to you, your family and staff.

''Out of the 50-plus emails you've received so far from me, here's one you'll genuinely enjoy reading, I suspect.

''Gratitude is the subject of my email to you today. Today, I was approved by Medicare for the $600-per-year low-income credit with relation to the Medicare prescription drug bill. Thank you, the President, and the Republicans for assisting America's poor and disabled in this way.

''Others merely want your attention. We, however, need your attention. We thank you for your hard work and long hours assisting us.''

Mr. Speaker, I want to point out that over 21,000 low-income seniors qualify for this $600 exemption in my district alone. This constituent's correspondence is one example of the seniors who are celebrating nationwide the ability to have this program in effect this week.

## SUPPORT THE CRANE-RANGEL BILL

(Mr. BROWN of Ohio asked and was given permission to address the House for 1 minute.)

Mr. BROWN of Ohio. Mr. Speaker, President Bush came to northeast Ohio to Youngstown last week again to try to defend his economic program and argue that it is working for Ohio.

Ohio, since President Bush took office, has lost one out of six manufacturing jobs and has lost 165,000 manufacturing jobs overall. In fact, during the Bush administration, there have been 200 jobs lost in Ohio every single day of the Bush administration.

The President's answer: more tax cuts for the wealthy, hoping some of it will trickle down to the Ohio community that is not working, and more trade agreements, like NAFTA, that continue to ship jobs overseas.

Mr. Speaker, the answer is not the failed Bush economic policies, but instead, the Crane-Rangel bill, which will give incentives to those Ohio and American companies that do their manufacturing in this country instead of giving big companies incentives to ship jobs overseas.

## CELEBRATING THE OAK TREE

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

Mr. GOODE. Mr. Speaker, it is my pleasure to announce that the National Register of Big Trees from the conservation group American Forests has formally given the crown of the Nation's largest white oak tree, a quercus alba, to the oak tree in front of Bothwick Hall in Brunswick County, Virginia. The national champion oak is 86 feet high, with a circumference of 26 feet, and a crown spread of 116 feet.

The great white oak belongs to George and Mary Robinson from Brunswick County, which I am proud to represent. Beautiful and historic Brunswick County is the birthplace of the world-famous Brunswick stew and is now home to the Nation's largest white oak tree.

I am also proud to support H.R. 1775, legislation sponsored by the gentleman from Virginia (Mr. GOODLATTE), my friend and fellow Virginian, which would designate the oak tree as the national tree of the United States.

The meaningful history of the oak and magnificent trees such as that of Mr. and Mrs. Robinson make the oak the logical choice for the national tree. Long may the great Brunswick County white oak stand.

## IT IS IMPORTANT FOR CONGRESS TO WORK TOGETHER

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, today, June 1, causes me to reflect on two distinct and different occurrences.

First of all, we notice across the Nation senior citizens confused, not understanding and certainly not enrolling in the so-called prescription drug cards. We welcome our pharmaceuticals to really work with this Congress to produce a guaranteed Medicare prescription drug benefit, what the seniors have actually wanted for almost 10 years, in order for the seniors to truly get what they deserve, something they can count on and something that works.

It also causes me to reflect on the wonderful opportunity I had to visit with the troops in Bagram Air Force Base in Afghanistan and on the USS George Washington. It says that the political collapse that seems to be occurring in Iraq is not the fault of our soldiers, but bad political policies.

It is important for Congress to work together, to demand full investigations of the ills that are occurring in Afghanistan and Iraq in order to pay tribute to these hard-working soldiers every day on the front line. Let us not have the ills and the incompleteness of our political process undermine the tribute and the work that has been done by these fine outstanding United States military.

## SPECIAL ORDERS

The SPEAKER pro tempore (Mr. MARIO DIAZ-BALART of Florida). 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.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nebraska (Mr. OSBORNE) is recognized for 5 minutes.

(Mr. OSBORNE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

## ORDER OF BUSINESS

Mr. BURTON of Indiana. Mr. Speaker, I ask unanimous consent that I take my Special Order at this time.

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

There was no objection.

## THE CONNECTION BETWEEN SADDAM HUSSEIN AND OSAMA BIN LADEN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

Mr. BURTON of Indiana. Mr. Speaker, there has been a lot of concern over the past year or so about whether or not Saddam Hussein was tied in with Osama bin Laden and the terrorist network and al Qaeda.

There is an article in The Weekly Standard this week called ''The Connection,'' and I would urge all of my colleagues to read this article. It shows a picture of Saddam Hussein, Osama bin Laden, and some other terrorists on the front page of the magazine. The article is written by a gentleman named Stephen Hayes, and it follows an article that was written in the Wall Street Journal last week, and I would like to read some information from the two articles that I think verifies without much doubt that Saddam Hussein and Osama bin Laden, al Qaeda and other terrorist organizations were working together to try to destroy the United States and Western Civilization.

Let me read from the Wall Street Journal of May 27, 2004:

''One striking bit of new evidence is that the name of Ahmed Hikmat Shakir appears on three captured rosters of officers in Saddam Fedayeen, the elite paramilitary group run by Saddam's son Uday and entrusted with doing much of the regime's dirty work. Our government sources, who have seen translations of the documents, say Shakir is listed with the rank of lieutenant colonel. This matters because if Shakir was an officer in the Fedayeen, it would establish a direct link between Iraq and the al Qaeda operatives who planned'' the 9/11 attack on the World Trade Center and the Pentagon.

''Shakir was present at the January 2000 al Qaeda 'summit' in Kuala Lumpur, Malaysia, at which the 9/11 attacks were planned. The U.S. has never been sure whether he was there on behalf of the Iraqi regime or whether he was an Iraqi Islamicist who hooked up with al Qaeda on his own.''

The fact is he was an officer in the elite military of Saddam. He worked with his son Uday, and he was there when they planned the attack on the World Trade Center and the Pentagon.

Further, the article goes on to say: ''The CIA has confirmed that al Qaeda's number 2, Ayman al-Zawahiri, met with Iraqi intelligence in Baghdad

in 1992 and 1998. There is irrefutable evidence that the Iraqi regime paid Zawahiri $300,000 in 1998, around the time his Islamic jihad was merging with al Qaeda. Four sources have confirmed the payment.''

So here again is another connection.

''Since Operating Enduring Freedom, we have solid evidence Iraq and al Qaeda discussed safe haven and reciprocal non-aggression. We have solid evidence of the presence in Iraq of al Qaeda members. Through interrogations of high-level Iraqi detainees, we have evidence that al Qaeda members visited Baghdad, sought weapons and training in areas such as poisons, gases, and conventional bomb making.''

Another item: ''Farouk Hijazi, former Iraqi ambassador to Turkey, has admitted meeting senior al Qaeda leaders at Saddam's behest in 1994. It is believed Hijazi met with Osama bin Laden and offered him safe haven in Iraq in 1998.'' That is another example.

''Al Qaeda operatives held in Guantanamo have corroborated reports of a series of meetings in Khartoum, Sudan, home to al Qaeda during the mid-1990s. Abu Abdullah al-Iraqi,'' an al Qaeda weapons of mass destruction specialist, ''was sent by Osama bin Laden to seek WMD training, and possibly weapons, from the Iraqi regime. His associates held meetings in Baghdad with Uday,'' Saddam's son, ''in April 1998.'' Another example.

''Secretary of State Colin Powell's presentation to the U.N. in December 2002 detailed intelligence showing that Abu Musab Al-Zarqawi, a Jordanian jihadist and known al Qaeda associate, traveled to Baghdad for medical treatment. Among al-Zarqawi's many crimes, he is a key suspect'' we just saw recently on television ''in the abduction and beheading of American Nicholas Berg.''

□ 1930

It is believed Saddam Hussein's nephew, Yasser al-Sabawi, and their Fedeyyen Saddam paramilitary cronies worked with Al Zarqawi and his accomplices in the abduction, transfer, and execution of Mr. Berg. That investigation is still in progress, but the linkage between Saddam and al Qaeda is reinforced by video and other evidence collected thus far. There is a high probability that Zarqawi was the masked man who beheaded Berg. Saddam's nephew is described as the ringleader of suspects in the case.

Another item: Statements by Iraqi defectors have been corroborated by new evidence seized by Coalition troops that Saddam's regime trained non-Iraqi Arab terrorists at a camp in Salman Pak, South of Baghdad. The existence of this training camp was verified by U.N. inspectors. A Boeing 707 was used at the camp to simulate terrorist hijackings.

Another item: In February, 2003, the government of the Philippines asked a senior Iraqi diplomat, Hisham al Hussein, to leave the country after establishing frequent contact with leaders of Abu Sayyaf, an al Qaeda affiliate in Southeast Asia. This Iraqi official had contact with Abu Sayyaf immediately before and after they detonated a bomb in Zamboanga city that killed two Filipinos and an American Special Forces soldier.

High ranking Czech officials have confirmed that Mohammed Atta, the lead 911 hijacker, met with Ahmed Khalil Ibrahim al Ani, an Iraqi intelligence officer, 5 months before the hijacking.

Ansar al-Islam, the Al Qaeda cell formed in Northern Iraq in June 2001, has expanded its attacks against Kurds and has joined with remnants of Saddam's regime in their insurgency against Coalition forces. It is believed that the bombing of the U.N. headquarters was a result of a joint operation between Baathists and the Al Qaeda affiliate, Ansar al-Islam.

When Osama bin Laden issued a fatwa against America in February 1998 there is evidence Saddam Hussein paid $300,000 to bin Laden's deputy Ayman al-Zawahiri.

Mr. Speaker, I submit herewith for the RECORD the article by Stephen Hayes I referred to earlier:

[From the Weekly Standard, June 7, 2004]

THE CONNECTION

(By Stephen F. Hayes)

''The president convinced the country with a mixture of documents that turned out to be forged and blatant false assertions that Saddam was in league with al Qaeda,'' claimed former Vice President Al Gore last Wednesday.

''There's absolutely no evidence that Iraq was supporting al Qaeda, ever,'' declared Richard Clarke, former counterterrorism official under George W. Bush and Bill Clinton, in an interview on March 21, 2004.

The editor of the Los Angeles Times labeled as ''myth'' the claim that links between Iraq and al Qaeda had been proved. A recent dispatch from Reuters simply asserted, ''There is no link between Saddam Hussein and al Qaeda.'' 60 Minutes anchor Lesley Stahl was equally certain: ''There was no connection.''

And on it goes. This conventional wisdom—that our two most determined enemies were not in league, now or ever—is comforting. It is also wrong.

In late February 2004, Christopher Carney made an astonishing discovery. Carney, a political science professor from Pennsylvania on leave to work at the Pentagon, was poring over a list of officers in Saddam Hussein's much-feared security force, the Fedayeen Saddam. One name stood out: Lieutenant Colonel Ahmed Hikmat Shakir. The name was not spelled exactly as Carney has seen it before, but such discrepancies are common. Having studied the relationship between Iraq and al Qaeda for 18 months, he immediately recognized the potential significance of his find. According to a report last week in the Wall Street Journal, Shakir appears on three different lists of Fedayeen officers.

An Iraqi of that name, Carney knew, had been present at an al Qaeda summit in Kuala Lumpur, Malaysia, on January 5–8, 2000. U.S. intelligence officials believe this was a chief planning meeting for the September 11 attacks. Shakir had been nominally employed as a ''greeter'' by Malaysian Airlines, a job he told associates he had gotten through a contact a the Iraqi embassy. More curious, Shakir's Iraqi embassy contact controlled his schedule, telling him when to show up for work and when to take a day off.

A greeter typically meets VIPs upon arrival and accompanies them through the sometimes onerous procedures of foreign travel. Shakir was instructed to work on January 5, 2000, and on that day, he escorted one Khalid al Mihdhar from his plane to a waiting car. Rather than bid his guest farewell at that point, as a greeter typically would have, Shakir climbed into the car with al Mihdhar and accompanied him to the Kuala Lumpur condominium of Yazid Sufaat, the American-born al Qaeda terrorist who hosted the planning meeting.

The meeting lasted for three days. Khalid al Mihdhar departed Kuala Lumpur for Bangkok and eventually Los Angeles. Twenty months later, he was aboard American Airlines Flight 77 when it plunged into the Pentagon at 9:38 a.m. on September 11. So were Nawaf al Hazmi and his younger brother, Salem, both of whom were also present at the Kuala Lumpur meeting.

Six days after September 11, Shakir was captured in Doha, Qatar. He had in his possession contact information for several senior al Qaeda terrorists: Zahid Sheikh Mohammed, brother of September 11 mastermind Khalid Sheikh Mohammed; Musab Yasin, brother of Abdul Rahman Yasin, the Iraqi who helped mix the chemicals for the first World Trade Center attack and was given safe haven upon his return to Baghdad; and Mamdouh Mahmud Salim, otherwise known as Abu Hajer al Iraqi, described by one top al Qaeda detainee as Osama bin Laden's ''best friend.''

Despite all of this, Shakir was released. On October 21, 2001, he boarded a plane for Baghdad, via Amman, Jordan. He never made the connection. Shakir was detained by Jordanian intelligence. Immediately following his capture, according to U.S. officials familiar with the intelligence of Shakir, the Iraqi government began exerting pressure on the Jordanians to release him. Some U.S. intelligence officials—primarily at the CIA—believed that Iraq's demand for Shakir's release was pro forma, no different from the requests governments regularly make on behalf of citizens detained by foreign governments. But others, pointing to the flurry of phone calls and personal appeals from the Iraqi government to the Jordanians, disagreed. This panicked reaction, they said, reflected an interest in Shakir at the highest levels of Saddam Hussein's regime.

CIA officials who interviewed Shakir in Jordan reported that he was generally uncooperative. But even in refusing to talk, he provided some important information: The interrogators concluded that his evasive answers reflected counterinterrogation techniques so sophisticated that he had probably learned them from a government intelligence service. Shakir's Iraqi nationality, his contacts with the Iraqi embassy in Malaysia, the keen interest of Baghdad in his case, and now the appearance of his name on the rolls of Fedayeen officers—all this makes the Iraqi intelligence service the most likely source of his training.

The Jordanians, convinced that Shakir worked for Iraqi intelligence, went to the CIA with a bold proposal: Let's flip him. That is, the Jordanians would allow Shakir to return to Iraq on condition that he agree to report back on the activities of Iraqi intelligence. And, in one of the most egregious mistakes by U.S. intelligence after September 11, the CIA agreed to Shakir's release. He posted a modest bail and returned to Iraq.

He hasn't been heard from since.

The Shakir story is perhaps the government's strongest indication that Saddam and al Qaeda may have worked together on September 11. It is far from conclusive; conceivably there were two Ahmed Hikmat Shakirs.

And in itself, the evidence does not show that Saddam Hussein personally had foreknowledge of the attacks. Still—like the long, on-again-off-again relationship between Iraq and al Qaeda—it cannot be dismissed.

There was a time not long ago when the conventional wisdom skewed heavily toward a Saddam-al Qaeda links. In 1998 and early 1999, the Iraq-al Qaeda connection was widely reported in the American and international media. Former intelligence officers and government officials speculated about the relationship and its dangerous implications for the world. The information in the news reports came from foreign and domestic intelligence services. It was featured in mainstream media outlets including international wire services, prominent newsweeklies, and network radio and television broadcasts.

Newsweek magazine ran an article in its January 11, 1999, issue headed ''Saddam + Bin Laden?'' ''Here's what is known so far,'' it read:

Saddam Hussein, who has a long record of supporting terrorism, is trying to rebuild his intelligence network overseas—assets that would allow him to establish a terrorism network. U.S. sources say he is reaching out to Islamic terrorists, including some who may be linked to Osama bin Laden, the wealthy Saudi exile accused of masterminding the bombing of two U.S. embassies in Africa last summer.

Four days later, on January 15, 1999, ABC News reported that three intelligence agencies believed that Saddam had offered asylum to bin Laden:

Intelligence sources say bin Laden's long relationship with the Iraqis began as he helped Sudan's fundamentalist government in their efforts to acquire weapons of mass destruction. . . . ABC News has learned that in December, an Iraqi intelligence chief named Faruq Hijazi, now Iraq's ambassador to Turkey, made a secret trip to Afghanistan to meet with bin Laden. Three intelligence agencies tell ABC News they cannot be certain what was discussed, but almost certainly, they say, bin Laden has been told he would be welcome in Baghdad.

NPR reporter Mike Shuster interviewed Vincent Cannistraro, former head of the CIA's counterterrorism center, and offered this report:

Iraq's contacts with bin Laden go back some years, to at least 1994, when, according to one U.S. government source, Hijazi met him when bin Laden lived in Sudan. According to Cannistraro, Iraq invited bin Laden to live in Baghdad to be nearer to potential targets of terrorist attack in Saudi Arabia and Kuwait. . . . Some experts believe bin Laden might be tempted to live in Iraq because of his reported desire to obtain chemical or biological weapons. CIA Director George Tenet referred to that in recent testimony before the Senate Armed Services Committee when he said bin Laden was planning additional attacks on American targets.

By mid-February 1999, journalists did not even feel the need to qualify these claims of an Iraq-al Qaeda relationship. An Associated Press dispatch that ran in the Washington Post ended this way: ''The Iraqi President Saddam Hussein has offered asylum to bin Laden, who openly supports Iraq against Western powers.''

Where did journalists get the idea that Saddam and bin Laden might be coordinating efforts? Among other places, from high-ranking Clinton administration officials.

In the spring of 1998—well before the U.S. embassy bombings in East Africa—the Clinton administration indicted Osama bin Laden. The indictment, unsealed a few months later, prominently cited al Qaeda's agreement to collaborate with Iraq on weapons of mass destruction. The Clinton Justice Department had been concerned about negative public reaction to its potentially capturing bin Laden without ''a vehicle for extradition,'' official paperwork charging him with a crime. It was ''not an afterthought'' to include the al Qaeda-Iraq connection in the indictment, says an official familiar with the deliberations. ''It couldn't have gotten into the indictment unless someone was willing to testify to it under oath.'' The Clinton administration's indictment read unequivocally:

''Al Qaeda reached an understanding with the government of Iraq that al Qaeda would not work against that government and that on particular projects, specifically including weapons development, al Qaeda would work cooperatively with the Government of Iraq.''

On August 7, 1998, al Qaeda terrorists struck almost simultaneously at U.S. embassies in Kenya and Tanzania. The blasts killed 257 people—including 12 Americans—and wounded nearly 5,000. The Clinton administration determined within five days that al Qaeda was responsible for the attacks and moved swiftly to retaliate. One of the targets would be in Afghanistan. But the Clinton national security team wanted to strike hard simultaneously, much as the terrorists had. ''The decision to go to [Sudan] was an add-on,'' says a senior intelligence officer involved in the targeting. ''They wanted a dual strike.''

A small group of Clinton administration officials, led by CIA director George Tenet and national security adviser Sandy Berger, reviewed a number of al Qaeda-linked targets in Sudan. Although bin Laden had left the African nation two years earlier, U.S. officials believed that he was still deeply involved in the Sudanese government-run Military Industrial Corporation (MIC).

The United States retaliated on August 20, 1998, striking al Qaeda training camps in Afghanistan and the al Shifa pharmaceutical plant outside Khartoum. ''Let me be very clear about this,'' said President Bill Clinton, addressing the nation after the strikes. ''There is no question in my mind that the Sudanese factory was producing chemicals that are used—and can be used—in VX gas. This was a plant that was producing chemical warfare-related weapons, and we have physical evidence of that.''

The physical evidence was a soil sample containing EMPTA, a precursor for VX nerve gas. Almost immediately, the decision to strike at al Shifa aroused controversy. U.S. officials expressed skepticism that the plant produced pharmaceuticals at all, but reporters on the ground in Sudan found aspirin bottles and a variety of other indications that the plant had, in fact, manufactured drugs. For journalists and many at the CIA, the case was hardly clear-cut. For one thing, the soil sample was collected from outside the plant's front gate, not within the grounds, and an internal CIA memo issued a month before the attacks had recommended gathering additional soil samples from the site before reaching any conclusions. ''It caused a lot of heartburn at the agency,'' recalls a former top intelligence official.

The Clinton administration sought to dispel doubts about the targeting and, on August 24, 1998, made available a ''senior intelligence official'' to brief reporters on background. The briefer cited ''strong ties between the plant and Iraq'' as one of the justifications for attacking it. The next day, undersecretary of state for political affairs Thomas Pickering briefed reporters at the National Press Club. Pickering explained that the intelligence community had been monitoring the plant for ''at least two years,'' and that the evidence was ''quite clear on contacts between Sudan and Iraq.'' In all, at least six top Clinton administration officials have defended on the record the strikes in Sudan by citing a link to Iraq.

The Iraqis, of course denied any involvement. ''The Clinton government has fabricated yet another lie to the effect that Iraq had helped Sudan produce this chemical weapon,'' declared the political editor of Radio Iraq. Still, even as Iraq denied helping Sudan and al Qaeda with weapons of mass destruction, the regime lauded Osama bin Laden. On August 27, 1998, 20 days after al Qaeda attacked the U.S. embassies in Africa, Babel, the government newspaper run by Saddam's son Uday Hussein, published an editorial proclaiming bin Laden ''an Arab and Islamic hero.''

Five months later, the same Richard Clarke who would one day claim that there was ''absolutely no evidence that Iraq was supporting al Qaeda, ever,'' told the Washington Post that the U.S. government was ''sure'' that Iraq was behind the production of the chemical weapons precursor at the al Shifa plant. ''Clarke said U.S. intelligence does not know how much of the substance was produced at al Shifa or what happened to it,'' wrote Post reporter Vernon Lieb, in an article published January 23, 1999. ''But he said that intelligence exists linking bin Laden to al Shifa's current and past operators, the Iraqi nerve gas experts, and the National Islamic Front in Sudan.''

Later in 1999, the Congressional Research Service published a report on the psychology of terrorism. The report created a stir in May 2002 when critics of President Bush cited it to suggest that his administration should have given more thought to suicide hijackings. On page 7 of the 178-page document was a passage about a possible al Qaeda attack on Washington, D.C., that ''could take several forms.'' In one scenario, ''suicide bombers belonging to al Qaeda's Martyrdom Battalion could crash-land an aircraft packed with high explosives (C–4 and semtex) into the Pentagon, the headquarters of the Central Intelligence Agency, or the White House.''

A network anchor wondered if it was possible that the White House had somehow missed the report. A senator cited it in calling for an investigation into the 9/11 attacks. A journalist read excerpts to the secretary of defense and raised a familiar question: ''What did you know and when did you know?''

But another passage of the same report has gone largely unnoticed. Two paragraphs before, also on page 7, is this: ''If Iraq's Saddam Hussein decide[s] to use terrorists to attack the continental United States [he] would likely turn to bin Laden's al Qaeda. Al Qaeda is among the Islmaic groups recruiting increasingly skilled professionals,'' including ''Iraqi chemical weapons experts and others capable of helping to develop WMD. Al Qaeda poses the most serious terrorist threat to U.S. security interests, for al Qaeda's well-trained terrorists are engaged in a terrorist jihad against U.S. interests worldwide.''

CIA director George Tenet echoed these sentiments in a letter to Congress on October 7, 2002:

—Our understanding of the relationship between Iraq and Al Qaeda is evolving and is based on sources of varying reliability. Some of the information we have received comes from detainees, including some of high rank.

—We have solid reporting of senior level contacts between Iraq and Al Qaeda going back a decade.

—Credible information indicates that Iraq and Al Qaeda have discussed safe haven and reciprocal nonaggression.

—Since Operation Enduring Freedom, we have solid evidence of the presence in Iraq of Al Qaeda members, including some that have been in Baghdad.

—We have credible reporting that Al Qaeda leaders sought contacts in Iraq who could help them acquire W.M.D. capabilities. The reporting also stated that Iraq has provided training to Al Qaeda members in the areas of poisons and gases and making conventional bombs.

—Iraq's increasing support to extremist Palestinians coupled with growing indications of relationship with Al Qaeda suggest that Baghdad's links to terrorists will increase, even absent U.S. military action.

Tenet has never backed away from these assessments. Senator Mark Dayton, a Democrat from Minnesota, challenged him on the Iraq-al Qaeda connection in an exchange before the Senate Armed Services Committee on March 9, 2004. Tenet reiterated his judgment that there had been numerous ''contacts'' between Iraq and al Qaeda, and that in the days before the war the Iraqi regime had provided ''training and safe haven'' to al Qaeda associates, including Abu Musab al Zarqawi. What the U.S. intelligence community could not claim was that the Iraqi regime has ''command and control'' over al Qaeda terrorists. Still, said Tenet, ''it was inconceivable to me that Zarqawi and two dozen [Egyptian Islamic Jihad] operatives could be operating in Baghdad without Iraq knowing.''

So what should Washington do now? The first thing the Bush administration should do is create a team of intelligence experts—or preferably competing teams, each composed of terrorism experts and forensic investigators—to explore the connection between Iraq and al Qaeda. For more than a year, the 1,400-member Iraq Survey Group has investigated the nature and scope of Iraq's program to manufacture weapons of mass destruction. At various times in its brief history, a small subgroup of ISG investigators (never more than 15 people) has looked into Iraqi connections with al Qaeda. This is not enough.

Despite the lack of resources devoted to Iraq-al Qaeda connections, the Iraq Survey Group has obtained some interesting new information. In the spring of 1992, according to Iraqi Intelligence documents obtained by the ISG after the war, Osama bin Laden met with Iraqi Intelligence officials in Syria. A second document, this one captured by the Iraqi National Congress and authenticated by the Defense Intelligence Agency, then listed bin Laden as an Iraqi Intelligence ''asset'' who ''is in good relationship with our section in Syria.'' A third Iraqi Intelligence document, this one an undated internal memo, discusses strategy for an upcoming meeting between Iraqi Intelligence, bin Laden, and a representative of the Taliban. On the agenda: ''attacking American targets.'' This seems significant.

A second critical step would be to declassify as much of the Iraq-al Qaeda intelligence as possible. Those skeptical of any connection claim that any evidence of a relationship must have been ''cherry picked'' from much larger piles of existing intelligence that makes these Iraq-al Qaeda links less compelling. Let's see it all, or as much of it as can be disclosed without compromising sources and methods.

Among the most important items to be declassified: the Iraq Survey Group documents discussed above; any and all reporting and documentation—including photographs—pertaining to Ahmed Hikmat Shakir, the Iraqi and alleged Saddam Fedayeen officer present at the September 11 planning meeting; interview transcripts with top Iraqi intelligence officers, al Qaeda terrorists, and leaders of al Qaeda affiliate Ansar al Islam; documents recovered in postwar Iraq indicating that Abdul Rahman Yasin, the Iraqi who has admitted mixing the chemicals for the 1993 World Trade Center bombing, was given safe haven and financial support by the Iraqi regime upon returning to Baghdad two weeks after the attack; any and all reporting and documentation—including photographs—related to Mohammed Atta's visits to Prague; portions of the debriefings of Faruq Hijazi, former deputy director of Iraqi intelligence, who met personally with bin Laden at least twice, and an evaluation of his credibility.

It is of course important for the Bush administration and CIA director George Tenent to back up their assertions of an Iraq-al Qaeda connection. Similarly, declassifying intelligence from the 1990s might shed light on why top Clinton officials were adamant about an Iraq-al Qaeda connection in Sudan and why the Clinton Justice Department included the Iraq-al Qaeda relationship in its 1998 indictment of Osama bin Laden. More specifically, what intelligence did Richard Clarke see that allowed him to tell the Washington Post that the U.S. government was ''sure'' Iraq had provided a chemical weapons precursor to the al Qaeda-linked al Shifa facility in Sudan? What would compel former secretary of defense William Cohen to tell the September 11 Commission, under oath, that an executive from the al Qaeda-linked plant ''traveled to Baghdad to meet with the father of the VX [nerve gas] program? And why did Thomas Pickering, the undersecretary of state for political affairs, tell reporters, ''We see evidence that we think is quite clear on contacts between Sudan and Iraq. In fact, al Shifa officials, early in the company's history, we believe were in touch with Iraqi individuals associated with Iraq's VX program''? Other Clinton administration figures, including a ''senior intelligence official'' who briefed reporters on background, cited telephone intercepts between a plant manager and Emad al Ani, the father of Iraq's chemical weapons program.

We have seen important elements of the pre-September 11 intelligence available to the Bush administration; it's time for the American public to see more of the intelligence on Iraq and al Qaeda from the 1990s, especially the reporting about the August 1998 attacks in Kenya and Tanzania and the U.S. counter-strikes two weeks later.

Until this material is declassified, there will be gaps in our knowledge. Indeed, even after the full record is made public, some uncertainties will no doubt remain.

The connection between Saddam and al Qaeda isn't one of them.

## 100 DAYS BEFORE ASSAULT WEAPONS BAN EXPIRES

The SPEAKER pro tempore (Mr. MARIO DIAZ-BALART of Florida). 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, as we come back from our Memorial Day break, there are less than 100 days before the assault weapons ban will expire here in this Congress. We have just 100 days to save a law that has saved so many lives. We only have 100 days before we can make sure our police officers are not put at risk. We only have 100 days before we make sure that our communities are not faced once again with assault weapons in their midst.

As we draw close to September 13, when the ban expires, law enforcement officers from all over the country are getting together to make sure that their voices are heard, to make sure that the assault weapons ban stays in place. Just last week, the Police Chief in Raleigh, North Carolina, Jane Perlov, demanded renewal of the ban. She was participating in a Million Mom March event that is going around the country and said, ''Clearly a continued ban on assault weapons will make us safer without affecting our rights to possess other rifles, pistols, and shotguns for legitimate purposes.''

This week, the Million Mom March's ''Halt the Assault Tour'' will be in St. Louis, Missouri, and rolling on to Texas. I think it is appropriate that this Saturday the tour will be in Texas, the adopted home State of President Bush. In 2000, then Governor Bush said he would sign an assault weapons ban.

During the President's first 100 days, here in Congress everybody does everything they can to make sure that they are pushing through his agenda. Well, here we are coming down to the last 100 days before the assault weapons ban expires, and I think it would be very nice if the President kept his word and actually put it into his agenda for the last 100 days before it expires.

Ten years ago, we fought very hard here in these halls to make sure the assault weapons ban was passed. Ten years ago, I sat up there as a citizen and was down here lobbying to make sure the assault weapons ban was passed. I find it so hard to believe that now I am standing here as a Congressperson again fighting to make sure assault weapons are not put back on to our streets.

These are the guns we see every single night that our men and women in the service in Iraq are using to fight for the democracy of the Iraqi people, but, unfortunately, we may be opening up the floodgates to allow criminals, drug lords, and gangs to be able to walk into any gun store and to be able to buy assault weapons and the large capacity clips. People keep forgetting about the large capacity clips, that they will be allowed back on the streets.

I am asking for the involvement of the American people. I hear constantly that they feel they are not part of the government. They have an opportunity to be part of the government, but we have to hear their voices. Are you out there? Do you actually want assault weapons back on the streets in 100 days? Your Members of Congress, your Members of the Senate, the White House needs to hear your voices. Today you can e-mail. Today you can make a phone call. Let your Member know how you feel about this. You have an opportunity to do something.

When we talk about terrorists possibly being in this Nation, and we are spending so much money on homeland security, which we should be doing, when we talk about the safety on

trains, the safety on planes, we should not make it easier for the terrorists to be able to get these guns, whether it is at a gun show or a gun store. They can get false I.D. We know that. Why would we give them this opportunity to make it easier for them?

Again, it comes down to this. Why did we pass an assault weapons ban 10 years ago? Because these guns were used rampantly to kill so many of our police officers. That is why we passed the bill. Why should we go back 10 years? We know it works. I happen to think we should make the bill stronger. I think it should be made permanent so we are not having this debate every 10 years.

I happen to think that gun manufacturers have a responsibility to not make copycats of these assault weapons, which they have been doing. Think about the D.C. snipers. That was a knock-off of that type of gun. I ask the American people, Mr. Speaker, to have their voices heard. We can do this, but we need your help.

The SPEAKER pro tempore. 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.)

## FALLEN FIREFIGHTER, 14-YEAR OLD CHRISTOPHER KANGAS, DENIED BENEFITS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. WELDON) is recognized for 5 minutes.

Mr. WELDON of Pennsylvania. Mr. Speaker, sometimes the bureaucrats in this city just do not get it. Before coming to Congress, Mr. Speaker, I was an educator, but I was also a volunteer firefighter and a fire chief in my home State of Pennsylvania. There are 32,000 fire departments across this country, and 85 percent of them are volunteers. There are 1.2 million men and women each year who risk their lives to protect the properties in their towns and that of their neighbors from the ravages of fire. Each year, 100 of them are killed in the line of duty, most of them volunteers.

Mr. Speaker, the Congress established a Public Safety Officers' Benefits Act for these brave heroes years ago. In establishing this program, the Federal Government did not set any age limitations. Rather, the Federal Government said where a firefighter is recognized by his or her State, that firefighter is eligible for public safety officer benefits.

In some States, the age for firefighters is 18. In other States, it is 16. In others, it is 14. In my State of Pennsylvania, where we have 2,600 fire departments, you can be 14 years of age to be a firefighter, a recognized firefighter in a local fire department. There are certain rules on what kind of work you can perform at the scene of a fire, but you are a legitimate firefighter, and, therefore, you are eligible for Federal public safety officer benefits.

On May 4, 2002, Mr. Speaker, 14-year-old Christopher Kangas was killed responding to a fire in Brookhaven Borough, Delaware County, Pennsylvania. His bicycle was run over by a vehicle, and he was killed at the scene, one block from the firehouse. He was a regular firefighter. He had trained, he knew what he could do and what he could not do at the scene, and he was recognized by the Borough of Brookhaven and by the Commonwealth of Pennsylvania as a firefighter.

When he passed away, and they gave full honors to him, the Borough of Brookhaven provided the full benefits to his family as a fallen firefighter. The Commonwealth of Pennsylvania recognized Chris Kangas as a fallen firefighter and gave him full honors.

Mr. Speaker, the representative of the President of the United States to the Fire Service, the U.S. Fire Administrator Dave Paulison, sent a letter of condolence to the family, recognizing Chris Kangas as a firefighter. But the bureaucrats over at the Department of Justice who administer a program that Congress enacted ruled now for the second time that Chris Kangas was not a firefighter. The bureaucrats in Washington determined that he could not be a firefighter, even though the Commonwealth of Pennsylvania and the Brookhaven Fire Department legally maintained Chris Kangas on their rolls.

Mr. Speaker, this is outrageous. Regardless of age, Chris Kangas was a firefighter; and he was killed in the line of duty. No bureaucracy, no bureaucrat in the Department of Justice should be able to determine who is a firefighter. We have had firefighters who were in their 60s and 70s directing traffic at a fire scene and were killed and were recognized by the Federal Government's Department of Justice as a fallen firefighter. So a 70-year-old can be a firefighter but a 14-year-old recognized by a legitimate State authority cannot.

Mr. Speaker, this is outrageous. It is appalling. It is a disservice to every volunteer in America. Those one million volunteers out there are joining with me in demanding that Congress change this terrible action by the Department of Justice.

Therefore, today I have introduced legislation, H.R. 4472, cosponsored by all the cochairs of the Congressional Fire and EMS Caucus, the gentleman from Maryland (Mr. HOYER), the gentleman from New York (Mr. BOEHLERT), the gentleman from New Jersey (Mr. ANDREWS), the gentleman from New Jersey (Mr. PASCRELL), and the gentleman from Michigan (Mr. SMITH). We are calling for the immediate definitional change so that everyone understands a firefighter in a State, determined by that State's laws, is a firefighter under the guidance of Federal regulations for death benefits.

No bureaucrat in Washington should be allowed to make that decision. It is a slap in the face to the Kangas family and to every firefighter across America. I urge the White House to join with us in asking for the courts to move in on this in an appeal, but I ask my colleagues to cosponsor H.R. 4472 to correct this gross action so that Chris Kangas' name can be added to the National Fallen Firefighters Memorial at Emmitsburg, to be recognized for the American hero that he was and that he is.

Mr. Speaker, I submit herewith for the RECORD an op-ed that I produced on this story.

On May 4, 2002, Christopher Kangas, a 14-year-old junior firefighter with the Brookhaven Fire Department, was struck by a car and killed while riding his bicycle in response to a fire emergency. Christopher's death struck a devastating blow to the Kangas family, the Brookhaven Fire Department and the local community. His death was a horrendous tragedy and marked the loss of a true local hero.

Make no mistake—regardless of his age Christopher Kangas was a firefighter killed in the line of duty. As a member of Congress with direct legislative oversight on homeland security and first responder issues for 18 years, founder of the Congressional Fire and EMS Caucus, a former junior member of my local department and former volunteer fire chief, it is my professional and expert opinion that Christopher Kangas met every conceivable definition of a firefighter. I am not alone in that opinion—The Brookhaven Fire Department, Brookhaven Fire Chief Rob Montella, Brookhaven Borough and the Commonwealth of Pennsylvania all agree. The Commonwealth of Pennsylvania and the Borough of Brookhaven awarded the deceased public safety officer benefits to the Kangas family, recognizing his death as occurring in the line of duty as an official member of the fire department.

This week, the Kangas family, the Brookhaven Fire Department, the local community and firefighters across the country suffered a second devastating blow when the Department of Justice (DOJ) announced its ruling denying Christopher Kangas full firefighter status under the Public Safety Officers' Benefits Act (PSOB). As a result, his family will not receive a $267,000 line-of-duty benefit. Even more damaging than the loss of monetary benefit is the fact that Christopher will not take his rightful place at the National Fallen Firefighters Memorial in Emmitsburg, Maryland, along side his fellow fallen heroes. Inexplicably, the DOJ determined that Christopher was not a ''public safety officer'' under the PSOB Act. In so ruling, the DOJ not only ignored the facts, but also the letter and spirit of the law.

When Congress passed the PSOB Act, it intended to provide benefits to any firefighter serving as an officially recognized member of a legally organized fire department. There is no question that the Brookhaven Fire Department is a legally organized department and that they officially recognized Christopher as a firefighter. With its ruling, the DOJ is inappropriately rewriting the law and narrowing the definition of firefighter to exclude individuals based on age.

The Act does not contain a single requirement based on age or the type of activities that must be met to entitle an individual to benefits. The Act clearly and simply states that an officially recognized firefighter

killed in the line of duty is entitled to benefits. Whether a 30-year-old firefighter is killed manning a hose, a 60-year-old firefighter is killed directing traffic at the scene, or a 14 year-old firefighter is killed while mobilizing supplies, providing emergency medical supplies or performing many other duties necessary for the suppression of fire, he or she should be entitled to benefits. On May 4th, 2002, like thousands of Junior Firefighters across the country do every day. Christopher Kangas fulfilled his duty and answered the call to a fire emergency. Tragically, while answering that call, he was killed in the line of duty. As a result of DOJ's ruling an entire class of firefighters who serve, protect and die while responding to an emergency are now deemed inconsequential.

Congress never intended for the PSOB Act to make judgment calls about what roles a firefighter must perform to entitle them to benefits. Furthermore, Congress made no distinction with regards to the specific tasks that an officer must be able to perform at the scene of a fire to be considered a public safety officer. In fact, most firefighter fatalities arise from causes other than burns and asphyxiation. Every year, more public safety officers are injured or killed in motor vehicle and other incidents on the highway at the scene of an emergency or while en route or leaving the scene of an emergency than by fire or smoke. The DOJ's ruling completely ignores the every day risks that our first responders face when responding to emergencies. More disturbing, is the thoughtless message the ruling sends to Junior Firefighters across the country that they are somehow less important or meaningful to the fire service than adult firefighters.

Although not surprised by the DOJ's ruling, I am appalled by the lack of understanding displayed by the Department's myopic decision. In response, I will introduce the Christopher Kangas Fallen Firefighter Apprentice Act to retroactively prevent the DOJ from denying firefighter eligibility for PSOB status based on age. When passed, Christopher Kangas and all junior firefighters will be given the status they deserve.

Fighting fires requires preparation, dedication and above all else—teamwork. Each member of the team must perform his individual duty to the fullest extent of his or her ability and accept the inherent risk of their position. Only when each member of the team performs their assigned duty, can the entire team achieve success. The firefighter providing maintenance on the equipment, operating a hose, searching a building, providing first aid to the injured or directing traffic on the scene all assume a risk to their safety and play vital role in the team's success. Firefighters across the country understand the importance of teamwork and heroically accept the risk that their duty requires. Christopher Kangas understood this principle and bravely faced the risk of his position, let's hope his memory will force the DOJ to come to that same understanding and honor those like Christopher that have paid the ultimate sacrifice protecting our communities.

## PRESCRIPTION DRUG DISCOUNT CARDS

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, today is the first day America's seniors and disabled Americans can use the new prescription drug discount cards created by last year's Republican Medicare law. The discount card program has not exactly been a smashing success. Nationwide, less than half a million seniors actually chose to enroll in the drug discount card program out of 40 million.

Little surprise, really, since seniors in my State of Ohio and throughout the country have found it confusing, have found it overwhelmingly bureaucratic, and have found it unreliable. With good reason. Under traditional Medicare, all benefits are accessible through just one card, but under this Rube-Goldberg, new Republican program, seniors have to choose literally from a whole deck of cards.

In my State, there are as many as 53 different cards available. One might cover blood pressure medicines but not heart medicine. Another might cover arthritis medicine but not diabetes medicine. Worse yet, the card costs $30, and it must be kept for a whole year, but the discounts published in the brochure given out might be out of date even before an individual gets to the drugstore.

The Republican bill lets the drug companies change coverage and discounts as often as once a week without notifying the cardholder, who, as I say, has to keep the card for 12 months. That is not Medicare. Medicare, real traditional Medicare is simple, reliable and universal, not this confusing privatized Medicare that the Republicans have foisted on the American public.

The new program is having such problems that even one of its most widely accepted provisions is having trouble signing people up. The new law provides annual subsidies of up to $600 on drug purchases for some low-income seniors. But that provision is not reaching its targeted audience. Secretary Thompson says he is somewhat concerned that low-income seniors are not signing up.

A lot of us here in the House are concerned, too; and we have offered a solution. The gentleman from Michigan (Mr. DINGELL), the gentleman from California (Mr. STARK), the gentleman from California (Mr. WAXMAN), and I have introduced a bill that will automatically enroll all eligible seniors in the new law's low-income subsidies program. Like Medicare itself, our proposal is simple, it is universal, and it is reliable.

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But instead of actually fixing the program as they could, fixing the problem, the Bush administration has decided to spend more tax dollars on advertising. The Republican Medicare bill has always been more about image than substance. This bill written by and for the drug companies, written by and for the insurance companies, this Medicare privatization bill written by and for the HMOs has made America's seniors even more confused, and it simply is not working.

When HHS auditors said the Republican bill would cost $134 billion more than the White House said, the Bush administration suppressed the estimate and gagged the auditor. When the initial reaction from seniors was less than enthusiastic, the Bush administration announced plans to spend $80 million of taxpayer dollars to educate America's seniors on why the bill is not really as bad as seniors think it is.

When news coverage of the program was not favorable enough, the Bush administration, undaunted, spent more money on advertising. They rolled out their own news stories complete with fake anchor, phony interview and bogus reporter. It is not about substance; it is about image.

Let us do it right. The House Republican leadership should take up the Dingell bill this week which will help low-income seniors get access to the $600 benefit. They should take up the Dingell bill this week, we could pass it and get it over to the other body in plenty of time to have it on the President's desk by next week. Just once, instead of our government always coming down on the side of the drug industry and on the side of the insurance companies, some of the President's biggest contributors, instead of the government always coming down on the side of the drug companies and the insurance companies and the HMOs, Congress just this once could do the right thing.

## INTELLIGENCE GATHERING IN A CONFUSING WORLD

The SPEAKER pro tempore (Mr. MARIO DIAZ-BALART of Florida). Under a previous order of the House, the gentleman from New Mexico (Mr. PEARCE) is recognized for 5 minutes.

Mr. PEARCE. Mr. Speaker, Newsweek magazine this week had a cover story calling Mr. Chalabi of the Iraqi National Congress, the INC, our con man in Iraq. Newsweek claims the INC gave the U.S. poor information about Saddam Hussein's weapons programs despite millions in funds received from the U.S. Government, including the DIA and the Department of State. Stories say Chalabi is linked with Iran, and members of the INC have been engaged in fraud.

First of all, we need to understand some basic concepts that people who provide intelligence to the U.S. from tyrannies and dictatorships often risk their lives. They are what we would call tainted, probably unsavory. It is not as if a number of the members of the Governing Council in Iraq are not connected to Iran. The Supreme Council for the Islamic Revolution in Iraq gets $1.2 million a month from the Iranian Revolutionary Guards whose head is Abdul Aziz al-Hakim, and he is on the Governing Council. The members of the Dawa Party and the Kurds also engage in commerce with Iran and are linked to the Iranian Revolutionary Guards.

But let us look at the facts that differ from what the press tells us and what our friends on the other side of the aisle are saying. This is some of the help we have received from the INC. When we are being told that aluminum tubing was being procured that violated the sanctions, this turned out to be true. We were told that Saddam Hussein had buried much of his weapons programs or hidden them in dual-use facilities. This information from as early as 1991 and throughout the 1990s turned out to be true.

We were told Saddam Hussein had unmanned drones that could deliver bio or chemical weapons, and this turned out to be true. We are told by the INC and others that weapons were being shipped to Syria; and Dave Kay confirms that he agrees with that assessment, although the exact nature and amount of the weapons that were shipped to Syria still have to be determined.

The INC said that al Qaeda and its affiliated terrorist groups were being trained and harbored in Iraq, and this has been confirmed. We only have to review the terrorists caught recently in Jordan who admitted they fled Afghanistan to Iraq before the war to liberate Baghdad, and while in Iraq they received training and assistance in the use of poisons and bombs from Iraqi intelligence.

The chairman of the Joint Chiefs said that the INC gave U.S. and coalition forces intelligence on a daily basis that saved American lives, stopped attacks, and deactivated roadside improvised explosives.

There are examples in the past that have failed to be covered by our friends on the other side of the aisle or by the press; but I think if we take just a moment, we can see the difficult nature of providing help to other countries and to people in other countries.

First of all, the U.S. Government provided hundreds of millions of dollars to the Taliban during the late 1990s in the hopes they would turn over Osama bin Laden. What did we get for our dollars at that point, and what did the Clinton administration explain to us?

The U.S. Government and others provided between $3 billion to $5 billion to the Aristide government in Haiti, and what did we get for our money? Haiti's gross domestic product declined by one-third, and crime and murder rates hit levels not seen since the Duvalier family ruled the country. Haiti became one of the major transshipment points for illicit drugs into this country, and now Aristide has left the country after robbing the treasury of every last dime.

During this great Haitian robbery by Mr. Aristide, a former Democratic congressman received a retainer of $50,000 from the Haitian Government and Aristide to provide cover for this looting. The Haitian Parliament could not even meet during Aristide's rule for fear that he would have them killed.

Mr. Speaker, what is this fight all about? For the past 25 years, there has been serious disagreement in the U.S. Government and amongst our allies about the nature of Islamic fascism and the terrorist means we face. This problem was accentuated when the Oslo Peace Process was begun. Particularly during the Clinton administration, it was assumed that terrorism directed against the U.S., the Trade Center in 1993, the Khobar Towers in 1995, the Kenyan and Tanzanian embassies in 1998, the USS *Cole* in 2000, it was assumed those attacks were the work of a loose band of terrorists unconnected to any state sponsor or government. The Clinton administration assumed, therefore, that this was a problem of law enforcement, a point reiterated by many leading Democrats today.

The Peace Process was assumed to require the agreement of the Islamic regimes in the Middle East: Syria, Saudi Arabia, Iran, Iraq and Jordan. Mr. Speaker, these assumptions were proved incorrect. President Bush changed those assumptions into fighting the war against terror. Mr. Speaker, we need to have the facts.

The assumption was that once Israel made an adequate offer to the PLO, that the PLO in turn would reign in the terrorist groups attacking Israel.

General Zini, for example, in his latest book makes this very assumption that the PLO and Arafat were not responsible for the terrorist attacks against Israel in the first and second Intifadas. He says that once a peace deal is put on the table by Israel, Arafat will take care of the security issue.

The assumption was that none of these Islamic/Arab governments were supporting terrorism against the United States and the terrorism would stop once a deal was made between Israel and the PLO.

The Peace Process featured Secretary of State Christopher making some 70 visits with President Assad of Syria to negotiate Syria's support for the "Peace Plan".

The United States could not on the one hand be negotiating a peace deal with Syria and other Arab regimes, while at the same time holding them accountable for terrorism aimed at the United States and Israel.

President Bush fundamentally changed this paradigm.

In June 2002, the President said the PLO had to have new leadership that agreed that Israel had a right to exist as a sovereign country, something Arafat has never agreed to; just today, the Egyptian government is reportedly asking that Arafat resign and new PLO leadership be appointed.

The President also drew a strong link between states such as Iran and Iraq that support al-Qaeda and other terrorist groups.

The Wall Street Journal reported last week that new intelligence reveals that a Lt. Col. in the Iraqi intelligence service met with the pilots of the planes that crashed into the World Trade Center and Pentagon in Kuala Lampur in Malaysia in January 2000 where the 9/11 plot was begun; additional evidence connects Mohammed Atta, one of the key conspirators and pilot of one of the planes on 9/11, met with Iraqi intelligence in Prague, the Czech Republic on April 8, 2001.

If these states are training, financing and providing sanctuary, documents and weapons to these terrorist groups, then they have declared war on the United States. As National Security Adviser Rice has noted, "they are war with the United States, but we were not at war with them."

Even as we fight to protect this country, we have bureaucrats fighting an internal, Inside the Beltway battle that is distracting from the larger and more important effort.

## DRUG DISCOUNT CARD

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. HINCHEY) is recognized for 5 minutes.

Mr. HINCHEY. Mr. Speaker, today is the first day that older Americans and the disabled can use their brand new prescription drug discount cards. Medicare beneficiaries, however, should use caution. Like everything else promised by the Bush administration and the Republican majority in this House, the prescription drug benefit is not all it was cracked up to be. Most seniors will find the benefits they already had through a State drug program, a Medigap plan, or coverage from a former employer may save them more money than the Medicare discount card.

Seniors' savings from the Medicare drug card will be negligible. Bush administration officials and Republican leaders have said that the Medicare drug cards would provide recipients with discounts of up to 25 percent on prescription drugs, but their friends in the pharmaceutical industry have corrected that. They say the savings will be no more than 17 percent.

But a more balanced study by the U.S. General Accounting Office pegged the savings even lower. The GAO found that the average savings produced by the Medicare drug cards was about $5 per prescription. GAO's results also reveal that seniors could usually find a better deal by shopping around. Why should seniors be asked to pay a $30 premium for these cards when they can get better deals by comparison shopping?

The meager benefits offered by the Medicare drug card were confirmed by another study, this one conducted by the minority staff of the House Committee on Government Reform, which demonstrated that the drug discount cards provide far less benefits to seniors than three simple alternatives: purchasing drugs in Canada, allowing the government to negotiate bulk purchases for seniors, and ordering through Internet pharmacies. The study found that drugs purchased with the Medicare drug card are an average of 72 percent more expensive than they would be if those same drugs were purchased in Canada. If the Federal Government negotiated the purchase of these drugs in bulk for Medicare beneficiaries, as it does for the Veterans Administration, prices then would be 75 percent less expensive than they would be with this Medicare drug card.

Seniors can get lower prices right now through Internet pharmacies, drugstore.com and costco.com, without signing up for a card and without paying an annual membership fee. Seniors could save 74 to 75 percent more than they will with the drug discount card without Federal Government spending any money at all. We could have legalized the reimportation of drugs from Canada, as a clear majority in this House voted to do. We could have allowed Medicare to negotiate fair prices for its 43 million beneficiaries. But instead, the Republican negotiators specifically put language in the bill that prevented that from happening, making it illegal.

Instead of enacting these fiscally responsible proposals that would be far more effective at reducing seniors' health care costs, the Bush administration and the Republican leadership of this Congress chose instead to protect and grow even larger the already enormous profit margins of the pharmaceutical industry.

While drug companies are required to cover at least one drug to treat most health conditions, they may not cover the drug that a beneficiary's doctor prescribes. It may not be possible to sign up with one plan that offers a discount for all of your prescriptions, but you can only sign up for one Medicare drug card at a time, and that has to last for 12 months. You cannot change for a year. The drug card will only be usable at certain pharmacies so seniors must research whether the card they are considering is accepted at a pharmacy nearby.

Some seniors will not have coverage outside of their home towns. There are a few national drug card plans, but most are regional. For seniors who travel frequently or spend part of the year in a different part of the country, the card they pick may not cover their prescriptions at all. Different drug cards will offer different prices on the same drug. Even with the same drug card plan, prices can vary from one pharmacy to another, and the drug card plans can change the drugs they cover and their prices, and they can do so every 7 days without notifying participants. This makes it nearly impossible for seniors to compare which plan gives them the best deal.

This program is intentionally and unnecessarily complicated in order to confuse seniors and reduce the benefits, even the small benefits that might be entailed in it. So this plan is too complicated, too complex, and far too expensive. There is a much better way of doing it, and we should get at it immediately.

Republicans rigged the system against seniors. The drug card—which should never have been necessary in the first place—leaves seniors with more uncertainty about their ability to afford medications than they have today.

Seniors shouldn't have to suffer through two years of uncertainty and meager benefits, before the real—though still completely inadequate—Medicare benefit begins.

The only reason that seniors are waiting two years is money: the GOP loaded up the bill with so many hundreds of millions of dollars in subsidies to the pharmaceutical industry that they did not leave enough money to pay for seniors' benefits.

President Bush and Republican leaders said money was the reason that the drug benefit couldn't start sooner, offer more comprehensive benefits and lower out-of-pocket costs for seniors. They said that we simply couldn't afford a more generous prescription drug bill than the $400 billion they had set aside—after the Bush tax cuts and huge increases in defense spending—to pay for Medicare reform.

The truth is that we're not spending $400 billion for drugs for seniors. Republicans gave away 61 percent of that to private corporations.

$339 million of the Medicare reform bill goes to the Administration's friends in the pharmaceutical and insurance industries.

$70 billion goes to private corporations for continuing to provide health care coverage to their retirees. These corporations were already providing retiree health coverage without any government subsidy. Now we'll be paying them to do what they were doing before without government support. And, because the subsidy comes with no strings attached, corporations can still drop retiree coverage entirely without warning.

$139 billion in overpayments to the pharmaceutical industry. This legislation will increase the drug industry's sales volume and profits dramatically. Because the bill specifically prohibits Medicare from harnessing the buying power of its 43 million beneficiaries to secure lower prices, Medicare dollars—and seniors' own out-of-pocket expenses—are being used to purchase drugs at inflated prices. Seniors who sign up for the drug benefit will be forced to pay higher prices than the VA or HMOs pay for the same drugs. Drug company profits—already the highest of any segment of our economy—are expected to increase 37 percent as a result of this bill.

$130 billion in overpayments to HMOs. Managed care options were added to Medicare because they were supposed to cost less per patient than traditional Medicare. Under the new law, we'll be paying HMOs as much as 25 percent more than health care costs under traditional Medicare. Even the GAO has confirmed that HMOs are overpaid, but that didn't stop the Republican leadership from increasing their payments again in the bill. Because HMOs tend to attract the healthiest seniors, they ought to be getting paid less, not more. Like the other corporate subsidies, HMO payments come with no strings attached—HMOs can pull in and out of communities, stranding seniors, whenever they please.

Seniors deserve better than this. They deserve a comprehensive and affordable drug benefit, one that they can count on for the length of their retirement. We could afford to give them one, but the Republican majority would rather subsidize private industry than needy seniors.

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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.)

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 of California addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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## ORDER OF BUSINESS

Mr. BURGESS. Mr. Speaker, I ask unanimous consent to take my Special Order speech at this time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas (Mr. BURGESS)?

There was no objection.

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## MEDICARE PRESCRIPTION DRUG BENEFIT STARTS TODAY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. BURGESS) is recognized for 5 minutes.

Mr. BURGESS. Mr. Speaker, here it is June 1, and the Medicare prescription drug benefit starts today. This drug benefit is a long time in coming. In fact, it is the missing link from when Medicare was passed back in 1965. The Medicare prescription drug benefit is going to occur in two phases, and the first phase starts today and that is the Medicare prescription drug discount card which is available to any senior calling 1-800-Medicare or logging on to the Internet, www.medicare.gov.

The formal program is choice based, consumer driven and affordable. In fact, low-income seniors will receive an extra $600 subsidy this year and next year. When the full Medicare prescription drug benefit kicks in on January 1, 2006, seniors will have the choice whether or not to opt into the program. Taking the prescription drug benefit discount now in no way obligates a senior to a future Medicare prescription drug benefit in the year 2006.

The most important thing about this legislation is that for the first time it actually empowers seniors to make the best choices based on value. For the first time, a senior can call 1-800-Medicare or log onto the Web site medicare.gov, and if they know the name of their prescription drug, their dosage and their ZIP Code, they can find out which Medicare prescription drug card would be best for them, which would cover the medications they are taking, which would provide the best benefits. Whether it be a mail order pharmacy or a neighborhood pharmacy, seniors will have that information at their fingertips.

□ 2000

Seniors are used to comparison shopping. They shop on line for cruises, they shop on line for clothes at various retail outlets. For the first time, they are going to have the ability to use that same consumer savvy with the purchase of their prescription drugs.

The site is far from perfect, and there will be additional improvements that

occur along the way. I myself envision a day where the site will be very much like perhaps Travelocity, where you just go in and type in the drug that you need and you will come up with several options on where to purchase it for the lowest price. But, for right now, this provides for the first time a database, a consumer-driven database that consumers may access at no cost to them to find out whether or not this program will be beneficial for their particular prescription drug needs and in their particular area.

Rather than a one-size-fits-all program that almost never works, rather than having the government tell you where and when you can buy your medications, this allows seniors to be in the driver's seat.

## CELEBRATING THE FORTY-THIRD ANNIVERSARY SERVICE FOR PASTOR AND MRS. JOE CHANEY, JR.

The SPEAKER pro tempore (Mr. MARIO DIAZ BALART of Florida). Under a previous order of the House, the gentlewoman from California (Ms. MILLENDER-MCDONALD) is recognized for 5 minutes.

Ms. MILLENDER-McDONALD. Mr. Speaker, I rise this evening to recognize a great community leader in my district—Reverend Joe Chaney, Jr., the organizer and founder of the Antioch Missionary Baptist Church of Long Beach, California. Last week, I was in attendance as the church celebrated its 43rd anniversary.

Antioch Missionary Baptist Church started with five members in 1961, and today has an active congregational membership of over 1600 parishioners.

Reverend Chaney has long been a tireless advocate for social change, inter-denominational understanding and fellowship in Long Beach. He has served as Director of Missions for the Long Beach Harbor Southern Baptist Association and for five years organized and directed the Long Beach Ministerial Alliance, an interdenominational alliance of local ministers.

He has served as the chaplain at St. Mary's Hospital and the Long Beach Police Department, and is currently the chaplain of the Long Beach Fire Department.

Reverend Chaney is committed to not only serving the church and the surrounding community, but to people all over California. He was selected as the first African-American on the Family Services and Child Care Board of Directors of the California Southern Baptist Convention, and has served as the President of the California Southern Baptist African-American Network.

Mr. Speaker, Rev. Joe Chaney and his wife Mrs. Maxine Moss Chaney have served as mentors to many in Long Beach, and have been widely recognized by their peers for touching the lives of many, and have dedicated their lives to improving the community by serving others.

I congratulate Rev. and Mrs. Chaney on 43 years of dedicated service to Long Beach, our State, and our Nation.

Thank you for 43 great years!

## RECOGNIZING ARMED FORCES ON MEMORIAL DAY

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. SOLIS) is recognized for 5 minutes.

Ms. SOLIS. Mr. Speaker, today I rise to recognize the many men and women who sacrifice their lives every single day in support of our Nation as members of the armed services, both in times of peace and in war.

In the last 2½ years since our Nation was attacked, the service of America's armed services has been on the front pages and news headlines across the country almost every single day. And this past weekend, we celebrated Memorial Day. We dedicated the World War II Memorial, and in towns across the country we had parades and moments of silence in honor of our armed services.

My district was no different. In the City of West Covina and Monterey Park, I had an opportunity to give special recognition to American Legion Posts 790 and 397, who served this Nation with dignity and honor, as well as recognize the living World War II veterans that still live in the district.

In El Monte, I shared Memorial Day with the Veterans of Foreign Wars Post 10218 and the Patriotic Commission on the Veterans and Homeless Commission.

In Baldwin Park, in the district I represent, my community both celebrated the World War II veterans, those that fought and returned from Iraq, while also mourning the many soldiers that have given their lives over the past several wars.

I was able to speak with Veterans of Foreign Wars and American Veterans from Post 113 during special events in the City of Irwindale and the City of South El Monte.

Each city in my community recognized these men and women who served in many, many wars. With these fine groups, my community recalled with love and gratitude the 16.1 million men and women who served in World War II and remembered the 292,000 service members killed in action. They demonstrate daily why many of them are the Greatest Generation.

Today, 5.7 million World War II veterans live in America. California alone has 475,000 of those World War II veterans that live in our communities.

Just as we celebrate in honor of the greatest generation, we must also remember those fighting today in Iraq and Afghanistan. One hundred and thirty-eight service members were killed during major combat in Operation Iraqi Freedom, and more than 662 since the end of the major combat of May 2003 have been killed.

I am sad to address to mention the names of seven fallen heroes from my own district, two who recently lost their lives just 10 days ago from our area. My heart goes out to the families and friends of Marine Corporal Jorge A. Gonzalez; Army Sergeant Atanasio Haro Marin; Army Private First Class Jose Casanova; Marine Private First Class Francisco A. Martinez Flores; Army Specialist Leroy Harris-Kelly; Marine Corporal Rudy Salas, who died 10 days ago; and Lance Corporal Benjamin Gonzalez, who died 2 days ago.

Their service to the community I represent and to the Nation will never be forgotten. During both peace and war, the service that these armed service members provide is something that we must all remember.

Just as we send our service members off to battle, we should not forget the many in our communities, families who send their loved ones, who should not be denied any, any, service. We must indeed guarantee them full health care and benefits, adequate burial and bereavement service and support for the military families.

I had several of the family members of the soldiers that I just mentioned who were not able to access services as easily as others of us who would have, because they have language barriers. They did not provide immediate interpretive services to immigrant soldiers and their families. Why is that? Why is there a double standard here? You can send your young ones to be killed to defend our country, and yet you cannot provide them the adequate attention that they so deserve.

In addition, we were lucky this past year that the President signed into law an expedited citizenship process. It now takes 2 years to become a full U.S. citizen. You can put on the uniform, but after that it takes a great deal of time for that process to occur. We still do not have the process set up so that they can go ahead and actively begin to apply. We are talking about 50,000 currently eligible military personnel and reservists who would be eligible for this program. What are we doing to help ramp that program up, as we find every single day soldiers are coming back in coffins, and many with surnames like mine.

I ask us to remember, yes, those that have defended our country, but let us keep intact those many young men and women who are currently serving us right now in our country. May God bless them and their families, and let us bring them home soon.

## GROSS AND OFFENSIVE OUTRAGES REGARDING ENERGY CRISIS OF 2000 AND 2001

The SPEAKER pro tempore (Mr. FEENEY). Under a previous order of the House, the gentleman from Washington (Mr. INSLEE) is recognized for 5 minutes.

Mr. INSLEE. Mr. Speaker, there are some outrages that are so gross and offensive that even if it takes years to right them, we should do that, and one of those outrages is the energy crisis of 2000 and 2001 on the West Coast of the United States.

But in fact there are two outrages involving the energy crisis in the Western United States. The first outrage is

that Enron and various other traders gouged over hundreds of millions of dollars from consumers in the western United States. But the second and perhaps equal outrage is that the Federal Government, under the Bush administration, has been wholly ineffectual in getting back the money that has been stolen from consumers in the Western United States. These are two outrages.

Today and the last few days we have now discovered over 2,000 hours of taped conversations between Enron traders and others that clearly show the way that they stole hundreds of millions of dollars from consumers in the Western United States.

Those were discovered because of the great work of a small public utility district, the Snohomish PUD in Snohomish, Washington, that finally let us know, to get a window of the horrendous theft that went on, and I just want to quote a couple of things that the Enron traders talked about as they were stealing from the consumers of the West Coast.

Here is one trader, Tim Beldon, who since pleaded guilty to criminal fraud charges, who said, ''Grandmothers were taken at the tune of a million bucks or two a day.'' Taken. They were taken due to the outright fraud of Enron.

Another quote from an employee who can be heard asking, ''Do you know when you started overscheduling and making buckets of money on that?'' Well, the buckets of money that they made came right out of the pockets of consumers.

The last quote, we heard traders of Enron saying basically, ''Isn't it great that we jammed grandmothers for millions of dollars?''

Well, it is not great that they ''jammed'' grandmothers on the West Coast of the United States, and that needs to be fixed by the Federal Government.

But the second outrage is that our Federal Government and this administration has acted essentially like the Keystone Cops in doing nothing effective to get back these millions of dollars from our consumers. In Snohomish County, Washington, we have had 50 percent increases in electrical rates as a result of this gouging, and yet the FERC, the Federal Electric Regulatory Commission, and the Bush administration has done nothing to get this money back for the consumers.

Next week, when the energy bill is on the floor of the House, I will be offering an amendment to compel FERC, to compel the Bush administration to get off the dime and get this money back that has been stolen. They have acted with all the energy of Barney Fife on this, and it is time for them to do the job and get this money back for ratepayers.

Now, why has this not happened? Why has the Bush administration sat on their hands while this theft occurred? Well, I have to tell you that we have done everything humanly possible to get the administration, the President and the Vice President, to act on this.

In fact, during this crisis in 2000 and 2001, we asked the Vice President to personally intercede. Do you know what he did? On April 17, 2001, he met with Ken Lay of Enron; and they apparently talked about the energy crisis. And what after that conversation did they do? Two days later, the Vice President came out, Mr. CHENEY came out on April 19 and said, ''We think price caps simply don't work.'' And they did nothing effectual to solve this problem.

In fact, we had a meeting with the Vice President when this was going on, and we told the Vice President of this, at the very time there were brownouts in California, we told the Vice President of the United States that over 30 percent of the generating capacity in America was turned off. Obviously, to anyone who knew anything about energy, people were gaming this system. And we pleaded with the Vice President to help us.

After we laid out all of these facts and circumstances, these are several Members of Congress and myself to the Vice President, he looked at us in our eyes and simply said, ''You know what is wrong with you? You just don't understand economics.''

Well, we do understand economics. We just do not understand Enronics. We just do not understand a Vice President who wants to talk to Ken Lay but will not lift a finger to help American consumers to get these hundreds of millions of dollars back that were stolen. We do not understand a Vice President who says let those grandmothers be jammed, and we are not going to help.

We are going to have an amendment next week to solve this problem.

## PROBLEMS WITH MEDICARE PRESCRIPTION DISCOUNT CARDS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. STRICKLAND) is recognized for 5 minutes.

Mr. STRICKLAND. Mr. Speaker, today, the seniors of this country are told that they can take advantage of the so-called Medicare discount cards which are available to them. They are being told that these cards will offer them between 10 and 25 percent savings. But there are some things that the seniors need to know as they contemplate the potential use of these cards.

First of all, it is the sponsoring company that offers the discounts or determines the size of the discounts, and that sponsoring company can change the level of discount available to the senior frequently. In fact, they can do that every 7 days, if they so choose.

The senior also needs to know that these cards only cover some drugs and not others. So if a senior takes four or six or eight prescriptions and they choose a card, and they can only choose one card, they may have one or two of their medicines included and covered by that discount card and other medications may not be covered by that discount card, and the very medicines that are covered can be changed at the whim of the companies. In fact, those medicines can be changed every 7 days.

Seniors also need to know that once they choose a card and choose to enroll with that particular company, they are locked in for one full year. So although the companies can change the level of discount frequently and they can change the drugs that are included in their discounts frequently, the senior is locked in to a particular card for one full year.

Why is that? Why is all of the advantage being given to the sponsoring companies, rather than to the individual senior citizen?

I think it is important for the seniors of this country to know that this discount card offering falls far short of what could or should be done by this government to make drugs affordable to them.

One of the things we could do would be to simply allow the reimportation of cheaper drugs from Canada. There is probably not a senior in this country that is not aware of the fact that Canada sells drugs for just a fraction of what those drugs would cost the American senior citizen, and yet this government, this administration, this President, opposes the reimportation of cheaper drugs from Canada.

□ 2015

That is one of the things that could be done, and could be done quickly and easily; and it would reduce the cost of medications that our seniors face.

Well, another thing the administration could do but refuses to do is to allow our Secretary of Health and Human Services to negotiate discounts for our senior population. Mr. Speaker, our government negotiates discounts for our veterans; and we believe that as a result, those drugs are discounted somewhere between 40 and 60 percent, and this is something that is currently being done on behalf of our veterans. Why would this President and this administration refuse to support such negotiated discounts being made available to our senior citizens? It just simply does not make sense.

Mr. Speaker, we need help, our seniors need help with the cost of prescription drugs, and what we need is a prescription benefit that is a part of traditional Medicare. Seniors like and trust Medicare. It is a program that works. It is easily understood. It is easily administered. In fact, the cost of administering Medicare is just fractional compared to the cost of administering private plans.

So why do we not just offer a prescription drug benefit that is a part of traditional Medicare? But no, that is not what the President or this administration or the leadership in this Congress wants. In fact, we all know that

in this Chamber in the middle of the night, this leadership pushed through a drug plan wherein they called for the vote at 3 o'clock in the morning; and at the end of the voting period, the 15-minute voting period, the bill had lost and it had lost because it is a bad bill. We kept the vote open, and the press says they got the President out of bed at 4 o'clock in the morning so he could twist arms and make phone calls and, finally, after 3 hours, they got a couple of freshmen and they apparently pressured them to change their minds because they came walking down the aisle and, at about 5 minutes to 6 a.m., this bill passed. We are now living with the results. The senior citizens of this country know they have been taken advantage of.

Mr. Speaker, I look forward to November when the seniors will have their opportunity to respond.

## THE FIRST STEP TO A BETTER MEDICARE: DISCOUNT PRESCRIPTION DRUG CARDS FOR OUR SENIORS

The SPEAKER pro tempore (Mr. FEENEY). Under the Speaker's announced policy of January 7, 2003, the gentlewoman from Connecticut (Mrs. JOHNSON) is recognized for 60 minutes as the designee of the majority leader.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I rise with pride and pleasure to recognize this June 1 as the first time in history that the seniors of America have had the opportunity to purchase a Medicare drug discount card as the first step, but only the first step, in reducing the cost of their prescription drugs.

My colleagues have heard a lot here tonight. We have heard some very sharp things from the speaker who just preceded me. But listen to this: this is a widow in my hometown of New Britain who takes Zithromax; and because of this discount card at a local pharmacy in New Britain, instead of paying $46.50 for her Zithromax, she will now pay $39.44. She takes Nystatin. Instead of paying $35 for Nystatin, she will now pay $15 for Nystatin. And so it goes. One of the other drugs she takes costs $40 and now will cost $11.50.

Mr. Speaker, this widow for whom every dollar is precious will save $730 on her prescription drugs every year, including this year. Now, that may not be a lot to my colleagues, but for someone spending $2,000 on drugs a year, a little over $2,000 on drugs a year, that is a lot. That is 29 percent, almost 30 percent, of her drug costs.

So this is a good day for seniors, and I and my colleagues are going to talk about a lot of the things we have been told tonight about this prescription drug program. But we are here to say, you be the judge. We are here to say, do not let nay-sayers, do not let others rob you of the hundreds of dollars of savings on the prescription drugs on which your health and well-being depend. You be the judge. You find out the facts. You be the judge. It is real simple.

But to start off tonight, let me turn to the gentleman from Pennsylvania (Mr. ENGLISH), a very good friend of mine on the Committee on Ways and Means.

Mr. ENGLISH. Mr. Speaker, I want to thank the gentlewoman. I want to rise today not only to mark this historic day for Medicare beneficiaries because today, for the first time since the program's inception, Medicare, through a discount card, will be providing real relief to seniors who struggle to pay for their prescription medicines.

I want to acknowledge that, but I also want to especially acknowledge the efforts of the gentlewoman as chairman of the Subcommittee on Health for making this legislation possible. I am very proud to have been part of the team that helped put this legislation together and see it through to the end; and I am also glad to be on the floor tonight, having heard some of the extraordinary claims from a number of Members who consistently voted against prescription drug benefits for seniors. They are now trying to run down the program that we put together, we fit into a budget, and we got passed in the House. The record shows that they did not offer a credible alternative, they did not offer a budget that they could fit it into, and they were talking a lot about seniors, but not delivering.

The discount card program that was created under the Medicare reform bill that we passed will also ultimately create a prescription drug program that will be available by 2006 for every Medicare beneficiary. But what we have done, which is so important, is offer an interim program to provide immediate relief for seniors. Because I know, as the gentlewoman found in her district in Connecticut, in my district in Pennsylvania, what seniors wanted was some help that would be available quickly. And when I brought the head of CMS into my district for a town meeting and he said it would take a couple of years to ramp up a prescription drug program, they made it very clear, that group of seniors in Mercer County, Pennsylvania, they wanted to see something quicker, and that is what we have been able to do.

These discount cards are meant to provide a transitional program, especially for the approximately 10 million Medicare beneficiaries who have no drug coverage. Seniors have been enrolling in the numerous discount cards in their area since May 3; and today, many seniors will begin to enjoy savings on their medicines. CMS, the Center For Medicare and Medicaid Services which administers the Medicare program, estimates that seniors will save between $3.8 billion and $5.1 billion over the 2-year duration of the program. This is a substantial amount of money.

For an annual enrollment fee of no more than $30, seniors will enjoy savings on drugs of up to 30 to 60 percent on generic drugs, 16 to 30 percent or more on usual retail prices, and 11.5 to 17 percent off average retail prices with significantly larger discounts available on mail order drugs. This is in real contrast with the message we have heard from some of the critics. These are real savings.

Even better, beneficiaries can choose the card that gets them the lowest prices; and if they wish, they can also get help finding low or no-fee cards, cards that include specific neighborhood pharmacies and/or cards from specific sponsors. But the important thing is, this drug card, I think appropriately, provides additional assistance to low-income seniors through a direct subsidy. This is a big benefit to seniors in my district.

Today, seniors with limited means are eligible for a $600 annual credit that goes a long way toward paying for their medication. In my home State of Pennsylvania, we have had a great program for low-income seniors called the PACE program, which provides a prescription drug benefit for low-income seniors who do not otherwise have such a benefit. This has been, I think, the hallmark of Pennsylvania State government for many years and an extraordinary success for those who are eligible.

With this new Medicare legislation, the $600 credit will go directly to PACE and allow them to automatically enroll about 150,000 low-income seniors, lower PACE's costs, and allow PACE to waive some $6 co-pays which low-income seniors would otherwise have had to pay to get their medicines.

PACE beneficiaries will continue to use the card PACE issues them to receive the benefits of the new program, and seniors enrolled in a Medicare Advantage plan like Security Blue in my district will receive a drug discount card from that plan.

Other eligible Pennsylvania seniors can choose between 43 drug cards to find the benefit that is best for them. And as I think the gentlewoman is about to point out, they have one number that they can call to get the information that they need.

Mr. Speaker, signing up for the drug discount card and getting information on the plans offered in their area could not be easier. Seniors who want help in selecting a card should call 1–800–MEDICARE or visit the Medicare Web site at www.medicare.gov; and there it is, right there. There are 3,000 customer service representatives available 24 hours a day, 7 days a week to answer these questions. To enroll in a particular card, beneficiaries should contact that card and receive an application. There is a standard enrollment form that will be accepted by all cards.

Mr. Speaker, what is interesting to me is some politicians and special interest groups with their own narrow agendas have run down the prescription drug benefit as ineffective. But I

would ask them how guaranteeing savings ranging from 11 to 60 percent is ineffective, especially considering the enormous credit for low-income seniors.

After many years, and after the House of Representatives, having acted in two prior sessions, Congress has finally acted to give our seniors an affordable, flexible, and dependable Medicare program. Today, we ring in a new era of better prescription drug coverage. Tomorrow, we will broaden that benefit and work to make sure seniors continue to get the benefits they have earned.

As one of the earlier speakers noted, perhaps indeed people will remember this on Election Day. But I think as they look at this program, they are going to decide that this is a very substantial benefit. This is a remarkable accomplishment. This is a massive moving of the Medicare program in the right direction, and I think it is going to provide substantial benefits for a lot of seniors that need it.

Again, I want to thank the gentlewoman for her extraordinary efforts.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I thank the gentleman from Pennsylvania for his comments. It is absolutely true that this was the first bill ever passed by the House that provided a discount card. Every other bill passed or proposed, whether by the Republicans or a bipartisan group or the Democrats, waited 2 years to provide any senior with any benefit. That was just too long. And while my colleague from the other side who spoke just before we took our time said some seniors will not benefit at all, he pointed to those seniors who have very good employer-provided coverage. That is about 30 percent of seniors. What he did not say was that no low-income senior, now that we are at June 1, will ever again pay more than $5 for a drug, a prescription drug. All low-income seniors in America, no more than $5 for a generic; and much less than that that many will pay, $1 per prescription.

Now, that matters to our seniors, I say to my colleagues. That is important in their lives, and I am proud that we have brought that to them.

I am very proud to have another colleague of mine from the Committee on Ways and Means, the gentleman from Arizona (Mr. HAYWORTH), join us as we talk about this prescription drug discount card now available to our seniors across America on this day, June 1.

Mr. HAYWORTH. Mr. Speaker, I thank the gentlewoman from Connecticut for reserving this hour for some straight talk with the American people, and I appreciate her efforts and the efforts of a majority of Members of this House, working with a majority of members of the other body, to have our President sign into law prescription drug benefits as a part of Medicare, now the law and now the reality.

□ 2030

And I share, I do not know the best way to describe it, Mr. Speaker, my colleagues, I guess bemusement in one sense, serious concern in another very real sense, to hear the double-talk, the deception, the incredible mischaracterization of something good for the American people and for our seniors, updating Medicare, bringing it into the 21st century, offering real results and real savings, with drug discount cards now available to seniors on Medicare.

Mr. Speaker, my colleagues, it has been amazing to look at the coverage in the last month. My friend from Connecticut pointed out the real results for a widow in her hometown of New Britain. We had our colleague from Pennsylvania, another member of the Committee on Ways and Means, talk about his constituents in one of the counties he represents welcoming real savings.

I can tell you, this is what really is amazing, Mr. Speaker, my colleagues, those who come to this Chamber time and again and purport to have the interest of the poorest seniors in mind and in their heart, these same people say to our seniors do not bother to sign up.

Mr. Speaker, my colleagues, we need to reiterate this for the American people to hear and understand in Arizona, 106,000 seniors, single seniors with incomes under $12,500, married seniors, with incomes of under $16,800, those seniors are eligible right now for $600 to pay for their drugs, to take a serious bite out of the situation where seniors have to choose between medicine and food on the table. Here is money to help them now; and yet there are Members of this House who say, well, it is just too confusing. They should not sign up for it. Nothing could be further from the truth.

We held meetings in the district. We spoke with over 1,000 seniors. My colleague has brought to the floor the telephone number, 1–800–MEDICARE. She will provide the steps necessary. Very simple: Medications you take, your zip code, the other information you can actually find out how to do this.

And something else that is very troubling, and again, ironically, we heard it from the other side, one speaker from the other side would come and talk about America's greatest generation, the generation that won World War II, the generation that put a man on the moon, the generation that helped to end racial discrimination and fight for civil rights, and now we are told that members of this generation are incapable of making decisions, are incapable of shopping, when we know, we serve these people.

They compare candidates, they go to the store, Mr. Speaker, my colleagues. When people turn 65, and my own parents will turn 72 this year, but when they turned 65 nobody showed up at their front door saying, hi, I am your federally appointed shopper, and I am going to take you to the one Federal store down the street and you are going to pick up Federal flakes for breakfast. We did not do that in any other part of our economy.

Yet the same folks who purport to be friends of the most economically challenged in our society want us to believe that our greatest generation is incapable of making decisions.

Mr. Speaker, I know it may come as a shock to the other side, but I love my parents. They will turn 72 this year. They make decisions all the time. Other seniors have the gift of health and health care and the ability to evaluate make decisions all the time. We are simply saying let us offer choices to seniors. That is what this drug discount card does. That is the opportunity we have.

My colleagues have pointed out 3,000, upwards now of 4,000, call center experts, 24 hours a day, 7 days a week, 400 new workers hired in the Phoenix area alone to deal with these calls at a call center. The seniors we met with understood the card program. They want to take advantage of the program because they understand we are talking real money.

And, again, I would point out it is interesting how this town can take a term like compassion and fold it and spindle it and mutilate it when, in fact, we have something that delivers for seniors.

The good news is we celebrate one month of a milestone today for signing up and putting this in action. The other news we point out is that the program does not go away. It continues. We encourage our seniors, Mr. Speaker, my colleagues, to take advantage of the program, to call 1–800–MEDICARE or check the Web site www.Medicare.gov, take advantage of what is available, because you can utilize savings and realize savings in some cases on generic drugs up to 60 percent discounts. That is real money.

And it may not be much to the command and control guys who believe one size fits all or have this grand vision of socializing medicine and having government as they measure compassion delineated by a dictatorial one-size-fits-all program from Washington that takes away choice, that takes away personal incentive, that robs people of the very intellect that helped take our society to such great accomplishments as mentioned earlier. Hate to think it comes down to politics, Mr. Speaker, my colleagues, but what else can you be left with? What other conclusion can we draw?

To hear speaker after speaker from the other side saying it is bad, it is complicated, it is confusing, friends, about the only thing they are confused about is the notion that people can save real money and this can have a positive impact on the lives of those who, in many cases, in the cases of 106,000 Arizonans, have a tough situation at home choosing between their prescription drugs they need, putting food on the table. This Congress, working with this administration, has offered real results.

Let the others carp and complain, Mr. Speaker, my colleagues. I would put them on notice that when you deal in deception and double-talk and disinformation, Mr. Speaker, do not be surprised if those who do so are headed for defeat in November trying to pull these political stunts, trying to offer spin to counter the facts and, ultimately, literally costing the seniors who are looking for solutions, costing them prescription drug coverage all because we deign to let those seniors have the same freedom of choice they exercise in every other sector of the economy.

Mr. Speaker, I thank my colleague from Connecticut for the time. I salute her efforts.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I thank the gentleman from Arizona (Mr. HAYWORTH). I must say that some of the statements made by my colleagues from the other side in preceding times do need to be answered.

Mr. Speaker, let me say that it is disconcerting and unfortunate, frankly, that Members will get up and say things that are so distantly related to the bill. For instance, someone said, why do not we have a prescription drug benefit that is part of traditional Medicare? That is what we should have passed.

Folks, that is what we did pass. The bill we passed made prescription drugs a benefit under Medicare. Just like part B is a benefit under Medicare through which you get access to doctors' care in their office, to the costs of tests and things like that, MRIs, all those things, part D will give you access to prescription drugs. It is a part of Medicare. The discount card is a part of the prescription drug benefit. It is a part of Medicare.

I appreciate that the gentleman who used that phrase did not vote for the bill, but that does not excuse misleading the public about it. If Jeanne had not been a self-starter, my widow friend in New Britain, if she had not been so thoughtful, she would not now be able to pay $11.50 for a drug she used to pay $40 for.

Let me just show you here a minute how easy this is. Because this word ''confusion,'' ''confusion,'' ''this is so hard, our seniors will not be able to follow, they will not be able to understand,'' you see how easy it is.

First of all, write down your zip code. Very important. Write down your zip code. Because Medicare is going to tell you the price of your drugs at various pharmacies in your area, and they can decide that through using your zip code. If you want to know about two zip code areas because you live near a border, fine, use two zip code areas. But have your zip code written down so you will be ready to say it accurately when the question is asked.

Then write down your medications. Write down the name of each drug you are taking. Write down the dose. Because you do not want to find out the price for the right drug but the wrong dose. You want to find out the discount price for the right drug, the right dose, taken so many times a day.

So get all your facts laid out: The names of all the drugs you take and the dosage of those drugs, and the cost that you pay, just so you know. When you have that information, your drugs, the dose, the cost, and your zip code, then, easy as pie, call 1–800–MEDICARE. We are going to put that back up in a minute. Call 1–800–MEDICARE; and one of the now 4,000 operators who are available 24 hours a day, 7 days a week, and, of course, remember to call in the evening, call in the early morning so you will not have to wait, call on the weekend you will not have to wait. Call Monday or Tuesday, the wait will be longer. You know that from many sales activities you have done throughout your life. Call 1–800–MEDICARE.

Or go have your daughter your son or your grandchild, if you do not feel comfortable doing it. Go to the computer and go into www.Medicare.gov. So it is easy to get to a person or to a program in the computer that will then ask you for the information I have told you about, your zip code, the names of every one of your drugs, the dosage, and then for your information also what you pay per drug. And then you should have your income. That is the next bit of information you need to have. Because by telling the operator your income that operator will know whether or not you are one of the people that qualify for this $600 credit.

Low-income seniors that do not have any readily available cash have a hard time just buying those antibiotics they may desperately need to get over an illness. We understand that. So this discount card is not just a discount card. It is a $600 cash benefit for those who need it, those below 100 percent of poverty income; and then using that cash credit and the discount, you see, they will pay a lower price and stretch out that $600 available to them.

□ 2045

So as one of the columnists that I read said, a low-income senior who has an income less than $12,500 a year for a single person or for less than 16,000, almost 17,000 for a married couple, they should not walk to the discount card. They should run to get this discount card, because they will pay no more than $1 for generics or up to $5 for prescription drugs, an extraordinary benefit for them.

Finally, look for this label on the discount card: Medicare approved. That is why it is part of Medicare, because it has gone through the process of being approved by the government and being, consequently, if it does not perform fairly, if it says it is going to charge you one thing and it charges you a lot more, the government is there enforcing the rules, penalizing them and forcing them to comply what it promised to you.

There is a lot more to this program, but I did want to run through how easy it is to sign up, how easy it is to figure out which card is for you, but I will not go into any further details because I want to hear from my colleague, the gentleman from Georgia (Mr. GINGREY), who is also a physician, who therefore has a very tangible and real understanding of the terrible hardships that patients, who cannot afford the drugs they need, face in our communities and what an important first step, only a first step, this discount card will be.

Mr. GINGREY. Mr. Speaker, I would like to thank the gentlewoman from Connecticut (Mrs. JOHNSON) for putting this time together for us tonight to make sure the Members of this body understand how important this new benefit is. And the gentlewoman's mention, of course, that I am a physician by profession, and I did that job for 30 years and certainly had lots of seniors, lots of Medicare patients and understand some of the hardships that they are going through, as she points out. She knows as well as I do, because her husband was also an OB-GYN physician for many years.

Mr. Speaker, I wanted to mention something. I could not help as I came to this Chamber hearing one of my colleagues from the other side of the aisle, the gentleman from Ohio, talking about how bad this program is and how the bill was passed in the dark of night after hours of debate. Mr. Speaker, as the gentlewoman said, I am an OB-GYN physician. I can tell you right now that my patients, they might have come in in the dark of night and delivered in the bright of day or they came in the bright of day and delivered in the dark of night. It does not matter. Just like an obstetrician, the Members of this body work 24 hours a day; and when we finally delivered a product, it was a beautiful baby. Just because it came at 5 o'clock in the morning, for the gentleman to suggest that we were trying to put something over on somebody.

And he also said, that gentleman from Ohio, talked about the pressure that the leadership on our side of the aisle put on three freshmen Members, freshmen Republicans, Mr. Speaker. I want to remind the gentleman from Ohio that there were about five freshmen on his sides of the aisle sitting in that front row just waiting until that vote changed so they could switch their no votes to a yes.

It is also important, Mr. Speaker, for the Members of this body and anybody who happens to have the opportunity to be paying attention, I hope the whole Nation is, that this bill, although in the House when it passed, December of last year, it was a close vote, absolutely a very close vote, but it was not a partisan vote. They are suggesting that this is a Republican bill. Well, certainly the Republican leadership had the guts to bring it forward, as did this President, the courage

to deliver on a promise, but this was a bipartisan bill. In fact, on our side of the aisle there was some 25 Republicans who voted no.

So certainly for them to suggest and to try to play this class warfare game, it goes back in fact to the elections of 2000, the old sorry loser man crowd, weeping and gnashing their teeth over the fact that they could not get the job done.

Mr. Speaker, people talk about how much you can get done, what a group of people or an organization can get done if nobody cares who gets the credit. It would seems to me that this harping and carping that we hear constantly from the other side of the aisle would suggest that they do care about who gets the credit or discredit. They are trying to discredit this program.

Mr. Speaker, I cannot think of any reason, none whatsoever, why a senior would not sign up for this prescription drug discounts card program that is going to be available to them over the next 18 months.

In fact, when I do my town hall meetings, and I just came from Columbus, Georgia, in my district, the 11th of Georgia, this morning we had a great town hall meeting at the senior center there. I talked to my seniors and said, look, if you can think of any reason, I want you to let me know. Because I want to bring that information back to the Committee on Ways and Means, back to the gentleman from California (Mr. THOMAS) back to the Subcommittee on Health, the gentlewoman from Connecticut (Mrs. JOHNSON), and I want to tell them about it. I want to make sure we have not missed anything. But I can tell my colleagues with a straight face, Mr. Speaker, that I can think of no reason.

Now when we get to the part D, the new Medicare prescription drug insurance program, optional program under traditional, as you know it, Medicare, or the Medicare advantage, seniors have a choice of that. And there will be maybe 40, 50 percent of them who will find that they already have something that is better, whether that is Medigap insurance coverage or they have health insurance coverage with a prescription drug benefit from a previous employer that they worked for for 30 or 40 years or whether they have TRICARE for life. There will be a number of seniors who decide that they already have something that is serving them perfectly well, and they decline this optional Medicare prescription drug benefit.

But to decline this card today, as the gentlewoman from Connecticut (Mrs. JOHNSON) points out, if you are low income, and we estimate that a third of the 41 million seniors who are on Medicare will be eligible for this credit, this $600 credit plus the discount that will be affected on their medications up to 15 to 20 percent, why in the world would the other side of the aisle, the minority leader, tell her Members, go out and tell your constituents, tell your seniors not to sign up for the prescription drug card?

Well, I am going to tell you what. If they do that, let them do that. That is fine. When their constituents find out that their friends and neighbors and other seniors across this country are getting this discount, and many of them are getting the $600 credit, not just for 1 year but for 2 years, then I am telling you they are going to charge their Members with malfeasance of office is what they are going to do.

I think it is so unfair to suggest to just block something because they are so concerned about who gets the credit. I do not care who gets the credit. As I say, this was a Republican and a Democratic bill, a bipartisan bill, both in this Chamber and in the other Chamber. So let us get over that. Let us get over this sore loser man stuff and let us try to bring the benefits to the seniors. Because they have been waiting a long time. In fact, they have waiting 39 years. That is how long it has been since the original Medicare, when the first person to sign up for part B was former President Truman.

There is so much and the gentlewoman from Connecticut is so kind to give me some time, and I do not want to abuse that opportunity. I appreciate her letting me speak on this tonight. It is very, very important for people to understand that this discount card can only help you.

As the gentlewoman pointed out, you go to 1–800–Medicare, and the Secretary, Mr. THOMPSON, has hired 1,200 new people to man those phone lines, or go on line at www.Medicare.gov. It is simple as she said. You put in the zip code. And the most important thing is when you go on line or on the telephone is to know what medications you are on, know that price, know how often you take it, what the strength is. And then you see what cards are available to you and what cards give you the best discount. It is that simple.

I really appreciate the gentlewoman giving me the opportunity, Mr. Speaker, tonight to talk about this. It is so important. There are a few of us physician Members in this body. We do not have all the answers. In fact, I think the gentlewoman from Connecticut has a whole lot more answers than we do, as all the members of the Committee on Ways and Means and the Committee on Energy of Commerce, I commend them for the work they have put in to giving us this interim program as we wait for the full Medicare prescription drug benefit in 2006.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I thank the gentleman. When you call up that 1–800–Medicare number and you tell them your zip code, your income and the drugs you take, they send you a printout. It has the pharmacy's name on it and the address and another pharmacy and that address right near you and another pharmacy and that address and the price that each of those pharmacies charges for each of the drugs that you take.

Now, then you can go on and you can get more. But you can tell them my favorite pharmacy is this. I want to know which card gives me the lowest price at my favorite pharmacy, and they will tell you that. Or you can say, I want to know where the lowest price is in all the surrounding towns; and they will tell you that.

So never have we brought the service of technology to our seniors as we have in this program, not just in advertising it but in having people there to assist seniors in deciding what card is best for them. And, of course, it is true, if you are in a program where your employer pays all of your drug costs, you will not need a discount card, but that is a very small percentage of our retired seniors. And if you are very, very poor, on Medicaid and the taxpayers are paying all of your drug costs, that is true, you will not benefit from a prescription drug discount card, although your State will. Your State will save some money, and that will help them carry the burden of other programs.

So, ironically, if you are on Medicaid, you will not feel the benefit. But in my State that has had to kill some Medicaid benefits, they are going to use the money we save them on Medicaid to strengthen another part of the Medicaid benefit for other Medicaid groups. So it is a good thing for everybody.

Now, just before we go on to some of my colleagues, I do want to say one other thing. First of all, year after year, we have failed in the House and Senate to be able to pass a bill. Year after year, seniors have waited. Year after year, seniors have begun to doubt whether we were as good as our word, whether we did care. This was the third time the House passed the bill. The first year the Senate passed the bill; the first session the Senate passed the bill. But together now we have a bill.

In the Senate, it was an extremely bipartisan vote. In the House, it was less bipartisan because of the nature of the House. But, in the end, it delivers to seniors a generous drug benefit that will result in half of America's retired seniors having no more than $1 for generic costs and $5 for brand name costs all across America. That is when the full program is implemented, the discount and the subsidy. So this is a giant step forward.

One of the gentlemen earlier talked about price, how the cards do change its price. Now, yes, it can; and we wanted them to. It is too bad really that we do not have more Members stop and remember their basic economics. There is not a senior out there that does not watch the sales. There is not a senior out there that does not go out and buy things regularly when they are on sale at whatever grocery store they are cheapest. And we know that, so we put all the discount cards out, and look what happened.

The first week they could advertise themselves. See these two cards had very high prices. For the bundle of 10 drugs that one of my colleagues from

the other side defined, they were going to charge a total of $1,300 for just those 10 drugs. Well, they began to see, you see, what the other cards were going to charge; and they figured out, they figured out that even though it cost them a million dollars probably to put that card out there, they were not going to get any customers and they would lose all the money then put into developing their cards. They knew that a customer would be more likely to choose a card that was going to cost them only $930 for the same group of drugs that this card was going to charge $1,300.

There is not a senior I know that does not get it. $930 is a lot less than $1,300. You are going to sign up for this card. You are not going to sign up for these.

So what happened? Well, let us see. It only took one week, one week. Look what happened. Those cards brought their prices down to just about the same as the others. And each week there was change.

In other words, if you put a new product on the market, it costs you money. You invest in that product. And if you do not get customers to buy your product, I do not care whether it is drug card or an automobile or new shoes, you lose because nobody is buying your product. So if you want people to buy your discount cards, you better be sure you drive those discount prices low, and that is what we have been seeing happening. And I am proud of it, and we are going to see it happening more and more because this is the first time in history that prices have been out there on the Internet for everybody to see. Before that, you had to go store by store and then only you knew. Now everybody knows.

Let us turn now to my colleague, the gentleman from Texas (Mr. BURGESS), another physician in the House.

□ 2100

Mr. BURGESS. Mr. Speaker, I thank the gentlewoman for bringing this hour to the House of Representatives this evening, and I am so glad that she brought that chart because that chart really is so powerful in describing just what we are trying to do, what is available to seniors with this card, and that is by the free and full dissemination of information.

We live in the information age, and that information now being readily available on the telephone or the Internet, with the free availability of information, we have driven the cost of commonly prescribed drugs down a significant amount in the first 2 or 3 weeks that this discount program has been around.

I need to say again that the Medicare prescription drug benefit that we passed in this House last November 21 and was signed into law by the President in December will occur in two phases. The first phase begins today, begins June 1, and is a prescription discount drug card that is going to be available to every senior, but low-income seniors will receive an additional $600 benefit.

What is important about that $600 benefit, you might say. Well, gosh, we are halfway through the year, so what is going to happen if I have not used all of my $600? It rolls over until the next year. So my good friend, the gentleman from Georgia (Mr. GINGREY), who pointed out there is not one good reason not to buy or not to avail yourself of one of the Medicare prescription drug discount cards, there is even more reason to look at that card because essentially a low-income senior gets a $1,200 benefit over the next 18 months' time until the full prescription drug benefit rolls out January 1, 2006.

The card will be voluntary. The prescription drug benefit program in 2006 will be voluntary, and no one locks themselves into purchasing that part B Medicare in 2006 if they take the discount card that is available to them today; and, again, what is so powerful about taking that prescription drug discount card today is we are likely to see prices change even more over the next month, over the next year, indeed, over the next 18 months until the full prescription drug benefit kicks in.

Now, in the interest of full disclosure, I did go on the Medicare Web site, and I did log in myself and put in my own ZIP code. I am fortunate enough not to be on any medications on a regular basis, but I made some up and put them in. Indeed, you can get information about your pharmacy or your mail order pharmacy if you use one. Some of the prescription drug cards do cost money, and perhaps that would be a reason where one of the gentleman from Georgia's (Mr. GINGREY) constituents would not buy into the program because the card costs $30; but I submit to you the savings are going to be a great deal more than $30 over the course of the next 18 months' time; and even more importantly, some of those cards do not cost anything at all. They are available simply from filling out the form, and no expenditure is necessary up front at all.

So if you are not hooked onto the Internet, your child or grandchild undoubtedly is; and, again, one of the other powerful things about this program is that we may even see physicians use this program and compare prices for their patients. If their patient comes in and says I would love to be on that Fosamax so my bones do not get so brittle, but doggone, it costs so much money, I do not know that I can afford it, perhaps their physician will even take the time and trouble to go on to that Medicare Internet drug site and find the best bargain for that senior so that they can take their medicine so they are not forced to choose between a life-saving medication and food on the table.

But for the first time, seniors are going to have highly competitive pricing available and readily available at their fingertips. They can shop for what is best for them; and most importantly, they can make an informed choice, but the choice will be up to them. It will not be up to someone sitting on the other side of this House who wants to do everything for them.

If you like this system, you can stay with this system after 2006, but the program will be voluntary. The prescription drug benefit program will be voluntary, and no one locks themselves into a future benefit by taking advantage of the prescription drug benefit card this month.

I submit again that the prescription drug discount card benefit that is available in 2006 will be even better because of the work that the gentlewoman from Connecticut (Mrs. JOHNSON) has been doing on bringing the prices down by making the information free and available and readily available to anyone who cares to look it up.

I thank the gentlewoman.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I thank my colleague, who is also a physician, for joining us this evening; and I am pleased to yield to the gentleman from South Carolina (Mr. WILSON), my colleague, this evening as we move toward the end of our Special Order.

Mr. WILSON of South Carolina. Mr. Speaker, I appreciate the gentlewoman's leadership on this issue. She has truly in the House of Representatives, working with our President, been the leader to establish the prescription drug benefit for the people of the United States; and I have seen firsthand how this is going to be helpful to the people in the district that I represent.

I have had the opportunity to travel the district, and I have heard criticisms tonight that are confusing.

We, as Congressmen, have a duty when a new law is passed to go and explain to our constituents the law and how it can be beneficial; and as the gentlewoman has so correctly pointed out, this is a law which can be easily understood which is so beneficial to the people of our districts.

Additionally, I heard criticism that it was so confusing they could not understand, but I agree very much with the gentleman from Arizona (Mr. HAYWORTH) that, indeed, this is the generation that survived the Depression; that won World War II; that protected our country's freedom in the Cold War. We know that the people who are affected by this law are very bright, very capable. I have faith that they will see through the confusion.

Additionally, I heard criticism that you might have 53 options. Well, how wonderful. That is not negative. That is positive. The gentlewoman has really explained it so well today and tonight by using the 1–800 number, by going to the Internet and how simply by providing your ZIP code and then you receive the information by having pharmacies in your immediate area specifically on the pharmaceuticals that you need, and so this is so easily understood, and I appreciate the gentlewoman's efforts to promote the bill.

I know that personally again as a Member of Congress, with her leadership, helped prepare mass mailings. I have had district meetings. I have had Medicare forums. We will have our district open house next week to provide information.

We have had meetings with the AARP, which provides an excellent brochure. I urge everyone to see the AARP brochure. It is very easy to understand, explains the full benefit; but today, June 1, 2004, is a crucial day because the discount drug card comes into effect.

My experience in traveling the district, when I was in Bluffton, South Carolina, at Palmetto Electric Co-Op, I was pleased to be with the Healthcare Leadership Council, Darren Katz, who gave a very authoritative presentation. We had wonderful people there from Sun City. They really were terrific, asking wonderful questions, and it came out a very positive experience.

Then in Aiken, at the Aiken County Commission on Aging with the Aiken County Community Hospital. We then found worksheets from the AARP which were so easy to understand.

At Hilton Head Island, which is one of the leading and most beautiful retirement centers and communities in the whole world. I was very fortunate to be at Tidepoint Community with Thom Jones and with the Golden Rule Company for a presentation and the Cypress Retirement Community and I met people, and it was extraordinary to me. I was talking to people who would come up to me and say, I was 90 last week. They were so much fun, and they were just such a delight to be with and an inspiration to me.

Additionally, in Orangeburg, South Carolina, I was there at Orangeburg County Aging Commission with the Orangeburg County Regional Hospital. This is a lower income area, and we had a real cross-section of the community, and it was wonderful to see them understand the availability of this card and what it would mean to them.

In Columbia, the capital of South Carolina, I had the opportunity to be at the senior citizen center at Maxcy Gregg Park; and, again, we had a cross-section of community leaders who came to find out about the program, and it was very, very encouraging.

Finally, I will be at the Gilbert Community Center in Gilbert, South Carolina, next week promoting the legislation, explaining the bill with the Lexington County Recreation and Aging Commission and also the Lexington Medical Center. I know that the people of Gilbert and the people famous for the 4th of July Peach Festival will be enthusiastic to get information about this and how it means so much to the senior citizens of our community.

Another part about the confusion, it is really my point, and what I have discovered at these meetings is the AARP is so helpful. We have chapters all over the United States. If you have got a question, obviously we have got the 1–800 number, we have got the Internet connection which is easily available to everyone, but the AARP has the information. They have got wonderful and capable people who would be happy to meet with you. We know that these brochures are also at senior citizens centers throughout America. At every senior citizen center they are available, and people can find out and cut through the confusion.

I know personally that it has been my experience that when I worked with insurance and I was a real estate closing attorney for 25 years, I did not try to understand the insurance policy. I went to an agent that I trusted and I go to him or her and get the policy and I have faith in that. As a real estate closing attorney, I did not even imagine that people would understand a 20-page mortgage sometimes written in old English using English common law. You find a good attorney that you trust and you go to them; and it has been my experience, and you have referenced this earlier, and that is, go to a pharmacist that you trust. These are dear people. They really do care about their patients, their customers.

I know my next-door neighbor Bobby Perry and his daughter Roberta Vining are two of the finest pharmacists you can ever find. These pharmacists care about their patients. These are people who really make your heart warm; and so I would urge anyone, if politicians are confusing, do not get discouraged. Listen, first of all, to the gentlewoman from Connecticut (Mrs. JOHNSON), but after that, if you are confused, go to your pharmacist, talk with them, find out what they recommend.

Again, I want to thank the gentlewoman for her leadership. It has been inspiring to me as a relatively new Member of Congress, and I am just so appreciative of her persistence and her understanding of the issue and her devotion to promoting a real prescription drug benefit to the people of America.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I have served in Congress a long time; and when there is a real problem in the lives of the people you represent, I believe your job is to solve it. I believe your job is to take action, to do something; and I know that this is the most important health care bill we have passed for seniors since Medicare was founded.

It not only offers them prescription drugs. As I showed you earlier, it is absolutely voluntary. It is simple. You just use your ZIP code. You give us the pharmacist you like the best. You give us the names of your drugs, and we will tell you how much money you can save. It is not for everyone, if people already have very good coverage through their employers, but particularly important to those seniors who have no prescription drug coverage. It is real savings in their lives, and that is important to me.

When the whole bill goes into effect, we will pay 75 percent of the costs of their drugs, a gigantic step forward. Just as we pay 80 percent of the cost of their visits to the doctor, we will pay 75 percent of the cost of their drugs. In the bill I wrote, it was 80 percent. We will get it up to 80 percent, but you have to act. You have to do something, and all these nay-sayers who voted against doing anything one more year, this would have been the fourth year we would have done nothing. What a record. All those nay-sayers are now telling you do not bother, do not bother.

Listen, take a minute, bother, call 1–800–MEDICARE. Do what Jean did and find out that you can save $30 on one drug she has to buy every month, $20 on another drug. It all adds up to hundreds of dollars. That, in my estimation, is a good thing. That helps our seniors.

I am proud of the bill we passed because it brings prescription drugs to seniors; but you know what else, not a senior I know does not have chronic illnesses. Twenty percent of our seniors have five or more chronic illnesses. Medicare does not pay for chronic illness care. The rest of the world knows about it.

Many, many employer-provided plans do a lot more for people with diabetes or heart conditions. Do you understand that in this prescription drug and Medicare reform bill, for the first time we are going to provide chronic disease management for our seniors? We are going to give them the kind of state-of-the-art support that means that people with chronic disease do not have to end up in the hospital, do not have to end up on dialysis if they have diabetes, do not have to fear going to the emergency rooms. I mean, it is going to be a revolution. It is bringing preventive health care right to those who have chronic disease and are going to suffer the most serious health consequences.

So this is about prescription drugs. This is about a discount card today, about a full prescription drug card subsidy in 2006 and about Medicare offering state-of-the-art care to people with chronic illnesses in a way it never has.

I am proud to have helped write this bill. I am proud that I was the only woman on the conference committee, because I think that is important.

□ 2115

Women and men both need to be present to make our laws, and do not any one of the young people watching tonight forget that.

But this is a big step forward, and do not let naysayers rob you of the very considerable savings this discount card could bring to you. And, remember, you be the judge of your interests. You alone can make that judgment. We here in Medicare have made it very easy, and I urge you to take advantage of the Medicare prescription drug discount card, which starts today, June 1.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 444, BACK TO WORK INCENTIVE ACT OF 2003

Mr. HASTINGS of Washington (during the Special Order of Mrs. JOHNSON of Connecticut), from the Committee on Rules, submitted a privileged report (Rept. No. 108–518) on the resolution (H. Res. 656) providing for consideration of the bill (H.R. 4444) to amend the Workforce Investment Act of 1998 to establish a Personal Reemployment Accounts grant program to assist Americans in returning to work, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF 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

Mr. HASTINGS of Washington (during the Special Order of Mrs. JOHNSON of Connecticut), from the Committee on Rules, submitted a privileged report (Rept. No. 108–519) on the resolution (H. Res. 657) providing for consideration of the joint resolution (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, which was referred to the House Calendar and ordered to be printed.

NEW PRESCRIPTION DRUG CARD PROGRAM TOO CONFUSING FOR SENIORS

The SPEAKER pro tempore (Mr. FEENEY). Under the Speaker's announced policy of January 7, 2003, the gentleman from New Jersey (Mr. PALLONE) is recognized for 60 minutes as the designee of the minority leader.

Mr. PALLONE. Mr. Speaker, I listened both on TV and also here in the well in person to the previous Special Order delivered by my colleagues on the Republican side of the aisle. I realize that they are well motivated and have the best of intentions in trying to put forward this prescription drug discount card program, but I have to say that I never believed it would work or accomplish anything to help seniors with their drug prices. Certainly what has happened today and the fact that so few seniors have signed up is a strong indication that it is unlikely to be effective and that it is unlikely to even be tried by most of America's seniors because they realize it is not really going to do much in terms of offering them discounts or providing lower prescription drug costs.

I think AARP was quoted in The New York Times today saying that they only had 400 seniors nationwide from the membership of their organization that had signed up for the prescription drug cards. Their card. What is that, about, I do not know, five or so per State? It is unbelievable how few. Overall, I think there was another group that said about a thousand seniors had signed up for their card. Most of the other card sponsors would not even give out numbers. But it is clear very few seniors are signing up for it.

I think it is also true that when the Republican so-called prescription drug benefit kicks in in 2 years, in 2006, we will have the same phenomena, very few people will sign up, because it really does not provide much of a benefit.

But before I get into the whole issue of the discount drug cards, I want to mention, because I think a lot of times we forget, that the Democrats in the Congress, when this prescription drug proposal was being put forward by the Republicans, basically had a very simple proposal. We recognized the fact that Medicare has not traditionally included a prescription drug benefit and that the best way to include such a benefit was simply to expand Medicare in the traditional way and provide for the prescription drug benefit.

So our alternative to the Republican proposal essentially followed the outlines of Medicare part B. I think most seniors realize that their hospitalization is covered by Medicare part A and their doctor bills are covered by Medicare part B. Medicare part B is essentially a voluntary program.

A senior pays, I do not know what it is now, say approximately $50 a month for the coverage of their doctors' bills, with a $100 deductible, a 20 percent copay, and with 80 percent of the cost provided by the Federal Government. They can go to any doctor they choose and basically have it covered, 80 percent of the cost, by Medicare.

What we proposed, as Democrats, is to do the same thing with prescription drugs. Essentially, a senior would have a $25 per month premium, with the first $100 being deductible. Starting January 1, the first $100 the individual had to put out for prescription drugs they had to pay out of pocket; and then, after that, 80 percent of the prescription drug costs would be paid for by the Federal Government and the individual would pay a 20 percent copay. There was no restriction. A senior could go to any pharmacy and buy any drug, name brand, generic, whatever was desired or whatever the doctor ordered that was necessary.

Also, we had a provision in our bill, in the Democratic bill, that said that the Secretary of Health and Human Services, the administrator of the Medicare program, would be required to negotiate lower prices. We estimate that that would result in price discounts of about 30 to 40 percent. I did not just pull that figure out of the air. That is what the Federal Government does with the Veterans' Administration. That is what they do with the military, the active as well as the retired military. They negotiate price reductions, and they get reductions of something like 30 and 40 percent.

So it sounded like a very good idea. Democrats put it forward, figured this is an opportunity to expand a very successful program like Medicare and to include prescription drug coverage.

But the Republicans said, no, we cannot do that. Frankly, I think a lot of them do not even like Medicare. But, whether they like it or not, they are very much into the ideology, at least the House Republican leadership and the President are into the ideology that everything should be privatized and that Medicare is not a good program because it is a public, government-run program and the best thing is to privatize.

So we got into this very confusing privatization of Medicare in order to provide some kind of prescription drug benefit, which does not even start until the year 2006. So I have all along said it is a very political thing to do. If you want to provide a benefit, you provide it immediately. You do not wait until after the next election, or really way beyond even the next election.

I want to talk about the discount card program, but if we look at the benefit that is supposedly to be provided beginning in the year 2006, we find that you have to put more money out of pocket into it than it is worth in terms of what a senior actually gets. There is a huge gap, some call it a donut hole, where you do not get any benefits, but you keep paying the premium. There is no designated premium, and there is no guaranteed discount.

In fact, there is a provision in the Republican-passed bill that was sponsored by the Republicans and supported by the President that says that the Secretary of Health and Human Services, the Medicare administrator, cannot negotiate prices because they do not want the Federal government negotiating prices or providing any discount. And, frankly, that is because the Republican bill was written by the drug industry; and they want to make money. They do not want to lose money by having discounts.

We can get into what is going to happen in 2006, in another couple years, because we have a lot of time. But, in the meantime, what the Republicans put in their bill was that, beginning June 1, which is today, and until the time that the so-called benefit kicks in, more than 2 years from now, that they would provide these discount cards. And that was, of course, the discussion by my Republican colleagues in the last hour and what I would like to get into tonight.

I would say just the opposite of what my Republican colleagues said earlier, that there is no benefit to these discount cards. I do not even see how anyone will get a discount because the prices of drugs have gone up way beyond whatever discount might be provided. And this system is so terribly confusing, there is really no way to

even figure it out unless you have access to the Internet, which many seniors in my district do not. And when they do sit down on the Internet, seniors are going to be so confused trying to figure out which card to buy or whether to buy any card that, ultimately, they will not even bother. That is why so few seniors have signed up.

Imagine, an organization like AARP, the largest senior organization, they are offering a discount card. A lot of people signed up for their health care plans, for their medigap plans, and only 400 people nationwide signing up for their discount card. That really shows that people have a lot of skepticism, as they should, about whether or not this is something that is really beneficial to them.

Now, I just wanted to say that over the last month, in preparation for today, June 1, seniors faced the confusing tasks of shopping on line, looking on the Internet, and basically having to decide between 73 discount cards for more than 60,000 prescription drugs at more than 50,000 pharmacies around the country.

Now, this chart, to me, kind of tells it all. This is what I call mass confusion. This basically describes President Bush's drug card: Fifty steps, no promises. Fifty ways of trying to figure out which card to buy and whether you are going to get a discount and how it might help you, with no promises you are going to get any kind of discount whatsoever.

It is just unbelievable how difficult it is for seniors. There was a research firm that concluded, I think it was in today's New York Times, that the Medicare Web site was riddled with flaws that make it difficult for seniors to identify which card best fits their needs.

And for those seniors who do not have access to a computer, and there are lots of them, they are forced to rely on a 1–800 Medicare number, I think my colleagues on the Republican side mentioned that. Now, I tried that number a couple of weeks ago. I sat on the line for 30 minutes going through different menus before I actually got the chance to talk to a human being.

Does anyone think seniors should have to sit on a line for 30 minutes before they are able to even talk to someone about this or have to go on the Internet, when they may not even have a computer? The confusion is massive.

The New York Times reported today that the discount cards are off to a slow start. Fewer than one million seniors have signed up, well off the Bush administration's prediction of 7.3 million. I do not even think it is anywhere near the million, to be honest. The New York Times reported that AARP said that, ''While it had received thousands of inquiries, only 400 people had signed up for its Medicare-approved discount card.''

Prime Therapeutics, which manages drug services for seven Blue Cross/Blue Shield plans offering cards, said fewer than a thousand people had signed up. And several other companies refused to tell The New York Times how many people have enrolled, probably because so few have enrolled.

Now, one might ask why, are seniors not more enthused about signing up for these discount prescription drug cards? Basically, it is because there is no guarantee they are going to get any discount. Medicare discount cards are being marketed as providing a 10 to 25 percent discount, but there is no requirement in the new law that the card sponsors must offer any specific discount. The idea of a savings is simply illusory. Prescription drug 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.

In today's New York Times, Thomas Dickman, President of Prime Therapeutics, a pharmacy benefits company, said in many cases the rise in retail drug prices over the last year had wiped out savings already negotiated for members of Blue Cross plans his company helps manage.

Secondly, Mr. Speaker, seniors discovered there is no guarantee that a particular card will offer discounts on all 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 discount on a senior's medicine that was 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.

If I have not lost you already, Mr. Speaker, let me go on. Imagine that a card sponsor can change prices any time they want, but seniors have to stick with the card for a whole year. Over the last month, seniors have also discovered there is no guaranteed access to any particular pharmacy. Each discount card sponsor will determine which pharmacies will offer the discount advertised with the cards. A senior's usual pharmacy may not participate in the card he or she selects.

Finally, after all this confusion, the actual 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 offers the lowest price on the drugs covered under their card.

I do not know how you could not be skeptical and wonder why so few seniors have signed up for the discount cards over the last month up to today.

□ 2130

President Bush says, and one of my colleagues from Ohio is here, but I will say just one more thing before I yield to the gentleman.

The President has said that these cards will cut bills by 10 to 25 percent. A new report out by Families U.S.A. shows prices on the five top-selling drugs for seniors increased 9.9 percent over the last year, wiping out any savings from the discount card.

We cannot do anything to help seniors out with their prescription drug bills, in my opinion, Mr. Speaker, until we actually do something about the drug prices. Democrats are fighting to lower drug costs in a straightforward way. We should allow the government to use the purchasing power of millions of seniors to negotiate lower drug costs. This is what we do with the VA. The gentleman from Ohio (Mr. STRICKLAND) has mentioned that before. This is what we do with the military, and also we should allow the safe reimportation of drugs from Canada and elsewhere.

Until we do these things and address the price issue, these cards are not going to provide any meaningful relief. They are a sad commentary on the ruse being pulled by the Republicans and by the President on such an important issue for seniors.

Mr. Speaker, I yield to the gentleman from Ohio (Mr. STRICKLAND), who has talked about this many times.

Mr. STRICKLAND. Mr. Speaker, we are told that these drugs will provide a 10 to 25 percent discount. There is no guarantee of that, obviously. But we are told that is likely to happen. But here is what has happened. The drug companies have raised their prices already. So as someone said earlier today, it is like going to a used car lot to buy a used car, and there is a sign on the windshield which says reduced $300. And the person buying the car does not realize, although they are buying a car that has a sign reduced $300, the day before the car dealer had upped the price by $400. That is what we are seeing here.

The drug companies have dramatically increased the cost of their drugs over the last year. Even AARP has complained that drug companies have upped their price. Now these cards come along, and seniors are told you are going to get a 10 to 25 percent discount, when the prices have already gone up so far it has made any discount meaningless.

I was here earlier, and I described something that obviously made some of my friends on the other side of the aisle quite upset. My colleague from Georgia was talking about the gentleman from Ohio, and I suppose he was talking about me. The fact is I described what happened in this Chamber. They do not like to hear what happened in this Chamber, but the American people need to know. This over-700-page bill was given to us on a Friday. We began to debate that afternoon and evening, debated until 3 a.m. when most normal Americans are asleep.

Now there is nothing wrong with working late or throughout the night if it is necessary; but there was no reason for us to do it in the middle of the night, no reason at all. But at 3 a.m.,

we are considering what is perhaps the most important domestic piece of legislation that has come before this House in many, many years, a piece of legislation that affects senior citizens. Most senior citizens I know are not likely to be awake and paying attention at 3 in the morning. The press is not likely to be here at 3 in the morning. In fact, they are not here now. So it was done at a time when the American people were not able to pay attention and follow the debate.

And at 3 a.m. in the morning, they called the vote. We are all here. A vote usually lasts 15 minutes, sometimes 17 minutes, occasionally as long as 20 minutes, but the usual time is about 15 to 17 minutes. At the end of that time period, this bill had failed. It had failed because it was a bad bill. It did not do what America's seniors wanted, and I believe those who were pushing it were quite frankly to have it debated in the afternoon.

Mr. PALLONE. Mr. Speaker, I want to point out, at that point there were a majority who voted ''no.'' It was not even like we were waiting around to see who was left to vote. Sometimes we wait to see because Members have not voted. It was 218, which is a majority, voted ''no.''

Mr. STRICKLAND. We were all here on the floor, and so the bill had failed. Boy, if the American people could have watched the shenanigans going on on the other side. Quite frankly, there were a few on our side that were stressed by this vote, as well they should have been. It was an important vote.

The reports in the media indicate that they got the President out of bed in the morning at perhaps 4 a.m. to use his influence to perhaps change some votes. One hour passed and 2 hours passed, and it was approaching 6 in the morning.

One of our colleagues indicated to the media that he had been approached. His son is running for his seat, as he is retiring; and it was indicated maybe if he would change his vote, his son would get $100,000. I do not know what that sounds like to the gentleman, but it does not sound like very good public policy practice to me. I think it would upset the American people if they fully understood what was going on here. So that kind of thing was happening on the floor of the people's House.

A bill that should have had the support of nearly all of us, if it had been a good bill, and at 6 in the morning or about 5 minutes to 6, leadership finally convinced a couple of freshmen to change their vote. When a Member changes their vote after all of the time has expired, they cannot do it electronically. The Member has to walk down to that table and take a card and sign their name to it and turn it in to the Clerk and the vote changes on the wall. That is what happened. A couple of freshmen came down the aisle and took a card and signed it; and at 5 minutes to 6 in the morning, they finally got this bill. It has turned sour on them, quite frankly.

Mr. PALLONE. Mr. Speaker, the gentleman remembers when the votes were switched and there were now 218 for it, how long did they wait to close the board?

Mr. STRICKLAND. Mr. Speaker, almost immediately. They finally were able to wring out a number of votes. And the reason it was so difficult to pass this bill is because it was not a bill that was written for the seniors; it was a bill that benefits the pharmaceutical companies and the insurance companies.

If I can just take another moment before I yield back to my friend, there are two really terrible parts of this bill, and the first part the gentleman mentioned earlier. It explicitly forbids the Secretary of HHS from negotiating with the pharmaceutical companies to get cheaper drugs for our seniors.

The Veterans Administration gets discounts for the veterans of this country. They are able to save between 40 up to 60 percent on the drugs, and yet this legislation specifically prohibits that. Why would that be? There is only one reason, and that is because the pharmaceutical companies insisted that language be in this bill.

The second really terrible part of this bill, and it has been referred to earlier, it specifically prohibits the reimportation of cheaper drugs from Canada unless the Secretary gives his approval, and he said he is not going to do that. So what do we have here? We have a discount card that provides a level of discount that does not even in most cases match the increase that has occurred over the last few months.

Seniors know what is going on. I go to senior groups in my district. And I explain to them the specific provisions of this legislation. When I talk to them about the big donut hole, the gap in coverage, when I explain to them that there is an assets test for an individual like $6,000, even a person's burial plot is included in the assets test, they audibly gasp and they gasp because they find it difficult to believe that their government, this President and the leadership of this House of Representatives, would do this. But it is the truth.

My friends on the other side of the aisle may not want to hear it, but American seniors need to hear it because it directly affects their lives.

Mr. PALLONE. Mr. Speaker, I want to follow up on two things that the gentleman mentioned with this chart. The gentleman spoke about the reimportation from Canada which is not allowed now, and the other is negotiating the prices, which the VA does. And the gentleman is a champion of the veterans; and even though the Republican Congress and the President have cut back on a lot of health care funding for veterans, they at least allow the negotiated discount, but they will not allow it for seniors.

Earlier this year, the Committee on Government Reform senior Democrat, the gentleman from California (Mr. WAXMAN), conducted a comprehensive report comparing the new Republican discount drug cards with three other sets of prices; and what the gentleman did was compare the drug card prices to those that individuals pay for the same drug in Canada; and, second, compare prices of those for drugs purchased by the Federal Government on the Federal Supply Schedule, and those are the prices that are negotiated by the Department of Veteran Affairs and are available to a number of Federal agencies, including the VA, Department of Defense, and also the Coast Guard.

Now, what this chart shows, and I just took some of the drugs, the prices are indicative of the prices available, and let me just show some examples. Some people may not know what these drugs are, so I have another little sheet which tells me what they are. The first one is Aricept, I do not know if I am pronouncing it right, which is basically for Alzheimer's. If we look across, some of the prices available through the new Medicare cards for Aricept, this drug, Pharmacy Care Alliance, $139; Walgreens, $135; RxSavings, $132. This is the Federal Supply Schedule which is the negotiated price that the VA uses, $76 which is half, approximately, of what the discount cards are quoting. If we look at Canada, $119, less also than those three.

I will just go through a few more. Celebrex which is for pain, again the discount cards, Pharmacy Care Alliance, $121; Walgreens, $81; RxSavings, $85; Federal Supply Schedule, which is negotiated with the VA, $62. So they are significantly less. Canada, $38.

Mr. STRICKLAND. Mr. Speaker, as the gentleman shares these numbers, and I see the very significant savings that would be available to seniors if we were able to negotiate these discounts for them under Medicare, and when I see the great savings that are available to the people who live in Canada, I feel real anger because I really do not believe there is any way to justify what is happening here other than the fact that the pharmaceutical industry owns this Chamber and the administration is doing everything they can to protect them.

Can the gentleman think of another explanation of why it would not be possible to have these drugs sold at these reduced rates for our seniors? If the veterans can get these prices and if the Canadians can get these prices, how can we justify a senior citizen having to pay two or three times as much as someone who lives in Canada? It just is one of those things that when I talk to my constituents and they bring up the subject, I do not have an answer for them because it is irrational. There is no rational explanation as to why this government should not protect our seniors and allow this discrimination, this unfairness in terms of pricing to continue month after month, year after year.

I really do believe that the leadership of this House, my colleagues on the

other side and the President of the United States, have to answer this question to America's seniors: Why are you allowing this price discrimination to continue?

The only reason that I can think of is because the pharmaceutical companies are asking them to or demanding them to, which is not right.

Mr. PALLONE. There is no question about it. I went to a forum a couple of months ago, the Bloomberg Forum, a program on TV, and there was a professor from Princeton, and the rest of the representatives on the show were from the pharmaceuticals, and it was clear that they saw this prescription drug benefit and discount card as a way to make more money.

□ 2145

That is all it was.

I wanted to mention, I am not going to go through all these, because you can just generally see how much cheaper it is with the negotiated VA price or even lower with the Canadian price, but we keep talking about seniors because we care about seniors, and that is what this Medicare program is supposed to be all about. But I would like to remind people that these figures for Canada, that is for the public at large. That is not just for senior citizens.

In other words, we have to remember I think constantly that people who are not seniors are totally subject to whatever the price is, whereas in other countries, like Canada, these discount prices are available to the general public.

Mr. STRICKLAND. Mr. Speaker, if the gentleman will yield further, I want to thank the gentleman for reminding me and all of us of that fact.

I talk to people frequently in my district who suffer from various kinds of arthritis, osteoporosis and other kinds of chronic illnesses and diseases, and some of them are unemployed. We have lost a lot of jobs in Ohio, especially a lot of manufacturing jobs, jobs that at one time provided good health coverage for the worker and the worker's family. Many of those jobs are now gone. So these folks, who are maybe 45, 55, 60 years old, they do not even qualify for Medicare yet, and they are out of a job and have lost their health care and need these medicines.

So I want to thank the gentleman for bringing that reality to this debate tonight, because there are people who are not seniors who are terribly, terribly in need of help with their medications.

Mr. PALLONE. Mr. Speaker, reclaiming my time, the other thing I wanted to point out, and not to necessarily keep pointing to this chart, but I think it says so much, you can look on the Internet, we have made an issue, and the gentleman and I know well that a lot of seniors do not have access to an Internet, but if you do have access, what do you need the cards for?

You can look on the Internet for a Drugstore.com, Costco.com, and there are a lot of other Internet sites, where they have the same drugs for either about the same cost or slightly less.

Mr. STRICKLAND. And, if the gentleman will yield, you do not have to pay $35 for the card.

Mr. PALLONE. So one of the things that a number of my seniors told me, they said, I have finally got the Web site, and I got on it, and I compared the prices to figure out whether or not I wanted to take one of these cards; and then I went to one of the other Internet sites, and the prices were less. So why buy a card at all?

It is so absurd. I listened to my colleagues on the Republican side tonight, and I know they mean well. I am not suggesting they do not. I know they feel strongly about this issue, as we do. But it is either their ideology or allegiance to the pharmaceuticals, as the gentleman says, or something that is getting in the way of reality here, and it should not.

This is important. We have got to do something that is helpful to seniors, not worry about the ideology or whether or not you have got a prescription drug company in your district or all these other things that they seem to be concerned about.

Mr. STRICKLAND. Mr. Speaker, if the gentleman will further yield, I sometimes wonder if the leadership of this House and the President of the United States understand the pain that is being felt by people throughout this country.

I can only speak for my State and my district, but Ohio is part of the heartland of this country. It is a State that I think is a microcosm of the larger Nation. We have got large cities such as Columbus, Cleveland, Toledo, Akron, Cincinnati and Youngstown. We have the urban areas. We have large agricultural operations. We have got a huge part of Appalachia that is contained in Ohio in small towns.

What I am trying to say is, I really do believe that, because of the State and the district that I represent, that I have an understanding of the kind of pain and struggle that people are encountering today.

With regard to the loss of living-wage jobs, many of the jobs being created to replace the manufacturing jobs pay 35 percent or less than the jobs that have been lost, and these new jobs oftentimes do not provide the kind of health care coverage. So there is a lot of pain throughout this country, and I just sometimes think that the President, coming from a privileged background as he did, and I do not fault him for that, but sometimes I wonder if he actually knows what life is like for someone who has an income of $13,000 or $15,000 or $16,000 a year and is trying to pay bills and raise kids and especially if they do have medical problems. It is a huge, huge issue.

One of the reasons that I most opposed this bill that passed here in the House in the middle of the night was I see it doing nothing to really bring down the cost of prescription drugs for seniors. The way to bring down the cost is to increase the competition, and you increase the competition by allowing less costly drugs to be imported from Canada. That would bring down the prices overnight.

Another way to bring down the cost is to have Medicare be able to negotiate for the senior population. If Medicare had a prescription drug program that was part of the traditional Medicare operation, Medicare would be the largest buyer of prescription drugs probably in the entire world, so Medicare would be able to negotiate and bring down the price of these drugs.

But I see nothing in this bill, which has been passed here in the middle of the night after a lot of arm twisting, I see nothing in this bill that actually deals with what I think is the core problem, and the core problem is the cost of the drugs and the fact that they escalate 17 to 27 percent in a year's time. So you give someone a 10 percent discount, and if the drugs have gone up 17 to 27 percent, what have you accomplished?

It seems to me like we are playing games here. Why do we not just say that Medicare works? Seniors trust Medicare. They know they have hospital coverage through part A, they have physician coverage through part B. Medicare part C is for the managed care portion. Why do we not just add Medicare part D and make that a prescription drug benefit and allow the Secretary to negotiate discounts for all of the seniors? That could bring down prices immediately, and it would be easy to administer. Seniors could understand how to access the benefit.

We have created a huge bureaucracy here. My colleagues were talking earlier about the hundreds and hundreds and hundreds of new people that Secretary Thompson has had to hire just to answer the phones to try to get people a timely response.

Mr. PALLONE. The gentleman might also want to mention the cost paid for the ads. They had an initial ad campaign that was $20 million and another one subsequent, I think another $18 million, that basically promotes the prescription drug cards. In my opinion, they are not really honest about what people would get.

I guess it was the week before the break, a couple of weeks ago, the GAO came out and said it was probably illegal to spend the money because it was essentially a ruse, it was really propaganda, it was not really informational, and they should not have been spending taxpayer dollars on it.

So between the ad campaign and the extra people hired on the phone, the cost has got to be unbelievable. I do not know what the cost is, but it is huge.

Mr. STRICKLAND. If the gentleman would yield further, I keep referring to my friends on the other side of the aisle and the fact is I do think this is an honest debate and there are honest differences, but why would we have to

spend tax dollars to try to convince seniors this is a good thing if in fact it is a good thing?

The General Accounting Office, as the gentleman pointed out, is the arm of the Congress that actually oversees the expenditure of tax dollars to make sure that they are spent properly and in accordance with the law. And it is true they have said, wait a minute, this is probably an illegal expenditure of funds because it was not informational in nature, it was an attempt to convince seniors that this was a good deal when in fact many of us are convinced that it is not a good deal for seniors.

I have had seniors say to me, Congressman, what should I do about this card? What card should I choose?

I have said to them, go talk to your local pharmacist, because I do think your local pharmacist may be in the best position to really advise you. But many of my local pharmacists are very upset with this. They know it is not a good deal.

As I think about this, something else just came to mind that I think the American people need to know. Many already know, but some may not have heard. When this bill was first presented to us by the President, many conservatives on the Republican side of the aisle were terribly concerned that it was going to cost too much; and they in fact apparently drew a line in the sand and said, if it costs more than $400 billion, we simply will not support it. So the President said, it will not cost more than $400 billion.

Then, after the bill passes, we find out that the chief actuary at the Department of Health and Human Services had actually determined that it was not going to cost $400 billion, but it was more likely to cost I think about $551 billion, and he indicates that he was basically told if you inform the Congress of the true cost, you lose your job.

Those kinds of actions are indefensible. I think they are shameless.

Mr. PALLONE. Reclaiming my time, there is still an investigation within the Department as to whether or not that was a violation of law, too, because the actuary is supposed to be nonpartisan and give out true figures. The fact he was told if you reveal those figures to Congress, which he is required to do, that you will lose your job, may also have been a violation of the law. We are still waiting for the result of that investigation.

Mr. STRICKLAND. If the gentleman will yield further, it was important for those of us who were faced with casting a vote to have that information but equally important that the American people deserved to know. It is their money that is being spent.

If we get to the point where we have an administration that purposefully works to keep information away from the people, then I think that is quite serious. I hope this investigation continues, and I hope whoever is responsible is held accountable. Because one of the terrible things that can grow out of a situation like this I think is people come to distrust what they hear from their government, and if this is allowed to happen without being investigated and fully exposed, and those responsible punished for such misbehavior, then I just think it does great damage to our governmental processes.

Mr. PALLONE. I do not want to belabor the point, but I just wanted to say a few more things before we conclude tonight, and that is that when we talk about the reimportation from Canada, and we are going to continue to fight to try to get that, we realize it is only a stopgap measure, that really what we should have is a comprehensive program that provides for lower cost drugs. But it certainly is something that could be done in the interim in order to create, as the gentleman said, true competition.

What we are seeing on this chart with these discount drug cards is not true competition. This is just a ruse. But, as the gentleman said, if you had reimportation from Canada, you would have true competition.

I have to say I have been a little disgusted with the way that the Bush administration has treated this issue. Because from time to time the Department of Health and Human Services gives the impression that they would maybe allow reimportation. We have even heard some of our Republican colleagues come on the Floor and suggest that Republican leadership might allow reimportation. But they always put an obstacle in the way.

The argument that they use most frequently is that it is a health or safety problem to reimport the drugs. I laugh at that. Not that I laugh, it is a serious thing. But it is not a problem. Because, as we know, the bill that we tried to pass basically said that you could only import drugs from FDA-approved facilities. These are the same facilities that are now being used to import the drugs that the name brand companies here are using.

I tried to explain this to one of my constituents the other day. When I finally explained it, they just said, how can that be?

One of the drugs that is on here, I forget which one it is, but one of the drugs on here, actually the majority of the raw material is manufactured in Ireland, something like 60 or 70 percent, and it is packaged in Ireland and sent over here for the major brand companies, and then they sell it in the United States. That is an FDA-approved facility, where the FDA goes in, inspects it, does the same type of thing they would do at a facility in the United States, and it is being used now.

So how in the world, if you say that these drugs have to come from an FDA-approved facility in Ireland or France or Italy or wherever it happens to be, that there is a safety problem? It is just absurd. We are using them now.

Mr. STRICKLAND. If the gentleman would yield further, I would like to point out to my friends that, to my knowledge, the FDA has not identified a single death that has occurred as a result of a senior or an American taking one of these drugs imported from Canada.

□ 2200

Not a single case. Now, we have had several deaths occur as a result of onions being imported from Mexico, and I do not see any attempt to block the importation of food into this country from Mexico and other countries.

It is crystal clear to me as to why this is happening. The pharmaceutical companies know that if Americans can get these drugs from Canada, pay less for them, that their profitability will be affected. I mean, it is as simple as that. So here we have citizens in Belgium and France and Germany and England and Italy and wherever, Canada, buying drugs and paying less for them than citizens in the good old United States of America; and the pharmaceutical companies say, wait a minute. If you do anything that is going to interfere with our profits, then we will not be able to put adequate resources into research, and we will not be able to bring new and better drugs on stream. And I say bull feathers, quite frankly, for a couple of reasons.

Much of the research that is used by the pharmaceutical industry to develop these new and better drugs is research that is paid for already by the American taxpayer through the NIH and other agencies of the Federal Government. So the pharmaceutical companies benefit from that taxpayer-funded research, and then they get very generous tax benefits for the research they do. So here we have a situation where the American taxpayer is paying for much of the research, the American taxpayer is providing certain very generous tax benefits to pharmaceutical companies for the research they do, and the American taxpayer is paying two or three times as much for the drugs that those companies produce, as do citizens in nearly any other country on the face of this Earth. It is gross discrimination against the American consumer. We are, in fact, as American consumers, subsidizing the pharmaceutical companies, and we are subsidizing the cost of drugs for citizens in all of these other countries. That is really a shameful set of circumstances.

Mr. Speaker, I just wish I could have the President to take him to Belpre, Ohio, or down in Lawrence County or Marietta or up in Youngstown, throughout my district, to sit down with seniors and have him try to explain to them why this is a fair system. How can it be fair when our citizens are paying the cost, much of the cost that goes into producing these drugs and, at the same time, paying more for them when they go to buy them to use them. It just does not make sense.

Mr. PALLONE. Mr. Speaker, I just wanted to say one more thing if I could

in conclusion tonight. One of the things that the Republicans keep saying is that they wanted to put this 2-year program with the discount drug cards in effect first, before the larger so-called benefit, prescription drug benefit, came into effect in 2006 because they wanted to show that privatization and the kind of competition, if you will, that is created under this very confusing system was the way to go, rather than the traditional Medicare; and that was supposedly to show the public that what was to come was going to be a good thing.

I have always said, and that is why I think today, June 1, is so significant, that when the public actually sees what this benefit is that the Republicans are offering them, they are just going to talk with their feet and not participate in it. I think that today, the fact that we found out today that for AARP there were like 400 of their members who signed up and for the other one I mentioned, with Blue Cross and Blue Shield, there were less than 1,000, that that is exactly what is happening.

People have clearly looked into this. If they have a computer, they have looked on the Web site and they decided not to participate. And I think that is very telling, because what it says to me is, if the seniors are not going to participate in this program because they realize it is not worth anything, hopefully that sends a message that the larger program to come in 2006, which is no less beneficial, in my opinion, also is not going to be helping any seniors. I hope that we do not have to wait until 2006 and that we can get rid of all of this garbage, really, this experiment in confusion before then, before 2006 and actually get the political wherewithal to pass a real prescription drug benefit.

The gentleman from Ohio and I, because we are on the Committee on Commerce and we are on the Health Care Task Force, and we were part of the group that put together this alternative proposal that would just expand Medicare, and I am just going to say one more time, because it is so simple. It is just like part B. Part B is voluntary for their doctor bills, and 99.99 percent of seniors participate. Most seniors do not even know it is voluntary, because they would not think of not participating in it. In that program, you have a $100 deductible, 80 percent of the cost is paid for by the Federal Government, 20 percent co-pay, you go to any doctor you choose. We are just saying do the same thing with prescription drugs. Have a $25 month premium. If you cannot afford it, then you would not pay it, but most seniors would pay it; a $100 deductible, 80 percent paid for by the Federal Government, 20 percent co-pay and, most important, that there is a negotiated price reduction which will bring the cost down, as the gentleman said happens in the VA, 40 percent, 50 percent, sometimes even more.

I am just hoping that when the seniors see that this is worthless and they do not participate in it, that we can build some political momentum over the next few months or the next year to actually put in place a good program, because I would like to see this whole Republican plan just repealed. There is nothing to be saved here, no money to be saved and no benefit.

Mr. STRICKLAND. Mr. Speaker, I was listening to my friend on the other side earlier, and the chairwoman of the Subcommittee on Health indicated that those of us who oppose this bill wanted to do nothing. Well, that is so far from the truth. We had an alternative; we just were not allowed to present it.

Our alternative would have provided a prescription drug benefit that was a part of traditional Medicare, easily administered, easily understood, a program that seniors could trust just as they trust Medicare today; and it would have happened, but for the other side who just are so into privatization and, quite frankly, many of them do not believe in Medicare and consider it socialized medicine. It has even been referred to by some Members on the other side as a Soviet-style health care system. Well, I think most seniors in this country feel pretty comfortable with it, confident in it. They think it is a good program, and there is just simply no reason why we could not add a prescription drug benefit.

One of my fears regarding what has happened here is that I do believe that this is an attempt on the part of the Republican Party to begin the full privatization of Medicare, so that in the years to come, Medicare will no longer be a guaranteed benefit with a guaranteed premium, but seniors will be forced to face the private sector and all that that involves.

I think this is a very clear-cut choice. I do believe that this is going to be a big issue this November. As seniors go to the polls to vote, I think they are going to have to choose between those who would want to privatize Medicare and those who want to strengthen Medicare and to expand it to include a prescription drug benefit.

Mr. PALLONE. Mr. Speaker, if the gentleman would yield, he will remember that when they first proposed the Medicare bill, they had a privatization component for not only the prescription drug program but the whole of Medicare; I think it was by the year 2010. Essentially, you were going to get a voucher, and you would just be given a certain amount of money to go around, and it would be the same type of thing. You would probably go on some Internet site and you would see what kind of programs were available that you could use your voucher to buy. But if you wanted to do something that cost more than the voucher, then you had to pay out of pocket. And there was so much opposition to that, that they ended up making it just a pilot program. But under the law that was passed that includes the discount drug card, that pilot program does go into effect in 2010 in a number of, I think, 20 percent of the different regions of the country. We are not talking just about prescription drugs now; we are talking about the entire Medicare program.

Mr. STRICKLAND. Mr. Speaker, if my friend would just yield for a final comment, the seniors of this country, the senior citizens in this country need to understand that what we are dealing with here is an administration that appears to want to obliterate, to get rid of, Medicare as we know it, to make it more of a privatized system where the government no longer has the ultimate responsibility to carry out the promises to provide this defined benefit, guaranteed benefit, guaranteed premium, to all seniors, so that regardless of where the senior lives, they are going to pay the same premium; regardless of where the senior lives, they are going to be entitled to the same benefit. We could just mongrelize, if that is a word, this program so that depending on what State you lived in or what city you lived in, you may have to have a higher premium, you may be denied certain medical benefits and so on.

I do not think that is what America's seniors want, quite frankly. I think they want Medicare to be strengthened, to be expanded to include a prescription drug benefit; but they want Medicare to remain, and they do not want it privatized.

Mr. PALLONE. Mr. Speaker, I just wanted to say that we are going to be down here, and we are going to continue to fight for what we think is right on this issue. I know today is June 1, which is the first day that this discount drug program goes into effect; but it is very important to point out that it has so far failed, and the reason it has failed are the same reasons that I think that the larger program itself does not make any sense; and we need to keep fighting to make sure that the public understands.

## FEDERAL SPENDING AND FISCAL RESPONSIBILITY

The SPEAKER pro tempore (Mr. FEENEY). Under the Speaker's announced policy of January 7, 2003, the gentleman from Michigan (Mr. SMITH) is recognized for 54 minutes, unless the remaining speaker does not come to claim her time, in which case he has a full 60 minutes.

Mr. SMITH of Michigan. Mr. Speaker, 54 minutes probably is very adequate. I was sitting up in my office listening, reading letters from constituents, letters that wanted more money for the AIDS program, letters that wanted more money over the approximately $29 billion that is going to our foreign support programs. They wanted more money for food stamps, letters coming in wanting more money for health care, wanting more money for

NIH. I think it should be obvious, certainly it is with most of our Members, that there are many, many problems out there; and the question is how many of those problems should it be the responsibility of government to solve.

We are now faced with a situation in the United States where approximately 50 percent of the adult population only pay about 1 percent of the income tax. So as we have moved in the last 30 to 40 years from an environment that our forefathers set up in the Constitution that encouraged effort, it encouraged savings, it encouraged individuals that saved and worked hard and invested, because they would be better off than those that did not; then, over the last 35 to 40 years, we have been sort of dividing the wealth up by increasing the taxes on those that might make it or those that work harder, or those that save and invest, and distributing some of their tax money to the individuals that made less effort or were, in other words, sometimes unlucky. I think that is a danger for our future.

Mr. Speaker, this is the 195th year of Abraham Lincoln's birth; and in his famous Gettysburg Address, he sort of surmised and wondered if a nation of the people, by the people and for the people could long endure. And I think in this kind of an environment where we have both sides of the aisle now calling for more spending; and it is an advantage to get reelected, Mr. Speaker, those individuals that take home more pork barrel projects, that promise more spending to solve more of these problems, probably do get on the television a little more, maybe get a picture of cutting their pork barrel project ribbon that they have taken home to their community. But the imposition on taxpayers today and maybe more importantly the burden that we are placing on taxpayers tomorrow, our kids and our grandkids, should be considered in the decisions we are making today.

I wanted to start out, Mr. Speaker, with sort of a pie chart on how we spend our Federal dollars this year.

□ 2215

As you see, the biggest piece of pie in this chart is Social Security. Some people suggest, well, why is Social Security part of that Federal spending pie? It is really a separate account. It is a separate account. However, I think it should be noted that on two occasions the Supreme Court has said just because you pay Social Security taxes there is no entitlement to the program benefits when you retire.

Social Security is simply another tax that Congress and the President have imposed on people, and the benefits are a separate bill of benefits that can be changed any time Congress and the White House wants to change those benefits. Of course, that is what we have done over the years. Every time we need a little more money for Social Security in this, if you will, pay-as-you-go program, the taxes have been increased or benefits have been cut or a combination.

So as we go around the pie chart we have Social Security taking in 21 percent of the total Federal spending. Coming around at 7:30, 8:00, Medicare is at 12 percent. The prediction is that Medicare costs will overtake Social Security within the next 18 to 20 years.

Other entitlement programs, 10 percent; domestic discretionary 16 percent. That is outside of defense. Domestic discretionary is what this body and the Senate discuss and argue about for 6 or 7 months out of the year. The rest of it is almost on fixed type of spending.

As you see, the next item is defense spending at 20 percent. That has gone up a little over a percent because of the war in Afghanistan, the war on terror and the war in Iraq.

Interest. I want to dwell a moment in interest at 14 percent. The interest on our debt in this country, now a little over $7.3 trillion, is $300 billion a year. That is $300 billion at a time when we are looking at a future of deficits that is adding to that debt approximately $500 billion plus a year.

We are looking at relatively low interest rates today compared to the prospect of going back to much higher interest rates. So if we continue this overspending and if interest rates are going to go back up higher, which Mr. Greenspan predicted, which most of the economists are now predicting, we could well see interest on the debt within the next 20 years taking up 25 to 30 percent of the total Federal budget.

And I would just suggest, Mr. Speaker, this is, maybe a stronger word than unfair, would be unconscionable for Congress, the House and the Senate and the White House to think our problems today are so great that it justifies taking the money of our kids and our grandkids that they have not even earned that yet. They are going to have their own challenges, their own problems, and they are going to be unable to continue to increase the debt of this country to pass on to their kids and their grandkids.

I am a farmer from Michigan. Traditionally, on the farm what we try to do is pay down the mortgage so that our kids will have a little better chance of having an easier life than maybe their parents or grandparents did. In this body, Mr. Speaker, what we are doing is just the opposite. We are increasing the debt every year.

Deficit, of course, is how much we are overspending over and above the revenues coming into the Federal Government. The overspending or deficit spending this year is going to be about $560 billion, next year about $530 billion, maybe a little higher. And what we are saying is we are adding that much to the debt.

In the next 2 months we are going to have to again pass a legislation in the House and the Senate signed by the President to increase the debt limit from its current $7.3 trillion on up to cover this kind of overspending and the debt that we are passing on to our kids.

I want to emphasize two things. We are passing on this liability to our children and our grandchildren in two ways: One is the deficit spending and the increased debt and the burdens of being responsible for that debt in future years, and the other is making promises that we do not have the money to pay for. That is the next chart.

The budgeteers call this unfunded liabilities. Unfunded liabilities means passing a law for a benefit program and the funds that are going to be required over and above what is coming in to pay for those programs. The payroll tax for Social Security, Medicare, is going to be the unfunded liability, what we are going to need over and above the payroll tax coming in. $73.5 trillion is estimated by the actuaries. Medicare part A is $21.8 trillion. That is mostly the Medicare that goes to hospitals. Medicare part B is mostly what goes to the doctors. $23 trillion, Medicare part D, the new drug program that was passed last November, the unfunded liability on that program is $16.6 trillion.

And so Social Security is $12 trillion. That is more than a quarter million dollars of unfunded liability for every man, woman, and child in America; and what is happening, of course, is the demographics of individuals living longer and the birth rate declining means that there is going to be even greater burden for our kids and our grandkids.

The next chart shows if we do not do anything, if we keep just simply continuing to talk about that 16.6 percent of the spending that is discretionary spending and we do not deal with the kind of changes in the rest of the so-called entitlement programs, it is going to not only be a huge impact on the way of life and the potential success of our kids and our grandkids but it is going to be a huge imposition and strain on the economy of this country.

And let me just ask, Mr. Speaker, if anybody would like to venture a guess on what the payroll tax is in France, for example. The payroll tax to accommodate their senior programs in France is now over 50 percent of a payroll tax. Germany just when over 40 percent for their payroll tax to accommodate their senior population. If the United States continues to put off the solutions and dealing with these tough problems, then we are certainly going to see a situation where it is going to make us even more at a competitive disadvantage.

We are already increasing our taxes on our businesses approximately 18 percent over the taxes that are charged to our competitors. Our overzealous regulations, our high health care costs added to that put our business at a competitive disadvantage with many countries. But if we continue to slip

and slide and not deal with the problems of the unfunded liability for Social Security and Medicare and Medicaid, then the situation is even going to be worse.

And if we have that kind of a payroll tax, one understands that that business only has a couple options. They either try to pay less wages and salary to their employees in order to be competitive, or they try to increase the price of their product to cover their cost, and that tends to make them less competitive. So one can understand the demonstrations and frustrations in countries like France and Germany.

This chart shows that just in 16 years from now we will have to take an additional 28 percent out of the general fund to accommodate those other programs, what is needed over and above the money coming in from the payroll tax. By 2030, it is going to be over 52 percent that is going to come out of the general fund. We add to that the projection of the cost of the debt, servicing that debt, that is probably going to be approaching 20 percent at least in the next 15 years.

This chart is just a quick glimpse of the short-term surpluses from the huge tax increase on Social Security on the increase in the FICA tax that was passed by the Greenspan Commission in 1983. That increased tax money to cover temporarily the increase the cost of Social Security is going to last until about 2017, and then we have a huge, big red future. The red part of this graph projects the $12 trillion unfunded liability in Social Security.

I want to spend a minute, Mr. Speaker, talking about how Social Security works and the problem with Social Security. It is a tough problem; and it is easy to understand why Members of Congress have tended to say, well, look, we are going to save Social Security but we are not going to pass the bill right now, we are going to look at it more closely. Mr. Speaker, many of my colleagues in their past campaigns said, look, we need to do something about solving the problem with Social Security.

Here is how Social Security works. Benefits are highly progressive and based on earnings. At retirement, all of a worker's wages up to the tax ceiling are indexed to present value using wage inflation. What that means is if wage inflation means a doubling of wages every 9 years, it means a job 20 years ago that, or 18 years ago, that paid $10,000 now you would be paying maybe $30,000 for that job. So when Social Security indexes your best 35 years, it adds into those 35 years what the current value of that job was, whether it was held 10 years ago or 20 years ago or 30 years ago.

The annual benefits for those retiring in 2004 is very progressive. And, very quickly, today 90 percent of the earnings up to $7,340, in other words, if you are a low-income earner and over those 35 years you averaged $7,500 in wages, the government would pay you 90 percent of your weekly or monthly take-home pay in your retirement years.

The next 32 percent of earnings between the $7,300 and the $44,000, is 32 percent of your earnings. And then as we deal with higher wage earners when they retire, everything above the $44,000 is only given 15 percent in terms of what you get back in Social Security benefits.

And I added this. Early retirees receive adjusted benefits, and SSI does not come out of the Social Security system. It comes out of the general fund.

Let us talk a little bit about how we are going to fix Social Security. One way is to get a better return on the investment, the money that is sent in by the employee and the employer. Right now, Social Security is not a good investment. The average retiree will receive 1.7 percent return above inflation on what they and their employer sent into the Social Security system.

Franklin Roosevelt, when he created the Social Security program over 6 decades ago, he wanted it to feature a private sector component to build retirement income. His suggestion that he sent to Congress is that there be personal accounts but that individual would be forced to put into that personally owned account and they would not take anything out until they reached age 65.

Looking through the archives in downtown Washington, I discovered that the Senate did pass that bill for personally owned accounts. The House passed a bill suggesting that it should be the government in control, taking all the money in and then paying out benefits when that individual reached 65. By the way, the program worked very well in those early years because the average age of death was 62. One could not collect benefits until you reached age 65. So most people paid in but never took out benefits.

It is a program that is stretched to its limits. And the reason is demographics. Seventy-eight million baby boomers are going to begin retiring in 3½ years from now. Social Security spending exceeds tax revenues in 2017, and Social Security is simply going broke, and it needs to be fixed.

It is not guessing on insolvency. I have heard suggestions from both sides of the aisle if we can get our economy strong enough, it will fix Social Security. Well, the fact is that we know how many people there are, we know when they are going to retire, we know that people will live longer in retirement. But here is what also we know: We know that if we are earning more wages now because of a stronger economy, or if more people are working now because of a stronger economy, because there is a direct relationship to how much you are earning and paying in now and how much you will get out when you retire, a stronger economy now means there is more money going into the system, but it means when these people retire there is more money going to be spent going out of the system.

□ 2230

So simply having a strong expanding economy by itself does not solve the Social Security problem.

My last blip on this chart, payroll taxes will not cover benefits starting in 2017 and the shortfalls will add up to $120 trillion between 2017 and 2075.

Here is the problem of the birth rate going down and the fact that people are living to older ages. In 1940 there were 28 people working paying in for every one retiree, so they were spreading the costs between those 28 workers on their payroll tax to finance every one senior. By the year 2000, it got down to three people working paying in and supporting one senior, so the taxes kept going up.

The projection for 2025 is there will be two individuals working for every one senior that they are trying to support in their retirement. Economic growth will not fix Social Security, Social Security benefits are indexed to wage growth; and when the economy grows, workers pay more in taxes, but also will earn more in benefits when they retire. Growth makes the numbers look better now, as we discussed, but leaves a larger hole to fill in in later years.

Mr. Speaker, I was chairman of the bipartisan Social Security Task Force, and I probably made maybe 250 speeches around the country. In those early speeches people said, well, if Congress would keep their hands off the money coming in from Social Security, if they would keep their hands off the Social Security trust fund, everything would be okay. Well, we should keep our hands off that trust fund. That money should be invested and returning real earnings back to the Social Security. But these two columns show the money that is in the trust fund, roughly $700 billion borrowed. You add interest to that, so now there are IOUs out there that represent $1.4 trillion. But here is the total column of what is required for the Social Security problem. That is $12 trillion. So we need to get back that $1.4 trillion, and it is all spent; so government has spent all the money when it came in.

So now the challenge is how do we, do we simply reduce benefits again so that we do not need as much money, do we raise taxes again on workers where already 78 percent of American workers are paying more in the payroll tax than they do the income tax?

On this chart, it probably justifies an explanation. We will need $120 trillion between 2017 and 2075 in future dollars. The $12 trillion that we talk about in unfunded liability or the total for Medicare and Medicaid added to that is $73.5 trillion. That means that money would have to be put in a savings account today accruing interest that would accommodate for inflation plus the time value of money to come up with the $120 trillion that is required

until the future years to cover Social Security benefits, that much more is needed over and above what is coming in on the payroll tax now.

Social Security has a total unfunded liability of $12 trillion. Social Security trust fund contains nothing but IOUs. To keep paying promised Social Security benefits, the payroll tax will have to be increased by nearly 50 percent or benefits will have to be put by 30 percent. And with this program, with most of our seniors depending on Social Security for most of their retirement income, I think it would be very bad policy to again cut benefits. But that is what we have done in the past. That is what we did with the 1983 changes. We increased the taxes up to 12.4 percent, and we cut benefits in several ways including increasing the retirement age gradually from 65 to 67 years old.

This figure shows that Social Security is a bad investment. In fact, if you are a black male, you have a negative return on the money you pay in to Social Security because on average a black male will die at something like 63½ years old, before they reach 65 years old. The average return for the average retiree is 1.7 percent. The column to the far right represents what the market has done, and this is the Wilshire 5000 that actually earned 11.86 percent over and above inflation for the 10 years ending January 31, 2004. This, of course, included almost 2½, almost 3 years of a down equity market on the stocks. This is another way of saying, Mr. Speaker, that Social Security is a bad investment.

This chart shows how many years a retiree is going to have to live after retirement to break even on the money he and his employer, or he or she if they are self-employed, sent into Social Security. In 1995, if you retired in 1995, you have to live 16 years after retirement. By 2005 you will have to live 23 years after you retire to break even on the money you send in to Social Security. So that should bring to mind, is there a better way to invest some of this money than simply sending it to the government and letting the government write out an IOU and spend any extra money that they have and only giving the retiree an average of 1.7 percent return?

This chart I wanted to show simply because I think it indicates the danger of doing nothing and continuing to put off this decision. I would, as a footnote, I would just urge that every citizen in this election year when you go to candidate forums, when you go to Presidential forums and speak to their representatives, ask them what bill they have signed on or introduced to solve the Social Security and Medicare problem of unfunded liability, the fact that these programs are going broke. Because I think the danger is putting it off and then we simply increase taxes again.

As you see, in 1940 we had the first tax increase. We went from 1.5 percent to 2 percent, 2 percent of 3,000. In 1960 we tripled it to 60 percent of a base of 4,800. In 1980 almost doubling it again to 10.16 percent of the first 26,000. By 2000 we raised it to 12.4 percent of the first 76,000. In 2004, 12 percent of the first 87,900. And that view of history of what Congress and the administration has done probably is a danger signal to what we might do again if we do not stand up and deal with this problem.

I know it is so easy to demagogue because this is my, I introduced my first Social Security bill when I came here in 1993. And I have introduced a Social Security bill every year after that that has been scored to keep Social Security solvent. So every election, I face the challengers that are saying I want to ruin Social Security.

Now, probably after so many speeches in my 7th Congressional District of Michigan, most of my constituents understand the real problem of Social Security. So if those candidates that are replacing me, they are all very supportive that the system needs to be changed to keep it solvent and to keep this important program going and to keep our promises. Because what seniors, of course, what working people do is they look at how much revenue is going to come in from Social Security and what other kinds of savings they need to accommodate a retirement lifestyle that is going to be satisfactory. So simply telling these workers in their late forties and fifties that we are going to start reducing benefits would be terribly unfair.

This simply is a chart showing that 78 percent of workers today pay more in the Social Security tax than they do in the income tax.

The six principles that I have set up, one, protect current and future beneficiaries; two, allow freedom of choice; three, preserve the safety net. In other words, in my bills I leave at least half of the trust funds in place. Four, make Americans better off, not worse off. So have a program where savings and investment in our industry is encouraged. Five, create a fully funded system. And my last blip that I think is important is no tax increases on your payroll taxes.

Mr. Speaker, I am going to briefly run through the bill that I have just recently introduced. The Social Security trust fund continues, voluntary accounts would start at 2.5 percent of a personally owned retirement account and would reach 8 percent in future years, 2075. Investments would be safe, widely diversified, and investment providers would be subject to government oversight. The government on the last blip, the government would supplement the accounts of workers earning less than $35,000 a year. And what that does is ensure that with the magic of compound interest, adding a little bit to these low-wage workers into their privately held savings account, means that their trust funds are going to grow to a modest income workers can retire with what millionaires are getting from Social Security today. So the goal is to encourage savings and to have a system that does even better than our current Social Security system.

Actually, I think this was first suggested by President Clinton that we add some funds to low-income workers in their personal savings account to help encourage more savings and to give them the kind of retirement benefits with that larger nest egg and how it can accumulate.

My Social Security bill, as all my Social Security bills, has been scored by the Social Security Administration to restore long-term solvency to Social Security. No increase in the retirement age and no changes in the COLA, the cost of living, or no changes in the benefits for seniors or near-term seniors. Solvency is achieved through higher returns from worker accounts and slowing down the benefits for high-income retirees. I do that by adding another ben point.

You remember the ben point chart that went from 90 percent to 32 percent to 15 percent. I add another so-called ben point at 5 percent so that high-income retirees would have the effect of having their benefits, their increase in benefits slowed down. Workers' accounts, all workers' accounts would be owned by the worker and invested through pools supervised by the government. Regulations would be instituted to prevent people from taking undue risks. In other words, we start out like the Thrift Savings Account for Federal employees, and that is a limit on where you can invest the money, such as index stocks, index bonds, index cap funds and other safe investments as determined by the Secretary of Treasury. Regulations would be substituted to prevent people from taking those undue risks through that process, and workers have a choice of those three safe index funds with more options after they have a balance in their account of $2,500 or more.

What we also include in the bill is once you are able to have a permanent annuity that will guarantee you the same benefits as Social Security, then you can stop paying the 6.2 percent of your wages, of your income that you now pay into Social Security. So it gives you that kind of option if you think you can make the kind of investments and have the ability to set up that kind of insurance system just to guarantee that you are not going to later ask people to help finance your retirement if things go wrong.

□ 2245

Worker accounts. Accounts are voluntary and participants would receive benefits directly from the government, along with their accounts. Government benefits would be offset based on the money deposited into their account, not on the money earned, and workers could expect to earn more from their accounts than from the traditional Social Security. I think it is obvious that we could incorporate in this legislation

a guarantee that if anybody selected the option, you can stay with the old system if you want to and not have personal retirement accounts, in my proposed legislation, but if you do go into personally-owned retirement accounts, we are guaranteeing that they are going to be at least as good in terms of what they are going to contribute towards your retirement as Social Security. So you cannot lose.

Fairness for women. This is what I have incorporated in this Social Security bill. For married couples, account contributions would be pooled and then divided equally between husband and wife. So, if one spouse is earning much more than the other spouse, you add the two earnings together, you divide by two to determine what is going to be the identical amount that is going to go into both the husband's and the wife's personal retirement savings account.

Two, it would increase surviving spouse benefits to 110 percent of the higher earning spouse's benefit. Currently, it is 100 percent. This tries to encourage people to stay in their own home a little longer rather than going to a nursing home. So we have upped the minimum amount that is going to be allowed after one spouse's death.

Then stay-at-home moms. For stay-at-home mothers with kids under 5, they would receive retirement credit. So, for those limited number of years that they stay at home with those kids under 5 years old, we give them the average of their higher earnings for those outyears to fill in that best 35 years in determining their benefits.

The additional retirement security. Trying to encourage a couple of things, encourage more savings, encourage people to stay in their own homes a little longer after they retire. So these are other provisions I have incorporated in my bill that is a bipartisan bill, signed by Democrats and Republicans.

The increased contribution limits for IRAs, 401(k)s and pension plans, we would increase that contribution limit. The second blip, a 33 percent tax credit for the purchase of long-term care insurance up to $1,000 per individual, $2,000 per couple. Low-income seniors would be eligible for a $1,000 tax credit for expenses related to living in their own homes and households caring for those dependents. So, if the kids are having one of their parents or both of their parents live with them, they would get a tax credit to encourage them to use their facility and care for their parents as opposed to maybe their parents going into a nursing home.

Nursing home care, of course, is now increasing dramatically as we pass more rules and regulations. On the average, in my area of Michigan, nursing homes cost from $40- to $55,000 a year for a senior to stay at that nursing home, and with the increased medical technology, these elderly individuals that thought they had saved enough during their working years soon find out that if they are going to live that longer period of time, then their savings is used up, and they switch and then they are eligible for Medicaid, where the government pays the cost of that nursing home care.

The promises that Congress has made. As I summarize Mr. Speaker, I would just encourage all citizens of this country to look at the overpromising and the overspending that seems popular for the moment, but in the long run, it becomes a detriment not only to our kids and our grandkids but to the kind of pressures it is going to put on economic growth in future years.

## CONGRESS NEEDS TO FULFILL ITS RESPONSIBILITIES

The SPEAKER pro tempore (Mr. FEENEY). Under the Speaker's announced policy of January 7, 2003, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 60 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I appreciated the chronicling of crisis of Social Security by my colleague, and I would simply offer to say that I agree with him. This Congress needs to be able to focus its attention on domestic issues as crucial as Social Security.

I guess this evening I will pursue for my colleagues why we have not been successful in fulfilling our responsibilities in dealing with the domestic agenda, confronting some of the crises that we are now facing around the world, and particularly confronting the crises that we are facing in the Mideast, particularly in the region of Iraq and Afghanistan.

I believe that the American people have a right to expect their government to work. It is a simple premise, Mr. Speaker. The Federal Government is the umbrella during the rainy day. It is the cushion. I might say some would say it is the wind beneath our wings. Frankly, it is the big brother and big sister in a positive way. We should be able to lean on the Federal Government.

I am disappointed because I believe this Congress, and there is not an institution that I respect more in terms of government because of the great history of this body, has failed to fulfill its responsibilities. What are those responsibilities and what has it brought in terms of where we are today?

We are faced with choices that have not been brought about by the right kinds of circumstances. We failed as a body to truly provide oversight in order for this government to work. I think it is so overwhelming to the American people, it requires a chronicling of where we are and why there should be such an outrage and an outcry to demand this government to work, particularly this Congress, because the Congress above the executive and the Judiciary, is to be the truth-finder. It is to be the fixer-upper. It is the body that corrects the ills that have been created.

Frankly, I think it is quite dismal that in the last 4 years, when this body was controlled predominantly by one party, we have not seen one legitimate investigation started, completed and resolved. When I say that, I mean started, completed and the problem resolved.

We still have outstanding the exposure of a CIA operative. We still have outstanding the question of how the energy bill was designed. We have not yet completed a complete overhaul of our corporate structures so that we can prevent fraud and abuse. We certainly have not touched the surface of why we entered into a war with Iraq on the basis of weapons of mass destruction and whether or not this body, this Congress was misrepresented to.

So tonight, Mr. Speaker, I am simply going to draw our attention to why it is so important to decipher what the policies are in this government and to simply ask the question why and to ask the question what if. What is wrong with the body, what is wrong with this Congress who fails to ask the questions why and what if, who takes its responsibility of oversight as a major part of its duties, its oath of office, so the American people can know the truth and so that we can find ways to fix the problems and that we can restore this Nation to its high moral grounds?

Frankly, it is tragic to be able to suggest that seven low-ranking military personnel, privates and others, are the basis upon which this Nation's national and international standing has collapsed, and frankly, Mr. Speaker, that is fairly accurate. It does not take away from the very noble, valiant tasks that have been acted on by our military and our other government personnel who are on the front lines across the world.

I had the pleasure of being just last week in Afghanistan at Baggram Air Force Base where a multitude of our forces were there from many, many different branches of the United States military, and Mr. Speaker, I come back to say that our military is able, dedicated and committed; that the work that is being done in Afghanistan, though trying and difficult, though forgotten in some sense, led by very fine military officers, is persistent and determined. They are determined to stay and provide the kind of leadership and security necessary for the government of President Karzai to succeed and for the elections to proceed. They are engaged. They are working with the provisional reconstruction team, one of the best elements of the Defense Department, and the American people should know about it. Our military are engaged, yes, in Nation building, more effective than our foreign policy has been, and in visiting with those on the air force base, they are actually building schools and clinics. They are actually helping to educate young people in

Afghanistan. They are actually seeing thousands upon thousands of girls and boys going to school.

We were very proud, as members of the Afghan Caucus, with the gentleman from Ohio (Mr. NEY), to be able to deliver 900 pounds of books that were collected by the Houston school children and the Houston Independent School District, that were stored by a small business by the name of A Rocket Storage and Moving Company, very proud of them as my constituents, and a very charitable Federal Express that helped get them here to Washington and then to the United States military that helped deliver them to those children. Yes, our books that taught about geography and science and how to read and stories and picture books and things that children in Afghanistan might have not have seen in years. That is a good thing and the good news to report.

Then, of course, in meetings with the Central Command, in listening to some of the success stories that were going on there and meeting with the some 5,000 soldiers on the USS *George Washington*, soldiers who are providing the support for the soldiers on the ground in Afghanistan and Iraq. These sailors are very proudly, many of them from Texas, working around the clock 24 hours.

That is the good news that America should know, but at the same time that they know the good news, it is important for them to understand that this Congress has failed to provide the oversight that is necessary to get us back on track. In fact, I would be prepared tonight to say that the political inadequacies and the lack of consistency in our direction in Iraq is causing the system to collapse around the military efforts. The military efforts have been, as I said, persistent and determined, but they are collapsing because the political process is uneven, misdirected and, I believe, confused.

This war has cost us, and might I just offer to those colleagues the timeline that brought us to where we are today.

On January 9, 2002, President George Bush's State-of-the-Union address labels Iraq part of the ''Axis of Evil'' and vows that the U.S. will not permit the most dangerous regimes to threaten us with the most destructive weapons. That is the first pronouncement that Iraq has weapons of mass destruction. We do not know if there is any truth to that, but that is what led to this whole timeline that brings us to where we are today.

We go on to a series of various pronouncements, and then finally Congress provides a resolution that says go to the United Nations. Those of us who oppose both the resolution and the doctrine of preemptive attack continue to insist that we needed to go in a multilateral approach. It was ignored. The U.N. Security Council provided a resolution imposing tough new arms inspections on Iraq.

□ 2300

But of course that resolution asked for the arms inspection process to continue. Soon thereafter, on December 31, this administration approved the deployment of U.S. troops to the Gulf region, almost unilaterally; and of course this persistence turned into what became the war against Iraq.

On May 1 of 2003, the U.S. declares an end to major combat operations, in essence a victory. On April 14, preceding that, major fighting in Iraq is declared over by the Pentagon after U.S. forces take control of Tikrit, which is Saddam Hussein's birthplace.

May 30, in a separate speech, U.S. Secretary of State Colin Powell and British Prime Minister Tony Blair denied intelligence about Iraq's weapons of mass destruction were distorted or exaggerated to justify an attack on Iraq. This was May 30, 2003.

The reason for this time line is to suggest that when we make choices to go into war then we choose war and we ignore the domestic responsibilities of this Nation. So as I proceed to discuss where we are at in terms of the cost of war, I think it should be with the backdrop of the limitations that we have been able to engage.

For example, we have not been able to focus on fixing Social Security or making sure that it is preserved. Frankly, I believe that any fix of Social Security should be to maintain it in its present state in order for it to be what it was intended under FDR and that is that it was intended to be a safety net. So any review of the Social Security System should be with the intent of its origins, a safety net. So private savings accounts and other such quick fixes are not to interfere with what most people have come to understand, that no matter what happens to them, no matter what happens to the economy at this point, they know if Social Security is in place they will have at least a minimal ability to provide and support themselves.

But we have not had time to deal with that, Mr. Speaker, and the reason is because this war has been costly. We can see now with our very eyes the extent of the cost. Frankly, we know that it is going to continue to cost. We have already spent over $150 billion in supplemental budgets alone dealing with this war in Iraq. We have a very narrow coalition of allies helping with it. In fact, we have seen over the last couple of weeks and months allies leave with all due and deliberate speed because they believe the political process is collapsing down around us. The coalition of the willing is diminishing.

Again, let me remind my colleagues that I am not discussing or indicating that the work of our military personnel is diminishing, but morale is a question, and we should not, we should not attempt to cover up with accolades and high praise and suggest that anyone who criticizes in order to shed light on the fallacies or the problems that are going on are wrong. Frankly, I think the American people need to track what is going on in Iraq and demand accountability of its government, and that is what we have not gotten.

So we are in a war that eliminates the choices that should be made to assist in the needs of the American people. As I said, we have already spent over $150 billion in supplemental budgets. We have now a request of $25 billion. Our troops are known to be spread too thin. There is question as to whether or not we have enough troops. We have a volunteer army, a volunteer military of which we can be very proud of, but no one has taken time to discuss whether or not we actually need a draft in order to address this question.

We know that our National Guard and Reserve forces are stretched thin. We know from conversations directly with our military that from the time they were first assigned some 6 months has been extended to their stay. Some are still there without knowing when they might return home. This is particularly hard on the Reservists and the National Guard because, in many instances, even though actively deployed and committed, they are leaving families and jobs and incurring expenses which they cannot meet. So the question of choices is being raised not only by this government but by the people we are impacting.

During my trip to the region, as I indicated, I could hear personal stories asking the question of how long we would have to be engaged. Mr. Speaker, my assessment from listening to these personal stories, though committed, dedicated, and patriotic personnel that they were, is that the American people have not been told the actual truth. The administration has not laid out the time line which we will have to stay in Iraq and Afghanistan.

I have given a modest prediction of 10 years. Frankly, it may be more. But no one has even bothered to categorize how long they think we might stay in Afghanistan and Iraq. And the time we might spend there will be costly. The bills will continue to mount. And the question is: Do we have the political will or is there any political process in place to even provide some sort of commitment to the American people that we will be successful?

It is a dilemma for those of us who have opposed vigorously this war. If you understand this process, you realize that, as you have opposed the war, it is also important to invest in some semblance of sanity and civility and stability in the region for our own good. Yet realizing that even though the war on terror, which began in Afghanistan and which was never completed, and in fact we are still in that process, and that was a unified effort with allies from around the world, you also know that you cannot leave either of these places. Yet we have not heard one administration official in this time

line that I have read from that has indicated how long we will be in this region, how long we will be in Afghanistan or in Iraq.

So what is missing is the direct information that will allow the American people to join in their governmental process and make choices. Because all that we have gotten is that we are engaged. And what we have seen over the last couple of weeks is the tragedy of the engagement, the large numbers of lives lost not only in Iraq but in Afghanistan, and the turmoil and conflict that is occurring in a number of cities and holy places around Iraq. We have seen the changed policies of falling back to security, as opposed to aggressively going after the insurgents, the conflict of determining whether insurgents are those who are just opposed to foreigners on their land or whether they can be classified as terrorists. Those are difficult questions and those are choices that are having to be made that are falling upon the shoulders of the American people.

This past weekend we paid tribute to the Greatest Generation, and we acknowledged the generation of today, who are standing on the shores of other lands fighting for us. We have laid to rest so many young people and so many military personnel Reservists and National Guardsmen that have lost their lives in Iraq. Each life is precious. Each family that has lost one mourns one.

This past weekend we also paid tribute to the Greatest Generation, those who lived and those who lost their lives in World War II. Those were liberators, but it was an enunciated, understandable need to go into World War II. In fact, many of us who reflect on history would have wanted us to go earlier.

But that is not the case here. The war in Iraq is not a clear war. There is not clarity. There is not distinctiveness in the policy. There is not an understanding of the time frame and the time line that we will be required to stay.

For those who want to challenge again the patriotism of many who question why we are in Iraq, we also understand that Saddam Hussein is and was a despot, that lives were lost. There is no doubt. But what is not told by this administration is whether or not Saddam Hussein was easily toppable, easily able to be disposed of by Iraqis and others in the region, whether or not he was weak enough to be taken without this all-out war, which has created this wall of opportunity for terrorists. A borderless Iraq is what we have now.

□ 2310

The question is whether or not we could have handled this in a different manner. As I indicated, because we have taken this route, a war first based upon weapons of mass destruction, a preemptive unilateral attack, a declaration of an end of war when it was not over, the lack of inclusiveness of our allies, the diminishing of the willing coalition, then we are making choices and we are suffering by those choices.

Let me first start on what I have been speaking about, the military. Does anybody realize we have had to underfund the military by $12.2 billion? This past weekend, we stood and paid tribute to the military present and past and to the future. We have thanked them for their service. We have mourned those who lost their lives. We stood next to families who cried and were crying because of those who gave the ultimate sacrifice. We said our patriotic remarks and sang our patriotic songs, but what are we doing in this very Congress to support the United States military?

Mr. Speaker, we are underfunding it by $12.2 billion. In fact, the budget of the executive is sorely diminishing some of the required priorities of this military, particularly in light of its engagement. Among the priorities left out of the President's budget are funding for arms equipment necessary in light of the war in Afghanistan and Iraq.

Let me make it very clear, my interest is not in building up the defense budget. In fact, I am a supporter of the Department of Peace that I believe we should be looking at, legislation presented by the gentleman from Ohio (Mr. KUCINICH) where we begin to put fixtures in place to discuss world peace, not something to be taken likely and laughed at, but something to be seriously considered and engaged in.

If we are engaged in war and conflicts, as this administration proceeds to do, and then underfunds the very necessary armed equipment that our military needs, then they are speaking with a dual voice and are in essence making choices that are hurting those on the front lines. We are underfunding the military such that we are not providing upgrade of Air Force planes with modern identification and electronics to protect them from being shot down by friendly fire. That is a challenge that we have had to confront in the war in Afghanistan and in Iraq. It is tragic enough to lose a loved one, a family member, a friend or neighbor, yet to be told that they were brought down by friendly fire.

The administration did not give the Army $2 billion it asked for to protect the troops, including $900 million to add armor protection to Humvees and other vehicles. I have visited with personnel who specifically described Humvees that were not well armored. Of course in the last couple of months, we have provided some funds, but yet those funds were not sufficient. Go into the hospitals of the wounded, and ask them how they were wounded, and they will say they were in Humvees not armored.

Mr. Speaker, these are the choices having to be made because of this ill-directed conflict and war in Iraq. The Navy lacks $23 million needed to move intelligence information faster and to get more linguists into countries where they are most needed. As someone who has not asked for the defense budget to consume the needs of America, but recognizes that we are now in a war that has not been fully explained to the American people in terms of the long-standing commitment and price that it will cost, and the fact that this Congress winds its way through the 108th session of this body, and we have failed to investigate why we are in Iraq, why the representations of the weapons of mass destruction, why unilateral preemptive attack, why there has been no discussion as to how long we will have to be in Iraq, why there has been no explanation as to why the political process seems to be failing as we watch it. Why, why, why. Why there has been no investigations by this Congress to determine why we are where we are today. Choices have been made that now find their way winding itself amongst our lives.

Now I ask the question as well, why we have done little to explain to the American people about the Iraqi prison incident and the human rights violations in Abu Ghraib. It seems we simply want it to go away. I will argue it cannot go away. Frankly, the investigation by the military is to be appreciated, but it is not sufficient. So I have called for an independent civilian investigation bringing over large numbers of FBI agents and other civilian support, not contractors, Mr. Speaker, because this military has been too commercialized, and there are too many private contractors.

In fact, I join in a recommendation that I have recently heard that all civilian contractors and civilian personnel, who I know have put themselves in harm's way, and my comments are not to reflect upon those civilians who have gone over to the war zones like Iraq and Afghanistan at the behest of their company who are simply doing their job and being paid, it is not to comment on their desire to serve their country as well; but it is to say we have commercialized and contracted out our defense and military personnel responsibilities. It has been dangerous. The prison is a prime example of what has generated out of that contracting out.

So a recommendation that I heard just recently, I would adhere to and agree that anyone who is contracted by the Department of Defense and going into a war zone should adhere to the United States Military Code of Justice, and they should have a provision in their contract so they are under the Military Code of Justice.

I am here to say that this tragedy at the prison cannot be swept under the rugs. We cannot be told there is an investigation. Why, if you just uncover what is going on, you will find out there needs to be more than a military investigation. There are human rights violations. They are finding out a number of deaths occurred not only in Iraq

but in Afghanistan. They are finding out that one of the major Baathist commanders whom they were trying to get information from died at the hands of those in our prisons.

They are finding out there are ghost detainees, that the CIA has ghost detainees, as the individuals were called by the 800th MP Brigade; and they were routinely held by the soldier guards at Abu Ghraib without accounting for them, knowing their identities, or even the reason for their detention. These phantom captives were moved around within the facility to hide them from the Red Cross teams, a tactic which is deceptive and which is contrary to Army doctrine and in violation of international law. Are we aware of that? The world is aware of that. The Arab states are aware of that, and we have not clarified and done anything to provide a sunshine on this tragedy.

Are we aware that more than 9,000 people are held by U.S. authorities overseas, and as well, some held in Guantanamo Bay where they are known as enemy combatants? But the crux of the problem is starting at the very top. It is ludicrous, Mr. Speaker, that we would allow scapegoating at the military level and fail to have a full and thorough civilian review and investigation. Why do I say that? Because the White House counsel provided a letter and commentary that certain prisoners could be treated in a certain way, the highest level in the administration.

□ 2320

This is because there has to be some question as to whether or not the Secretary of Defense, the Deputy Secretary of Defense, the military intelligence unit, the CIA and military intelligence personnel, along with contracting intelligence personnel, were at the crux of what was going on.

It does not make any sense, frankly, that we have investigations that no one knows about. That includes our own Congressional committees; briefings in secret, doors closed, the Permanent Select Committee on Intelligence not presenting any information that we can decipher.

I imagine that all committees believe that they are engaged. Frankly, Mr. Speaker, I believe this should be investigated by the Committee on the Judiciary, the Committee on International Relations, the Committee on Government Reform, the Permanent Select Committee on Intelligence, if that is occurring at this time, and certainly the Committee on Armed Services. But, Mr. Speaker, we have heard not even a peep.

We have held some hearings, but have heard of no resolution. We holding up to 8,000, I mentioned 9,000, the number changes as we speak, but no one has moved to investigate this and provide the kind of oversight that the Constitution requires of this constitutional body, the Congress of the United States.

In fact, since one party has been in power, we have had only investigations, if you will, of the other party, and that is the Democrats. I recall very well during the Clinton administration, I think there was an investigation a day, or maybe every other day; from Whitewater to the impeachment to Travelgate, any number of investigations that bore little fruit. But yet now with the series of, more than infractions, of outright blatant undermining of the governmental process, we have found no way, no will, no stomach to investigate. While the American people suffer and while the world suffers, tragedy occurs.

If we do not find policies that will help stabilize the region, again, Mr. Speaker, we will make choices that most of us will not like. I share this chronicling of the events in Iraq because all of us wish the people of Iraq well. But as we have watched the political process, it is simply falling down around the ears and arms and legs and feet of the United States military, struggling every day to maintain security in Iraq.

There is confrontation between the Provisional Council and the United States, the choice as to who will lead; the United Nations engaged, but not engaged, trying to provide leadership; the question of whether or not there will be civil war; whether or not this has been discussed with the American people in an announced, pronounced, clear roadmap of where we will go in Iraq; how long we will stay, as I indicated; and how we will stabilize the region.

This weekend was a clear example of the political confusion that exists. This headline in the New York Daily News today, ''Saudis let thugs go, survivors say.'' ''Captives rescue staged,'' they say.

These are the individuals who suffered the brutality of al Qaeda terrorists that took over a compound that was housing western offices and residential areas. Large numbers of individuals killed, murdered, brutalized; a British executive dragged through the streets; one American killed, all as a result of the tumultuous times in this region.

It is questionable whether or not the commandos from the Saudi government were sent in soon enough. As far as I am concerned, this needs investigating as well. Why? Because this occurred over a day's time, 25 hours of rampage going on and commandos coming hours into the rampage, and the violence and the outrage and the brutality; survivors suggesting that dialogue occurred between terrorists who left and the Saudi commandos.

Now, I am not suggesting that there were not maybe some good intentions, as is represented by the Saudi government. They suggested that they allowed them to go because more killing was going to occur. But my concern is, why did it take this long for commandos to arrive? Why were people shot, brutalized, dragged through the streets until commandos arrived?

The region is in disarray, the terrorists are running rampant, and our efforts to coalesce around the war of terror is dismantling politically because we have made decisions in Iraq.

From the Financial Times, ''OPEC tries to sooth fears over oil prices, all a result of the crisis in Saudi Arabia this weekend. Security worries following Saudi compound siege set to overshadow trading in New York and London today,'' June 1.

That is why it is crucial for the American people to understand that we must ask the hard questions and demand of this Congress its responsibility of telling you what the costs of this war will actually be; demanding that this administration begin to chronicle its exit strategy and how long we will be in Iraq; how we will fight the war on terror in Afghanistan and how we will provide for the security for the elections, not only in Afghanistan, but in Iraq; how we will provide for a cohesive Afghanistan; how we will bring warlords in through the efforts of the present government of Afghanistan; and, likewise, how we will prevent civil war in Iraq when the government is transitioned.

Choices. As I said, oversight. That is the responsibility of this Congress. Yet all we hear from this Congress is deadening silence; deadening silence.

This weekend, as I said, we touted and celebrated those men and women, our neighbors and friends and family members who served in the United States military. We acknowledged those living, who joined us in the celebration, those who are still on the front lines, and we acknowledged those who lost their lives.

At ceremonies in Houston, I recounted to those who gathered yesterday at the Veterans Cemetery that honor is due to all of those who lost their life; that there is no big or small war; there is no little or large conflict; that every life lost should be honored.

I also said to them that we should not forget the veterans, the veterans we made a promise to, and therefore that promise should be kept.

Those ceremonies yesterday were filled with veterans and their families, and I indicated that it is not our choice to deny them the promise that was given as they took the oath, because each military person who takes an oath is willing to accept the fact that they may have to make the ultimate sacrifice. Yet in the choices we are making, the amount of money we are spending in Iraq and Afghanistan causes us to make choices and to break those promises, and I will tell you how.

It is very difficult, Mr. Speaker, to say to a veteran that we have no mental health services for you and your family. It is very difficult, Mr. Speaker, to say to veterans who have taken certain prescription drugs in order to be in the region and find that those prescription drugs have now proven to

be debilitating, in one instance, one taken for malaria called Larium, and to have to tell a veteran, someone coming in from Iraq, that we have no means of providing for you.

Now, I understand that the 150,000 or so Iraqi veterans that are coming home have been sent a letter indicating that they will be provided for. But, Mr. Speaker, let me ask the question: I do not know how they can be provided for in light of the fact that we are closing veterans hospitals; I do not know how they can be provided for in light of the fact that we have a means test for veterans to get care at the hospitals, and that is that they will not provide for veterans making $30,000 or more; and I do not know where $30,000 has gotten to be a lot of money.

So, Mr. Speaker, I believe there are some concerns for veterans in terms of health care and education, and we continue to turn a blind eye to the idea that we have to provide and have to make choices and have to keep our promise.

The Committee on Veterans' Affairs recommended that $2.5 billion more than the President's budget was needed to maintain vital health care programs for veterans.

□ 2330

Nevertheless, the House Republican budget provides only $1.3 billion less than what the committee recommended for 2005. Let me say that again. The House Republican budget provides $1.3 billion less than what the committee recommended for 2005. So frankly, I do not know how we can send a letter to the 150,000 Iraqi veterans or returning military personnel, some of whom will not be veterans, and suggest that we are going to be able to provide for them, because in actuality, we do not have enough money to provide for veterans. That is why we are closing hospitals. That is why we do not have mental health services. That is why we cannot serve those who are making $30,000.

Over the next 5 years, the money allocated to the Department of Veterans Affairs will not even be able to maintain these health programs at the current levels. In 2007, the budget is $227 million less than what the Department of Veterans Affairs needs to keep pace with inflation. Over 5 years, the Republican budget cuts $1.6 billion from the total needed to maintain services at the 2004 levels. Any of my colleagues who have encountered veterans in their districts realize the severity of the problem.

My remarks yesterday also included a challenge regarding our homeless veterans, many of them Vietnam veterans. In fact, as I came off the stage, one of the homeless veterans came up to me and thanked me. He made it out to that ceremony because he cared, because he was a veteran, because he had seen combat. But you could tell he was in need. Programs that provide for substance abuse and provide for transitional living and give them an opportunity to pick up their lives, pick up the broken pieces, are being cut.

So what are we saying to our returning soldiers from Afghanistan and Iraq? Again, it goes back to choices and the oversight of this Congress; and I am concerned that we are failing in the oversight, cutting millions of dollars, resulting in almost $2 billion in cuts from the veterans resources. And what are we saying to those almost 800 troops who have lost their lives and their families, and the more than 3,000 who have been wounded? Are we going to have the resources to be able to provide for those who are in need? Mr. Speaker, I think not. Again, it goes back to choices, and we are disappointing in the choices that we are making; and we are not providing the American people a sufficient answer in order to be able to have them understand what the real cost of war is all about.

Again, I hope that this Congress will take up its responsibility and make the choices that are necessary, particularly as it relates to not working on our domestic responsibilities. Let me chronicle for my colleagues, Mr. Speaker, what we failed to do. I was pleased to hear my colleagues, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Ohio (Mr. STRICKLAND), speak of this day from another perspective. Again, it goes to my point of choices. Today, for example, was the day of introduction of the prescription drug card, June 1, 2004. This is the result of the most undemocratic vote that I believe this House has had maybe in its history, and that was the vote on the Medicare bill in 2003, a bill that allowed the vote on the floor of the House to remain open for almost 6 hours; and the kind of chastising, cajoling, and threatening that went on to secure votes for this bill will go down in history as a day of infamy in this United States Congress. There is no way to describe it, other than to say it was a disgrace.

But out of that came these prescription drug cards. Let me clarify, because I have worked with the pharmaceutical companies, and I believe that there is merit to this process of a pharmaceutical drug card parallel of costs to what we should have done, and that is to provide a guaranteed prescription drug benefit for all seniors in America. That is what should have been introduced today, on June 1, 2004. Because what our friends are finding out on the Republican side of the aisle is that it is a program that is seemingly, or obviously, not working. There is underenrollment, seniors have not enrolled, they are disinterested, and they have not chosen to participate. Why? Because it is complex, it is confusing, it is without order, if you will. In fact, it is disorderly, because in order to make the right decision, you need to have probably the encyclopedia and the whole Internet to be able to understand what is the best choice. That confusion provides inertia. And so if we look at the numbers of enrollment, we will see that it is less than I think; 400,000, or 40,000, I am not sure of the correct number, but it is a very small number of seniors in America.

So we know that it is not working. Unfortunately, we also know that it will cost over $400 billion instead of the $300 billion that it was represented to cost, and that is the Medicare bill. And in that bill, of course, was this big surprise, the Medicare prescription drug cards. Interestingly enough, there are 73 different cards for seniors to choose from, and 39 of those are available to seniors in my own district. They have annual fees ranging from zero to $30. Each offers discounts on different drugs to different degrees.

So the reason why the drug card is not effective is because if you are a senior and your physician prescribes a number of prescription drugs that come under different pharmaceutical companies, then does that mean that you have to get 10 different cards? Yes, it does. Do you realize that you have to keep the card for over a year, or a year minimum before you can change? Probably most do not. Do you realize that there is burdensome paperwork and fees? And the final insult to injury is that even though these cards are giving a 10 to 20 percent discount on prescription drugs, the question is what are they giving it on? Choices. If a senior gets a card next week that gives them 15 percent off and prices go up 20 percent this summer, then what is the point of the card? Do you realize that the pharmaceuticals can raise their prices on those prescription drugs every single week or every single month; and when you come back with your card and you get the 15 percent discount, guess what? You are getting it on an increased price.

Mr. Speaker, this does not do well by seniors, and seniors are very knowledgeable. And although low-income seniors do get a $600 drug allotment per year through the card program, many of those seniors have been getting similar help for years from drug manufacturers through various patient assistance programs. I would hope that we are explaining to some of those seniors that they should sign up so they do not lose the benefit, but I do not know if they fully understand what they are getting into. It was unfortunate that AARP joined in this Medicare bill, rather than stand and hold out for a real prescription drug benefit, and they are getting ready to see that there is little support for this program.

Now, I am reading a number here, and I am going to offer it and I am going to check it, but I want my colleagues to see how stark and shocking it is, because I said 40,000 and 400,000. I am reading a number, for example, that says that only 400 seniors out of 43 million seniors had signed up for it; 400 seniors out of 43 million seniors. Now, those of my colleagues, we can all check those numbers together, but 400,

even if it is 1,000 seniors out of 43 million, it is an outrage. We can see that the program is not working.

So many seniors are opting to skip these prescription drug cards after we had a 6-hour vote and we had press conferences and, by the way, I had my Senator and another Congressperson, the majority leader, come into my congressional district to have a press conference to talk about these prescription drug cards, talking to my inner-city seniors, many of them without the support that they need to be able to even have these prescription drug cards, because they might not even be able to pay for the fees. But I would just simply say to my friends who went into my congressional district to talk about a drug card, my Republican friends, that we would have all been able to stand there together if we were announcing a Medicare-guaranteed prescription drug benefit; we would have all been able to be there and stand together.

□ 2340

But, obviously, if you were selling something that clearly did not have much substance to it, you probably did not at the present time want a lot of company.

I would simply say to my good friends who visited my district and tried to convince my seniors that this was a good program, you try to convince the seniors of America that this is a good program if only 400 of them out of 43 million seniors have signed up. Basically, I am sure they are preferring to go to Canada to get drugs over the Internet where they are saving 50 percent.

I asked both the majority leader and my good friend the Senator, I have asked them whether or not, if you will, they would work to get a guaranteed Medicare prescription drug benefit and whether or not they would work with me to cap the cost of these pharmaceutical drugs so, in fact, we would assure the seniors that when they got the 15 percent it would be a consistent 15 percent, that it would be a 15 percent that they could realize, that it would not be a 15 percent on inflated prices. And no one can convince me or prove that that is not the case.

Choices, Mr. Speaker; and all because of how we are poised right now, the conflict and the war in Iraq and the war on terror in Afghanistan and emerging issues around the world, choices that we are disallowed in making because of the choices of the war in Iraq.

Unemployment. There is such a lot of talk about how well we are doing with respect to the economy, and I would simply say that you need to point to the large numbers of unemployed who have been unemployed for such a long period of time that they are not in the system. I would just simply suggest that I am very glad that Senator KERRY has offered a real economic policy that addresses the question of middle-class Americans in a realistic tax structure that provides for investment in their growth and opportunity. We need that kind of leadership. Because, as I started out saying, there are choices.

My colleague just discussed the Social Security crisis that he would like to solve and fix. I have indicated that we need to preserve Social Security. That is our stand as Democrats, but we cannot even discuss that, Mr. Speaker. We are not even giving the kind of airing to those issues because we are so consumed with the collapse of the political process in Iraq and the lack of support for our military that we cannot even get on to issues that we are dealing with here in the United States.

The Housing and Urban Development Department has now slashed section 8 vouchers. My community alone will be suffering. In Houston alone the cuts will lead to a $500 million shortfall in one of the most important and time-tested programs in our Federal Government. What do you do with homeless persons, Mr. Speaker? Simply leave them to their own devices and walk the streets of every highway and byway and rural hamlet and community?

I think it is an outrage that in this economy, in times when homeless veterans numbers are going up, when the military will be coming home and maybe facing their own trials and tribulations, who knows what needs they may have, let us hope that they will not wind up homeless. We do know that some military personnel are on food stamps.

But is not it ludicrous, Mr. Speaker, that we have a situation where we are cutting section 8 vouchers? Our City of Houston will be forced to either cut 700 families off from this critical support or reduce support to all families and individuals in the program. Remember, a family of four in section 8 housing already has a total income of less than $30,500 per year.

So this housing voucher program, which is being cut across the country, is another victim of the billions of dollars we are spending in Iraq, a political process that is collapsing, a lack of investigations to even determine how long we will be in Iraq and what is going on in Iraq, so we are not prepared to deal with our domestic concerns. We need to do better, Mr. Speaker.

In addition to our domestic concerns that we are not able to confront, we are not able to be as helpful as we should be in some of the other crises around the world.

I have been on this floor before, Mr. Speaker, bringing to the attention of this body two hotbed places where tragedies are occurring. The crisis in Haiti, where we are seeking to stabilize it with 2,000 military personnel, but we have still not answered the question of the removal of President Aristide, not so much for President Aristide, who we expect over the next coming months to be safe and his family safe, though for a while it was very questionable, we thank the country of Jamaica and the Caribbean nations for their leadership on this issue, but what we have failed to do as a Nation is to protect democracy.

So not one committee in this Congress has taken up the legitimate issue of what happened with the removal of President Aristide in a legitimate and investigatory way. There lies a single body of government, a Republican Senate and Republican House and a Republican government, failing to provide the oversight that is necessary.

And then with respect to Sudan and the terrible genocide, let me say that the support for remedy in finding relief for Sudan is bipartisan. We passed the resolution dealing with ending the genocide and asking the governments to come together, meaning the government and the rebels. In the last couple of days, an agreement has been signed, but the bloodshed continues.

And this government, this administration, which can provide leadership in this instance, to intervene, to really provide humanitarian relief, we are so stretched with our military personnel that we are finding it a difficult way to respond. Certainly the United Nations, which is on the ground, should definitely do more.

But the disappointment that I have, Mr. Speaker, as I began this Special Order this evening, is to challenge this Congress to answer the American people's cry why government does not work. Why, in fact, are there high gas prices at the fuel pump? Why we are facing the fright of OPEC trying to soothe fears over oil prices? Why, if the Saudis collapse and terror takes over the kingdom, we could not last for more than 3 or 4 months because most of our energy resources comes from that region. Why the region is so disrupted because of the political decisions that this administration made in a unilateral pre-emptive attack against Iraq and the complete collapse now of the political process with insurgents taking over cities while the military stands bravely fighting and following orders. Why? Because this Congress has failed its responsibility. And it leaves us, if you will, in a dilemma in housing, veterans benefits, and health care.

And might I just add, Mr. Speaker, that we have done nothing about immigration reform. As a member of the Select Committee on Homeland Security we have watched the border deteriorate because of the representation by the President that he was going to do an amnesty program and yet we have any number of immigration reform bills, mine is the Immigration Reform Fairness Act of 2004, where we talk about reuniting families and providing access to legalization and providing temporary status and providing, if you will, relief to the American workers by providing training for them and the retention of jobs, and yet we cannot get a hearing.

We had a hearing recently on thwarting the smuggling activities at the border, and we would hope that we would get a markup soon so that we could provide some order to the immigration process, but we have not had that leadership from this administration.

Choices. Consumed with one issue, that is the issue of Iraq. As this process collapses, it is imperative that this administration and this government begins to ask for accountability. This Congress has to be accountable.

And, if I might, Mr. Speaker, as I leave you with the idea of choices and the lack of decisions that are being made, I must add one other point, that there are numbers of thousands of men and women who are incarcerated in the Nation's prisons, who are non-violent offenders, who have yet because of mandatory sentencing been allowed to come out and support their families.

□ 2350

But when we are consumed by international policies like the issues in Iraq, we cannot dwell on trying to find relief here in America; and so I have authored the Good Time Relief Bill of 2004 to provide those nonviolent offenders in our Federal prisons, 45 and over, the opportunity to get one day of good time for every day served so they can be released, go back to their families, help build their families and help contribute to our society.

I give this litany, this long list of ''what if's'' because we have not been able to function, because we have been consumed by the ills and the tragedy and travesties of Iraq, from prisons to insurgency.

I would simply say that we have to get a grip on this government, and this Congress has to begin to function as it should function. It must provide oversight, and it must question the actions of the executive, and we must investigate this long line of issues. And as we do that, Mr. Speaker, I believe that we will be able to answer the American people with the question that I started out with, What is good government?

Good government, Mr. Speaker, is the United States Congress doing its job. And I hope in the coming months we will be able to do our jobs so that lives can be saved and we can ultimately provide peace and security to the region of Afghanistan and Iraq and bring our young men and women home.

Mr. Speaker. It seems that on every important issue facing this nation, the Bush Administration and the Republican leadership in Congress are taking us on a dangerous path, in the wrong direction, wasting vast amounts of money in giveaways—to the rich, to HMOs, to the drug industry, to polluters, any of their big campaign contributors—leaving almost nothing for those who really need and deserve federal assistance—seniors, veterans, schools, and first responders to name a few. It seems that at every chance, the Administration puts politics before policy, and our most important programs are unraveling. Our troops are serving valiantly overseas, but have been sent on an ill-advised mission without proper training and equipment, and with no clear plan for success. It is no wonder we have seen breakdowns in discipline and security. We are seeing the same sorts of poor planning, misleading statements, obfuscation, and failure in many of our domestic programs as well.

I have just returned from a trip to assess the situation in Afghanistan and Iraq. I was troubled by the discrepancies between what I saw and what the administration has been telling us. I have returned to a firestorm of calls and letters from angry seniors about the Medicare Prescription Drug Cards. I see nothing on the Congressional calendar that indicates that Congress is doing its duty of oversight, or proposing creative legislation to solve the numerous problems facing the American people and our allies in the world community. I want to take this opportunity during special orders to talk about some of the most glaring issues.

MEDICARE PRESCRIPTION DRUG CARDS

An obvious example came today on the first day of the Medicare Prescription Drug Card Program. This has been a sham since day one—and it is worse today. Now we know that the Medicare Drug plan, with its lousy benefit, will cost us over $400 billion, instead of the $300 billion the Administration had us believe before the vote. But so far, all that money is buying for our seniors is confusion.

So far there are 73 different cards for seniors to choose from. 39 of those are available to seniors in my district. They have annual fees ranging from zero to $30 per year. Each offers discounts on different drugs to different degrees. Although discounts can change monthly, seniors only have one chance per year to pick the one card they are allowed to sign up for. Many seniors are mystified by whether the new cards will offer anything beyond what they got from the discount cards that have been around for years.

I am not optimistic that the Drug Card issued today will provide any meaningful relief to the millions of seniors and disabled Americans struggling with the outrageous costs of prescription drugs.

However, I am keeping an open mind. We will all need to look closely at the plans that are coming out, to make sure that the cards serve a purpose and don't just add burdensome paperwork and fees with minimal benefit. I have several concerns:

We are hearing that the cards will give discounts of 10–20 percent on prescription drugs—but 10–20 percent off of what? The prices of drugs are rising at an astronomical rate, much higher than the rate of inflation. If seniors get a card next week that gives them 15 percent off, and prices go up 20 percent in summer, what is the point of the card? It is just a waste of time—reading brochures, filling out paperwork, processing at the pharmacy, and a waste of the annual fee.

Although low-income seniors do get a $600 drug allotment per year through the card program, many of those seniors have been getting similar help for years from drug manufacturers through various patient assistance programs. I am encouraging low-income seniors to sign up immediately for a card, so that they do not lose that benefit. However, for the vast majority of seniors—I am still unsure what to advise them. They seem uncertain as well. Besides the seniors that have been automatically enrolled through their HMOs, the number of seniors signing up has been spectacularly underwhelming. For example, AARP, one of the largest senior groups in the country has issued its own card, but as of yesterday—only 400 seniors out of 43 million seniors had signed up for it. The same seems to be the case for every card on the market.

Seniors just don't know if they will save any money and be worth the fee, and the paperwork, and the hassle of carrying around yet another card every time they walk out the door.

Seniors can skip the fees and the bureaucracy and buy drugs over the internet or jump on a bus to Canada, or fly anywhere else in the world, and get a 50 percent discount today.

Our nation's seniors deserve a comprehensive health insurance plan that takes care of their needs and is easy to access. They worked for decades to make this country strong. They faithfully paid into the Social Security and Medicare systems, and our government made them a promise that we would take care of them in their senior years. Now, in return, we are making them jump through hoops, pay extra fees, join HMOs, spend hours and hours reading more confusing brochures—just to get prices that are still almost twice as high as those paid by other rich nations such as Britain, Japan, Switzerland, and Canada.

And American taxpayers are paying 100s of billions of dollars for that lousy plan.

Some people pitch this complex and cumbersome plan; saying that seniors like choices; they are Internet-savvy; accounting wizards that love crunching the numbers to find the best plans for them. There are many seniors out there that fit that bill. On the other hand, about 5 million seniors are afflicted with Alzheimer's disease and the number is rising. Five percent of adults in the United States are totally illiterate—the number that cannot read at a high enough level to comprehend stacks of health administration literature is obviously much higher. You need a Master's in Public Health to understand health insurance plans these days.

Medicare also covers the disabled, who may have other obstacles to studying Drug Card Plans. About 1 in 5 seniors is blind or visually impaired.

It is absurd to make this population struggle individually to get a decent price on the health care they need and deserve. The Secretary of Health and Human Services should be allowed to negotiate on behalf of this nation's 40 million seniors on Medicare, to get them fair prices. It is tragic that the Republican sham bill specifically prohibits such negotiation, and uses hard-earned taxpayer dollars to give massive subsidies to HMOs and the Drug Industry, instead of using it to help seniors.

I will keep fighting for a real Prescription Drug Benefit for seniors in the Medicare Plan they trust. Until we can make that happen, I will keep my mind open to every possible tool that might give some relief to our seniors. I hope that these new Drug Cards will give some benefits that aren't already available in the marketplace. Right now, all we see is confusion, and it might get worse in 2006 when the full Republican Medicare Prescription Drug plan kicks in. According to the New York Times, Brian Glassman, a senior executive at Prime Therapeutics, said the Medicare drug benefit could be even more confusing than the discount cards. He stated, ''You can take this market confusion,'' he said, ''and cube it.''

VETERANS

Our brave American veterans are another group who were outraged by the President's budget and will unfortunately be disappointed with the Republican House Budget passed recently. I hear so much in this body from the majority party about the greatness of our Armed Forces, and they are right, but again it is just empty rhetoric on their part. Those brave men and women fighting on the front lines in our War Against Terror will come back home and find that the Republican Party looks at them differently once they become veterans. Almost all veterans need some form of health care, some will need drastic care for the rest of their lives because of the sacrifice they made in war, but the Republican Party continues to turn a blind eye to their needs. On a bipartisan basis, the Committee on Veterans' Affairs recommended that $2.5 billion more than the President's budget was needed to maintain vital health care programs for veterans. Nevertheless, the House Republican budget provides $1.3 billion less than what the Committee recommended for 2005.

The entire Department of Veterans' Affairs is going to suffer because of the Republican agenda. Over the next five years the money allocated to the Department of Veterans' Affairs will not even be able to maintain these programs at their current levels. In 2007, the budget is $227 million less than what the Department of Veterans' Affairs needs to keep pace with inflation. Over five years, the Republican budget cuts $1.6 billion from the total needed to maintain services at the 2004 level.

I've heard from veterans groups throughout my district in Houston and I'm sure each Member of this body has heard from groups in their own district because veterans are one group that come from all parts of this nation. These brave veterans have told me their stories of how they are suffering now with the current state of veterans affairs, I am going to have trouble telling them that not only will things continue to stay bad but if this budget passes this body, things will only continue to get worse. That is not what our returning soldiers from Iraq and Afghanistan should have to look forward to, a future where their needs are not only not provided for, but are in fact ignored.

I know that every Member of this body had our nation's active duty soldiers and veterans in their hearts yesterday. The sacrifices they and their families have made over the years are staggering, and they continue. That is especially true for the families of the more than 800 troops killed in Iraq, and the almost 3000 who have been wounded. It is time we stopped just giving speeches, and started taking care of our veterans and their families.

COST OF THE WAR

Every time we on this side of the aisle make the point that we need to make critical investments in education, or health care, or our veterans, or homeland security, or any other program, we get the same argument: budgets are tight and we can't afford it. But it is the Republicans themselves who opted to make the budget tight, when they squandered a multi-trillion dollar surplus on massive tax cuts for the rich and an expensive and violent brand of foreign policy.

As they marched us into an unnecessary war in Iraq, experts—even those in the Bush Administration—were predicting that the war would cost 100s of billions of dollars and require 100s of thousands of troops, for years to come. People who made such claims were ridiculed and derided by the arrogant leaders of this Administration. But now it seems that even the highest estimates may have underestimated the cost of our actions in Iraq. We have already spent over $150 billion in supplemental budgets alone. On top of that, there is the huge amount that we have put in the Department of Defense through normal budgeting, and the billions more that we have spent in foreign aid coercing the ''coalition of the willing'' to join the war and stay in.

Our troops are spread too thin, and may thus in fact be incapable of successfully completing the tasks they have been given. Although we do not have a draft, our national guard and reserve forces have been forced to serve overseas for much longer than they had envisioned ever being required, for wages often lower than they usually make—and they are not given the option of refusing to re-enlist.

The Administration must be honest with the Congress and with the American people if we are ever going to match the size of our military with the needs of our forces, and provide the budget required.

During my trip to Iraq and Afghanistan last week, it became obvious that American troops have much work ahead if they are going to succeed in rebuilding and stabilizing Iraq as President Bush has promised the world, on behalf of the American people. I predict that American troops will be there for at least 10 years. We must come to grips with that reality, and start making the appropriate sacrifices, that is we should repeal some of the tax cuts given to the richest one percent, and start paying our bills.

If we don't, our children and our children's children may be paying the price of our misguided foreign policy.

UNEMPLOYMENT/THE ECONOMY

Those outrageous tax cuts were carried out in the name of making jobs, but now we have proof that such tax cuts are an almost ridiculously inefficient method of making jobs. We have run up a half-trillion dollar deficit, and created very few jobs. It seems that President Bush was so eager to be anti-Clintonesque in every possible way. Now we have an anti-Clintonesque deficit, and millions of people more out of work today than were unemployed during the 90s.

An excellent editorial in the New York Times today by Princeton economist Paul Krugman describes the Bush tax policy as reverse-Robin Hood, robbing the poor and giving to the rich. He explains how the 257,000 richest Americans got more out of the Bush tax cuts than did the bottom 60 MILLION Americans combined. A recent survey revealed that most Americans don't feel they have gotten a tax cut at all. Many of those who did get a thousand dollars or so are now realizing that they are losing all of it, or even more, as they pay more for college tuition, or property taxes, or due to cuts in the other popular government programs

We as a nation must learn from our mistakes, but should also learn from our successes. I am pleased to see that Senator JOHN KERRY has learned the lessons of the Bush and Clinton Administrations. He is surrounding himself with top Clinton Administration economists and experts associated with the brilliant and effective former Treasury Secretary Robert Rubin. I would welcome them back.

HUD SECTION 8 VOUCHERS

The deficits brought about the Republican leadership, and the budget cuts being made to compensate for them have been devastating to working poor families and lower-middle wage Americans. Just today there is yet another example in a Houston Chronicle article describing how to finance the Iraq war and the tax cuts for the rich, we have cut HUD Section 8 housing funding, now known as the Housing Choice Voucher Program.

In my hometown of Houston alone, the cuts will lead to a $5 million shortfall in one of the most important and time-tested programs in our federal government. Already there is a huge backlog in applications for federal housing support. The list will get longer.

The city will also be forced to either cut 700 families off from this critical support, or reduce benefits to all of the families and individuals in the program now. Remember that a family of four in Section 8 housing already has a total income of less than $30,500 per year. In the Houston market, that doesn't go far. As with all Republican voucher programs, it seems the Housing Choice Voucher Program leaves little choice for the people who really need it.

ABU GHRAIB, IRAQI PRISONER ABUSE

Yet again we are seeing politics driving our policy in Iraq rather than logic, and compassion, and sense of duty. H. Res. 627, a resolution regarding prisoner abuse in Iraq, put before us two weeks ago, was political damage control. This Congress has a constitutionally mandated duty of oversight over the executive branch. We and the world have seen over the past days that some horrible deeds have occurred in Iraq—deeds that truly threaten to undermine everything that we have worked toward on the international-diplomatic front for the past century. We must be thoughtful in crafting our approach to diffusing this awful situation, bringing those responsible to justice, and protecting the honor of those members of our armed services who serve so valiantly and honorably around the world.

This resolution contained several provisions, including (1) deploring and condemning the abuse of Iraqi prisoners in U.S. custody; (2) reaffirming and reinforcing the American principle that any and all individuals under the custody and care of the U.S. armed forces shall be afforded proper and humane treatment; and (3) urging the Department of Defense to conduct an investigation into any and all allegations of mistreatment or abuse of Iraqi prisoners and bring to swift justice all members of the Armed Forces who have violated the Uniform Code of Military Justice.

I agree with all of that; however, is that all the duty of this Congress is? All this resolution did was say, ''We read in the paper that mistakes were made. Somebody else, find out what happened. Somebody else, tell us what you find out. Somebody else, make this problem go away.'' That is a dereliction of our duty.

Members in this body have extraordinary experience and expertise in these issues. We owe it to the people we represent to immediately launch full congressional investigations into Iraqi prisoner abuse. After the Defense Department report was buried and hidden from Congress, and maybe even the President, for months, it is absurd to now trust that same department to police itself and purge

itself of bad actors. We are already seeing the methods by which they will approach this—blame the six-people in the pictures and maybe a couple of others, and assume that they were some sort of outliers.

We all hope that that is indeed the case, but we must make sure. Last week, I wouldn't have believed that any American soldiers were capable of such grotesque abuses. We must be objective as we delve into whether this problem goes far deeper than just a few cells at Abu Ghraib. Further missteps in the U.S. response to these atrocities could bring about a monstrous backlash in Iraq, and across the Middle East.

What message does it send to those struggling for democracy and freedom around the world, when this People's House, in the greatest democracy in the world—simply toes the majority party line?

We need bipartisan congressional investigations to be conducted immediately into these allegations of abuse, including those by U.S. civilian contractor personnel or other U.S. civilians, and into chain of command and other systemic deficiencies that contributed to such abuse. We should not only point the finger of blame. We should also be introspective—to avoid hypocrisy—to recognize and address our own short-comings. We hear the President proclaim that the abuse of prisoners and the humiliation of people are un-American. I agree that the things we have seen violate the American principles that we hold dear. But, tragically, the hatred and disregard for decency are too common in our society. I don't think anyone would be surprised if they found out that similar abuses occur in our own U.S. prisons, jails, and police stations. Hate crimes against some races and religious groups, or against gays, lesbians, and the transgender, abound. Some of the vicious, although perhaps non-violent, acts seem reminiscent of fraternity hazing rituals. If the United States is going to take the lead in promoting human rights in this world, we must lead by example and demand justice here, before we seek it overseas.

We all know that the vast majority of U.S. troops in Iraq are performing superbly. It is tragic that the behavior of a small number of American soldiers has besmirched the reputation of U.S. troops overall. The vast majority of U.S. troops in Iraq are courageously performing their duties and are living up to the highest standards of the U.S. military. They are serving our country with honor, distinction and dedication and deserve our country's deepest gratitude.

However, the grotesque abuse of Iraqi prisoners is completely unacceptable—and is against everything our country hopes to stand for. The abuse of Iraqi prisoners in the Abu Ghraib prison by U.S. soldiers that has been documented with photographs is abhorrent. On top of that, we now hear that there are at least 91 cases of possible misconduct by military personnel. Congressional investigations are critically needed in order to get to the bottom of this outrage. Among the questions that must be answered are: How widespread were these incidents of prisoner abuse? Were personnel trained adequately to do the jobs to which they were assigned? When did senior leadership of the Department of Defense learn of these allegations? Was their response timely and did it reflect the seriousness of this situation?

We owe it to the American people, to those around the world who are watching intently, and especially to our troops whose reputations have been called into question by this situation. We must put this Congress to work purging our military of those who encourage such un-American behavior, and restore the honor of our brave soldiers serving in Iraq and around the world.

Building a culture of peace for the children of the world while we face unfinished work to create stability and peace both in Iraq, and throughout the Middle East, the challenges we face there and the lessons we have learned there make it all the more compelling that we set upon the task of planting firmly the seeds of peace.

In the words of Dr. Martin Luther King, Jr., "We must concentrate not merely on the negative expulsion of war but the positive affirmation of peace. We must see that peace represents a sweeter music, a cosmic melody that is far superior to the discords of war. Somehow, we must transform the dynamics of the world power struggle . . . to a positive contest to harness humanity's creative genius for the purpose of making peace and prosperity a reality for all the nations of the world."

It is with this in mind that I am proud to introduce the exhibit "Building a Culture of Peace for the Children of the World" which is being presented in cooperation with the Congressional Children's Caucus and will be on display in the foyer of the Rayburn House Office Building on Thursday–Friday, June 3–4, 2004.

This exhibit beings together the creative ideas and examples of hundreds of people, organizations and movements and focuses on the potential of the individual to build peace and security in today's world. It seeks to promote a sense among viewers of empowerment as well as an awareness of the United Nations declaration of the years 2001–2010 as the Decade of Building a culture of Peace and Non-violence for the Children of the World.

I also want to recognize the role of Soka Gakkai International which has created this remarkable exhibit, and the work of its president, Daisaku Ikeda a widely recognized educator and peace activist, in persisting as a voice for peace during these challenging times.

I urge each of my colleagues to not only view this exhibit; but be mindful of the example we set today for the generations of tomorrow. More important for our children than model of the brave warrior, is the example of the courageous and creative peace builder. For as the noted writer James Baldwin observed: "Children have never been very good at listening to their elders, but they have never failed to imitate them. . . ."

U.S.-AFGHAN CAUCUS

Another project I have been working on extensively is the U.S.-Afghan Caucus. I especially want to thank my co-chair, Congressman BOB NEY, for his leadership on this issue. We traveled on the first post 9/11 Codel to Afghanistan together, and I know the issue of rebuilding democracy means a great deal to both of us.

It is my goal that the U.S.-Afghan Caucus will become an arena where we can learn about the issues effecting Afghanistan, and see how Congress can help come up with a solution.

Right now there is an 85 percent illiteracy rate in Afghanistan; 80 percent of schools have been damaged by war. Of existing schools, 30 to 50 percent have no water and 40 percent lack adequate sanitation. Although 3 million children returned to school last year, today only 38 percent of all Afghan boys and 3 percent of girls attend school. Over the next ten years, it is estimated that an additional 4,350 teachers and 1,385 schools must be added each year to meet demand.

While 6 out of 10 girls in Afghanistan attend school, only 1 out of 100 girls in the southern frontier regions of the country have access to education. For more than five years of Taliban rule in Afghanistan, girls were banned from attending school in over 90 percent of the country. Right now it is imperative to invest in Human Capital, particularly in women. Women need to have a voice in the emerging Democracy, and the U.S.-Afghan Caucus can begin to take steps to ensure that women are involved in the process.

Providing education to children who are traumatized by war and disaster is just one facet that the U.S.-Afghan Caucus will focus on. I have heard of so much interest in working together to establish a positive relationship that will continue to build a better country with democratic ideals in Afghanistan. We can already see evidence that something must be done to protect the children and raise them to be future leaders of a democracy, something they have never before seen in their lifetime.

WOMEN IN IRAQ

Our support of Iraq and its fledgling democracy has been vital, and we have been able to leave a positive impression on what values a democratic society should hold. Our influence needs to go one step further, and we must indicate that women play a vital role in politics and peacekeeping.

I am a proud member of the Iraqi Women's Caucus and have been to Iraq to witness, firsthand, the brave and groundbreaking work to rebuild the country by the United States, our coalition partners and Iraqi civilians. The signing of the Transitional Administrative Law, TAL, by the Iraqi Governing Council on March 8, 2004 marks an important milestone, and an appropriate time to reiterate our support of issues facing Iraq's women and children.

Many of us here have publicly advocated for equal representation of women throughout all of society, including at each level of the new government. The Iraqi Women's Caucus was recently formed to further engage all Members of Congress on these issues. The Caucus will focus on improving the lives of women in the new Iraq by working to ensure women's access to educational and professional opportunities, encouraging women's participation in a pluralistic political process, and developing partnerships between the United States and Iraq that will further enhance opportunities for women.

I have seen positive things come from women working towards peace. I have had the honor to serve as Honorary Chair for the women's partnership for peace in the Middle East. Women leaders from government, business and religion met in Oslo, Norway to develop joint efforts to begin building trust in the Middle East region. Responding to a great sense of urgency surrounding the crisis in the Middle East, the participants have decided to mobilize women leaders around the world to join the initiative for peace.

History has offered us many examples of democratic principles at work in nations once

dismissed as unfit for democracy. As chair of the U.S.-Afghan Caucus, I am proud to say that the Afghans have recently adopted a constitution that establishes equal rights for men and women. Only a few years ago, this country brutalized and shunned from public view.

I believe that progress is attainable and I thank all of you who have come out today in support of this. As my colleague, HILLARY RODHAM CLINTON said, when she was the First Lady, "There cannot be true democracy unless women's voices are heard. There cannot be true democracy unless women are given the opportunity to take responsibility for their own lives. There cannot be true democracy unless all citizens are able to participate fully in the lives of their country."

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BALLANCE (at the request of Ms. PELOSI) for today on account of personal reasons.

Mr. BECERRA (at the request of Ms. PELOSI) for today on account of personal reasons.

Ms. BERKLEY (at the request of Ms. PELOSI) for today on account of a death in the family.

Mr. BORDALLO (at the request of Ms. PELOSI) for today and June 2 on account of official business in the district.

Ms. WOOLSEY (at the request of Ms. PELOSI) for today on account of personal reasons.

Mr. BEREUTER (at the request of Mr. DELAY) for today and June 2 until 4:00 p.m. on account of official business presiding at the NATO Parliamentary Assembly.

Mr. ENGLISH (at the request of Mr. DELAY) for today on account of travel delays.

Mr. PLATTS (at the request of Mr. DELAY) for today on account of personal reasons.

Mr. TAUZIN (at the request of Mr. DELAY) for today and the balance of the week on account of medical reasons.

Mr. WAMP (at the request of Mr. DELAY) for today on account of official business, a regional economic development conference.

## 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 Ms. JACKSON-LEE of Texas) to revise and extend their remarks and include extraneous material:)

Mrs. MCCARTHY of New York, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. HINCHEY, for 5 minutes, today.

Mr. BLUMENAUER, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Ms. MILLENDER-MCDONALD, for 5 minutes, today.

Ms. SOLIS, for 5 minutes, today.

Mr. INSLEE, for 5 minutes, today.

Mr. STRICKLAND, for 5 minutes, today.

(The following Members (at the request of Mr. PEARCE) 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 June 2 and 3.

Mr. MORAN of Kansas, for 5 minutes, June 2.

Mr. HENSARLING, for 5 minutes, June 2.

Mr. MARIO DIAZ-BALART of Florida, for 5 minutes, June 2.

Mr. GINGREY, for 5 minutes, June 2.

Mr. CARTER, for 5 minutes, June 2.

Mr. WELDON of Pennsylvania, for 5 minutes, today.

Mr. PEARCE, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. BURGESS, for 5 minutes, today.

## SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 2092. An act to assist the participation of Taiwan in the World Health Organization.

## BILLS PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House reports that on May 21, 2004 he presented to the President of the United States, for his approval, the following bills.

H.R. 408. To provide for expansion of Sleeping Bear Dunes National Lakeshore.

H.R. 708. To require the conveyance of certain National Forest System lands in Mendocino National Forest, California, to provide for the use of the proceeds from such conveyance for National Forest purposes, and for other purposes.

H.R. 856. To authorize the Secretary of the Interior to revise a repayment contract with the Tom Green County Water Control and Improvement District No. 1, San Angelo project, Texas, and for other purposes.

H.R. 1598. To amend the Reclamation Wastewater and Goundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in projects within the San Diego Creek Watershed, California, and for other purposes.

## ADJOURNMENT

Ms. JACKSON-LEE of Texas. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 52 minutes p.m.), the House adjourned until tomorrow, Wednesday, June 2, 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:

8275. A letter from the Comptroller, Department of Defense, transmitting the Department's quarterly report as of March 31, 2004, entitled, ''Acceptance of contributions for defense programs, projects and activities; Defense Cooperation Account,'' pursuant to 10 U.S.C. 2608; to the Committee on Armed Services.

8276. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule — Risk-Based Capital Guidelines; Capital Adequacy Guidelines; Capital Maintenance: Interim Capital Treatment of Consolidated Asset-Backed Commercial Paper Program Assets; Extension [Regulations H and Y; Docket No. R-1156] Department of the Treasury, Office of the Comptroller of the Currency [Docket No. 04-??] (RIN: 1557-AC76); Federal Deposit Insurance Corporation (RIN: 3064-AC74); Department of the Treasury, Office of Thrift Supervision [No. 2004-??] (RIN: 1550- AB79) received May 7, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8277. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting the Ninetieth Annual Report of the Board of Governors of the Federal Reserve System covering operations during calendar year 2003; to the Committee on Financial Services.

8278. A letter from the Director, Regulations Policy and Management Sta., FDA, Department of Health and Human Services, transmitting the Department's final rule — Food and Color Additives and Generally Recognized As Safe Substances; Technical Amendments [Docket No. 2004N-0076] received May 17, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8279. A letter from the Secretary, Department of Health and Human Services, transmitting as required by Section 104(b) of Pub. L. 102-471, the Prescription Drug User Fee Act of 1992 (PDUFA), as amended by the Food and Drug Administration Modernization Act of 1997 (FDAMA), a report stating the FDA's progress in achieving certain performance goals referenced in PDUFA during FY 2003; to the Committee on Energy and Commerce.

8280. A letter from the Secretary, Department of Health and Human Services, transmitting the first annual financial report to Congress required by the Medical Device User Fee and Modernization Act of 2002 (MDUFMA), covering FY 2003; to the Committee on Energy and Commerce.

8281. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's ''Major'' final rule — Revision of Fee Schedules; Fee Recovery for FY 2004 (RIN: 3150-AH37) received May 21, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8282. A letter from the Chairman, Nuclear Regulatory Commission, transmitting the Commission's report entitled, ''Report to Congress on Abnormal Occurrences, Fiscal Year 2003,'' pursuant to 42 U.S.C. 5848; to the Committee on Energy and Commerce.

8283. A communication from the President of the United States, transmitting notification stating that the national emergency declared in Executive Order 13303 of May 22, 2003, as expanded in scope by Executive Order 13315 of August 28, 2003, protecting the Development Fund for Iraq and certain other property in which Iraq has an interest, is to continue in effect beyond May 22, 2004, pursuant to 50 U.S.C. 1622(d); (H. Doc. No. 108–187); to the Committee on International Relations and ordered to be printed.

8284. A letter from the Assistant Secretary For Export Administration, Department of

Commerce, transmitting the Department's final rule — General Order Implementing Syria Accountability and Lebanese Sovereignty Act of 2003 [Docket No. 040108007-4007-01] (RIN: 0694-AC99) received May 14, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

8285. A letter from the Acting Director of Communications and Legislative Affairs, Equal Employment Opportunity Commission, transmitting a copy of the Commission's FY 2003 Performance and Accountability Report; to the Committee on Government Reform.

8286. A letter from the Attorney-Advisor, Office of the Federal Register, National Archives and Records Administration, transmitting the Administration's final rule — Address Change for Inspection of Materials Incorporated by Reference — received May 4, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

8287. A letter from the Deputy Archivist of the United States, National Archives and Records Administration, transmitting the Administration's final rule — Official Seals and Logos (RIN: 3095-AB19) received May 11, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

8288. A letter from the Assistant Attorney General, Department of Justice, transmitting a report of activities under the Civil Rights of Institutionalized Persons Act during Fiscal Year 2003, pursuant to 42 U.S.C. 1997f; to the Committee on the Judiciary.

8289. A letter from the Director, Administrative Office of the U.S. Courts, transmitting the annual report on applications for court orders made to federal and state courts to permit the interception of wire, oral, or electronic communications during calendar year 2003, pursuant to 18 U.S.C. 2519(3); to the Committee on the Judiciary.

8290. A letter from the Associate Counsel, Office of General Law, U.S. Patent and Trademark Office, Department of Commerce, transmitting the Department's final rule — Rules of Practice for Trademark-Related Filings Under the Madrid Protocol Implementation Act [Docket No. 2003-T-010] (RIN: 0651-AB45) received April 27, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

8291. A letter from the Chief, Child Expoitation and Obscenity Section, Department of Justice, transmitting the Department's final rule — Designation of Agencies To Receive and Investigate Reports Required Under the Protection of Children From Sexual Predators Act, as Amended [Docket No. CRM 100l; AG Order No. 2692-2003] (RIN: 1105-AA65) received May 18, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

8292. A letter from the Senior Counsel, Office of Legal Policy, Department of Justice, transmitting the Department's final rule — Regulations Under the DNA Analysis Backlog Elimation Act of 2000 [OAG 101; AG Order No. 2699-2003] (RIN: 1105-AA78) received May 18, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

8293. A letter from the Assistant Secretary, Bureau of Indian Affairs, Department of the Interior, transmitting the Department's final rule — Distribution of Fiscal Year 2004 Indian Reservation Roads Funds (RIN: 1076-AE50) received May 14, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8294. A letter from the Assistant Chief Counsel, TSA, Department of Homeland Secuirty, transmitting the Department's final rule — Protection of Sensitive Security Information [Docket No. TSA-2003-15569; Amendment No. 1520-1] (RIN: 1652-AA08) received May 12, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8295. A letter from the Chief Counsel, St. Lawrence Seaway Developement Corporation, Department of Transportation, transmitting the Department's final rule — Tariff of Tolls [Docket No. SLSDC 04-17202] (RIN: 2135-AA19) received April 27, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8296. A letter from the Paralegal Sepcialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directves; BURKHARDT GROB LUFT-UND RAUMFAHRT GmbH & CO KG Models G103 Twin ASTIR, G103 TWIN II, G103 TWIN II ACRO, and G103 C Twin III SL Sailplanes [Docket No. 2003-CE-61-AD; Amendment 39-13582; AD 2004-08-13] (RIN: 2120-AA64) received May 6, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8297. A letter from the Paralegal Speicalist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BAE Systems (Operations) Limited (Jetstream) Model 4101 Airplanes [Docket No. 2001-NM-288-AD; Amendment 39-13580; AD 2004-08-11] (RIN: 2120-AA64) received May 6, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8298. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Glasflugel Models Mosquito and Club Libelle 205 Sailplanes [Docket No. 2003-CE-62-AD; Amendment 39-13583; AD 2004-08-14] (RIN: 2120-AA64) received May 6, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8299. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Goodrich Avionics Systems, Inc. TAWS8000 Terrain Awareness Warning System [Docket No. 2003-CE-47-AD; Amendment 39-13584; AD 2004-08-15] (RIN: 2120-AA64) received May 6, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8300. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Inc. Model Otter DHC-3 Airplanes [Docket No. 2000-CE-73-AD; Amendment 39-13585; AD 2004-05-01 R1] (RIN: 2120-AA64) received May 6, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8301. A letter from the Paralegal Speicalist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Schempp-Hirth Flugzeugbau GmbH Models Ventus-2a, Ventus-2b, Discus-2a, and Discus-2b Sailplanes [Docket No. 2003-CE-59-AD; Amendment 39-13581; AD 2004-08-12] (RIN: 2120-AA64) received May 6, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8302. A letter from the Secretary, Department of Transportation, transmitting a report entitled, ''Fundamental Properties of Asphalts and Modified Asphalts-II'' submitted in accordance with Section 6016(e) of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), Pub. L. 102-240, and Section 5117(b)(5) of the Transportation Equity Act of the 21st Century (TEA-21); to the Committee on Transportation and Infrastructure.

8303. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the agency's final rule — Award of Grants and Cooperative Agreements for the Special Projects and Programs Authorized by the Agency's FY 2004 Appropriations Act — received May 7, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8304. A communication from the President of the United States, transmitting the eighth biennial revision (2004-2008) to the United States Arctic Research Plan, pursuant to 15 U.S.C. 4108(a); to the Committee on Science.

8305. A letter from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule — Clauses Authorized for Use in Commercial Acquisitions (RIN: 2700-AD00) received May 17, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

8306. A letter from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule — NASA Grant and Cooperative Agreement Handbook — Property Reporting. (RIN: 2700-AC79) received May 10, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

8307. A letter from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule — Conformance with Federal Acquisition Circular 2001-16 — received May 10, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

8308. A letter from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule — NASA Grant and Cooperative Agreement Handbook — Synopses Requirements (RIN: 2700-AC93) received May 10, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

8309. A communication from the President of the United States, transmitting Consistent with Title I of the Trade and Development Act of 2000, the 2004 Comprehensive Report on U.S. Trade and Investment Policy for Sub-Saharan Africa and Implementation of the African Growth and Opportunity Act; to the Committee on Ways and Means.

8310. A letter from the Acting Chief, Publications and Regulations Br., Internal Revenue Service, transmitting the Service's final rule — Changes in accounting periods and in methods of accounting. (Rev. Proc. 2004-34) received May 18, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8311. A letter from the Acting Chief, Publications and Regulations Br., Internal Revenue Service, transmitting the Service's final rule — Election of Alternative Deficit Reduction Contribution (Announcement 2004-43) received May 18, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8312. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Taxable Year of Inclusion (Rev. Rul. 2004-52) received May 18, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8313. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Guidance Regarding Affiliation [Notice 2004-37] received May 18, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8314. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Changes in accounting periods and methods of accounting. (Rev. Proc. 2004-31) received May 18, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8315. A letter from the Acting Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Real Estate Mortgage Investment Conduits; Application of Section 446 With Respect to Inducement Fees [TD 9128] 9RIN: 1545-BB73) received May 18, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8316. A letter from the Acting Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — REMIC Inducement Fees (Rev. Proc. 2004-30) received May 18, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8317. A letter from the Acting Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Rulings and determination letters. (Rev. Proc. 2004-28) received May 18, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8318. A letter from the Acting Under Secretary, Department of Defense, transmitting the Defense Environmental Restoration Program report for FY 2003, pursuant to 10 U.S.C. 2706(a)(1); jointly to the Committees on Armed Services and Energy and Commerce.

8319. A letter from the General Counsel, Department of Defense, transmitting the Department's legislative initiatives for inclusion in the National Defense Authorization Bill for FY 2005; jointly to the Committees on Armed Services and International Relations.

8320. A letter from the Secretary, Department of Energy, transmitting draft of proposed legislation ''To enhance the effectiveness of the counterintelligence programs within the Department of Energy by consolidating them into one program under the direct supervison of the Secretary of Energy, and for other purposes''; jointly to the Committees on Energy and Commerce and Armed Services.

8321. A letter from the Inspector General, Coaltion Provisional Authority, transmitting the first quarterly report to Congress as required by Section 3001(i) of Title III of the 2004 Emergency Supplemental Appropriation for Defense and for the Reconstruction of Iraq and Afghanistan (Pub. L. 108-106), dated March 30, 2004; jointly to the Committees on International Relations and Appropriations.

8322. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting Presidential Determination 2004-28, the President has exercised the authority provided to him and has issued the required determination to waive certain restrictions on the maintenance of a Palestine Liberation Organization (PLO) Office and on the receipt and expenditure of PLO funds for a period of six months, pursuant to Public Law 108—199, section 534(d); jointly to the Committees on International Relations and Appropriations.

8323. A letter from the Assistant Attorney General, Department of Justice, transmitting a report required by the Foreign Intelligence Surveillance Act of 1978, pursuant to 50 U.S.C. 1807; jointly to the Committees on the Judiciary and Intelligence (Permanent Select).

8324. A letter from the Secretary, Department of Health and Human Services, transmitting the report on ''Access to Information for Performance of Radiation Dose Reconstructions'' under the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA), pursuant to Public Law 108—136; jointly to the Committees on the Judiciary and Education and the Workforce.

8325. A letter from the Administrator, Environmental Protection Agency, transmitting a draft of proposed legislation ''To amend the Federal Insecticide, Fungicide, and Rodenticide Act to implement pesticide-related obligations of the United States under the international conventions or protocols known as the PIC Convention, the POPs Convention, and the LRTAP POPs Protocol''; jointly to the Committees on Agriculture, the Judiciary, and International Relations.

8326. A letter from the Chairman, Federal Election Commission, transmitting 12 recommendations for legislative action, pursuant to 2 U.S.C. 438(a)(9); jointly to the Committees on House Administration, Ways and Means, and Government Reform.

8327. A letter from the Fiscal Assistant Secretary, Department of the Treasury, transmitting the annual reports due to Congress that appearon pages 111-134 of the March 2004 Treasury Bulletin as required by 26 U.S.C. 9602(a), 42 U.S.C. 10222(e)(1), 16 U.S.C. 1606a(c)(1), 42 U.S.C. 2297g(b)(1), and 7 U.S.C. 7101 note; jointly to the Committees on Ways and Means, Energy and Commerce, Transportation and Infrastructure, Resources, Agriculture, and Education and the Workforce.

## 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. BOEHNER: Committee on Education and the Workforce. H.R. 4278. A bill to amend the Assistive Technology Act of 1998 to support programs of grants to States to address the assistive technology needs of individuals with disabilities, and for other purposes; with an amendment (Rept. 108–514). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 2010. A bill 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, and for other purposes; with an amendment (Rept. 108–515). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 3785. A bill to authorize the exchange of certain land in Everglades National Park; with an amendment (Rept. 108–516). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. S. 144. An act to require the Secretary of the Interior to establish a program to provide assistance through States to eligible weed management entities to control or eradicate harmful, nonnative weeds on public and private land; with an amendment (Rept. 108–517 Pt. 1). Ordered to be printed.

Ms. PRYCE of Ohio: Committee on Rules. House Resolution 656. Resolution providing for consideration of the bill (H.R. 444) to amend the Workforce Investment Act of 1998 to establish a Personal Reemployment Accounts grant program to assist Americans in returning to work (Rept. 108–518). Referred to the House Calendar.

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 657. Resolution providing for consideration of the joint resolution (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 (Rept. 108–519). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

*[Omitted from the Record of May 20, 2004]*

Pursuant to clause 2 of rule XII the Committee on Agriculture discharged from further consideration. H.R. 1014 referred to the Committee of the Whole House on the State of the Union.

Pursuant to clause 2 of rule XII the Committee on Agriculture discharged from further consideration. H.R. 3846 referred to the Committee of the Whole House on the State of the Union.

Pursuant to clause 2 of rule XII the Committee on the Judiciary discharged from further consideration. H.R. 2120 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Pursuant to clause 2 of rule XII the Committee on the Judiciary discharged from further consideration. H.R. 2179 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

## TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

*[Omitted from the Record of May 20, 2004]*

H.R. 1014. Referral to the Committee on Agriculture extended for a period ending not later than May 20, 2004.

H.R. 3846. Referral to the Committee on Agriculture extended for a period ending not later than May 20, 2004.

*[The following actions occurred on June 1, 2004]*

H.R. 180. Referral to the Committee on Rules extended for a period ending not later than July 23, 2004.

H.R. 3358. Referral to the Committee on the Budget extended for a period ending not later than July 23, 2004.

H.R. 3800. Referral to the Committee on the Budget extended for a period ending not later than July 23, 2004.

H.R. 3925. Referral to the Committee on the Budget extended for a period ending not later than July 23, 2004.

S. 144. Referral to the Committee on Agriculture extended for a period ending not later than July 9, 2004.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. VITTER:

H.R. 4470. A bill to amend the Federal Water Pollution Control Act to extend the authorization of appropriations for the Lake Pontchartrain Basin Restoration Program from fiscal year 2005 to 2010; to the Committee on Transportation and Infrastructure.

By Mr. RENZI (for himself and Mr. MATHESON):

H.R. 4471. A bill to clarify the loan guarantee authority under title VI of the Native American Housing Assistance and Self-Determination Act of 1996; to the Committee on Financial Services.

By Mr. WELDON of Pennsylvania (for himself, Mr. HOYER, Mr. BOEHLERT, Mr. ANDREWS, Mr. PASCRELL, and Mr. SMITH of Michigan):

H.R. 4472. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to

expand the definition of firefighter to include apprentices and trainees, regardless of age or duty limitations; to the Committee on the Judiciary.

By Mr. OBEY (for himself, Mr. GEORGE MILLER of California, Ms. PELOSI, Mr. HOYER, Mrs. LOWEY, Ms. DELAURO, Mr. JACKSON of Illinois, Mr. KENNEDY of Rhode Island, and Ms. ROYBAL-ALLARD):

H.R. 4473. A bill making appropriations for the Department of Education for the fiscal year ending September 30, 2005, and for other purposes; to the Committee on Appropriations, and in addition to the Committee on Ways and Means, 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. FILNER:

H.R. 4474. A bill to designate the facility of the United States Postal Service located at 5505 Stevens Way in San Diego, California, as the ''Earl B. Gilliam Post Office Building''; to the Committee on Government Reform.

By Mr. GRAVES:

H.R. 4475. A bill to amend the Endangered Species Act of 1973 to focus conservation efforts under that Act on the 109 species most in danger of extinction, and for other purposes; to the Committee on Resources.

By Mr. LYNCH:

H.R. 4476. A bill to provide for the security and safety of rail and rail transit transportation systems, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. COX (for himself, Ms. PELOSI, Mr. LANTOS, Mr. SMITH of New Jersey, Mr. BURTON of Indiana, Mr. MCGOVERN, Mr. PAYNE, Mr. ROHRABACHER, Mr. SOUDER, Mr. STRICKLAND, and Mr. WU):

H. Res. 655. A resolution condemning the crackdown on democracy protestors in Tiananmen Square, Beijing, in the People's Republic of China on the 15th anniversary of that tragic massacre; to the Committee on International Relations.

By Mr. GARY G. MILLER of California (for himself, Mr. OXLEY, Mr. FRANK of Massachusetts, Mr. NEY, and Ms. WATERS):

H. Res. 658. A resolution recognizing National Homeownership Month and the importance of homeownership in the United States; to the Committee on Financial Services.

## MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

341. The SPEAKER presented a memorial of the General Assembly of the Commonwealth of Kentucky, relative to House Concurrent Resolution No. 223 memorializing the House Armed Services Committee as well as the entire United States Congress to adopt H.R. 327 awarding a Medal of Honor posthumously to First Lieutenant Garlin Murl Conner; to the Committee on Armed Services.

342. Also, a memorial of the House of Representatives of the Commonwealth of Kentucky, relative to House Resolution No. 242 memorializing the Congress of the United States of America to enact legislation establishing English as the official language of the United States of America; to the Committee on Education and the Workforce.

343. Also, a memorial of the House of Representatives of the State of Georgia, relative to House Resolution No. 1684 memorializing the Congress of the United States to provide for a domestic energy policy that will ensure an adequate supply of natural gas and develop the appropriate infrastructure; to the Committee on Energy and Commerce.

344. Also, a memorial of the General Assembly of the State of Tennessee, relative to Senate Joint Resolution No. 64 memorializing the Congress of the United States to require, where applicable, that United States government uniforms and equipment be manufactured in the United States; to the Committee on Government Reform.

345. Also, a memorial of the House of Representatives of the State of Georgia, relative to House Resolution No. 1256 memorializing the Congress of the United States to consider creating a national preserve or other similar federal property to protect land and other natural resources and promote hunting and fishing in a continuous corridor of the Ocmulgee and Altamaha Rivers in central and south Georgia; to the Committee on Resources.

346. Also, a memorial of the General Assembly of the State of Ohio, relative to House Concurrent Resolution No. 31 memorializing the Congress of the United States to reauthorize abandoned mine land fee collection authority, to disperse shares of that fee without an appropriation, to release the unappropriated balance in the Abandoned Mine Land Fund, and to consider reevaluating the administration of the Abandoned Mine Land Reclamation Program and the Fund; to the Committee on Resources.

347. Also, a memorial of the House of Representatives of the Commonwealth of Kentucky, relative to House Resolution No. 263 memorializing members 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 Lewis and Clark National Historic Trail; to the Committee on Resources.

348. Also, a memorial of the Senate of the Commonwealth of Kentucky, relative to Senate Resolution No. 224 memorializing members 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 Lewis and Clark National Historic Trail; to the Committee on Resources.

349. Also, a memorial of the General Assembly of the State of Georgia, relative to House Resolution No. 1343 rescinding, repealing, canceling, voiding, nullifying, and superseding any and all prior applications by the General Assembly heretofore made during any session thereof to the Congress of the United States of America to call a convention pursuant to the terms of Article V of the United States Constitution for proposing one or more amendments to that Constitution and urging the legislatures of other states to do the same; 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. 252: Mr. ANDREWS.
H.R. 290: Mr. EMANUEL and Ms. GRANGER.
H.R. 296: Ms. DUNN, Mr. LARSEN of Washington, Mr. PLATTS, Mr. GREENWOOD, Mr. ALLEN, and Mr. VAN HOLLEN.
H.R. 432: Mr. MCHUGH.
H.R. 504: Mr. ANDREWS.
H.R. 548: Mr. VISCLOSKY.
H.R. 584: Mr. DOOLITTLE.
H.R. 677: Mr. CALVERT, Mr. FALEOMAVAEGA, Mr. POMBO, and Mr. RANGEL.
H.R. 734: Mr. GEORGE MILLER of California.
H.R. 742: Mr. OBERSTAR, Mr. BURTON of Indiana, and Mr. DEMINT.
H.R. 995: Mr. MCGOVERN and Mr. PAUL.
H.R. 1157: Mr. WYNN.
H.R. 1160: Mr. WYNN, Mr. WELDON of Pennsylvania, and Mr. ENGEL.
H.R. 1231: Mr. MARKEY.
H.R. 1328: Mr. MCGOVERN and Mr. PAUL.
H.R. 1563: Mr. CONYERS and Ms. MCCARTHY of Missouri.
H.R. 1684: Mr. LATHAM and Mr. SIMMONS.
H.R. 1734: Mr. TURNER of Texas, Mr. KENNEDY of Rhode Island, Mr. WOLF, and Mr. NEUGEBAUER.
H.R. 1741: Mr. MCGOVERN and Mr. PAUL.
H.R. 1800: Mr. RANGEL.
H.R. 2028: Mr. HALL.
H.R. 2068: Mr. PAYNE.
H.R. 2176: Mr. MCDERMOTT.
H.R. 2198: Mr. LARSON of Connecticut and Mr. SIMMONS.
H.R. 2318: Ms. WATSON, Mr. BECERRA, Mrs. NAPOLITANO, Ms. LORETTA SANCHEZ of California, Mr. CARDOZA, Mr. FARR, Mr. FORD, Mr. SERRANO, and Mr. STENHOLM.
H.R. 2387: Mr. RAMSTAD, Ms. KAPTUR, Mr. DAVIS of Illinois, and Mr. RODRIGUEZ.
H.R. 2404: Mr. REYNOLDS.
H.R. 2413: Mr. RUPPERSBERGER and Mr. BURNS.
H.R. 2464: Mr. STENHOLM.
H.R. 2724: Mr. MEEHAN.
H.R. 2727: Mr. ANDREWS.
H.R. 2787: Mr. MICHAUD.
H.R. 2797: Mr. BURTON of Indiana.
H.R. 2933: Mr. JONES of North Carolina.
H.R. 2959: Mr. BACHUS, Mr. JENKINS, Mr. DEUTSCH, Mr. BLUMENAUER, Mr. CHANDLER, Mr. LARSON of Connecticut, Mr. FOLEY, and Mr. WAXMAN.
H.R. 2967: Mr. STUPAK and Mr. HASTINGS of Florida.
H.R. 3084: Mrs. MCCARTHY of New York.
H.R. 3201: Mr. MCDERMOTT.
H.R. 3213: Mr. KELLER and Mr. SHAW.
H.R. 3215: Mr. BOEHLERT and Mrs. KELLY.
H.R. 3242: Mr. GILCHREST and Mr. HOYER.
H.R. 3281: Mr. BLUMENAUER.
H.R. 3323: Mr. ANDREWS and Mr. VISCLOSKY.
H.R. 3324: Mr. KILDEE, Mrs. MALONEY, and Mrs. TAUSCHER.
H.R. 3386: Ms. CARSON of Indiana.
H.R. 3459: Mr. FALEOMAVAEGA and Mr. LANTOS.
H.R. 3474: Mrs. BLACKBURN and Mr. LEWIS of Kentucky.
H.R. 3480: Mr. FILNER and Ms. MILLENDER-MCDONALD.
H.R. 3558: Mr. COX, Mr. MCKEON, and Mr. ETHERIDGE.
H.R. 3574: Mr. NUNES and Mr. NETHERCUTT.
H.R. 3619: Ms. Velazquez, Mr. UDALL of Colorado, and Mr. MOLLOHAN.
H.R. 3676: Mr. PETRI.
H.R. 3716: Mr. SANDLIN and Mr. UPTON.
H.R. 3755: Mr. CHANDLER, Mr. BACA, Mr. MARSHALL, and Mr. MURPHY.
H.R. 3780: Ms. WATSON, Mr. WU, Mr. WEXLER, Mrs. MCCARTHY of New York, and Mr. KILDEE.
H.R. 3798: Ms. KILPATRICK.
H.R. 3831: Mr. FILNER and Mr. ACEVEDO-VILA.
H.R. 3847: Mr. MILLER of North Carolina.
H.R. 3860: Mr. REYNOLDS.
H.R. 3896: Mr. CARSON of Oklahoma.
H.R. 3936: Mr. RAHALL.
H.R. 3950: Mr. GILLMOR.
H.R. 3953: Mr. RUPPERSBERGER and Mr. MCHUGH.
H.R. 3965: Mr. HOLDEN.
H.R. 3968: Mr. VAN HOLLEN and Mr. GORDON.
H.R. 4010: Mr. ALLEN.
H.R. 4020: Mr. RAHALL.
H.R. 4026: Mr. GILLMOR, Mr. LARSON of Connecticut, and Mr. CASE.
H.R. 4043: Mr. GORDON.
H.R. 4048: Mr. MARSHALL.
H.R. 4101: Mr. BERMAN.

H.R. 4102: Mr. FATTAH, Mr. MICHAUD, and Mr. TOWNS.

H.R. 4107: Mr. UPTON, Mr. PETERSON of Minnesota, Mr. PRICE of North Carolina, Mr. SNYDER, Mr. FOSSELLA, and Mr. NEY.

H.R. 4109: Mr. BOEHNER, Mr. BASS, Mr. MCCOTTER, Mr. VITTER, and Mr. COX.

H.R. 4126: Mr. CANNON, Mr. KENNEDY of Minnesota, and Mrs. CAPITO.

H.R. 4147: Ms. KAPTUR, Ms. LEE, and Mr. MARSHALL.

H.R. 4175: Mr. RAHALL.

H.R. 4177: Mr. GORDON and Mr. HOEFFEL.

H.R. 4217: Mr. HASTINGS of Washington.

H.R. 4233: Mr. TOWNS.

H.R. 4248: Mr. RAHALL.

H.R. 4256: Mr. MCGOVERN.

H.R. 4261: Mr. OWENS, Mr. CLAY, Mr. MCGOVERN, and Mr. TOWNS.

H.R. 4262: Mr. BLUMENAUER, Mr. EMANUEL, Ms. DEGETTE, and Mrs. CHRISTENSEN.

H.R. 4278: Mr. MCDERMOTT, Mr. OWENS, Mr. PRICE of North Carolina, Mr. SANDERS, Mr. MATHESON, and Mr. FROST.

H.R. 4306: Mr. SWEENEY.

H.R. 4314: Mr. MOORE.

H.R. 4317: Mr. BONILLA, Mr. BRADY of Texas, Mr. GONZALEZ, Mr. HALL, Mr. NEUGEBAUER, Mr. ORTIZ, Mr. RODRIGUEZ, Mr. SESSIONS, and Mr. THORNBERRY.

H.R. 4334: Mr. HINCHEY and Mrs. MCCARTHY of New York.

H.R. 4341: Mr. MOORE, Mr. EVANS, and Mr. ROSS.

H.R. 4361: Mr. TOWNS, Mr. CUMMINGS, and Mr. FATTAH.

H.R. 4363: Mr. CANTOR, Mr. OWENS, Mr. MATHESON, Mr. CHOCOLA, Mr. HOLDEN, Mr. PAYNE, Ms. BORDALLO, and Mr. MURPHY.

H.R. 4370: Mr. BISHOP of New York and Mr. EMANUEL.

H.R. 4375: Mrs. JO ANN DAVIS of Virginia, Mr. SWEENEY, Mr. HINCHEY, and Mr. MARKEY.

H.R. 4384: Mr. CALVERT

H.R. 4400: Ms. DELAURO and Mr. WEINER.

H.R. 4409: Ms. ROS-LEHTINEN.

H.R. 4410: Mr. MCCOTTER, Ms. ROS-LEHTINEN, and Mr. THOMAS.

H.R. 4411: Mr. HOEKSTRA.

H.R. 4416: Mr. GREEN of Wisconsin, Mr. KIRK, Mr. CONYERS, and Mr. UPTON.

H.R. 4420: Mr. CANTOR, and Mrs. NORTHUP.

H.R. 4435: Mr. HOEFFEL, Mr. KENNEDY of Rhode Island, Mr. BROWN of Ohio, Mr. MCGOVERN, and Mr. DELAHUNT.

H.R. 4444: Mr. SIMMONS.

H.R. 4450: Mr. WEINER, Mr. LANTOS, and Mr. HOEFFEL.

H.R. 4457: Mr. BERMAN, Mrs. EMERSON, and Ms. SCHAKOWSKY.

H.R. 4468: Mr. RANGEL, Ms. MAJETTE, Mr. FROST, Mr. MCGOVERN, Mr. SNYDER, Mr. VAN HOLLEN, Mr. FATTAH, Mr. BLUMENAUER, Mr. BROWN of Ohio, and Mr. HOEFFEL.

H.J. Res. 56: Mrs. NORTHUP.

H.J. Res. 93: Mr. MURPHY.

H. Con. Res. 247: Mr. SPRATT.

H. Con. Res. 252: Mr. GORDON.

H. Con. Res. 257: Mrs. MUSGRAVE, Mr. GUTIERREZ, and Mr. RANGEL.

H. Con. Res. 371: Mr. REYNOLDS and Mr. LEVIN.

H. Con. Res. 413: Mr. GILLMOR, Ms. MCCOLLUM, Mr. GRIJALVA, Ms. LINDA T. SANCHEZ of California, Mrs. DAVIS of California, Ms. ESHOO, Ms. LORETTA SANCHEZ of California, Ms. BORDALLO, Ms. WOOLSEY, Ms. WATSON, Ms. HOOLEY of Oregon, Ms. CARSON of Indiana, Mrs. CUBIN, Ms. VELAZQUEZ, Ms. DUNN, Ms. HART, Mrs. NAPOLITANO, Ms. GRANGER, Mrs. MUSGRAVE, Ms. LEE, and Mrs. TAUSCHER.

H. Res. 466: Mr. HOEFFEL, Mr. STENHOLM, and Ms. LORETTA SANCHEZ of California.

H. Res. 550: Mr. SHAYS.

H. Res. 570: Mr. SHIMKUS, Mr. VAN HOLLEN, Mr. FEENEY, Mr. ENGEL, Mr. DEUTSCH, Ms. WATSON, and Mr. BALLANCE.

H. Res. 575: Mr. VAN HOLLEN.

H. Res. 586: Mr. LARSEN of Washington.

H. Res. 604: Mr. OLVER and Mr. ETHERIDGE.

H. Res. 634: Mr. PORTMAN, Mr. TURNER of Ohio, Mr. STRICKLAND, Mr. KUCINICH, Mrs. JONES of Ohio, and Mr. BROWN of Ohio.

H. Res. 635: Mr. PORTMAN, Mr. TURNER of Ohio, Mr. STRICKLAND, Mr. KUCINICH, Mrs. JONES of Ohio, and Mr. BROWN of Ohio.

H. Res. 641: Mr. MCNULTY, Mr. WOLF, Mr. FORD, and Mr. WICKER.

United States of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 108th CONGRESS, SECOND SESSION

Vol. 150 WASHINGTON, TUESDAY, JUNE 1, 2004 No. 74

# Senate

The Senate met at 10 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.

Lord of time and eternity, You have presented us with the gift of another day. With wonderful fairness, You have given each of us the same number of hours and minutes. Forgive us when we abuse this gift by preoccupation with yesterday and anxiety about tomorrow. Remind us to tackle today's challenges and leave the past and the future to You.

Bless our Senators in their work. Give them understanding and courage to act on their convictions. When they are tempted to doubt, strengthen their faith. Order their lives by Your unfolding providence, and enable them to use the gift of time to work so that peace will reign in our world.

Bless our military and all who daily risk their lives for liberty. Sustain the families of these heroes and heroines and hasten the time of reunion. We pray this in Your mighty Name. 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 MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

## SCHEDULE

Mr. FRIST. Mr. President, the Senate returns to business today following the Memorial Day recess. I hope everyone had a safe and productive break.

Today, we will be in a period for morning business until 12:30 p.m., with the time equally divided between both sides of the aisle. At 12:30, we will recess until 2:15 p.m. for the weekly Republican policy luncheon. I understand the Democratic policy luncheon will occur tomorrow.

As a reminder, prior to the Memorial Day break, we tried to reach consent to begin consideration of the class action fairness bill. I reiterate that it has always been my hope we could finish the Defense authorization and the class action bill in a reasonable and timely way. Unfortunately, after spending a week on the Defense authorization bill we were still unable to reach an agreement for an amendment limitation.

In addition, there was an objection to proceeding to the class action fairness measure. A cloture vote is currently scheduled for 5:30 p.m. today on the motion to proceed to the class action bill. I hope it will not be necessary.

I will be talking with the Democratic leadership to see if we can find a way to finish the Defense authorization bill and begin the class action fairness bill without unnecessary delay.

We need to reach an agreement on how and when we will complete this important Defense authorization bill, and then we will begin the class action bill without the need for cloture.

I hope to announce shortly that we have reached an agreement for vitiating the 5:30 p.m. vote and that we will continue on the Defense bill with the expectation that Members will cooperate with the two managers to allow us to finish this Defense authorization bill.

I also should remind my colleagues that we will continue to work on judicial nominations as we proceed forward. I will be setting votes on those nominations each day. If we are able to vitiate the cloture vote today, we will schedule a vote on a judicial nomination today in its place as we will have a vote at 5:30 p.m. today.

Again, I will announce the voting schedule shortly.

Finally, we have 4 weeks during this legislative period. We have a lot to accomplish over that period of time. I hope we can use our time efficiently and get our work done.

## DRUG DISCOUNT CARDS

Mr. FRIST. Mr. President, I also very briefly want to comment on the drug discount cards that are being made available and which take effect this month. This is June 1 and they take effect beginning today.

The discount cards, as my colleagues know, are a product of legislation signed by the President last December. The reality is that we have seniors today who are literally choosing between paying for their rent and paying for their food and obtaining prescription drugs.

One of the objectives set out in this piece of legislation and set out by the President of the United States was that we need to get help to those people who need help the most in terms of their prescription drugs. Thus, although this is a more comprehensive approach, affordable access to prescription drugs for seniors does not begin to take place for about a year and a half from now. I am delighted that just several months after passage of this bill and the signing into law by the President these prescription drug cards are available. They are available today, and they will have an impact today.

There are a couple of quick points that I would like to make: First of all, they are available to all Medicare enrollees who lack prescription drug coverage.

Second, the card itself will give a discount on average of about 17 percent. Seniors who do not have access through affordable access to prescription drugs can get these cards and on average get a discount of about 17 percent, which is a huge discount that can start literally today.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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Third, and what I am most excited about, those seniors who really need it the most and who simply can't afford prescription drugs will get a value on this card in addition to the 17-percent discount of $600 for the remainder of this year, and another $600 for next year. Thus, over the next 18 months they will get $1,200 in value, like a voucher, to purchase prescription drugs.

Again, that is a huge benefit for the millions of seniors who qualify for this low-income benefit as well. There are about 4 million low-income seniors whose incomes do not exceed the $12,500 level for individuals and about the $16,800 level for couples and who can have this direct and immediate benefit with this card.

I am very excited about the fact that these cards are available. They are available today. You can call the 800 Medicare number or go on the Medicare Web site to get more information.

With that, I yield the floor.

## RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

## MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business until the hour of 12:30 p.m., with the time equally divided between the majority leader, or his designee, and the Democratic leader, or his designee.

Who seeks recognition?

The Senator from Colorado.

## MEMORIAL DAY

Mr. ALLARD. Mr. President, my wife and I, during the Memorial Day break, had a wonderful, patriotic week. It is always good to get back to the regular schedule. We started out visiting Fort Carson just south of Colorado Springs, CO, and had an opportunity to welcome home the 3rd Armored Calvary Regiment of Fort Carson, the Mountain Post.

Having done that, we met with a number of constituents after flying back to Washington, DC, to meet with hundreds of Coloradans who decided to come to Washington, DC, to celebrate the Memorial Day weekend here and to celebrate the opening of the World War II Memorial, which was a long time in coming.

It was a great time. My wife and I were both caught up in the enthusiasm of both generations—the current generation fighting for freedom and security in Iraq, and the past generation, the World War II generation who fought and literally changed the world because of their efforts, dedication, and heroism during World War II. We were caught up in the enthusiasm of the World War II generation and found ourselves dancing to music of that era, having a wonderful time, meeting many wonderful Coloradans who were obviously excited about the fact they could come to Washington, DC, and celebrate the opening of the World War II Memorial.

### THE 3RD ARMORED CAVALRY REGIMENT

I rise today to commend the 3rd Armored Cavalry Regiment for its long history of service to our Nation and for its more recent heroic accomplishments in Iraq.

Last week, I had the opportunity to attend a welcome home ceremony for the 3rd Armored Cavalry Regiment at Fort Carson, CO. Unlike most welcome home ceremonies, this one was steeped in tradition.

Few units in the U.S. Army can claim as distinguished history as the 3rd Armored Cavalry. And, even fewer have had so many of its soldiers awarded medals for valor on the battlefield.

The 3rd Armored Cavalry's service to our country did not begin in Iraq, or during World II. Indeed, not even in the past century. Rather, it began on May 19, 1846, by an Act of the 29th Congress of the United States. On that date, Congress authorized the creation of a regiment of mounted riflemen for the purpose of establishing military stations on the route to Oregon. Unbeknownst to Congress, this regiment would go far beyond this limited mission in its service to our country.

A year after its creation, in 1847, the 3rd Armored Cavalry Regiment, then called the Mounted Riflemen, was sent into battle in the Mexican-American War. Leading the assault on the fortress of Chapultepec, a key citadel outside Mexico City, Mounted Riflemen charged through heavy cannon fire to seize the castle and capture an enemy artillery battery.

Later in the war, the Mounted Riflemen were sent to capture another enemy artillery battery halfway to the Belen Gate outside Mexico City, and then on to capture a third battery in the assault on the gate itself. It was extraordinarily successful in all three assaults.

General Winfield Scott, the Commander of U.S. forces during the Mexican War, was so impressed with the bravery and toughness of the Mounted Riflemen that he gave this commendation:

> Brave Rifles, veterans—you have been baptized in fire and blood and come out with steel. Where bloody work was to be done, ''the Rifles'' was the cry, and there they were. All speak of them in terms of praise and admiration. What can I say? What shall I say? Language cannot express my feelings of gratitude for your gallant conduct in this terrible conflict . . .

Due to the bravery of their service, 11 troopers were commissioned from the enlisted ranks and 19 officers received brevet promotions for gallantry in action.

At the time of the start of the Civil War, the First Regiment of Mounted Riflemen was redesignated as the 3rd U.S. Cavalry Regiment. During the war, the 3rd Cavalry Regiment fought at the battle of Chattanooga, and in minor battles in New Mexico, Alabama, Tennessee, and Arkansas. During the campaign in New Mexico, the 3rd Cavalry Regiment fought alongside the 1st Colorado Infantry Regiment, and Colonel ''Kit'' Carson, who commanded the 1st New Mexico Infantry Regiment.

Following the Civil War, the 3rd Cavalry Regiment was sent to the American West to the fight in the Indian Wars. The experiences of the Indian Wars were traumatic and brutal for the troopers of the 3rd Cavalry Regiment, but they continued on. During the largest battle of the Indian Wars, the Regiment again distinguished itself. Four 3rd Cavalry troopers received the Medal of Honor for their heroism during the battle.

In 1898, the regiment's mettle was again tested in the Spanish-American War. The 3rd Cavalry regiment, along with five other regular U.S. Cavalry regiments, was given the nearly impossible mission of assaulting the hills surrounding San Juan in Cuba. In the dismounted attack, the 3rd Cavalry Regiment's U.S. Flag was the first to be raised on the point of victory.

With the turn of the century, armies began to turn to mechanized warfare. It was not until World War II, however, that the 3rd Cavalry Regiment was reorganized and redesignated as the 3rd Armored Group and sent to the European theater.

The troopers of the 3rd Cavalry group became the spearhead of General Patton's drive across German-held France. In fact, because this unit was everywhere and nowhere at the same time, it was nicknamed the ''Ghosts'' by the Germans. And, on November 17, 1944, the 3rd Cavalry Group became the first element of Patton's army to enter Germany.

At the war's end, the unit received high praise from its commanding general. General Patton commented with these words:

> The 3rd Cavalry has lived up to the accolade bestowed upon it at Chapultepec by General Scott. As horse cavalry you were outstanding; I have never seen a better regiment. To your performance as mechanized cavalry, the same applies. It is a distinct honor to have commanded an army in which the 3rd Cavalry served.

During the Persian Gulf war in 1991, the 3rd Armored Cavalry Regiment again distinguished itself on the field of battle. On February 22, 1991, the Regiment led the U.S. forces across the Iraqi border. One hundred hours later, the regiment had moved over 300 kilometers north and left the remnants of three Iraqi Republican Guard divisions in its wake.

The purpose of reviewing the storied past of one of Army's most famed units is for each of us to understand just how important it was to these troopers that they live up to the unit's reputation in battle during Operation Iraqi Freedom.

Unlike past conflicts, Operation Iraqi Freedom was, for the 3rd Armored Cavalry, a battle of a different kind. It was for the hearts and minds of the Iraqi people. It was securing the peace and preventing terrorist attacks. It was for rebuilding a nation devastated by war, brutality, and corruption.

The regiment was responsible for controlling about a third of Iraq, including the hostile cities of Ramadi and Fallujah and Iraq's western borders with Saudi Arabia, Jordan, and Syria. Yet, the troopers performed their mission with excellence. They were determined in the face of opposition. They overcame unforeseen challenges. They worked as never before.

They also cared deeply about the Iraqi people. In one case, the regiment helped three rural villages in rebuilding their decimated communities. The troopers worked alongside families repaired and reconstructed facilities damaged and neglected for 30 years under the former regime. Schools, medical clinics and houses were rebuilt so that children could return to school and health care could be provided to all.

In other cities, troopers from the regiment helped build sewer and water projects, rebuild schools, and provide clothes, blankets, and food to needy adults and children.

These are only a few examples of the outstanding work these troopers did in Iraq. And, now, as these troopers reflect upon their service, they can say with pride that they accomplished their mission and made a difference in the lives of the Iraqi people.

However, their service did not come without a high cost.

PFC Armando Soriano joined the Army so that he could help his parents, who had immigrated to the United States in the 1980s. His goal was to save enough money to buy his parents and his four siblings a house.

Yet, it was his love for his comrades that made him stand out, and as a result, he became one of the best young soldiers in the 3rd Armored Cavalry. At 5 feet 6 inches, PFC Soriano weighed barely more than the 100-pound artillery shells he hefted as part of his job driving a 155 mm cannon through Iraq.

But that didn't stop him. He was faster than any of his comrades in lifting these huge shells.

He was known in the unit as a soldier who would do anything for his fellow troopers. He was always positive and kept everyone going despite the tough conditions. His fellow soldiers described him as ''simply the best.''

Sadly, PFC Armando Soriano died on February 2, 2004, in a truck accident in Iraq.

SP Brian Penisten, one of the unit's best mechanics, loved fishing, fixing cars and woodworking. He was a devoted family man with a 4-year old son. And, he was proud that he got to wear the uniform of the United States Army.

''He could make us look forward to doing our jobs every day,'' according to one of his fellow soldiers. ''He would be the one to make us shine and laugh and cry and everything else.''

''He was always doing something to make things better,'' said another.

SP Brian Penisten was headed home for his wedding to his longtime girlfriend when his transport helicopter was shot down on November 2 by a guerrilla missile near the city of Fallujah.

He was buried on the day he was supposed to be married.

These are only two stories of the 49 soldiers from Colorado who have died while serving our Nation in Iraq. And, another 233 were wounded.

Despite the high cost, the 3rd Armored Cavalry Regiment embraced their mission and worked each and every day to better the lives of the Iraqi people.

Troopers like SFC Dean Lockhart have continued to demonstrate a devotion to the Army and our country despite the high price he has had to pay.

On July 23, Sergeant Lockhart was manning his Humvee machine gun when a roadside bomb demolished his Humvee. Shrapnel from the bomb pierced his back, shattering his pelvis and leg. After numerous surgeries and endless days of pain, Sergeant Lockhart is back in Colorado recovering from his injuries.

Despite the physical and psychological toll, Sergeant Lockhart has not given up. He still wants to spend 7 more years in the Army and he still believes in the U.S. mission in Iraq. He doesn't blame anyone for his injuries and has no regrets. If his unit was back in Iraq, he would return in a moment's notice.

Mr. President, I cannot begin to express to you and to the rest of my colleagues how thankful I am for the service these brave men and women from the 3rd Armored Cavalry have given to our country. Over 400 of these troopers earned medals of valor, including 200 Purple Hearts. They sacrificed much, but they never gave up. They accomplished their mission, fought with dignity and honor, and continued the heroic legacy of the 3rd Armored Cavalry.

Last week, I watched in amazement as the troopers of the 3rd Armored Cavalry Regiment were told that they had both literally and figuratively earned their spurs. Each of them are now allowed to wear those spurs in public in recognition of the unit's historic past and more, importantly, in appreciation for the unit's heroic service to our country in Iraq.

Mr. President, these are fine troopers who deserve our honor, our praise, and our admiration. I commend the 3rd Armored Cavalry Regiment for its service to our Nation, and I and the rest of the State of Colorado welcome them home.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ENZI). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WARNER. 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. WARNER. Mr. President, I ask unanimous consent that the time consumed during the previous quorum call be divided between the two sides; provided further that the time spent in additional quorum calls during this period of morning business be equally divided, as well.

The PRESIDING OFFICER. Without objection, it is so ordered.

## WORLD WAR II MEMORIAL

Mr. WARNER. Mr. President, I express a deep sense of gratitude to all those involved in this magnificent recognition of those who served in World War II, not only the 16 million men and women in uniform, but the homefront by ten times that number. Every American was involved.

This weekend was magnificent. I was privileged to have a very modest role in this event with Senator Dole and many others, joining in the feature of the weekend, the afternoon, 2 to approximately 3:30, when on The Mall over 150,000 individuals gathered to pay their respects to what is referred to as ''the greatest generation'' and hear from those who had taken a leading role, including Senator Dole, the American Battle Monuments Commission under the former commandant of the Marine Corps, Fred Smith, who was a key part of the team that raised the money, and, of course, we were fortunate the President of the United States came and addressed not only the crowd, not only our Nation, but addressed the world as a reminder of the human sacrifice all over the globe as a consequence of that struggle for the preservation of freedom.

Of course, we all remember the United States involvement started on December 7, 1941, with the attack on Pearl Harbor. Prior thereto, the Nazi armies had marched into Poland in late 1939, and the war in Europe was well underway. Then on September 2, 1945, the Japanese signed the official surrender aboard the Missouri in Tokyo Bay, and prior thereto, May 8 or 9, or a little later, the formal recognition of the surrender of the German forces.

So the great war to end all wars, as it was referred—as was also referred in World War I—had come to an end, with 16 million uniformed, over 400,000 of whom died, and triple that number bearing the wounds of that war.

It is interesting how this all started. On May 25, 1993, nearly 48 years after the end of the war, Public Law 103–32 was signed, authorizing the American Battle Monuments Commission to establish a World War II memorial in Washington, DC, or its environs to honor the spirit, sacrifice, and commitment of those people. And 11 years have followed after that fundraising, design, selection, and debate.

It is legitimate and important that we have voices on both sides express their views with regard to the utilization of the precious few acres between the Washington Monument and the Lincoln Memorial and, indeed, the Capitol on the other end.

Primarily under the leadership of Bob Dole and Fred Smith—Bob Dole, having been an extraordinary hero in the closing days of World War II, having suffered wounds in Italy in September of 1945 that required him to undergo many years of medical treatment and sheer mental determination to survive and to go on and provide America with his very distinguished career, including a seat he occupied as majority leader once in the Senate. The design by Friedrich St. Florian, Rhode Island architect, was chosen after reviewing approximately 400 design submissions, and Leo A. Daley, an internationally known architect who resides in Washington, DC, a very distinguished American, was selected to give overall management to the project.

I also acknowledge the name Carter Brown. He was at that time the foremost figure at the National Gallery of Art for many years as its director. He had a keen sense with regard to artistic matters. I remember calling him—I think others did, too—but prevailing him to enter the debate about the design of this memorial.

Some years before, I had again been a participant in the construction of the Vietnam Veterans Memorial, and it was a very strong and, at times, ferocious debate. In my office, as a U.S. Senator, right here in the Capitol, one time it erupted almost into fisticuffs over the design of the Vietnam Veterans Memorial. The debate on this memorial was equally serious, equally thoughtful on both sides, but, nevertheless, I have always believed that Carter Brown, through his strong hand and enormous respect, entered the fray and quelled the waters such that a design finally emerged. So we owe a debt of gratitude to so many.

Bob Dole and Fred Smith and others had raised more than $195 million from the private sector, incidentally from more than 600,000 separate contributions; that is, from individuals, some of them for a dollar, some for many dollars, but that is an extraordinary number of individuals. I also recognize that every State in the Union, all 50 States and Puerto Rico, contributed $1 for every citizen of that State who wore the uniform, male and female, in World War II. What a remarkable record of the breadth of participation across the land.

Some $16 million was provided by the Federal Government, again not necessarily for the construction and design of the memorial, but really for a lot of the infrastructure that had to be put in place. I refer to the National Defense Authorization Act for Fiscal Year 2001. On October 30, 2000, we were able to find within the Armed Services authorization bill some $6 million to be transferred to the American Battle Monuments Commission. I will put into the RECORD the technical details of how we did that and the purpose for the funds, but basically it was for infrastructure. Congress had a modest hand, but I believe the important emphasis should be put on how the private sector came forward to make possible the construction.

As I reflect on this weekend and my opportunity to observe and walk among the many veterans who were gathered there on Saturday afternoon, on a fairly warm and intense day, and the joy in their hearts—and of the 16 million, I think, somewhere between 6 or 7 million, perhaps, are still on planet Earth. So many of their colleagues, therefore, who had passed on in that period of time and since that period of time were on their minds. But there was joy in everyone's heart. It was a coming together, to use the words of Bob Dole, paralleled, really, only by the World War II period when all of America was so united strongly behind the men and women of the Armed Forces. It was a magnificent reenactment, so to speak, of that cohesion that prevailed throughout America in that critical period from 1941 to late 1945.

Those of us who were privileged to be part of it—and I was just a young sailor at the tail end of the war in training command, but, nevertheless, I remember so well how America opened its arms to the veterans of that period and how this country perhaps made its best investment, for educational purposes, the best investment in the history of the Federal Government's participation in education, which was the GI bill, from which I benefited and many others.

I have often said, standing at this very spot on the Senate floor, that I would not have been privileged to serve in the Senate had it not been for the GI bill I received for modest service in World War II and then modest service again in the second period during the Korean conflict, with service in the Marines. I mention that only in the context of the value of the GI bill to those of us who received that gift of the American people. That is why I try to work hard today with many others, particularly those on the Armed Services Committee, to do what we can for this generation of young men and women who are in the Armed Forces and their families as a means of payback for what was done for previous generations. I am proud of the record of the Armed Services Committee over the many years I have been able to participate and serve on that committee.

I will come to the phrase momentarily. Bob Dole said it I think best of all when we chatted together quietly, and I think he also said it publicly in a number of interviews he found the time to give; and that is, perhaps it is time to pass on the baton of the ''greatest generation'' to this generation of young men and women who are now serving in the Armed Forces of the United States because the Nation, I believe, is behind them. It is strongly behind them. There may be differences of view, honest differences of viewpoints about the war—should we have done it, should we not have done it—but we will save that debate for a later date and just look forward.

It was remarkable when we arose this morning, after a weekend of deliberations by many people in Iraq, the United Nations, Ambassador Bremer, and others, that we suddenly realize that the Iraqi Governing Council, which I think has done some very credible work in its short lifetime, has suddenly decided to dissolve, pick a President, a Prime Minister, some 20-odd ministers, and begin to lay the foundation for Iraq to govern itself. I personally am very heartened by these moves, widely reported in today's press.

But also in today's press again is the expression of many—I am not suggesting it is thoughtless, but, nevertheless, it is strongly in conflict with my own views—that we ought to establish a pullout date. Our President has steadfastly said we are going to remain until such time as the Iraqi people have enabled themselves to establish their government, hopefully to hold an election, before any dramatic withdrawal of the coalition forces in large numbers because that security system must be in place.

These are going to be critical, stressful, and difficult times after the transition on July 1. But we have to all remain steadfast in our conviction that we have to give this fledgling new Iraqi government a chance to put its roots into the ground and grow and gain strength and train their own force structure for the purposes of security.

But, nevertheless, as widely reported, a number of groups say, let's establish an arbitrary date—well, maybe not arbitrary but establish a date for pullout. To me, that would be a grave mistake. It would set a target, and targets are not a wise step in these types of situations, not at all. It is better that we go day by day, week by week, month by month, and gradually see how quickly the Iraqi government can constitute itself, establish its training programs, and eventually establish its own security forces. In the meantime, citizens of this country and other coalition nations have provided the funds for the refurbishment and, indeed, the modernization of their economic infrastructure.

So this must go forward, recognizing, again, that it is going to be a stressful and dangerous period because there are, regrettably, many engaged in open warfare to stop the evolution of a new and free Iraq.

Mr. President, I close with those remarks, saying only that I believe it was an opportune time for this memorial to be dedicated this weekend, to bring America together, to instill in

America a consciousness of the sacrifice that has preceded in our own Nation. Hopefully that measure of sacrifice can be extrapolated into the challenges that face America today and the sacrifice now of over 800 young men and women who have died in the conflicts in Afghanistan and Iraq, primarily Iraq, and the many more thousands who have been wounded. Yes, that does not compare, certainly by way of numbers, with the over 400,000 in World War II, but in my heart it compares. Every soldier counts. Every sailor, every airman, every marine counts.

It is not just the total number. To the family who bereaves the loss of their loved one, it is painful, irrespective of the total. It is a big total in my judgment, a significant total, a serious total and a serious loss to the country. Each us in this Chamber deeply grieves those losses.

Coming together this weekend, focusing on the sacrifices, on where our Nation is today as the leader of the free world, I hope will better enable Americans to understand the sacrifice of these young men and women, be they killed or wounded, and the hardships to the family. It is worth it because it is all part of a long, step-by-step trek toward not only achieving freedom for other nations but maintaining our freedom here at home, freedom against terrorism and other threats throughout the world.

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. THOMAS. 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. THOMAS. Mr. President, I ask unanimous consent that I may speak for 5 or 6 minutes in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

## SEASONAL WORK PERMITS

Mr. THOMAS. Mr. President, I want to take a minute this morning to talk about an issue that has been of some concern for us in Wyoming, as the Presiding Officer knows, for some time; yet we have not been able to move forward on it. It has to do with work permits that allow people to come and work for a seasonal time, for a relatively short time, in our case, generally, for the tourism around Yellowstone Park.

In that business, they have offered these jobs to anyone, of course, over the years, but they have been filled largely by people coming from other countries—mostly Mexico—for a fairly short period of time on what is called an H–2B visa. This is a category of visa that allows for seasonal and temporary nonagricultural workers to come. These workers are employed in all kinds of industries that include fisheries, timber, hotels, restaurants, and others. Even ice skating shows have been talked about recently.

Businesses must file a petition with the State department of labor to certify that no local workers are available. They have always done that, of course. Workers are certified for a specific period of time. When that time has expired, they must return to their home country. I think this program has been in place for a good long time. I think it is one of the unique ones where there has been a record of returning.

One of the problems is—and this has come up as a problem, of course, in the last several months or a year—there has been a lot of conversation about illegal immigrants in this country, and properly so. There has been a great deal of conversation about outsourcing and paying less because you can get people to come from other places. Those things are true, but they are not applicable in this particular instance because, No. 1, these people are certified to be here. They go back when the time is over.

In the past, they have been able to come back on the same permit over a period of time. It has kind of worked that way. The wages have been reasonable wages paid in these particular areas. It is a fact and it is true that the jobs are not always the kind of jobs that a lot of young people want in our country. They are working in hotels and motels; nevertheless, they are jobs that are available and reasonably paid.

I think, though, because of the situation we have had and other kinds of problems with immigrants and illegals, this has become a more realistic issue than it would have been otherwise. This year, the number of H–2Bs was capped, and the number happened to be 66,000 per year. The fact is, this is really the first time that cap has been enforced. It is the first time people have ever thought in terms of a cap. Much of it had to do with the timing. People were talking, as our folks do in Jackson, about the summer season. They had not worried too much about doing this until the spring when they have traditionally done it; and it turns out that because of the cap, those numbers had been reached in other places. Therefore, it excluded the involvement of any more H–2Bs.

This is not an issue that is unique particularly to Wyoming. Other States, such as New Hampshire, Maine, Alaska, Virginia, Ohio, and North Carolina, have specifically spoken out as we have about the problem that exists in Wyoming.

Last year, they had petitions roughly for 1,800 workers in Wyoming. About 1,600 went, as I mentioned, to Jackson Hole. So we tried to find a solution to this situation because it seemed, more than anything, to be a question of timing. If we are going to have a limit, that is fine, but the limit ought to be known so that people, if they are going to need workers in the summer, can make application at an appropriate time earlier in the year so that the timing is not an issue. That is the way it has been this year.

So for the last number of months, since we all heard about this—the first was in March before we even knew about the limit—the Senators and staff have been working to address this issue in a fair and consistent manner, to make good immigration policy. None of us are looking for illegal immigrants who are trying to extend illegal opportunities. This is a program that has been in place, has been useful, and has been legal. These are legal people who come and then they return, so the question of illegal immigration doesn't really fit in here.

So I need to make the point that this is something that we could proceed with. As a matter of fact, there have been opportunities in the Senate to move forward, and many suggestions that have been made are reasonable. I am trying to emphasize the fact that we need to move to do this and not simply write off the 2004 season. I will have to admit it is now very late and people are looking for other ways to fill these spots, and some of them can be, and that is fine.

I was in Wyoming this weekend at a place where they have similar seasons. They had set up a parking lot beside this motel where people could bring their trailers and their travel vehicles and stay there during the summer. These were older folks, pretty much retired, who wanted to work part time in the summer, and they would bring their trailer and stay. Some of the jobs can be filled that way, and they are. The fact is, businesses are going to be hurt if we don't do something. Certainly, we need to do that. There are some propositions that have been put forward on the Senate floor. We have had a couple folks objecting to them, so nothing has been done.

I think it is time. If people want to change the proposition, they can do that if they are comfortable with it. But we ought to move forward with the problem, which we can fix or require to be fixed or ask to be fixed, so that there is a reasonable opportunity for people to continue in the business of doing the same thing they have been doing, where now they are prohibited because of the timing proposition.

So I am hopeful we can continue to take a look at it. If it is too late for this year, I am sorry, but we ought to fix it now. But if we are not able to fix it this year, we will know what we are faced with for the next year. I understand the system in the Senate, but it is too bad when we have something that affects most people, and it can be held up and not allowed to even be discussed and moved forward. I think this is under the leadership of the Senator from Utah.

Mr. President, I wanted to share some thoughts on that issue instead of waiting and letting this continue to be

a problem in another season. Perhaps there is still time in some cases to be of assistance in this season. It is a plan and a program that has been in place and has worked over the years. We need to continue to allow people to participate in that plan.

I urge us to move forward and address the problem and make some kind of solution and not let it just die out and impact visitors, as well as employees and employers, in places such as Jackson, WY, and other places where people come for the summer.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. As a Senator from the State of Wyoming, I ask unanimous consent that the order for the quorum call be rescinded.

Without objection, it is so ordered.

## RECESS

The PRESIDING OFFICER. Under the previous order, the Senate will now stand in recess until the hour of 2:15 p.m.

Thereupon, the Senate, at 12:27 p.m., recessed until 2:17 p.m. and reassembled when called to order by the Presiding Officer (Mr. VOINOVICH).

The PRESIDING OFFICER. In my capacity as a Senator from the State of Ohio, I observe that a quorum is not present.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ALLARD. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

## MORNING BUSINESS

Mr. ALLARD. Mr. President, I ask unanimous consent that the Senate now proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALLARD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ALLARD. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

## UNITED STATES AIR FORCE ACADEMY

Mr. ALLARD. Mr. President, I rise today to report to you and our colleagues on the latest Board of Visitors meeting for the U.S. Air Force Academy.

Ordinarily, I don't do this, but in light of what has been happening for the last year and several months as far as the Air Force Academy, I feel compelled to give a report to the Senate to keep it updated on how matters are progressing at the Air Force Academy.

The Board of Visitors primary responsibility is advisory at the Academy. But in the process of monitoring the administration of the Academy and to be a voice for the students at the Academy, the Board of Visitors meets in mid-May at the Academy to review the activities of the Academy, assess current programs, discuss current disciplinary issues, and address proposed congressional legislation impacting the Academy and the Board of Visitors.

First, let me say I was pleased by the attendance and contribution of the board members and welcomed involvement of the board's newest members, including Senator MARK PRYOR. It is clearly apparent that the board is united in its purpose and serious about its responsibilities.

The meeting we had here was probably the best board meeting we have had since I have had the honor to serve on the Board of Visitors at the Air Force Academy.

Let me also say that Governor Gilmore continues to provide exceptional leadership and has done an excellent job of keeping the board on track and focused.

During the meeting, Air Force and Academy leaders briefed the board on several important issues. First, the board discussed the retention rates of the Academy graduates. Based on the statistics provided by the Air Force, it appears the Academy graduates have high retention rates, including in some professions rates of nearly 50 percent. Retention rates for Academy graduates continue to be higher than ROTC and OTS graduates.

Next, we discussed recent climate surveys. The Academy is wisely surveying faculty, civilian staff, and administrative staff, as well as the cadets. The Department of Inspector General also surveyed the cadet body in April. The result of the surveys is expected in July.

The Academy did share some preliminary results which include improvements regarding respect for women, the use of alcohol, and improved response to sexual assaults.

The new officer development program currently being implemented appears to be making a difference. Under this new system, cadets are taught leadership skills each year instead of just in their first years. This new system is consistent with that being used at the West Point and the Naval Academy.

Lastly, the board discussed three legislative proposals. I plan to work with the leadership on these proposals, perhaps as amendments, sometime during the deliberations on this bill. The first proposal would require the dean of the faculty for the Air Force to have some prior military service. The second proposal would repeal the requirement that the Academy superintendent retire after serving the Academy. The Board of Visitors indicated its support for these two proposals.

The third proposal would have structured the Board of Visitors. At this time, this proposal requires additional work. I look forward to working with Chairman WARNER on refining that particular proposal.

I take a moment to compliment the superintendent of the Air Force Academy, Superintendent Rosa, and also his commandant, General Weida, who stepped in at a very difficult time at the Air Force Academy. They have shown exemplary leadership in working with the student body and charting out a new course for the Air Force Academy. It is a course that will allow oversight bodies, including members of the Armed Services Committee in both the House and the Senate, the Secretary of the Air Force, the President, and the members of the Board of Visitors, to review what is happening at the Academy. In other words, they have put a system in place that is much more accountable, which will make it easier for those who have the responsibility of oversight at the Air Force Academy to follow what is actually happening.

I thank the Congress for its concern about the welfare of the students at the Academy and for the opportunity to discuss the latest Board of Visitors meeting.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DEWINE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CRAPO). Without objection, it is so ordered.

## HAITI

Mr. DEWINE. Mr. President, last week, my wife and I had the opportunity to spend 3 days in the troubled country of Haiti. I want to take a couple of minutes to report to my colleagues about the situation in Haiti. I believe it is particularly of importance because the United States still has troops in Haiti, and we had the opportunity to visit with a number of these wonderful young men and women.

Our trip coincided with the horrible flooding that occurred last week in Haiti and the Dominican Republic. In fact, I had the chance to fly out with our troops to a village in Haiti, Fonds Verettes, about 35 miles east of Port-au-Prince. I saw our troops doing a tremendous job to take food and water and shelter to the Haitians who had been devastated by this flooding.

Our trip was also timely because it is during this period of time that our troops are beginning to leave Haiti, or were scheduled to begin to leave Haiti,

and the U.N. troops are scheduled to start to come in. The country in this endeavor will be Brazil.

Let me make a few observations first, starting with the flooding. As I said, I went out to this village, Fonds Verettes. What I saw when I got there was just an absolutely unbelievable sight. I saw a village that was in ruins. I had the opportunity to talk to several of the victims. I talked to a man who told me he had lost four of his children. Absolutely unbelievable. He lost four of his children, and he was still in a state of shock and could barely talk above a whisper. It is hard to believe that someone could lose four kids. We talked also to a woman by the name of Luciani Joseph. She was just sitting on a box when we saw her. It was the only possession I think she had left in the world. We walked up to her and talked to her. She had lost her 6-year-old son. I know in that village there were dozens and dozens of other stories. Well over 100 people had lost their lives, and hundreds and hundreds of people lost every possession they had.

The only good news, I guess, is that U.S. troops were in the country. The only way you could reach this village was because U.S. troops were there. We had helicopters, and that is how they were able to reach the village because nobody could have reached the village any other way. I believe it is important that our troops stay in Haiti until enough food and goods and relief is delivered to these small villages that have been impacted by this flood. There is no other country that has the resources down there. Nobody has the airlift capabilities besides the United States.

Again, what an inspiration it was to talk to our young men and women who were assisting in this flood. The seriousness of the flood that hit Haiti is indicative to us and the international community as to the problems Haiti faces. We have all read, I believe, that Haiti is a country that is 97 to 98 percent deforested. This didn't come up overnight; it is something that has happened over the years. This deforestation has exacerbated the seriousness of the flooding.

I had the opportunity to talk to the village leader of this community I visited, Father Pierre Etienne Belneau. I said: Father, what happened? Have you had floods before? He said: Yes, but never as serious as this. Each time a flood comes, each time the water comes, it is more serious. He said: There is the reason. He pointed up to the hills, the mountains. He said: They keep cutting down the trees. As recently as just after President Aristide left, people—sometimes not even from our area—came up and went into the national forest and cut down more trees.

When the water comes, he says, it just goes right down the mountain; there is nothing to stop it. It washes everything down into their village. This priest in this rural village understood what has happened to Haiti—that Haiti is an ecological disaster.

So as we and the international community look to help the new Government of Haiti, if we are serious about long-term help for Haiti and the people of Haiti, reforestation of this country has to be part of that help. A sustainable agriculture is essential to the assistance of Haiti.

One of the great problems we find in Haiti is malnourishment. My wife Fran and I held children in our arms in Haiti on this past trip and previous trips, some of whom could be saved and some of whom, tragically, were not going to live. They were simply not getting nutritious food. They were not getting protein.

There are children all over Haiti who are not well fed, who are not getting enough to eat, who are not getting enough nutritious food. This is due to the fact that this country, which at one time was the crown jewel of the French empire as far as food production, today cannot produce a fraction of the food for its own people.

If we are talking about long-term assistance, what the United States and other countries have to do is help them develop a sustainable agriculture. It is one thing to give them food—and we should do that—but in the long run, what we really need to do is help them help themselves through better agricultural practices.

Now I will turn to another issue that we talked about when we were in Haiti. I had the opportunity to meet with Prime Minister Latortue. We had a very good conversation. The day I arrived the United States had just announced an additional $100 million in assistance for the new Government of Haiti. This money will assist this Government to survive.

I think it is so very important for the new Government to show results to the people. The people are looking for results. In the short term, they are looking to have the lights on. They only have the lights on in Port-au-Prince 2 hours a day. They need the lights on and the garbage picked up. The Government needs to show that people who commit serious crimes will be arrested, they will be held accountable, and they will be brought to justice.

In the long run, Haiti must have good judicial reform. The police must be trained. A new police force must be stood up. They must develop good land titling so that people will know the land they own is truly theirs. They will not have good international investment until people know that if they invest in property, invest in land, they will be able to sustain that investment.

Another issue that was talked about a lot while I was in Haiti—I was approached by many business people, many political leaders—was their support for a bill that I have introduced in the Senate and that has been introduced in the House of Representatives by Congressman CLAY SHAW, and that is the bill we call the Hero bill, a bill that would give Haiti some trade preferences, a bill that would create tens of thousands of jobs in Haiti.

I cannot tell my colleagues how many people came up to me and said: Senator, please tell your colleagues we appreciate the aid, we appreciate the assistance, but if they really want to help Haiti and the Haitian people, what we need is jobs, and the way you can help us get jobs is to pass the bill that you have introduced. The Haitian people want to work. This bill will give us the opportunity to work.

Finally, if the new Haitian Government is to succeed, it can only succeed if there is security in the country. The U.S. Armed Forces who are in Haiti today will be phasing out over the next few weeks. They will be replaced by U.N. forces. It is imperative that the U.N. forces be at least as strong in their actions as the U.S. troops have been.

The U.N. troops will be tested. They will be tested by the thugs. They will be tested by the shamirs. They will be tested by Aristide's gangs. They will be tested by the rebels. In essence, they will be tested by both sides in what would have been a civil war. Let's keep in mind that the U.S. troops that came in and have done such a wonderful job for the last several months prevented a blood bath in Haiti. They prevented a civil war. The U.N. troops will have to be equally as strong, and when the U.S. forces leave and the U.N. troops come in, the U.N. troops will be tested.

The U.N. troops will have to be equally as strong, they will have to be tough, and they will have to fire back. If they do not, then Haiti will revert to chaos. So the next several months will be a very crucial time for these U.N. troops and a very crucial time for Haiti.

The one very good piece of news forthcoming during our trip was on the AIDS front. Haiti has been for some time a country that has had the highest incidence of AIDS. The good news is there have been doctors in Haiti who have been at the forefront in the battle against AIDS. Dr. Paul Farmer in the rural area and Dr. Bill Pape in Port-au-Prince have been at the forefront in the battle against AIDS, not just in Haiti but throughout the world.

We had the opportunity to meet with Dr. Pape on our most recent visit. He shared with me a statistic. The statistic is this: The incidence of AIDS in Haiti has now been cut in half. That is an astounding figure. It has been the result of some very aggressive work by a number of people.

I will come back to the Chamber sometime in the next few weeks to talk about this issue of AIDS in more detail because I think it is of such great importance. I think Haiti can be looked at as a model for the rest of the world as to how to dramatically cut the incidence of AIDS.

This poor country that certainly has not been governed very well in the last few years still managed in spite of that

to dramatically cut the incidence of AIDS. There is a lot to be learned from what has been going on in Haiti.

In addition to cutting the incidence of AIDS, we have also seen in Haiti the dramatic increase in the use of antiretroviral drugs.

So when my wife Fran and I walked into an orphanage run by the Sisters of Charity, whereas just a year ago none of the children who had AIDS were on antiretroviral drugs, this year when we came back and walked in we would see some of the children who were HIV positive, who were in need of drugs, who actually this time were on antiretroviral drugs.

We saw one little boy who we were told had come in just a few months before. He was very critically ill and he would have died but the sisters, because of Dr. Pape and because of good assistance coming in to Haiti, were able to get that child antiretroviral drugs and we saw a very healthy, chubby little boy running around this orphanage. Because of very good care from the nuns and because he has antiretroviral drugs, that boy is going to make it.

That is the type of miracle we are now beginning to see in Haiti, and I think it is something for which we can be very proud. That is what we want to see replicated around the world.

So when I come to the Senate floor and ask my colleagues to vote for more money for AIDS assistance around the world, it is that little boy I am going to be citing. It is this type of little boy who we can save around the world because if it can be done in a poor country such as Haiti, it can be done in other countries as well.

That is very good news coming out of Haiti from our last trip.

I yield the floor.

Mr. ALLARD. 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. NELSON of Florida. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CHAFEE). Without objection, it is so ordered.

## ENERGY INDEPENDENCE

Mr. NELSON of Florida. Mr. President, I am quite troubled by what we have seen happen over the course of the weekend with the storming of the residential complex in or near Dhahran, Saudi Arabia, the eastern portion of Saudi Arabia, the oil-producing portion of Saudi Arabia. The storming of this residential complex and the taking of hostages at a residential complex that held people from many nations portends of what is to come. That is very troubling to the United States and the world community.

In today's paper, I see headlines such as ''Saudis storm complex to free hostages.'' It says, ''Saudi leaders say the recent attacks won't affect the oil supplies.'' Then in another piece in the same newspaper, it says, ''Latest terror attack increases the doubts about the ability of Saudi Arabia to pump more oil.''

Is it not interesting that we as a world community, and especially as the United States, have to be concerned about the pumping of that Saudi oil in order to feed the voracious appetite we have for energy. Is it not interesting the United States had some painful lessons we learned in the early '70s, and again in the late '70s, when the oil cartel locked down limited production and almost brought the industrialized world to its knees, and we became so much more dependent, realizing we needed that foreign oil to feed our appetite; that as a Nation, we said we are not going through this anymore; we are going to head on a path for energy independence. Then we lulled ourselves back into the seductive price of cheap oil and continued allowing our voracious appetite to go unabated, with the result that even though we have tried all kinds of alternative measures, the fact is we are importing more than half of our daily oil consumption, and that figure is moving upward to 60 percent of our daily oil consumption.

Right off the bat, that tells you that is not a good position to be in when it comes to the defensive interests of this country. Think how much of a freer hand we would have, as we conceive and develop our defense plans for this country, if we and the free industrialized world didn't have to depend on that oil coming out of that gulf region. But we are dependent. So when we see an attack by al-Qaida directly on those oil interests, we better start examining further the need for us to set energy independence as a major policy of the U.S. Government.

We know that the United States is, in fact, al-Qaida's target, but there should be no doubt now that Saudi Arabia is also the target of al-Qaida. It is a target where al-Qaida has a better chance of success because it has the desired goal of overthrowing the Royal Family of Saudi Arabia.

Saudi society presented them with many opportunities: weak institutions, an alienated population, and nearby terrorist operating bases. Al-Qaida's strategy is becoming increasingly clear. What they are doing is stoking the dissatisfaction of Saudi citizens with their government and the Royal Family by demonstrating the Royal Family's weakness by conducting their al-Qaida attacks in Saudi Arabia.

The attacks this past weekend indicate where they are now headed: to cut off Saudi Arabia's lifeline by destroying their oil facilities and diminishing their oil-producing capability. It is a strategy that has some chance of success. If the attack that happened this past weekend had interrupted the flow of Saudi oil, then the Saudi Royal Family would, indeed, have some cause for concern that they could stay in power because overnight they would lose the one tool they have to keep some of the popular discontent in their country under wraps, and that is oil money.

The Saudi rulers have not helped matters over the years by ignoring the obvious, which is the threat to their own self-interest posed by Islamic extremists. Why? Because the Saudi Royal Family has played footsy for far too long with the radicals, thinking they could buy them off and paying money to the extremist religious schools, called madrasas, hoping that Saudi money, spread around the Muslim world where the most extreme ideology and hatred is taught, was going to buy them peace. But I think the Saudi Royal Family is beginning to wake up.

The United States has tried to be Saudi Arabia's defender. We had thousands of troops based over there in the 1990s. Clearly, when Saddam Hussein in the early nineties moved on Kuwait and it was very clear that he was intent on moving into Saudi Arabia, the United States responded. But Saudi Arabia did not like us having troops on their land. We did not particularly want to be there because we were the constant source of attack, such as the Khobar Towers bombing which took 19 American lives.

The United States could not build a defensive wall around Saudi Arabia to protect them—now especially that is so—even if we wanted to, which we don't, but that is especially so because many of the threats now come right from within Saudi Arabia itself. So all we can do is impress upon Saudi Arabia the need for reform in their society as quickly as they can to isolate the extremists, to institute democratic institutions, and to diversify their economy. But those prospects are not good because if the Saudi Royal Family were to fall and if it is succeeded by an Islamic radical regime, then I fear for the rest of the Middle East and the gulf region that we would see a risk of those regimes falling like dominos. With a radical Saudi successor regime in control of all that oil, one can imagine the damage it could do by holding the West hostage economically.

That is what we are facing. Sometimes we get lost in seeing the entire forest for the particular trees, but I think we need to pull back and see that this threat of radical terrorists is now being directed not only at us in the homeland, but it is being directed at a source of energy upon which the western industrialized world has become dependent. If the attacks we have seen just a few days ago do not convince us to curtail our addiction to oil, then I do not know what will.

Why don't we do some reasonable things? I remember the junior Senator from Massachusetts offering an amendment to do something real simple, such as lower the miles per gallon for SUVs,

and we got beat and beat badly. That is an easy one to do, not even to speak of shifting to alternative sources of energy, not even to speak of additional conservation efforts, not even to speak of production efforts where it is not going to harm the fragile environment where, indeed, there are the reserves, not even to speak of using our technology in a crash course such as we did when we went to the Moon in the Apollo project. We set a goal and we said we were going to achieve it. We marshaled the resources, we marshaled the will, we got the support of the American people, and within 9 years we were able to go to the Moon and return safely. And so, too, we need an Apollo-type project for energy independence to wean ourselves from that dependence on foreign oil.

We need to invest massive manpower and effort into developing alternative energy sources so that the possible collapse of unstable oil regimes in the Middle East will not hold us hostage. Lord knows, let's hope that does not happen, but we need to wake up and see the insatiable appetite we have for that foreign oil.

I believe energy independence is one of the top priorities for protecting U.S. national security. There are a lot of Senators who support that goal and yet we allow ourselves to be beat time and time again by certain special interests and lobbies that have their own interests at the forefront instead of the national interest.

The events of this past weekend make the need for energy independence a national priority. These events make it clearer than ever.

I yield the floor, and 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. FRIST. Madam President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER (Mrs. DOLE). Without objection, it is so ordered.

## ORDER OF PROCEDURE

Mr. FRIST. Madam President, I have discussed the upcoming schedule with the Democratic leader. We currently have a cloture vote scheduled for 5:30 today on the motion to proceed to the class action fairness bill. In a moment, I will ask unanimous consent to vitiate that cloture vote.

As I mentioned earlier this morning, it has been our hope to finish both the Defense authorization bill and the class action legislation in a timely way. To expedite completion of the Defense authorization bill, we will need to limit amendments so the managers of the bill can begin to schedule amendments accordingly.

In addition, we would like to reach an agreement to begin the class action bill immediately upon the conclusion of the Defense authorization with no need for the motion to proceed. Having said that, I am prepared to ask unanimous consent but will withhold for any comment.

I now ask unanimous consent that the 5:30 cloture vote be vitiated and that the Senate begin consideration of S. 2062, the class action fairness bill, at the conclusion of the pending Defense authorization bill.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. FRIST. Madam President, I further ask unanimous consent that at 5:20 today the Senate proceed to executive session for the consideration of calendar No. 558, the nomination of F. Dennis Saylor, IV, to be U.S. District Judge for the District of Massachusetts; provided further that be there 10 minutes equally divided for debate prior to the vote on the confirmation of the nomination with no intervening action or debate.

Finally, I ask unanimous consent that following the vote the President be immediately notified of the Senate's action and the Senate then resume legislation session.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. FRIST. Madam President, I now ask unanimous consent that the only remaining first-degree amendments in order to the pending Department of Defense bill be limited to the list I have sent to the desk. I further ask unanimous consent that these amendments be subject to relevant second degrees.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The list is as follows:

Akaka—National Security Education, Akaka—Smart Scholarship, Alexander—Federal Assistance No. 3173, Allard—Air Force Academy, Allard—Air Force Academy, Allard—Missile Defense, Allard—Rocky Mountain Arsenal, Bayh—Advanced Manufacturing Tech., Bayh—Iraq Reporting Requirements, BAYH—Missile Defense, Bennett—Mercury Storage, Bennett—Nuclear Testing, Bennett—UT Test and Training Range, Biden—Adjust Tax Cut to pay for War, Biden—Information Operations.

Biden—Preventing Identity Theft, BIden—Relevant, Biden—Relevant, Bingaman—EEG, Bingaman—HSI Definition, Bingaman—Non-Proliferation, Bingaman—Nuclear Weapon, BIngaman—Report, Bingaman—Science Technology, Bingaman—Vaccine Health Care Center, Bond—Military Voting, Bond—Nuclear Energy Workers, Bond—Relevant, Bond—Relevant, Bond—Relevant.

Boxer—Lengthy Deployment Pay, Boxer—Missile Defense, Boxer—Rape of Women Service Members, Boxer—Relevant, Brownback—FCC Decency, BROWNBACK—S.O.S. re: Air Force No. 3232, Brownback—Taiwan No. 3222, Byrd—Industrial Commission, Byrd—Relevant, Byrd—Relevant, Byrd—Use of Force, Campbell—Korean Medals, Cantwell—Capehart, Cantwell—Extend Unemployment Compensation, Cantwell—Former Dept. Of Energy Medical Screening.

Cantwell—Global Poverty Study, Cantwell—High Level Radioactive Waste, Cantwell—High-Level Waste, Chafee—Berry Amendment No. 3177, Chambliss—Retired Pay No. 3223, Clinton—Commissaries and Schools, Clinton—Medical Tracking and Readiness (filed), Collins—Energy Savings Plan No. 3230, Collins—OMB Circular A–76 No. 3224, Collins—Outsourcing, Collins—Pilot Fees, Conrad—Relevant, Conrad—Relevant, Corzine—Relevant, COrzine—Relevant.

Corzine—Reservist Retirement, Corzine—Sovereignty, Craig—Immigration, Daschle—B–1, Daschle—Flesh Eating Parasites, Daschle—Military Reservist AG Loan Obligation, Daschle—Relevant, Daschle—Relevant to the List, Daschle—TRI CARE, Daschle—VA Health Care, Dayton—Buy American, Dayton—Operational Cost Reporting, Dodd—Federal Law Enforcement Officers, Dodd—Firefighters, Dodd—Health and Safety Equipment.

Dodd—Military Offset Contracts, Dodd—Private Military Firms, Domenici—Joint Study Center No. 3168, Domenici—Training Flights No. 3167, Dorgan—Oversight (with Wyden), Dorgan—Radio/TV Marti, Dorgan—Relevant, Dorgan—Relevant, Durbin—Dietary Supplement, Durbin—Reservists Pay, Durbin—Small Business Set Asides, Durbin—Treatment of Prisoners, Durbin—Treatment of Prisoners, Ensign—Oil for Food, Ensign—Relevant.

Enzi—Air Tankers, Feingold—FMLA Benefits, Feingold—Inspector General's Office, Feingold—Relevant, Feingold—Transition Services for Military, Feinstein—Afghanistan Anti-drug Effort, Feinstein—SoS re: Perchlorate, Fitzgerald—Veterans Health, Frist—Relevant to any on list, Frist—Relevant to any on list, Frist—Relevant to any on list, Frist—Relevant to any on list, Frist—Relevant to any on list, Graham (Florida)—Haitian Refugee Immigration Improvement Act, Graham (Florida)—Night-Vision Goggles Training.

Graham (Florida)—NSA Recruiting Program, Graham (Florida)—Relevant, Graham (Florida)—Relevant, Graham (Florida)—Relevant, Graham (Florida)—Relevant, Graham (Florida)—Relevant, Graham (Florida)—Relevant, Graham (Florida)—Relevant, Graham (South Carolina)—CIPC, Graham (South Carolina)—DOE, Graham (South Carolina)—Independency of Judiciary, Graham (South Carolina)—Relevant, Graham (South Carolina)—TRICARE, Grassley—Army Industrial Facilities No. 3153, Grassley—Counter Drug in Afghanistan.

Hagel—Increasing Troop Strength, Harkin—Armed forces media, Harkin—Code talkers, Harkin—Energy employees compensation cohort, Hollings—Land Conveyance, Hollings—Relevant, Inhofe—Foreign Military and Security Forces No. 3200, Inhofe—Iraq and Afghanistan Funding No. 3198, Inhofe—Relevant, Inhofe—Relevant, Inhofe—Relevant, Inhofe—USO Procurement No. 3199, Johnson—Hazardous Duty Pay, Kennedy—AG Jobs, Kennedy—Beryllium Screening for Worker Health and Safety.

Kennedy—Civilization of JAG Functions, Kennedy—Federal Employees, Kennedy—Impact Aid, Kennedy—Increase in ''One Source'' Funding for Military Families, Kennedy—Iraq Policy, Kennedy—Iraqi Prisoner Abuse, Kennedy—Nuclear Weapons (with Feinstein), Kennedy—Relevant, Kennedy—Relevant, Kennedy—Relevant, Kennedy—Return of Military Remains, Kennedy—Russian American Observation Satellite, Landrieu—Land Conveyance, Landrieu—Preseparation Counseling, Landrieu—Survivor Benefit Plan (filed).

Lautenberg—Reimbursement for Medicare VNR's, Lautenberg—Relevant, Lautenberg—Special counsel on No-Bid Iraq Oil Contracts, Leahy—Civilian Assistance, Leahy—Data Mining Protection, Leahy—National Guard Title 32, Leahy—Relevant, Leahy—War Time Profiteering, Levin—Iraqi Lessons, Levin—Managers' Amendments, Levin—Relevant,

Levin—Relevant, Levin—Relevant, Levin—Relevant to the list, Levin—Relevant to the list.

Levin—Supplemental Authorization, Lieberman—Relevant, Lieberman—Relevant, Lott—BRAC No. 3220, Lott—RDT&E for Advanced Ferrite Antenna No. 3179, Lott—S.O.S. re: Shipbuilding No. 3233, Lott—Search and Rescue No. 3221, McCain—2nd Degree Buy America, McCain—2nd Degree Buy America, McCain—GAO Study, McCain—Relevant, McCain—Relevant, McCain—Relevant, McCain—Relevant, McCain—Relevant.

McCain—Relevant, McCain—Relevant, McCain—Relevant, McCain—Service Academy Professors No. 3229, McCain—TRICARE, McConnell—Relevant, McConnell—Relevant, McConnell—Relevant, McConnell—Relevant, McConnell—Relevant, McConnell—Relevant, Mikulski—Presidential Helicopter Support Facility, Miller—Retired Warrant Officers, Murkowski—AK Natural Gas Pipelines, Murray—Benefit Improvement Guard and Reserves.

Murray—Child care Assistance Reserve Units, Murray—Overseas Facilities Restrictions, Nelson (Florida)—Relevant, Nelson (Florida)—Relevant, Nelson (Florida)—Relevant, Nelson (Florida)—Relevant, Nelson (Florida)—Relevant, Nelson (Nebraska)—DePSCOR, Pryor—Sacrifice, Reed—Military Academy, Reed—Military contractors in Iraq Oversight, Reed—Military Housing, Reed—National Missile Defense Accountability, Reed—National Missile Defense Accountability, Reed—Relevant.

Reed—Relevant, Reed—Tax Compliance by DoD Oversight, Reed—Troop Strength Increase, Reid—Concurrent Receipt, Reid—Relevant, Reid—Relevant, Reid—Relevant, Reid—Relevant, Reid—Relevant to the list, Reid—Relevant to the list, Santorum—Exchange and Sell, Sarbanes—Federal Charter Korean War, Sarbanes—Sense of the Senate Housing Privatization (Mikulski), Sarbanes—VXX Pax River, Schumer—Relevant.

Schumer—Relevant, Schumer—Relevant, Schumer—Relevant, Schumer—Relevant, Sessions—Relevant to list, Sessions—Relevant to list, Smith—Hate Crimes No. 3183, Sununu—William Billy Mitchell No. 3156, Talent—Hero Miles Act, Talent—Military Readiness, Talent—S.O.S. re: WWI Museum, Warner—Contingent Reserve Fund, Warner—Managers' Amendments, Warner—Relevant to any on list, Warner—Relevant to any on list.

Warner—Relevant to any on list, Warner—Relevant to any on list, Warner—Relevant to any on list, Wyden—Iraqi Oversight Contracts, and Wyden—Oil.

Mr. FRIST. Madam President, the amendment list I sent to the desk is a large amendment list. Some of the amendments on the list do not have anything to do with the Defense authorization. I want to make it clear that I don't believe many of the amendments are appropriate to the Defense bill. This is indeed true on both sides, both the lists submitted from this side of the aisle and on the other side of the aisle.

We are locking in this list so we don't find ourselves with twice as many amendments if we wait until later tonight or tomorrow.

Having said that, we have a limited universe of amendments. We have not agreed to consider each and every one of the amendments, but we do have this limited universe. There is no reason, I believe, that we should not be able to finish the bill either late this week or early next week.

I hope the Democratic leader agrees and will work with us to ensure the bill is completed in a reasonable time next week.

All of this agreement has been reached through conversations with the Democratic leadership and the managers on both sides of the aisle.

The PRESIDING OFFICER. The Democratic leader.

Mr. DASCHLE. Madam President, I share the view expressed by the majority leader. He and I have had conversations about the scheduling. I think it is the right decision. We made some progress on the bill before the recess.

I think the excellent manager relationship we have on both sides of the aisle with regard to this particular bill will serve us well as we work through amendments. There are a lot of place holders. There are a lot of amendments where Senators simply wanted to be protected, and we respect that. But as we do with the number of bills, we will work with our managers to constructively come up with a more manageable and practical list as the next day or so unfolds. I think we can complete our work in a timely way.

As I have indicated to the majority leader, it is not our desire to oppose going to the class action bill once the work on the DOD bill has been completed. We will have a good number of amendments on that bill as well. But this sequence makes the most sense given our circumstances right now. We need to finish our work on the DOD bill given our circumstances in Iraq in particular, and I think this schedule will accommodate that need. I think we are where we need to be at this point.

I will continue to work with both of our managers to see that we finish our work on this bill as we expected we would prior to the recess.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Madam President, I wish to express my appreciation to both leaders. Senator LEVIN and I have handled this bill for many years. This list is not unlike what we have had before.

The Senate will work its will. I know some Senators think perhaps their amendments should have been on the list. But I have experienced cooperation on my side to not have several amendments on the list; I expect my colleague from Michigan did likewise; the Senate is anxious to have a lot of issues addressed. But this is a very key piece of legislation which is a must on behalf of the men and women of the Armed Forces.

I thank the leadership.

I yield the floor, and 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. REID. Madam 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. Madam President, it is important we were able to work out the arrangements we have made to go to this most important Defense authorization bill. As Senator DASCHLE mentioned, the two managers are experienced; they have dealt with these issues for many years. This is the time to work on the Defense authorization bill, not some side issue that, important as it might be, does not compare to the importance of this Defense bill.

We had five soldiers killed yesterday in Iraq. During the months of April and May, we averaged two soldiers a day being killed. Now over 800 have been killed in Iraq. We are approaching 5,000 who have been wounded, some of whom have lost legs, eyes, and are paralyzed.

I cannot imagine we would move off this piece of legislation. It is important Members of the Senate have the opportunity to offer their views on what should be done or what should not be done with this Defense authorization bill. There are going to be a number of amendments, but this is nothing new. Even when we do not have two soldiers killed every day, we spend a lot of time on this bill. With 120 of our men and women having been killed in 60 days, they and those people who are now over there in the trenches, so to speak, deserve our full time and attention on this most important piece of legislation.

I am glad we are now able to work on this bill and not set it aside and come back at a subsequent time. We were beginning to have some momentum when there was a decision made to pull off the bill. There are amendments that will take a little bit of time, but I don't think we should worry about that. When we get to class action, we will get to class action. When we finish this bill, it will be for the good of the country, especially if there has been a full debate.

I have just returned from home, as have the other 99 Senators. There is not a single issue that we should be dealing with other than our military forces, based on the conversations I had with people at home. Whether it is talk radio, town hall meetings, or campaign events, the No. 1 issue is Iraq. We in the Senate cannot hide our heads in the sand and pretend it is not important; it is.

I look forward to the management of this legislation by our two fine committee leaders, Senator WARNER and Senator LEVIN. When the process is finished, we will truly have a bill that represents the wishes of the American people—or at least that is the way it should be.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The clerk proceeded to call the roll.

Mr. KENNEDY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## NOMINATION OF F. DENNIS SAYLOR, IV

Mr. KENNEDY. Madam President, I welcome the action of the leadership in taking up the nomination of Dennis Saylor to the United States District Court for the District of Massachusetts. I urge the Senate to confirm him.

Mr. Saylor has received impressive support from a broad spectrum of leaders of the bar. They are confident of his ability, his good judgment, and his fairness. I am confident he will be a distinguished member of the court.

Mr. Saylor has past experience in the executive branch. I am confident he understands the importance of the independence of the judicial branch.

He is currently a partner at the highly respected law firm of Goodwin Procter in Boston, where he joined as an associate after graduating from Harvard Law School in 1981. He later served as an assistant U.S. attorney in Boston. From 1990 to 1993, he served as the chief of staff of the Assistant Attorney General, Robert Mueller, in the criminal division of the Department of Justice, providing litigation and policy advice, and served as a liaison with Congress and outside organizations.

He returned to Goodwin Procter as a partner in the litigation department and currently specializes in white-collar criminal defense cases and other complex legal issues involving individuals and corporations.

His impressive background, legal expertise, and experience make him well qualified for this position and inspire confidence that he will be a judge in which Massachusetts will take pride.

The Federal district supreme court in Massachusetts is one of the most efficient and effective district courts in the country, and its judges are highly regarded and respected. It dispenses justice fairly and takes seriously its role as part of an independent branch of our government. I am sure Mr. Saylor will contribute to the distinguished work of this court. I urge the Senate to approve his nomination.

Madam 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. LEVIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## EXECUTIVE SESSION

### NOMINATION OF F. DENNIS SAYLOR IV TO BE U.S. DISTRICT JUDGE FOR THE DISTRICT OF MASSACHUSETTS

The PRESIDING OFFICER. Under the previous order, the Senate will now go into executive session and proceed to the nomination of F. Dennis Saylor IV, of Massachusetts, which the clerk will report.

The journal clerk read the nomination of F. Dennis Saylor IV, of Massachusetts, to be U.S. District Judge for the District of Massachusetts.

Mr. HATCH. Mr. President, I am pleased to speak in support of F. Dennis Saylor, nominated to the United States District Court for the District of Massachusetts.

Mr. Saylor is a highly regarded litigator with a history of public service. Upon graduating from Harvard Law School, Mr. Saylor joined the law firm of Goodwin Proctor where he worked for several years before joining the United States Attorney's Office for the District of Massachusetts.

He left his Assistant U.S. Attorney position in 1990 to serve as the Special Counsel and Chief of Staff to the Assistant Attorney General here in Washington, D.C. In 1993, Mr. Saylor rejoined Goodwin Proctor as a partner where he remains to this day.

This highly respected attorney has focused much of his professional career on criminal matters, however—as his record illustrates—he has distinguished himself on the civil side as well.

Mr. Saylor will bring 20 years of legal experience and sharp acumen to the Federal bench. I urge my colleagues to join me in supporting his nomination.

Mr. LEAHY. Mr. President, today, we vote to confirm another district court nominee of President Bush, Frank Dennis Saylor, IV, to the U.S. District Court for the District of Massachusetts. Mr. Saylor is a partner at the firm of Procter Goodwin. He is supported by both of his home-State Senators, who deserve much credit for his confirmation today.

Today's confirmation will make the 77th judge confirmed this Congress and the 177th judicial nominee named by this President to be confirmed by the Senate. We confirmed 100 in the 17 months that Democrats led the Senate. We are now confirming the 77th in the other 24 months that have transpired during this most divisive presidency.

With 77 judicial confirmations this Congress, the Senate has confirmed more Federal judges than were confirmed during the entire 2 years of 1995 and 1996, when Republicans controlled the Senate and President Clinton was in the White House. It also exceeds the two-year total for the last 2 years of the Clinton administration in 1999 and 2000, when Republicans controlled the Senate. So, we have exceeded the totals for the last two Congresses leading up to presidential elections.

With 177 total confirmations for President Bush in 3½ years, the Senate has confirmed more lifetime judicial appointees of this President than were allowed to be confirmed in President Clinton's entire term from 1997 through 2000. We have already surpassed the number of judicial confirmations during President Reagan's entire term from 1981 through 1984, and he is acknowledged to have appointed more Federal judges than any other President in our history.

Democratic support for the confirmation of Mr. Saylor, an active Republican who was championed by Republican Governor Mitt Romney for the bench, is yet another example of our extraordinary cooperation. Mr. Saylor's Republican credentials are not in doubt—he was even on some short lists for Bush Administration Executive Branch positions. We take into account his experience and his career as a litigator who has served as both a Federal prosecutor and a defender of those accused of crimes.

I congratulate Mr. Saylor, his wife, Catherine Adams Fiske, who is an attorney with the Environment and Natural Resources Division of the Department of Justice, and their family on his confirmation today.

While this confirmation is another demonstration of good faith and cooperation by Democratic Senators, we, again, see partisan Republicans seeking confrontation. Last week, the President used his recess appointment powers to place Republicans on what should be bipartisan boards and commissions. A good example is the U.S. Parole Commission. While Isaac Fullwood's nomination is being bottled up by Republicans, the President proceeds to recess appoint Deborah Spagnoli. In addition, the President has yet to follow through on Democratic recommendations to longstanding vacancies on the U.S. Sentencing Commission. This week Republicans on the Judiciary Committee will end the short-lived cooperation on judicial nominations and force votes and hearings on controversial nominees, apparently in response to pressure from the right wing of the Republican Party. Republicans are insisting that the Committee break with tradition and proceed on judicial nominees opposed by home-state Senators.

Thus, while this nomination marks historic progress in Democratic Senators' cooperation with the White House, partisan Republicans refuse to take yes for an answer and insist on ignoring the progress that we have made. We have treated President Bush's judicial nominees far more fairly than Republicans treated President Clinton's. Still, no good deed we do goes unpunished.

Mr. LEVIN. Madam President, 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, Will the Senate advise and consent to the nomination of F. Dennis Saylor IV, of Massachusetts, to be U.S. District Judge for the District of Massachusetts. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. McCONNELL. I announce that the Senator from Kentucky (Mr.

BUNNING), the Senator from Colorado (Mr. CAMPBELL), and the Senator from Alaska (Ms. MURKOWSKI) are necessarily absent.

I further announce that if present and voting the Senator from Kentucky (Mr. BUNNING) would vote ''yea''.

Mr. REID. I announce that the Senator from Montana (Mr. BAUCUS), the Senator from New Jersey (Mr. CORZINE), the Senator from North Carolina (Mr. EDWARDS), the Senator from Florida (Mr. GRAHAM), the Senator from Iowa (Mr. HARKIN), the Senator from Massachusetts (Mr. KERRY), the Senator from New Jersey (Mr. LAUTENBERG), and the Senator from Maryland (Mr. SARBANES) are necessarily absent.

I further announce that if present and voting the Senator from Iowa (Mr. HARKIN) would vote ''yea''.

The PRESIDING OFFICER (Mr. ALEXANDER). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 89, nays 0, as follows:

[Rollcall Vote No. 104 Ex.]

YEAS—89

| | | |
|---|---|---|
| Akaka | Dole | Lugar |
| Alexander | Domenici | McCain |
| Allard | Dorgan | McConnell |
| Allen | Durbin | Mikulski |
| Bayh | Ensign | Miller |
| Bennett | Enzi | Murray |
| Biden | Feingold | Nelson (FL) |
| Bingaman | Feinstein | Nelson (NE) |
| Bond | Fitzgerald | Nickles |
| Boxer | Frist | Pryor |
| Breaux | Graham (SC) | Reed |
| Brownback | Grassley | Reid |
| Burns | Gregg | Roberts |
| Byrd | Hagel | Rockefeller |
| Cantwell | Hatch | Santorum |
| Carper | Hollings | Schumer |
| Chafee | Hutchison | Sessions |
| Chambliss | Inhofe | Shelby |
| Clinton | Inouye | Smith |
| Cochran | Jeffords | Snowe |
| Coleman | Johnson | Specter |
| Collins | Kennedy | Stabenow |
| Conrad | Kohl | Stevens |
| Cornyn | Kyl | Sununu |
| Craig | Landrieu | Talent |
| Crapo | Leahy | Thomas |
| Daschle | Levin | Voinovich |
| Dayton | Lieberman | Warner |
| DeWine | Lincoln | Wyden |
| Dodd | Lott | |

NOT VOTING—11

| | | |
|---|---|---|
| Baucus | Edwards | Lautenberg |
| Bunning | Graham (FL) | Murkowski |
| Campbell | Harkin | Sarbanes |
| Corzine | Kerry | |

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the President shall be immediately notified of the Senate's action.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

• Mr. HARKIN. Mr. President, I regret that I was necessarily absent for the vote on the nomination of Dennis Saylor to the District Court for the District of Massachusetts. Had I been present I would have voted ''yea'' to confirm Mr. Saylor.•

## LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

Mr. MCCONNELL. 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. 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 we proceed as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

## HONORING OUR ARMED FORCES

### LANCE CORPORAL KYLE W. CODNER

Mr. HAGEL. Mr. President, I rise to express my sympathy over the loss of Kyle W. Codner of Shelton, NE, a lance corporal in the U.S. Marine Corps. Corporal Codner was killed on May 26, 2004, in the Anbar province in Iraq while performing security and stability operations. He was 19 years old. CPL Matthew Henderson of Lincoln, NE, a good friend of Codner, was killed in the same explosion.

Corporal Codner grew up on a farm east of Shelton, NE, and graduated from Shelton High School in 2003. He joined the U.S. Marine Corps in June 2003, and was deployed to Iraq in February of this year. He was assigned to 1st Combat Engineer Battalion, 1st Marine Division, 1st Marine Expeditionary Force at Camp Pendleton, CA. Codner was one of thousands of brave American service men and women serving in Iraq.

Corporal Codner is survived by his parents, Dixie and Wain Codner of Shelton; sister, Melissa; and fiancee, Megan Kirkover. Our thoughts and prayers are with them at this difficult time. America is proud of Kyle W. Codner's service and mourns his loss.

For his service, bravery, and sacrifice, I ask my colleagues to join me and all Americans in honoring Lance Corporal Codner.

### HESLEY BOX, JR.

Mrs. LINCOLN. Mr. President, I rise today to pay tribute to a brave Arkansan who gave his life in the defense of his Nation. SSG Hesley Box, Jr., 24, of Nashville, AR, died on May 6, 2004, in Baghdad, Iraq, in support of Operation Iraqi Freedom. Staff Sergeant Box died when a car bomb detonated near his guard post.

Hesley, or ''Tanky'' as his family called him, joined the Guard in 1997. He was just 24 years old when he left for Iraq in March with the 39th Infantry Brigade. Even though he was a young soldier, Hesley was already a veteran of two other deployments in Bosnia and Saudi Arabia.

Our condolences and prayers go out to Hesley's wife, Alexia; his two sons Zacheas and TaDarius; his parents, Hesley, Sr., and Barbie Box, and his brother, Tarcus Kyron Box.

Hesly's wife Alexia recounted the impact he had on peoples' lives and the love he showed for their children. The Nation will long remember the impact this brave Arkansan has had on the safety and security of all Americans. I am honored to pay tribute to his sacrifice.

### TROY MIRANDA

Mrs. LINCOLN. Mr. President, I rise today to pay tribute to one of Arkansas' finest who gave his life in the defense of his nation. SSG Troy ''Leon'' Miranda, 44, of Little Rock died on May 20, 2004, in Baghdad, Iraq, when a grenade was thrown near his patrol.

According to his mother Bobby, Troy graduated from Wickes High School and went on to study business at Henderson State University. He joined the Army National Guard almost 20 years ago and was assigned to the Guard's counterdrug program. For the last 10 years he worked with the Arkansas State Police in the criminal investigation division's office of investigative support.

Leon showed the kind of heroism that makes all Arkansans proud. He lost his life protecting other men in his unit. He has been awarded the Bronze Star and Purple Heart. The Associated Press reported that Troy's brother, Phillip Miranda, also stationed with the 39th in Iraq, would accompany his brother's body home to Arkansas.

Our condolences and prayers go out to Troy's parents, Carlos and Bobby Miranda, and to his siblings.

Troy's sister-in-law said of him that, ''He was the bravest person I knew.'' We honor the spirit of bravery that Troy exhibited while protecting his Nation from her enemies. His sacrifice will not soon be forgotten.

### CORPORAL MATTHEW C. HENDERSON

Mr. HAGEL. Mr. President, I rise to express my sympathy over the loss of Matthew C. Henderson of Lincoln, NE, a corporal in the U.S. Marine Corps. Corporal Henderson was killed on May 26, 2004, in the Anbar province in Iraq while performing security and stability operations. He was 25 years old. LCpl Kyle Codner of Shelton, NE, a good friend of Henderson, was killed in the same explosion.

Corporal Henderson graduated from Palmyra High School and went on to play football at Nebraska Wesleyan for 2 years before joining the Marines. He was assigned to 1st Combat Engineer Battalion, 1st Marine Division, 1st Marine Expeditionary Force at Camp Pendleton, CA. Henderson was one of thousands of brave American service men and women serving in Iraq.

Corporal Henderson is survived by his father, Owen Henderson of Bennet; mother, Becky and sister, Kellie Henderson of Lincoln; and wife, Jaimie of Lincoln. Our thoughts and prayers are with them at this difficult time. America is proud of Matthew C. Henderson's service and mourns his loss.

For his service, bravery, and sacrifice, I ask my colleagues to join me and all Americans in honoring Corporal Henderson.

STAFF SERGEANT JOSEPH GARYANTES

Mr. CARPER. Mr. President, I would like to set aside a few moments today to reflect on the life of Army SSG Joseph Garyantes. Joe epitomized the best of our country's brave men and women who are fighting to free Iraq and to secure a new democracy in the Middle East. He exhibited unwavering courage, dutiful service to his country, and above all else, honor. In the way he lived his life—and how we remember him—Joe reminds each of us how good we can be.

Joe was born in Wilmington, DE, to Geraldine and the late James Garyantes. When he was 5 years old, his family moved to the Rehoboth Beach area. Joe attended Rehoboth Elementary School and Epworth Christian School. At Epworth, Joe was remembered was a man with a dynamic personality and a good sense of humor. He always was loyal to his fellow friends and teammates and won the most valuable player award in 10th grade for basketball. His family later moved to Florida.

When Joe was 18, he seriously considered spending life in the ministry helping people. Ultimately, though, this Delaware native enlisted in the Army and became a soldier at the young age of 20. His mission always remained the same though—helping people. When Joe was stationed in Kosovo before going to Iraq, he asked his family to send care packages. These packages were not for him. They were meant for needy kids in the area. During the holiday season, Joe would bring over single soldiers for Christmas dinners and make them feel as though they were part of the family.

Joe spent the last several years in Germany, where he lived with his wife, Monika, and their two sons, Tevin, 6, and Ryan, 4. He was killed by a sniper in Muqdadiyah, Iraq. Joe was assigned to B Company, 1st Battalion, 63rd Armor Regiment, 1st Infantry Division, Vilseck, Germany.

I rise today to commemorate Joe, to celebrate his life, and to offer his family our support and our deepest sympathy on their tragic loss. Our country is deeply grateful for his noble service to others, his idealism and for the example that he provided to all Americans by the way he led his life.

## KOBY MANDELL ACT OF 2003

Mr. LEAHY. Mr. President, I am pleased to cosponsor the Koby Mandell Act of 2003. This bill is intended to ensure that all terrorists who commit violent acts against American citizens overseas are punished to the full extent of the law. I have already been working to ensure that the Koby Mandell Act is considered by the Senate and, I expect passed into law.

Three years ago, Koby Mandell was beaten to death in a cave near the Jewish settlement of Tekoa on the West Bank in Israel. Koby Mandell was 13 years old. No one was caught or charged with responsibility for this murder. This tragic story is only one among dozens in which U.S. citizens have been harmed by terrorists, and the U.S. Government has been hindered in its ability to hunt down and prosecute the criminals.

The bill would establish within the Department of Justice an office to ensure that all American citizens who are killed or injured by terrorists operating overseas receive equal treatment by the U.S. Government in its efforts to solve the crime and bring the perpetrators to justice. There would be no difference among cases based on the origin of the terrorists or where they carry out their heinous acts. The investigators and prosecutors associated with this new DOJ office could investigate each incident aggressively, whether the victim is a diplomat, a volunteer teacher like Ted Burgon of Oregon, who was killed in Indonesia in 2002, or a child like Koby Mandell.

Specifically, this bill will create the Office of Justice for Victims of Overseas Terrorism. The Office will ensure that rewards are offered for the capture of terrorists involved in attacks that harm American citizens. It will advertise such rewards and publicize the names and photos of suspects. The Office will establish a notification system to keep victims' families updated on the status of investigations and efforts to capture suspects in each case. It will seek to ensure that suspects are not able to obtain visas to travel to the U.S. In addition, the Office will seek to determine if terrorist suspects who are believed to have participated in attacks on American citizens are employed by local or national police forces. If it finds that suspects are so employed, the Office will seek to curtail any American foreign assistance to those forces. Finally, the Office will undertake a comprehensive assessment of indictments and prosecutions by the U.S. Government against suspected terrorists. It will seek to identify any patterns that would determine the reasons for the absence of indictments in certain cases or in certain countries. This assessment will be conveyed to the Attorney General with recommendations for correcting any shortcomings in attempts to pursue, capture, and prosecute suspects.

Just as we must do all we can to prevent terrorist attacks from occurring on our soil, we must take additional steps to protect our citizens from attack overseas. Where they are targeted and harmed, it is the duty of the U.S. Government to pursue each case of murder or injury vigorously until every terrorist knows that he or she will not escape justice. The Koby Mandell Act is a step toward honoring those who have been lost or harmed, and a step toward deterring future attacks. I am honored to join Senator SMITH, Senator WYDEN, and the other sponsors of this measure as a cosponsor.

## LOCAL LAW ENFORCEMENT ACT OF 2003

Mr. SMITH. Mr. President, I 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 adds new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

On Long Island, NY, in November 2000, Michael Ashley was charged with allegedly assaulting his roommate. Ashley believed he was gay.

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. By passing this legislation and changing current law, we can change hearts and minds as well.

## IN SUPPORT OF S. RES. 364

Mr. FEINGOLD. Mr. President, I would like to express my support as a cosponsor for S. Res. 364, a sense-of-the-Senate resolution that addresses growing concern about oil markets. Over the past few months, oil prices have skyrocketed to a high of over $40 per barrel. High gasoline prices are inextricably linked to high crude oil prices, and these high oil and gas prices hurt Americans across the Nation and from all walks of life. Farmers, teachers, and small business owners across the country and in Wisconsin in particular, are getting hit hard by these outrageous costs. This week the people in my home State of Wisconsin are seeing gas prices of over $2.00 a gallon. Making matters worse, a recent refinery breakdown in Minnesota may further reduce the supply of gasoline in the State.

I am proud to cosponsor this resolution because it sends a powerful message to the administration that it needs to directly, and aggressively, confront this oil and gasoline problem now. First, the resolution expresses the sense of the Senate that the administration should directly confront OPEC and challenge OPEC to immediately increase oil production. The eleven countries that make up the Organization of Petroleum Exporting Countries, OPEC, produce 40 percent of the world's crude oil and control three-quarters of proven reserves, including much of the spare production capacity. Ensuring access to and stable prices for imported crude oil for the United States and major allies and trading partners of the United States is vital to United States foreign and economic policy.

The 2004 OPEC production cuts have resulted in outrageous increases in oil prices. OPEC instituted its production cut in February 2004, which reduced production by 2,000,000 barrels per day.

From February to March 2004, crude oil prices rose from $28 to $38 per barrel. In April, OPEC announced its commitment to further cut oil production by 1,000,000 barrels a day, and crude oil prices now exceed $40 per barrel. We cannot allow this foreign oil cartel to wreak havoc on our economy. The administration must use its diplomatic pressure to persuade OPEC to increase production. The actions of this cartel have real consequences for Americans.

Second, the resolution states that the administration should direct the Federal Trade Commission and the Attorney General to exercise vigorous oversight over the oil markets to protect the American people from price gouging. Mega-mergers throughout the oil industry have resulted in consolidation in the market, and we have, in essence, rebuilt the Rockefeller trust through these mergers. The gasoline market in Wisconsin and at least 27 other States are now considered to be ''tight oligopolies'' with 4 companies controlling more than 60 percent of the gasoline supplies. In tightly concentrated markets, numerous studies have found oil company practices are driving independent wholesalers and dealers out of the market.

Investigations have also found large consolidated oil companies control not just the buying choices of local gas stations, but also the selling prices of gasoline distributors. As a result, independent stations must buy their gasoline directly from the oil company, usually at a higher price than the company's own brand-name stations pay. With these higher costs, the independent stations cannot compete. The company bases prices not on the cost of producing gasoline, but on the maximum a neighborhood will pay. The FTC and the Attorney General must keep a watchful eye on these anticompetitive practices and use all the tools available to them to protect consumers from price fixing and other practices that result in escalating gas prices.

Finally, the resolution calls upon the administration to suspend deliveries of the oil to the Strategic Petroleum Reserve and release 1,000,000 million barrels of oil a day for 30 days. History indicates that releasing oil from the SPR provides consumers with relief from high gas prices. Within hours of the first air strike against Iraq in January 1991, the first President Bush authorized a drawdown of the SPR. The day after the plan was approved, crude prices dropped by nearly $10 a barrel. During the fall of 2000, the Clinton administration decided to release oil from the SPR. The day after the oil was released from the SPR, crude prices oil prices fell from $37 a barrel to less than $ 31 a barrel. In addition, releasing the oil will not affect our security interests because the SPR is almost full. It currently holds 659 million barrels, and its capacity of the is 700 million barrels. The resolution only calls for releasing 30 million barrels. American consumers need relief from high gas prices now. I urge my colleagues to support this resolution.

## CONFIRMATION OF DEBBIE HERSMAN

Mr. HOLLINGS. Mr. President, the Senate recently confirmed Debbie Hersman to become a member of the National Transportation Safety Board. She has served the Commerce Committee for 5 years, and all of us will miss her presence. We all wish her the best in her new position and know that she will serve with honor and integrity.

I ask unanimous consent that the following statements that are part of the hearing record on her nomination be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR ERNEST HOLLINGS ON THE NOMINATION OF DEBBIE HERSMAN

Mr. Chairman, I know Senator Hutchison would agree that the most important character a member of the National Transportation Safety Board can have is independent thinking. I don't want someone going to an accident, mind already made up, sharp elbows telling everybody what they are supposed to find, and everything like that.

What I want is someone who can look at all sides of the issue. Someone who can challenge people to make the right decisions. Someone who can manage the non-partisan professionals doing the work. And someone, who at the end of the day, will give a fair and unvarnished response on what happened.

I pick NTSB members like George Bush picks vice presidents. You can search the country, far and wide, but the best of the best in transportation safety, is right here in the room, everyday with us, Debbie Hersman.

She has worked for the committee for almost 5 years. I've had her focus on rail, because of the tremendous needs we have to modernize Amtrak and improve passenger and safety issues.

But she also has taken on oversight of truck and bus safety, pipeline safety, hazardous materials transportation safety. And post 9–11, I've asked her to oversee transportation security issues, insofar as air, rail, ports, and trucking. In other words, she is well-rounded in all aspects of transportation. Her experience belies her youthful appearance.

Prior to joining our staff, Debbie was the staff director for Congressman Bob Wise of West Virginia, who served on key transportation and infrastructure committees. She holds a bachelor's degree from Virginia Tech and a master's degree from George Mason.

We still have much work to do on this committee on transportation issues, and I hate to lose my right arm. She is as hard a worker, as smart as any, as competent a professional as any Senator could ask for. But I know the country is better off, if Debbie is at NTSB, and I proudly endorse her nomination.

Mr. ROCKEFELLER. Mr. President, we hold many nomination hearings in this committee, and we say many things about the nominees, usually in praise of them, but at times questioning them. This nomination is a personal one for many of us, as we have all watched Debbie work tirelessly on behalf of us and our constituents.

Before I discuss all of the reasons that Debbie is absolutely the right person for this position, I want to proudly state she is a West Virginian. Both of her parents were raised in Roane County, WV. In addition, she has many proud relatives in Spencer and Charleston, WV. I know that the people of West Virginia share my pride in all of Debbie's accomplishments.

Before coming to the Senate Commerce Committee, Debbie worked for then Congressman Wise of West Virginia in many capacities, including chief of staff. Governor Wise called me to support her nomination, and we wholeheartedly agreed that there was no better person for the job. Debbie has spent a career for the people of West Virginia, and I know the entire country will benefit from her presence on the National Transportation Safety Board.

Each of us has had to call on the National Transportation Safety Board, or watched on CNN, the work that they do in sifting through a disaster site and in dealing with family members following an aviation tragedy. We rely on their independence to provide Congress and the transportation regulatory agencies recommendations to improve safety. It is a critical role that they play, and one divorced from politics and partisanship. The National Transportation Safety Board deals with situations where tragedies affect many people and that makes it all the more important that we select someone with both the technical knowledge to contribute to the board's work and the human compassion needed in the context of these tragedies. Debbie melds these two important requirements in a particularly special manner.

Each Board member is an independent source of knowledge and information. While the Board votes on matters, and we hope that all agree on the safety recommendations, each is charged with independently making a decision based on the facts and analysis of its expert staff. A small agency, with some 429 employees, its expertise and knowledge is recognized around the world.

Debbie, who has worked on this committee for 5 years, has worked with all of us on transportation safety and regulatory issues, using her expertise and talents to push for improvements. Her primary focus has been surface transportation, but I know that she has spent a considerable amount of time on aviation safety issues, and helped with aviation security matters following 9/11. I know she worked on the highway bill while a House staff member, and that knowledge will help her in her new position.

Her talents, wit, charm and expertise will be sorely missed. I wish her the best of luck in her new position, and while none of us hope to see her about a tragedy in our states, we know that whatever the situation, the NTSB will be in good hands with Debbie there.

Mr. BREAUX. Mr. President, today we are honored by the nomination of

Debbie Hersman to serve as a member of the National Transportation Safety Board. Along with Senator HOLLINGS, I have spent a great deal of time over the last 5 years working with Debbie. She has always provided me with excellent counsel and I can count on her to know the facts and understand the points of view of all sides.

Debbie's experience in all modes of transportation qualifies her well for this position. In 1999 she spent countless hours drafting legislation that ultimately resulted in the creation of the Federal Motor Carrier Safety Administration at the Department of Transportation, with the primary purposes of reducing large truck fatalities on our nation's highways. In 2001 Debbie and I worked through many legislative issues on the floor along with Senator MCCAIN and his staff to pass a pipeline safety bill. The pipeline safety legislation was prompted by several fatal accidents that were also investigated by the NTSB. We rely on the Board to provide us with independent and honest answers about accidents and what needs to be done to prevent them in the future. I know that we can count on Debbie to understand the import of the Board's work and the interplay between the Board's recommendations and the legislative and regulatory processes.

While it is hard for us to let one of our own go, I have every confidence that she possesses the professionalism, credibility, and with the necessary insight to do the job well. Debbie always sees the big picture yet she pays attention to the details. Her tenacity and ability to hold people's feet to the fire will serve her well in her new position as she sifts through the facts at accident scenes and works through staff recommendations.

It has been a pleasure to work with Debbie on a multitude of transportation issues. I have always been impressed with her diligence and professional demeanor. While I will miss her, on both a professional and personal level, I know that Debbie will serve on the NTSB with distinction. It is my hope that we can move her nomination and get her over to the NTSB quickly.

## U.S. INVESTMENT IN INTERNATIONAL ENERGY EFFICIENCY

Mr. JEFFORDS. Mr. President, I address the Senate on the matter of the need for continued U.S. investment in energy efficiency projects in other countries, as well as our own. I recently submitted my view on this matter to a publication of the Alliance to Save Energy, but I feel now, particularly in these times of high gasoline prices, that I should make a few remarks to the full Senate on this issue.

Fluctuating energy prices and instability in the Middle East once again are prompting calls for energy independence for the United States. In our efforts to meet that goal, we cannot forget that the energy use of other countries directly effects both the supply and price of our energy resources here at home.

Federal efforts to ensure freedom from fluctuations in energy prices have been advocated by every President, both Republican and Democrat, since 1973 and the infamous oil boycott. As Americans we count on energy to protect our security, to fuel our cars, to provide heat, air conditioning and light for our homes, to manufacture goods, and to transport supplies. In all of these needs, we, as consumers, pay the price for fluctuations in the global energy market.

Our efforts to guarantee adequate energy supplies in the U.S. should prompt us to again take a hard look at energy efficiency not only here, but abroad. We are reminded that the international energy efficiency programs and projects run by our Federal Government protect and enhance the economies and standard of living of developing nations around the world. Given that we have a single integrated global petroleum market these efficiency programs directly benefit American consumers: by lessening demand for oil abroad, we are helping to loosen supply and hold down price pressures domestically. Quite simply, lowered oil demand in Madras helps truckers in Montpelier. Lowered oil use in Sao Paolo helps drivers in Santa Fe.

A visitor to the capital of almost any developing country, be it Bangkok, Cairo, Manila, or Mexico City, will have a common experience. These places have already seen extraordinary increases in energy use. People who last saw these places 10 or 15 years ago are struck by the massive increase in air pollution from automobiles, trucks, and factories. As development takes hold and growth accelerates, energy use increases dramatically. But in many cases developing countries do not use energy efficiently. They often require two to four times more energy than industrial countries to produce the same output. This fuel consumption speeds up the accumulation of carbon dioxide in the atmosphere, contributing to global warming. In addition, fuel combustion is often dirty and incomplete, generating local pollution.

U.S. Government-funded efforts energy-efficient programs that provide equipment and improved energy management practices can greatly reduce energy consumption. Over the last 10 to 15 years, the U.S. Agency for International Development, U.S. AID, launched a number of energy conservation projects aimed at energy use. These projects helped create an interest in energy efficiency, trained local engineers in energy management, and sponsored energy audits and demonstration investments. The projects were technically successful and had good economic rates of return, and the Alliance to Save Energy has been involved in several of these projects. In most cases, fuel savings paid for the cost of investments in a year to two. By reducing energy consumption, the measures also reduced pollution.

One of the most successful examples of a national energy conservation program has been Brazil's National Electricity Conservation Program PROCEL. With support from U.S. AID, PROCEL has developed demonstration and education programs to foster energy efficiency savings and reduce the need for new construction of costly power plants. The country has developed energy efficiency standards, regulatory measures, and joint-venture projects that have become a model for the rest of Latin America. PROCEL's energy efficiency measures have resulted in direct savings of over 1200 gigawatt-hours per year.

The need for programs such as these are overwhelming. According to the Energy Information Administration's most recent International Energy Outlook world energy consumption will rise by 54 percent from 2001 to 2025, driven by rising demand for power in China, India and other parts of the developing world.

The report, issued on April 15, 2004, says oil will remain the dominant energy source worldwide through 2025, in Asian markets as well as in the United States. Combined, Asian and U.S. consumers will account for nearly 60 percent of the increase in world oil demand, which is projected to rise from 77 million barrels per day in 2001 to 121 million barrels per day in 2025. To meet that rising demand, the world's producers would have to increase daily production by more than 44 million barrels.

And for electric power generation, coal dominates energy markets in China, India, and other developing Asian countries. EIA projects extensive increases in coal use in China and India. EIA also projects a near doubling of worldwide net electricity consumption by 2025, from 13,290 billion kilowatt hours to 23,072 billion kilowatt hours—again propelled by rising demand for electricity in the developing world.

Unfortunately, despite these successes there is an alarming and decreasing trend in funding for energy efficiency programs at U.S. AID. During the past few years these programs have received a cut in funding—with the fiscal year 2004 request ($8 million) cut to 50 percent of the fiscal year 2001, $16 million funding. And the current proposal will not reverse this trend.

In a century likely to contain many surprises and new challenges, the importance of U.S. energy security can only increase. In achieving energy security we must be mindful of a few things. We must assist developing countries in cultivating a responsible energy policy which supports sound economic and social development for the betterment of their population and the global environment. This mutually beneficial partnership will enhance our energy security while providing sorely needed revenues for health care, education, and infrastructure abroad. We

also must remember that it takes continued federal investment to achieve this worthy goal.

## TRIBUTE TO LIEUTENANT COMMANDER JAMES MATHIEU

Mr. GREGG. Mr. President, I congratulate and honor LCDR James Mathieu of Sanbornville, NH on the occasion of his retirement after 28 years of honorable service to the United States as a member of the United States Coast Guard.

Rising through the ranks from recruit to his current rank, LCDR Mathieu distinguished himself on numerous occasions. From his Honor Graduate status in Recruit Training, through his successful completion of various training and vocational schools, to the achievement of ever increasing rank, LCDR Mathieu has upheld the Coast Guard motto of Semper Peratus, Always Ready.

Jim's afloat assignments included Coast Guard cutters *Hamilton*, *Chase*, *Bibb*, *Unimak*, and *Vigilant*. His operational ashore and staff assignments include the Coast Guard Academy, Group Woods Hole, Group Portland, Coast Guard Headquarters, and Station Miami Beach as Commanding Officer of a 400 man detachment in Miami Beach. Tasked with search and rescue, law enforcement and environmental response, LCDR Mathieu led his team in the Coast Guard's busiest multi-mission station. With an impressive record of rescues and other successful missions, LCDR Mathieu proved that his unit was ready for countless tasks in support of the United States' maritime interests. Jim retires from the Office of Coast Guard Congressional Affairs, serving as Governmental Liaison to the United States Coast Guard.

A proud husband, father and grandfather, LCDR Mathieu is married to the former Lori Anne Dowd, herself a career Coast Guard officer. Together, they have raised a family of one son, James Michael II, and one daughter, Melissa. As a family, they were often faced with the challenges borne by so many who serve our country. They were also rewarded by the satisfaction of knowing they have participated in a noble and just cause.

Throughout his entire career, LCDR James Mathieu has set his standards high and striven to meet them in every endeavor. Through the junior ranks, leadership positions, and as a family man James Mathieu has continually distinguished himself.

Jim exemplifies the words of Daniel Webster who said:

> ''God grants liberty only to those who love it, and are always ready to guard and defend it.''

Because of his efforts, the liberty of this country is made more secure. On behalf of the State of New Hampshire, as he charts a new course in life, I wish him fair winds and following seas.

## CONGRATULATING THE FIRM OF LEO A. DALY

Mr. HAGEL. Mr. President, today I congratulate the international architecture and engineering firm Leo A. Daly for its direction, construction and design of the National World War II Memorial. The completion of the National World War II Memorial, which was dedicated last weekend, would not have been possible without the Leo A. Daly firm. I am particularly proud of this firm since it was founded 89 years ago in my home State of Nebraska.

The National World War II Memorial acknowledges the service and sacrifice of those who served our country during World War II. According to The Commission of Fine Arts, the memorial is ''an eloquent statement worthy of the subject and the site.''

I congratulate and thank the Leo A. Daly employees who have honored the service of our Nation's ''greatest generation'' through the construction of this National World War II Memorial.

## HOOSIER VETERANS VISITING OUR NATION'S CAPITAL

Mr. LUGAR. Mr. President, I rise today to share with my colleagues the names of many of the Hoosiers who made the journey from the State of Indiana to Washington, DC, to take part in the festivities this past weekend surrounding the dedication of the new World War II Memorial and in remembrance of Memorial Day.

My staff and I were pleased to have the opportunity to meet with these honorable veterans and their families and to listen to their vastly different experiences throughout World War II and henceforth. In addition, a few of these veterans were able to participate in interviews that will be submitted to the Library of Congress as part of the Veterans History Project.

Mr. President, I ask unanimous consent that the following names of my constituents who visited my office on Friday, May 28, 2004, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

J. Louis Martinez from Merrillville and his family.

Sam Slevin from Nineveh and his family.

Carl Myers from Marion and his family.

Henry Jones from Indianapolis and his family.

Warren Wilson, now from Clearwater, Florida, and his family along with William Dang, formerly from Indianapolis.

Joseph Dolezal from Michigan City and his family along with Steve Jones from LaPorte.

Carol Hany from Hoagland, Jean Boyer from Fort Wayne, and Lorraine Schubert from Fort Wayne.

Richard Rooker and his family from Warsaw.

John Mohney from Bloomington and his family.

Jim Downard from Michigantown and his wife Mary.

Joe Carey and his wife Sue, and Dick Gratham and his wife, Polly, all from Delphi.

Nelson Gray, his wife, Christine, his daughter, Janet Pflum, and grandson, Marques Pflum, all from Indianapolis.

John Davis from Indianapolis and his wife, Betty. They were joined by family members John, Molly, Kevin, Michael, Dorothy, Donna, Joe and Pam Davis.

Carl Weisheit from Fort Wayne and his wife, Doris, as well as Eric and Cris Brueggman.

Russell Sutton and his family.

The Ridenour Family from Frankfort and the Reed Family from Fort Wayne.

Jim, Patsy and Bill Perry from Winamac.

Dick, Tim and Rick Courtney from Muncie and Newburgh.

Loren, Deb, Jonathon and Chris Meyer from South Bend.

Bill Leburg from Fowler and his family.

Mary Jungemann and her family from Indianapolis.

## CONGRATULATING THE WINNERS OF THE NEW HAMPSHIRE EXCELLENCE IN EDUCATION AWARDS

Mr. SUNUNU. Mr. President, I rise today to congratulate this year's winners of the New Hampshire Excellence in Education Awards. The ''ED''ies are awarded to those individuals, schools and educational programs that have made significant contributions to public education and have met the highest standards of excellence. Educators and schools who are selected have demonstrated a high standard in areas such as curriculum and instruction, teaching and learning process, student achievement, leadership and decision-making, community and parental involvement, and school climate. On June 5, 2004, the leadership and achievement of these 33 individuals and 12 schools in New Hampshire will receive acknowledgment. I add my voice on behalf of the citizens I represent in similarly recognizing our appreciation and respect for these professionals who make countless sacrifices and contributions in our schools.

The ''ED''ies are presented in various categories of excellence, such as math and science teaching, curriculum development, and environmental education. The specific criteria for the ''ED''ies, which is developed by the board of directors for the New Hampshire Excellence in Education Awards, has been applied to elementary, middle, and secondary schools, along with teachers, administrators and other education professionals performing at each of these levels, as well as higher education. The selection committees consist of some of New Hampshire's finest educators and community leaders who have the responsibility of applying these standards and evaluating the nominees. The committees make their selections after careful review of the nominees, school applications and assessments based on on-site visitations.

The teachers recognized here have clearly had a profound impact on their students just as many of my own teachers had on me. The teachers for whom I have the fondest memories created a positive learning environment and necessary direction that were key elements to my growth as a person and as a public servant. They impressed

upon me the importance of one's contribution at the community level and the important role a sound public education plays in our society. Now, as a parent, I can more fully appreciate how delicate the task of educating can be, and understand more now than ever the vital resource our schools and teachers provide to the parents in the towns and cities of New Hampshire.

The educators and community leaders chosen this year to receive ''ED''ies have demonstrated superior dedication to their students, schools and communities. They deserve this prestigious honor for the important roles they play in helping our children reach their goals and succeed in school. The individuals and schools being commended this year have provided students with the tools they need to become productive and engaged citizens, and are our State's most treasured role models—setting positive examples for the children that surround them, teaching personal responsibility and hard work, and shaping the character of young minds. For these achievements, our State and our country owe them a great deal of gratitude.

Since first elected to Congress in 1996, I have made improving education a legislative priority of mine. I am cognizant of the fact that the men and women on the front lines of our classrooms tackle the toughest of challenges and enable students to reach their full potential. We, in New Hampshire, enjoy an outstanding education system that is a true model for the country. This success is due in large measure to the contributions and leadership of the many educators and schools recognized here today.

I ask unanimous consent that a list of the 2004 New Hampshire Excellence in Education Award winners be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

*2004 New Hampshire Elementary School Representatives of Excellence*

Canterbury Elementary School, Canterbury
Gilford Elementary School, Gilford
Elementary School Finalists: Grinnell Elementary School, Derry; James Mastricola Elementary School, Merrimack; Mast Way Elementary School, Lee; Tuftonboro Central School, Tuftonboro

*NH Environmental Educators*

Valerie Ford and Jon Marshall, Bartlett Elementary School, Elementary Level
Esther Cowles, NH Project Learning Tree, Nonformal Division
Scott Semmens, Hopkinton High School, Secondary Level

*NH Charitable Foundation Christa McAuliffe Sabbatical*

Sue S. Pribis, Bow Memorial School

*NH Association of World Languages*

Marie-Claire Wheeler, Con-Val High School, Peterborough

*NH Recepient—Presidential Awards for Excellence in Math and Science Teaching*

John G. Emerson, Conant High School, Jaffrey, Secondary Math

*NH Affiliate of the International Society for Technology in Education*

The Pat Keyes Technology Educator Award: Mark MacLean, Merrimack Valley High School, Penacook
Impact Award: Gerry Ryder, Belmont Elementary School; Susan Janosz, Manchester School District

*Phi Delta Kappa Education Supporter Award*

Alex Ray, Common Man Restaurants

*NH College and University Council*

John Ernest, University of New Hampshire

*NH School Administrator's Association*

Superintendent of the Year: Dr. Kenneth DeBenedictis, SAU #41, Hollis-Brookline
Outstanding Service Award: Allen Damren, SAU #6, Cornish

*NH Association of School Principals*

Marc Boyd, Maple Avenue Elementary School, Goffstown, Elementary Level
Byran Lane, Alvirne High School, Hudson, Secondary Level
Sandra McGonagle, Gilford Elementary School, Assistant Principal

*NH Educational Media Association*

Jeanette Lizotte, Bow High School

*NH Technology Education Association*

Curtis Edwards, Bow Memorial School, Technology Teacher of the Year

*NH Career and Technical Administrators*

Cornelius A. Moylan, Kennett Career and Technical Center, Conway

*NH Association for Supervision and Curriculum Development*

Nick Hardy, Executive Director, NHASCD

*NH Schools of Excellence*

2004 New Hampshire Middle School Representative of Excellence: North Hampton School, North Hampton
Middle School Finalists: Amherst Middle School, Amherst; The Whitefield School

*NH School Boards Association*

Rochester School Board, School Board of the Year

*NH Partners in Education*

Linda Meehan, School Volunteer of the Year, Sandown Elementary School

*NH Art Educators Association*

Melody R. Funk, Holderness Central School, Elementary Level
Scott P. Chatfield, Coe-Brown Northwood Academy, Secondary Level

*NH School Nurses Association*

Joan Paige, Milton Elementary School

*NH Humanities Council*

Flora Sapsin, Londonderry High School

*NH Association of Teachers of English*

Elizabeth Juster, Londonderry High School

*NH Music Educators Association*

Richard J. Maynard, West High School, Manchester

*NH School Counselors Association*

Naomi Drury, Conant High School, Jaffrey

*NH Association for Gifted and Talented Education*

Elise Racicot, SAU #40, Milford

*NH Business Education Association*

Lynn Davis, Hugh Gallen Vocational Center, Littleton

*NH Association of School Psychologists*

Michel Cronin, North Country Educational Services, Gorham

*NH Department of Safety D.A.R.E. Program*

Mark Nash, Holderness Central School

*NH Schools of Excellence*

2004 New Hampshire Secondary School Representative of Excellence: Belmont High School, Belmont
Secondary School Finalist: Dover High School, Dover

*NH Teacher of the Year*

Ida Dziura, South Elementary School, Londonderry

## DRUG IMPAIRED DRIVING RESEARCH AND PREVENTION ACT

Mrs. FEINSTEIN. Mr. President, I rise to co-sponsor, along with my colleague Senator GRASSLEY, the Drug Impaired Driving Research and Prevention Act. This legislation will help us combat an often overlooked killer on our Nation's roads—drugged driving.

Drivers who are drugged are not as easy to catch as drivers who are drunk. We have not yet developed technology to quickly identify drivers who operate vehicles under the influence of drugs. States do not have consistent laws to punish drugged driving. And law enforcement does not have adequate training to detect and prosecute drugged drivers.

To help make our roads safer, this legislation takes a tough stance while respecting State's traditional law enforcement powers.

First, the bill directs the U.S. Department of Transportation to draft a model law to suggest to the States. That model law will make it a crime for an individual to drive with ''any detectable amount'' of a controlled substance in his or her system, or when drugs noticeably affect mental or physical abilities. For the worst repeat offenders, the law has tough penalties to show that we mean business—over a year in jail.

Second, the law calls for research into technology to let us detect drugged drivers quickly. Right now, there is nothing like a ''breathalyzer'' test for drugs.

And third, this legislation will have the Department of Transportation develop training programs so that law enforcement departments throughout the Nation can learn how to better detect drugged drivers.

Why do we need this bill? Because drugged drivers are a reckless danger to everyone else on the roads. Consider the following: In 2002, 11 million people drove while under the influence of drugs in the United States. Those numbers translate into tragedy. Illegal drugs are used by about 10 to 22 percent of drivers involved in all motor vehicle crashes.

Despite this documented risk, drugged driving is tricky to catch. We catch drugged drivers less often than we catch drunk drivers. Too few police officers have received training that would help them take drugged drivers off the streets. And in the fifty States, there is simply no consistent method to identify drugs in the bodies of drivers.

Not surprisingly, this legislation has wide support. The federal Office of National Drug Control Policy is backing it. So is the Partnership for a Drug Free America, the International Association of Chiefs of Police, the Community Anti-Drug Coalitions of America,

and other groups. The House of Representatives has already voted to approve the legislation, as part of the Transportation Equity Act.

This legislation will help the states keep drugged drivers off our roads. It will do so by encouraging the States to make the laws against drugged driving uniform, by researching better technology to test for drugs, and by giving law enforcement more training.

I urge my colleagues to join us in this effort.

## ADDITIONAL STATEMENTS

### TRIBUTE TO VERMONT HOUSING FINANCE AGENCY

• Mr. JEFFORDS. Mr. President, today I wish to recognize the Vermont Housing Finance Agency, which on June 3rd will mark its 30-year anniversary of making affordable housing possible for Vermonters throughout the State. The Vermont Housing Finance Agency (VHFA), which is celebrating this significant milestone in my home State, has throughout its history been a consistent leader in financing safe, decent, and affordable housing for low- and moderate-income Vermonters. This is no small feat given the shortage of affordable housing options throughout the State.

The upcoming celebration gives us the opportunity to recognize the hard work and dedication of the leadership and staff of this agency. Executive Director Sarah Carpenter, Board of Commissioners' Chair Lisa Randall, and the 41 staff members and 7 commissioners work tirelessly to promote this agency's worthy goals. Over 24,000 Vermont families have directly benefited from the extraordinary assistance that VHFA has provided since its inception.

VHFA is an agency that each and every Vermonter should be very proud of. I admire the work that VHFA does and frequently look to its staff for guidance regarding affordable housing matters in Vermont. I am delighted to stand before you today in recognition of this great agency, which exceeds the standards of excellence in so many ways. I offer VHFA my deepest congratulations for its 30 years of service to the people of Vermont.•

### TRIBUTE TO WILLIAM GREENBLATT

• Mr. TALENT. Mr. President, it is with honor that I recognize Mr. William Greenblatt of St. Louis, MO, in the celebration of his 50th birthday on May 9, 2004.

Mr. Greenblatt has made significant contributions to the public and the media through his photography services. His photos have appeared in many well-known newspapers, magazines and periodicals from The New York Times to Sports Illustrated to the St. Louis Post-Dispatch.

In his personal photography business, he has assisted many prominent customers and used his talents to earn the role of official photographer for public officials and popular recording artists.

Mr. Greenblatt is affiliated with numerous professional groups and serves on a variety of community boards. He is also the recipient of many awards and commendations in his professional career.

I congratulate Mr. William Greenblatt on reaching the landmark year of 50, and I wish him many future years of happiness and enjoyment in his personal and professional endeavors.•

### THANKING CHIEF WILLIAM MICHAEL ROTH

• Mr. GRAHAM of South Carolina. Mr. President, I wish to recognize the accomplishments of one of my constituents, William Michael Roth, and to commend him for his tenure as Chief of Police for the Town of Lexington, South Carolina Police Department as he leaves after 29 years of service.

Chief Roth has served as a law enforcement professional for over 31 years. Under his leadership, the size of the Lexington Police Department has more than tripled and it has received many awards for its efforts in public and youth safety. Roth exhibits an innovative and hands-on approach to law enforcement that has greatly benefited the police department and the Lexington community through the establishment of new safety services and the creation of outreach programs to individuals of all ages.

Roth was instrumental in the creation of local school-based programming such as School Resource Officers and DARE classes for elementary and middle school students. Roth oversaw the creation of an ''Adopt-a-Cop'' Program within the Lexington Police Department that was recognized as the 2003 Public Safety Program of the Year by the Municipal Association of South Carolina and as a Model Cities Program by the National League of Cities at their annual conference. Roth was directly responsible for the establishment of an investigative division in the Police Department that includes a Child and Elder Abuse Investigator and a full time Victim's Advocate.

Roth has been an asset to the Lexington Police Department and to the State of South Carolina. I invite you to join me in thanking Chief William Michael Roth for his service and dedication to quality law enforcement and the safety of the citizens of Sourth Carolina.•

### TRIBUTE TO DR. BART BARLOGIE

• Mrs. LINCOLN. Mr. President, I rise today with my colleague Senator MARK PRYOR to honor Dr. Bart Barlogie, professor of medicine and pathology at the University of Arkansas for Medical Sciences, UAMS, the Arkansas Cancer Research Center, ACRC, and director of the Myeloma Institute for Research and Therapy, MIRT.

For his lifelong work to find innovative treatments for myeloma cancer, Dr. Barlogie received the International Myeloma Foundation's Second Robert A. Kyle Lifetime Achievement Award on May 8, 2004, in Little Rock, AR.

Throughout his career, Dr. Barlogie has been recognized as one of the most innovative, creative, and knowledgeable minds in the field of myeloma clinical research and treatment. His leadership has made Arkansas home to the foremost center for myeloma research and treatment in the world.

Innovations pioneered under Dr. Barlogie's leadership include the accepted use of bone marrow and peripheral blood stem cell transplants that have resulted in better clinical outcomes for myeloma patients. In fact, the MIRT has performed more than 4,400 bone marrow transplants, far more than anywhere else.

Dr. Barlogie's work will thalidomide as a treatment for myeloma has dramatically changed how patients are treated. His use of anti-angiogenesis as a cancer treatment is now widely accepted and used in not only myeloma but many other forms of cancer.

Over the last 10 years, Dr. Barlogie's work has led to the widespread use and acceptance of magnetic resonance imaging, MRI, and positron emission tomography, PET, scans for myeloma patients. His work is also on the forefront of the movement toward effective molecularly targeted therapies and treatments. These techniques continue to improve the means by which physicians can combat cancer.

Dr. Barlogie is totally devoted to his patients. He is continually driven to find better therapies, prolonged remission rates, a better quality of life, and, ultimately, a cure to one of the most challenging and misunderstood of all cancers.

I am proud to honor Dr. Barlogie today, and I am happy that he, his wife Kathleen, and their three children, Britta, Eva, and Bart, have made their home in Little Rock, AR. They have made significant contributions to our State and community.

I know all Arkansas join me in thanking Dr. Barlogie for making Arkansas the center of his professional and personal life. His achievements have helped make our stellar medical institutions, the University of Arkansas for Medical Sciences, the Arkansas Cancer Research Center, and the Myeloma Institute for Research and Therapy, gain worldwide prominence in the fight against cancer.•

• Mr. PRYOR. Mr. President, I rise today with my colleague, Senator BLANCHE LINCOLN, to honor Dr. Bart Barlogie.

I am pleased to have this opportunity to publicly commend Dr. Barlogie for his unyielding dedication and stalwart leadership in the field of oncology research and treatment. His hard work has led to the development of innovative and comprehensive approaches to treatment of patients with multiple

myeloma, which has translated better therapies, prolonged remission rates for cancer survivors and improved the quality of life for many of his patients. Moreover, his commitment may ultimately lead to a cure for the most challenging and misunderstood of all cancers.

On May 8, 2004, Dr. Barlogie was awarded the International Myeloma Foundation's Second Robert A. Kyle Lifetime Achievement Award. This award, which is being given for only the second time, recognizes the significant and revolutionary work of his professional career. This award follows an already long and distinguished line of accomplishments.

Arkansas was well on its way to becoming the center for myeloma clinical research and treatment when Dr. Barlogie accepted the position of director of hematology/oncology, and director of research at the Arkansas Cancer Research Center, (ACRC), at the University of Arkansas for Medical Sciences, (UAMS, and founding director of the Myeloma and Transplantation Research Center, MTRC, within the ACRC. His research team has developed innovative and comprehensive approaches to the treatment of patients with multiple myeloma. Because of his leadership role in the area of myeloma research and treatment, he was named the first director of a newly established Myeloma Institute for Research and Therapy.

During Dr. Barlogie's 15-year tenure at UAMS, more myeloma patients have been treated in Arkansas than anywhere else in the world. Yet, despite his gains in this area, myeloma continues to affect thousands. This year, approximately 15,000 Americans will be diagnosed with myeloma. Looking to the future, Dr. Barlogie envisions a satellite-based intensive training program which will reach physicians worldwide so that many of these patients treated at the institute will have access to specialized medical care upon returning to their home States or countries.

Of paramount importance to Dr. Barlogie are his wife Kathleen and their three children, Britta, Eva, and Bart. He loves them dearly and credits their support for his success. They have made their home in Little Rock, AR, and have added a number of their own contributions to our community and State.

We thank Dr. Barlogie for making Arkansas the center of his professional and personal life. His past and future achievements have truly helped make the University of Arkansas for Medical Sciences, the Arkansas Cancer Research Center, and the Myeloma Institute for Research and Therapy very respectable among the premier health care institutions in the State. More importantly, through his work, Dr. Barlogie has had concrete and positive impacts on the everyday lives of thousands of his patients. His commitment to this cause is incredible: he is saving lives and providing hope for millions more.●

## TRIBUTE TO ADMINISTRATIVE LAW JUDGE ALLAN RAMSAY, JR.

● Mr. VOINOVICH. Mr. President, I rise today to pay tribute to Allan Ramsay, Jr., assistant regional chief administrative law judge and Cleveland Hearing Office chief administrative law judge, who passed away on may 18, 2004.

I have always been a strong advocate of public service, and a staunch supporter of those who put service before self. Serving the citizens of the great State of Ohio for over 22 years, Judge Ramsay was one of those individuals. His dedication to his profession and to helping others reflected his compassion and devotion to his fellow citizens.

Appointed to the Cleveland Hearing Office of the Social Security Administration as an administrative law judge in 1982, Judge Ramsay worked tirelessly to improve the lives of more than 15,000 people who turned to the Social Security Administration in their times of need. From 1992 to 1997, he served as the chief administrative law judge in the Social Security Hearing Office in Columbus, OH. In 1997, he returned to Cleveland as the chief judge of that office, and in 1999 he became the assistant regional chief administrative law judge, while maintaining his leadership position in the Cleveland Hearing Office.

Throughout his distinguished career, Judge Ramsay touched the lives of countless individuals. His career is a shining example of public service of which the people of Ohio and the rest of the Nation should be proud.

Judge Ramsay held himself to a high standard and his service to our Nation reflects that. Judge Ramsay is survived by his wife, Beatrice, and his two children. In this time of great loss, my condolences go out to the entire Ramsay family. I can only hope that they will find solace in the thoughts and prayers of loved one, friends, and all those whose lives were bettered through his work.

May God bless Judge Allan Ramsay and his entire family.●

## TRIBUTE TO R. PRESTON WOODRUFF, JR.

● Mrs. LINCOLN. Mr. President, I rise today to pay tribute to an Arkansan who has committed over a quarter of a century of his life creating programs that enhance access to higher education for Arkansans.

During his tenure as chairman of the board of directors and then as executive director for the Arkansas Student Loan Authority, ASLA, Mr. R. Preston Woodruff, Jr., has unselfishly shared his knowledge and talents to ensure that students are equipped with the financial resources needed to become future leaders in our State and our Nation.

Programs established under Preston's leadership include: EdLoan—a special loan for Arkansas teachers which offers incredibly low interest rates for those who choose to remain in Arkansas to teach in grades K through 12. Student Outreach Services—a program available to all Arkansas schools which provides materials and seminars to high school counselors and their students in order to promote the benefits of higher education and the means to achieve a higher education. Student Advantage Scholarships—25 scholarships awarded annually by ASLA. This program was formed as a means to create interest in the financial aid process and to provide funds to assist in gaining access to higher education. Honor Roll Student Loan Borrower Benefit Program—a program that offers the lowest student loan interest rates available to Arkansas students.

Preston was also instrumental in establishing the Education Finance Council, EFC, an association of not-for-profit State student loan secondary markets that played an important role in influencing legislation regarding the Federal Family Education Loan Program.

On June 30, 2004, Preston will officially retire from his position as executive director for ASLA. He is a living example of the many outstanding Americans who were born and educated in Arkansas, and I am privileged to recognize his tireless commitment to Arkansas students and outstanding leadership as executive director of the Arkansas Student Loan Authority.●

## HONORING ERIC SIMON, GRADUATING SENIOR OF NEW PRAGUE HIGH SCHOOL, NEW PRAGUE, MN

● Mr. COLEMAN. Mr. President, today I wish to honor a fine young man, Eric Simon, who will be graduating from New Prague High School in Minnesota on Friday, June 4, 2004.

Eric Simon has earned my respect because of the extraordinary courage he has demonstrated in confronting one of life's most difficult challenges. Eric's father has AIDS, and he has lost his mother and sister to AIDS.

During the early 1980s, Eric's father, Douglas Simon, served in the Army National Guard at Fort Benning, GA and during his service he was injured and required emergency medical surgery. During surgery, Douglas Simon required a nine-unit blood transfusion. The blood he received had not been screened as it should have been, and it contained the AIDS virus.

Eric and his brother, Brian, were spared from the ravages of the disease, but they have had to shoulder adult responsibilities since they were children. Since he was a boy, Eric has handled the grocery shopping, worried about paying the bills and cared for his father.

Sometimes Eric has had to listen to some unpleasant and even mean-spirited comments from people who don't understand what his family has been

through. As a young person, Eric has often been challenged to be the bigger man, and to keep from being hurt by unkind remarks. It has not been easy.

Eric has also committed himself to his education. I understand at times that has been frustrating and, like all young men, Eric has sometimes been tempted to study less and hang out more. As the occasion of his graduation attests, however, Eric has risen to the challenge and succeeded.

In closing, I would like to extend my best wishes to Eric Simon on his high school graduation from New Prague High School. His commitment to his education and family are commendable and greatly admired. I am very proud of this young man. I congratulate him on a job well done.

I call upon my colleagues to join me in honoring Eric Simon of New Prague, MN on the occasion of his high school graduation.●

## HONORING DR. FRED CHOLICK

● Mr. JOHNSON. Mr. President, today I publicly congratulate Dr. Fred Cholick on a very successful career as the dean of the College of Agriculture and Biological Sciences at South Dakota State University. He has accepted the position as the new dean of agriculture at Kansas State University.

Over the years, Fred has been extraordinarily committed to South Dakota agriculture and SDSU. He is one of the most effective agriculture spokespersons the State has ever had. He speaks with compassion about the benefits of agriculture to our State's economy.

On a personal level, Fred quickly struck a close working relationship with my staff. He enjoyed working with my office when I secured a seat on the Senate Appropriations Committee and Fred experienced the same learning curve we did as we explored various ways to secure Federal funding for SDSU. Despite some setbacks, Fred always kept a positive outlook on the very precarious appropriations process and was incredibly honored that he had the opportunity to work on projects to benefit SDSU and South Dakota's agricultural community. Fred is a real ambassador for agriculture in the State and has done a very effective job at outreach to get everyone in South Dakota to understand the value of our agriculture economy.

Fred worked hard to ensure SDSU was a reputable university with respect to animal health, dairy, ruminant nutrition, biotech and other areas of research. He should be given particular credit for working with Associate Dean Kevin Kephart to develop the Sun Grant Initiative into something that may soon become a reality. His vision for the role renewable energy can play in agriculture is cutting edge. Fred has always been an effective advocate for all land grant universities, and that is why his colleagues around the country selected him as their spokesperson. So while always loyal to South Dakota, Fred could effectively speak on behalf of all land grant schools across the United States.

He has developed strong relationships with his students as a teacher, as well as the dean of agriculture. He worked hard to ensure the students in the College of Agriculture were getting personal attention and a top-notch education. He cared deeply for those graduating and would help them find employment in their respective fields.

Fred was a real champion of value-added agriculture and worked hard to get farmers in South Dakota to understand how to capture larger profits from adding value to the raw goods produced on their operations.

Losing Fred is a huge loss to South Dakota and SDSU, and I personally know that he struggled with the decision to leave SDSU for Kansas State. But, in the end, I think it is his undying commitment to agriculture that led him to decide that Kansas State was the right move. His kind of leadership and character is exactly what the agricultural community needs to evolve and survive in the future. I wish nothing but the best for him and his family. It is with great honor that I share his impressive accomplishments with my colleagues.●

## TRIBUTE TO JANE HINTON HART

● Mr. MILLER. Mr. President, today I honor a fellow Georgian, Mrs. Jane Hinton Hart. Mrs. Hart is retiring after more than 30 years of service in the U.S. Government. She was raised in Thomson, GA, where she graduated from Thomson High School in 1966, and Stephen F. Austin State University in Nacogdoches, TX, in 1970. She returned to Georgia and taught school in Augusta from January 1970 to June 1973.

Mrs. Hart began her Federal Government career on the staff of former Senator Sam Nunn, where she served the people of Georgia from 1973 to 1991. During her 18 years of service in Senator Nunn's office, Mrs. Hart worked the full spectrum of positions found in a congressional office. She began as a staff assistant and became a senior legislative assistant to the Senator and the liaison between the Senator's office and the military installations in the State of Georgia.

In 1991, Mrs. Hart moved from the Hill to the Office of Legislative Affairs, Headquarters Marine Corps, where she has served four commandants, Generals Mundy, Krulak, Jones, and Hagee. As a legislative specialist, she has been responsible for reviewing and researching numerous legislative issues to determine their impact on the U.S. Marine Corps. She has provided guidance and drafted legislative proposals for inclusion in the Department of Defense omnibus legislative packages. She works closely with the Legislative Affairs Offices of the Department of the Navy and Department of Defense.

In addition to Mrs. Hart's Government service, she has been an active education advocate through various PTAs in Arlington County, VA, a volunteer in the Boy Scouts of America, a Sunday school teacher, and she reads monthly at a homeless shelter. She will complete her masters in reading education this fall and plans to return to the classroom and teach.

I wish Mrs. Hart, her husband, Jim, and their son, John, all the best. I am delighted that she came here from Georgia seeking to serve our Nation, and has done so with distinction for more than 30 years. Georgia is proud of Mrs. Hart's dedication, hard work and patriotism, and I wish for her many more years of continuing success.●

## MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

## EXECUTIVE MESSAGES REFERRED

As in executive session the PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

## MESSAGE FROM THE HOUSE DURING ADJOURNMENT

### ENROLLED BILL SIGNED

Under authority of the order of the Senate of January 7, 2003, the Secretary of the Senate, during the adjournment of the Senate, on May 24, 2004, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bill:

S. 2092. An act to address the participation of Taiwan in the World Health Organization.

The enrolled bill was subsequently signed by the President pro tempore (Mr. STEVENS) on today, June 1, 2004.

## EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–7671. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Spring Viremia of Carp; Payment of Indemnity'' (Doc. No. 02–091–1) received on May 25, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7672. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Karnal

Bunt; Regulated Areas'' (Doc. No. 04–038–1) received on May 25, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7673. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Extension of Tolerance for Emergency Exemptions (Multiple Chemicals)'' (FRL7358–7) received on May 21, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7674. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Imidacloprid; Pesticide Tolerance'' (FRL7348–1) received on May 21, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7675. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Ultramarine Blue; Exemption from the Requirement of a Tolerance'' (FRL7357–6) received on May 21, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7676. A communication from the Assistant Director, Directives and Regulations Branch, Forest Service, transmitting, pursuant to law, the report of a rule entitled ''Sale and Disposal of National Forest System Timber; Timber Sale Contracts, Modification of Contracts'' (RIN0596–AC16) received on May 21, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7677. A communication from the Secretary of Agriculture, transmitting, a draft of proposed legislation to amend the Environmental Quality Incentives Program (EQIP) in order to improve the access of this program to Native American Indian Tribes; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7678. A communication from the Acting Under Secretary of Defense, Comptroller, Department of Defense, transmitting, pursuant to law, the report of a violation of the Antideficiency Act relative to the Civilian Personnel Operations Center Management Agency, Aberdeen Proving Ground, Maryland, case number 04–05; to the Committee on Appropriations.

EC–7679. A communication from the Acting Under Secretary of Defense for Acquisition, Technology, and Logistics, Department of Defense, transmitting, pursuant to law, a report relative to the Future Aircraft Carrier Program; to the Committee on Armed Services.

EC–7680. A communication from the Acting Under Secretary of Defense for Acquisition, Technology, and Logistics, Department of Defense, transmitting, pursuant to law, a report relative to the adequacy of the beryllium industrial base; to the Committee on Armed Services.

EC–7681. A communication from the Acting Assistant Secretary of the Army for Financial Management and Comptroller, Department of the Army, transmitting, pursuant to law, the Army's Annual Financial Statement report for fiscal year 2003; to the Committee on Armed Services.

EC–7682. A communication from the Principal Deputy for Personnel and Readiness, Office of the Under Secretary of Defense, transmitting, pursuant to law, the report of the authorization of the wearing of the insignia of a higher grade; to the Committee on Armed Services.

EC–7683. A communication from the Under Secretary of Defense for Personnel and Readiness, Department of Defense, transmitting, pursuant to law, the report of a retirement; to the Committee on Armed Services.

EC–7684. A communication from the Deputy Chief of Naval Operations, Department of the Navy, Department of Defense, transmitting, pursuant to law, a report relative to the Most Efficient Organization for the Public Works Center Norfolk, VA, Detachments Philadelphia and Mechanicsburg, PA, and Earle, NJ; to the Committee on Armed Services.

EC–7685. A communication from the Acting General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations; 69 FR 21973'' (44 CFR Part 67) received on May 26, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC–7686. A communication from the Acting General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Changes in Flood Elevation Determinations; 69 FR 21969'' (44 CFR Part 65) received on May 26, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC–7687. A communication from the Acting General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Changes in Flood Elevation Determinations'' (69 FR 21966) received on May 26, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC–7688. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Annual Specifications and Management Measures; Inseason Adjustments; Pacific Halibut Fisheries'' (ID042604D) received on May 26, 2004; to the Committee on Commerce, Science, and Transportation.

EC–7689. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled ''Closure of Alaska Plaice in the Bering Sea and Aleutian Islands Management Area (BSAI)'' received on May 26, 2004; to the Committee on Commerce, Science, and Transportation.

EC–7690. A communication from the Deputy Assistant Administrator, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled ''Final Rule to Revise Port Codes in Tables 14a and 14b to 50 CFR Part 679'' (RIN0648–AR07) received on May 26, 2004; to the Committee on Commerce, Science, and Transportation.

EC–7691. A communication from the Regulations Officer, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Minimum Training Requirements for Entry-Level Commercial Motor Vehicle Operators'' (RIN2126–AA09) received on May 25, 2004; to the Committee on Commerce, Science, and Transportation.

EC–7692. A communication from the Regulations Officer, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Minimum Training Requirements for Longer Combination Vehicle (LCV) Operators and LCV Driver-Instructor Requirements'' (RIN2126–AA08) received on May 25, 2004; to the Committee on Commerce, Science, and Transportation.

EC–7693. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Dassault Model Mystere Falcon 900 and Falcon 900 EX Series Airplanes; Doc. No. 2003–NM–51'' (RIN2120–AA64) received on May 25, 2004; to the Committee on Commerce, Science, and Transportation.

EC–7694. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: General Electric Company CF6–80C2 Series Turbofan Engines; Doc. No. 2003–NE–46'' (RIN2120–AA64) received on May 25, 2004; to the Committee on Commerce, Science, and Transportation.

EC–7695. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: McDonnell Douglas Model 717–200 Airplanes; Doc. No. 2002–NM–212'' (RIN2120–AA64) received on May 25, 2004; to the Committee on Commerce, Science, and Transportation.

EC–7696. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Fokker Model F.28 Mark 0070 and 0100 Series Airplanes; Doc. No. 2002–NM–256'' (RIN2120–AA64) received on May 25, 2004; to the Committee on Commerce, Science, and Transportation.

EC–7697. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Airbus Model A300 B4–600 and A300 C4–600 Series Airplanes; Doc. No. 2003–NM–80'' (RIN2120–AA64) received on May 25, 2004; to the Committee on Commerce, Science, and Transportation.

EC–7698. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: General Electric Aircraft Engines CT7 Series Turboprop Engines; Doc. No. 99–NE–48'' (RIN2120–AA64) received on May 25, 2004; to the Committee on Commerce, Science, and Transportation.

EC–7699. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 747–100, 100B, 100BSUD, 200B, 200C, 200F, 300, 747SE, and 747SP Series Airplanes Equipped with Pratt and Whitney JT9D–3, 7, 70, and 7R4G2 Series Engines; Doc. No. 2002–NM–207'' (RIN2120–AA64) received on May 25, 2004; to the Committee on Commerce, Science, and Transportation.

EC–7700. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 747 Series Airplanes; Doc. No. 2003–NM–47'' (RIN2120–AA64) received on May 25, 2004; to the Committee on Commerce, Science, and Transportation.

EC–7701. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: McDonnell Douglas Model DC 9 15, DC 9 13, and DC 9 32 Airplanes'' (RIN2120–AA64) received on May 25, 2004; to the Committee on Commerce, Science, and Transportation.

EC–7702. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Saab Model SAAB SF 340A and 340B Series Airplanes, Doc. No. 2003–NM–25'' (RIN2120–AA64)

received on May 25, 2004; to the Committee on Commerce, Science, and Transportation.

EC–7703. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Bombardier Model Cl 600–2B19; Doc. No. 2003–NM157'' (RIN2120–AA64) received on May 25, 2004; to the Committee on Commerce, Science, and Transportation.

## 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. NELSON of Florida (for himself and Mrs. FEINSTEIN):

S. 2481. A bill to require that notices to consumers of health and financial services include information on the outsourcing of sensitive personal information abroad, to require relevant Federal agencies to prescribe regulations to ensure the privacy and security of sensitive personal information outsourced abroad, to establish requirements for foreign call centers, and for purposes; to the Committee on the Judiciary.

By Mrs. CLINTON (for herself and Mr. SCHUMER):

S. 2482. A bill to amend the Marine Protection, Research, and Sanctuaries Act of 1972 to prohibit the dumping of dredged material in certain bodies of water; to the Committee on Environment and Public Works.

By Mr. SPECTER:

S. 2483. A bill to increase, effective as of December 1, 2004, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans; to the Committee on Veterans' Affairs.

By Mr. SPECTER (by request):

S. 2484. A bill to amend title 38, United States Code, to simplify and improve pay provisions for physicians and dentists, to authorize alternate work schedules and executive pay for nurses; to the Committee on Veterans' Affairs.

By Mr. SPECTER (by request):

S. 2485. A bill to amend title 38, United States Code, to improve and enhance the authorities of the Secretary of Veterans Affairs relating to the management and disposal of real property and facilities, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SPECTER (for himself and Ms. MURKOWSKI) (by request):

S. 2486. A bill to amend title 38, United States Code, to improve and enhance education, housing, employment, medical, and other benefits for veterans and to improve and extend certain authorities relating to the administration or benefits for veterans, and for other purposes; to the Committee on Veterans' 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. ALLEN (for himself and Mr. WARNER):

S. Res. 368. A resolution commending the University of Virginia Cavaliers women's lacrosse team for winning the 2004 NCAA Division I women's lacrosse National Championship; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 44

At the request of Mr. FEINGOLD, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 44, a bill to amend the Internal Revenue Code of 1986 to repeal the percentage depletion allowance for certain hardrock mines, and for other purposes.

S. 875

At the request of Mr. DODD, his name was added as a cosponsor of S. 875, a bill to amend the Internal Revenue Code of 1986 to allow an income tax credit for the provision of homeownership and community development, and for other purposes.

S. 985

At the request of Mr. DODD, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 985, a bill to amend the Federal Law Enforcement Pay Reform Act of 1990 to adjust the percentage differentials payable to Federal law enforcement officers in certain high-cost areas, and for other purposes.

S. 1335

At the request of Mr. GRASSLEY, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 1335, a bill to amend the Internal Revenue Code of 1986 to allow individuals a deduction for qualified long-term care insurance premiums, use of such insurance under cafeteria plans and flexible spending arrangements, and a credit for individuals with long-term care needs.

S. 1358

At the request of Mr. AKAKA, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1358, a bill to amend chapter 23 of title 5, United States Code, to clarify the disclosure of information protected from prohibited personnel practices, require a statement in nondisclosure policies, forms, and agreements that such policies, forms, and agreements conform with certain disclosure protections, provide certain authority for the Special Counsel, and for other purposes.

S. 1368

At the request of Mr. LEVIN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1368, a bill to authorize the President to award a gold medal on behalf of the Congress to Reverend Doctor Martin Luther King, Jr. (posthumously) and his widow Coretta Scott King in recognition of their contributions to the Nation on behalf of the civil rights movement.

S. 1369

At the request of Mr. AKAKA, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 1369, a bill to ensure that prescription drug benefits offered to medicare eligible enrollees in the Federal Employees Health Benefits Program are at least equal to the actuarial value of the prescription drug benefits offered to enrollees under the plan generally.

S. 1380

At the request of Mr. INHOFE, his name was added as a cosponsor of S. 1380, a bill to distribute universal service support equitably throughout rural America, and for other purposes.

S. 1411

At the request of Mr. DODD, his name was withdrawn as a cosponsor of S. 1411, a bill to establish a National Housing Trust Fund in the Treasury of the United States to provide for the development of decent, safe, and affordable housing for low-income families, and for other purposes.

At the request of Mr. BREAUX, his name was added as a cosponsor of S. 1411, supra.

S. 1428

At the request of Mr. MCCONNELL, the names of the Senator from Idaho (Mr. CRAIG) and the Senator from Nebraska (Mr. HAGEL) were added as cosponsors of S. 1428, a bill to prohibit civil liability actions from being brought or continued against food manufacturers, marketers, distributors, advertisers, sellers, and trade associations for damages or injunctive relief for claims of injury resulting from a person's weight gain, obesity, or any health condition related to weight gain or obesity.

S. 1666

At the request of Mr. COCHRAN, the names of the Senator from South Dakota (Mr. JOHNSON), the Senator from Nevada (Mr. REID) and the Senator from Hawaii (Mr. INOUYE) were added as cosponsors of S. 1666, a bill to amend the Public Health Service Act to establish comprehensive State diabetes control and prevention programs, and for other purposes.

S. 1873

At the request of Mr. JEFFORDS, his name was added as a cosponsor of S. 1873, a bill to require employees at a call center who either initiate or receive telephone calls to disclose the physical location of such employees, and for other purposes.

S. 1939

At the request of Mr. LEAHY, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1939, a bill to require the Secretary of Health and Human Services to ensure that the public is provided adequate notice and education on the effects of exposure to mercury through the development of health advisories and by requiring that such appropriate advisories be posted, or made readily available, at all businesses that sell fresh, frozen, and canned fish and seafood where the potential for mercury exposure exists.

S. 2032

At the request of Mrs. BOXER, the name of the Senator from New Jersey (Mr. CORZINE) was added as a cosponsor of S. 2032, a bill to provide assistance and security for women and children in Afghanistan and for other purposes.

S. 2212

At the request of Mr. SANTORUM, his name was added as a cosponsor of S. 2212, a bill to amend title VII of the Tariff Act of 1930 to provide that the provisions relating to countervailing duties apply to nonmarket economy countries.

S. 2324

At the request of Mr. CHAMBLISS, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 2324, a bill to extend the deadline on the use of technology standards for the passports of visa waiver participants.

S. 2351

At the request of Ms. COLLINS, the names of the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of S. 2351, a bill to establish a Federal Interagency Committee on Emergency Medical Services and a Federal Interagency Committee on Emergency Medical Services Advisory Council, and for other purposes.

At the request of Mr. FEINGOLD, the name of the Senator from South Dakota (Mr. DASCHLE) was added as a cosponsor of S. 2351, supra.

S. 2363

At the request of Mr. HATCH, the names of the Senator from Illinois (Mr. DURBIN), the Senator from Nevada (Mr. ENSIGN) and the Senator from South Carolina (Mr. HOLLINGS) were added as cosponsors of S. 2363, a bill to revise and extend the Boys and Girls Clubs of America.

S. 2425

At the request of Mr. BYRD, the names of the Senator from North Dakota (Mr. CONRAD), the Senator from Iowa (Mr. HARKIN), the Senator from Louisiana (Ms. LANDRIEU) and the Senator from West Virginia (Mr. ROCKEFELLER) were added as cosponsors of S. 2425, a bill to amend the Tariff Act of 1930 to allow for improved administration of new shipper administrative reviews.

S. 2434

At the request of Mr. HATCH, the names of the Senator from Illinois (Mr. DURBIN), the Senator from Nevada (Mr. REID) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of S. 2434, a bill to establish the Commission to Study the Potential Creation of a National Museum of the American Latino Community to develop a plan of action for the establishment and maintenance of a National Museum of the American Latino Community in Washington, DC, and for other purposes.

S. 2462

At the request of Mr. WARNER, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 2462, a bill to provide additional assistance to recipients of Federal Pell Grants who are pursuing programs of study in engineering, mathematics, science, or foreign languages.

S. 2480

At the request of Mr. GRASSLEY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2480, a bill to amend title 23, United States Code, to research and prevent drug impaired driving.

S.J. RES. 36

At the request of Mrs. FEINSTEIN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor 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. 8

At the request of Mr. LIEBERMAN, his name was added as a cosponsor of S. Con. Res. 8, a concurrent resolution designating the second week in May each year as ''National Visiting Nurse Association Week.''

S. CON. RES. 81

At the request of Mrs. FEINSTEIN, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. Con. Res. 81, a concurrent resolution expressing the deep concern of Congress regarding the failure of the Islamic Republic of Iran to adhere to its obligations under a safeguards agreement with the International Atomic Energy Agency and the engagement by Iran in activities that appear to be designed to develop nuclear weapons.

S. CON. RES. 90

At the request of Mr. LEVIN, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. Con. Res. 90, a concurrent resolution expressing the Sense of the Congress regarding negotiating, in the United States-Thailand Free Trade Agreement, access to the United States automobile industry.

S. CON. RES. 106

At the request of Mr. SANTORUM, his name was added as a cosponsor of S. Con. Res. 106, a concurrent resolution urging the Government of Ukraine to ensure a democratic, transparent, and fair election process for the presidential election on October 31, 2004.

S. RES. 357

At the request of Mr. SUNUNU, his name was added as a cosponsor of S. Res. 357, a resolution designating the week of August 8 through August 14, 2004, as ''National Health Center Week.''

S. RES. 365

At the request of Mr. BROWNBACK, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. Res. 365, a resolution expressing the sense of the Senate regarding the detention of Tibetan political prisoners by the Government of the People's Republic of China.

AMENDMENT NO. 3196

At the request of Mr. DURBIN, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of amendment No. 3196 intended to be proposed to S. 2400, an original bill to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. NELSON of Florida (for himself and Mrs. FEINSTEIN):

S. 2481. A bill to require that notices to consumers of health and financial services include information on the outsourcing of sensitive personal information abroad, to require relevant Federal agencies to prescribe regulations to ensure the privacy and security of sensitive personal information outsourced abroad, to establish requirements for foreign call centers, and for purposes; to the Committee on the Judiciary.

Mr. NELSON of Florida. Mr. President, I rise today to express my deep concern about an issue that illustrates the continuing erosion of Americans' privacy rights. My concern is related to the practice of outsourcing. When U.S. companies outsource sensitive customer information for processing overseas, they may be outsourcing our privacy rights along with it.

We all know that recently it has become popular for American companies to send internal paperwork to be done in other countries, by foreign companies.

When a U.S. company allows a foreign company to process customer data, the foreign company may be given access to the most sensitive types of customer information. Our health records, bank account numbers, social security numbers, tax forms, and credit card numbers are now being shipped abroad—without the knowledge of the customer and beyond the reach of U.S. privacy laws.

This phenomenon means that consumers are almost powerless to stop foreign scam artists from misusing their sensitive information. What types of abuses can occur under this scenario?

In one recent shocking example, a U.S. hospital hired a medical transcriber in Pakistan through a subcontractor to work with sensitive patient health information. Later, the foreign worker claimed that she had not been paid for her work.

So, you know what she did? She threatened to post patients' medical records online unless she was paid. Luckily, she got her paycheck and doesn't seem to have posted anything online.

But this situation shows us the potential for gross violations of consumer privacy. The U.S. hospital said that it never even knew that the foreign transcriber had been hired through a subcontractor and it therefore had never bound her contractually to follow any privacy or security standards.

Another potential abuse of offshoring sensitive customer data is identity theft. The illegal theft of someone's identity is a profoundly disturbing and costly problem in this information age.

Moreover, illegal misuse of sensitive information can also have national security implications. For example, data about some of our Nation's power grids allegedly has been outsourced to companies overseas. Imagine the harm that terrorists might do if they got hold of that type of confidential information.

As our global economy expands at such a rapid pace, we simply cannot tolerate the outsourcing of Americans' privacy rights overseas. We need to be proactve on this potentially explosive issue. Make no mistake, the Pakistani transcriber incident is not the first or the last time that sensitive customer information becomes endangered in a foreign country. The time to act is now, instead of reacting only after our privacy rights are further eroded.

In light of these circumstances, today I am introducing a bill—along with Senator FEINSTEIN—that begins to address these privacy and security concerns. The bill is called the INFO Act, which is short for The Increasing Notice of Foreign Outsourcing Act.

The INFO Act is designed to help ensure that sensitive consumer information is protected and that U.S. companies can be held accountable for breakdowns in the security of customer information.

Specifically, the INFO Act that we are introducing today would require the following things: First, U.S. companies in the health care industry and the financial industry must tell their customers that their sensitive health information and financial information is being processed by companies in foreign nations, where privacy safeguards may be less stringent.

Second, U.S. companies in the health care industry and the financial industry must promise their customers that they are complying with U.S. privacy laws, which are designed to keep sensitive customer information secure even when it is outsourced.

Third, U.S. companies in the health care industry and the financial industry must make sure that each foreign company that is handling sensitive customer information has agreed by contract to meet U.S. privacy standards and to keep sensitive customer information secure.

Fourth, U.S. companies may examine the business operations of the foreign company to make sure the foreign company is meeting privacy standards and is keeping sensitive customer information secure.

Fifth, a foreign company must notify the U.S. company of any data security breach. The U.S. company must then notify the U.S. regulatory agency, which can then hold the U.S. company accountable for the actions of the foreign company.

Finally, an employee of a foreign call center must tell a U.S. customer where the employee is located, if the U.S. customer asks for this information.

I strongly believe that we need to act now, before the privacy issues raised by offshoring begin to explode.

Let me emphasize that I see this bill as both pro-consumer and pro-business. Consumers will be informed about how their sensitive information is handled and they can learn when security breaches occur. Additionally, foreign companies that handle customer data will be held accountable to the U.S. company that gives them their work. And U.S. companies will be upfront in informing their customers about offshoring sensitive data before customer backlash occurs.

With this sort of system in place, we hopefully can reduce the chances of customer data being misused, and allow U.S. companies to play on a level playing field where all interested parties know the rules of the game.

I have a history of trying to solve consumer issues in ways that are not needlessly burdensome to U.S. businesses. That is why my office, as well as Senator FEINSTEIN's office, has met several times with industry representatives during the development of this bill.

I was interested to find ways for businesses to protect consumer privacy rights without having to sharply raise prices or limit products and services. I believe that the INFO Act has achieved those goals.

Consumer privacy has always been one of my top priorities. Now, as always, I look forward to working with all interested parties to resolve this consumer privacy issue in a timely and effective manner.

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. 2481

*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 ''Increasing Notice of Foreign Outsourcing Act''.

**SEC. 2. HEALTH PRIVACY.**

(a) FOREIGN-BASED BUSINESS ASSOCIATE.—In this section, the term ''foreign-based business associate'' means a business associate, as defined under the regulations promulgated pursuant to section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d–2 note), whose operation is based outside the United States and that receives protected health information and processes such information outside the United States.

(b) NOTICES.—

(1) IN GENERAL.—The Secretary of Health and Human Services (referred to in this section as the ''Secretary'') shall revise the regulations prescribed pursuant to section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d–2 note) to require a covered entity (as defined under such regulations and referred to in this section as a ''covered entity''), that outsources protected health information (as defined under such regulations and referred to in this section as ''protected health information''), outside the United States to include in such entity's notice of privacy protections the following:

(A) The following information in simple language:

(i) Notification that the covered entity outsources protected health information to foreign-based business associates.

(ii) Any risks and consequences to the privacy and security of protected health information that arise as a result of the processing of such information outside the United States.

(iii) Additional measures the covered entity is taking to protect the protected health information outsourced for processing outside the United States.

(B) A certification that the covered entity has taken reasonable steps to ensure that the handling of protected health information will be done in compliance with applicable laws in all instances where protected health information is processed outside the United States, including the reasons for the certification.

(2) EFFECTIVE DATE.—A covered entity shall be required to include in such entity's notice of privacy protections the information and certification described in paragraph (1) for notices issued on or after the date on which the Secretary prescribes regulations pursuant to this section or the date that is 365 days after the date of enactment of this Act, whichever date is earlier. Nothing in this subsection shall be construed to require a covered entity to reissue notices issued before the date on which the Secretary prescribes regulations pursuant to this section or the date that is 365 days after the date of enactment of this Act, whichever date is earlier, to include in such notices the information and certification described in paragraph (1).

(c) RULEMAKING.—

(1) IN GENERAL.—

(A) REGULATORY AUTHORITY.—The Secretary shall—

(i) prescribe such regulations consistent with paragraph (2) as may be necessary to carry out this section with respect to foreign outsourcing; and

(ii) determine the appropriate penalties to impose upon a covered entity for a violation of a provision of this subsection or subsection (b).

(B) PROCEDURES AND DEADLINES.—The regulations described in subparagraph (A) shall be prescribed in accordance with all applicable legal requirements and shall be issued in final form not later than 365 days after the date of enactment of this Act.

(2) NECESSARY REGULATIONS.—The Secretary shall prescribe regulations—

(A) requiring that a contract between a covered entity and such entity's foreign-based business associate contain a provision that provides such entity with the right to audit such associate, as needed, to monitor performance under the contract; and

(B) requiring that foreign-based business associates and subcontractors of covered entities be contractually bound by Federal privacy standards and security safeguards.

(d) BREACH OF SECURITY.—

(1) BREACH OF SECURITY OF THE SYSTEM.—In this subsection, the term ''breach of security of the system''—

(A) means the compromise of the security, confidentiality, or integrity of computerized data that results in, or there is a reasonable basis to conclude has resulted in, the unauthorized acquisition of and access to protected health information maintained by the covered entity, foreign-based business associate, or subcontractor; and

(B) does not include good faith acquisition of protected health information by an employee or agent of the covered entity, foreign-based business associate, or subcontractor for the purposes of the entity, associate, or subcontractor, if the protected health information is not used or subject to further unauthorized disclosure.

(2) DATABASE SECURITY.—

(A) COVERED ENTITY.—A covered entity—

(i) that owns or licenses electronic data containing protected health information shall, following the discovery of a breach of security of the system containing such data, notify the Secretary of such breach; or

(ii) that receives a notification under subparagraph (B) of a breach, shall notify the Secretary of such breach.

(B) OTHER PARTIES.—

(i) THIRD PARTY.—The Secretary shall require that a contract between a covered entity and such entity's foreign-based business associate contain a provision that if the foreign-based business associate (or any subcontractor of such associate) owns or licenses electronic data containing protected health information that was provided to the associate through the covered entity, the associate (or subcontractor) shall, following the discovery of a breach of security of the system containing such data—

(I) notify the entity from which it received the protected health information of such breach; and

(II) provide a description to the entity from which it received the protected health information of any corrective actions taken to guard against future security breaches.

(ii) NOTIFICATION PROCESS.—Each entity that receives a notification under clause (i) shall notify the entity from which it received the protected health information of such breach until the notification reaches the foreign-based business associate who shall, in turn, notify the covered entity of such breach.

(C) TIMELINESS OF NOTIFICATION.—All notifications required under subparagraphs (A) and (B) shall be made as expediently as possible and without unreasonable delay following—

(i) the discovery of a breach of security of the system; and

(ii) any measures necessary to determine the scope of the breach, prevent further disclosures, and restore the reasonable integrity of the data system.

(3) EFFECTIVE DATE.—This subsection shall take effect on the expiration of the date that is 365 days after the date of enactment of this subsection.

**SEC. 3. FINANCIAL PRIVACY.**

(a) FOREIGN-BASED BUSINESS.—Section 509 of the Gramm-Leach-Bliley Act (15 U.S.C. 6809) is amended by adding at the end the following:

''(12) FOREIGN-BASED BUSINESS.—The term 'foreign-based business' means a non-affiliated third party whose operation is based outside the United States and that receives nonpublic personal information and processes such information outside the United States.''.

(b) FINANCIAL NOTICES.—

(1) IN GENERAL.—Section 503(b) of the Gramm-Leach-Bliley Act (15 U.S.C. 6803(b)) is amended—

(A) in paragraph (3), by striking ''and'' after the semicolon;

(B) in paragraph (4), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(5) if the financial institution outsources nonpublic personal information outside the United States—

''(A) information informing the consumer in simple language—

''(i) that the financial institution outsources nonpublic personal information to foreign-based businesses;

''(ii) of any risks and consequences to the privacy and security of an individual's nonpublic personal information that arise as a result of the processing of such information outside the United States; and

''(iii) of the additional measures the financial institution is taking to protect the nonpublic personal information outsourced for processing outside the United States; and

''(B) a certification that the financial institution has taken reasonable steps to ensure that the handling of nonpublic personal information will be done in compliance with applicable laws in all instances where nonpublic personal information is processed outside the United States, including the reasons for the certification.''.

(2) EFFECTIVE DATE.—A financial institution shall include in such institution's disclosure the information and certification described in the amendment made by paragraph (1)(C) for disclosures provided on or after the date on which the regulatory agency that has jurisdiction over such institution pursuant to section 505 of the Gramm-Leach-Bliley Act (15 U.S.C. 6805) prescribes regulations pursuant to the amendments made by this section or the date that is 365 days after the date of enactment of this Act, whichever date is earlier. Nothing in this subsection, or the amendments made by this subsection, shall be construed to require a financial institution to reissue disclosures provided before the date on which the regulatory agency that has jurisdiction over such institution pursuant to section 505 of the Gramm-Leach-Bliley Act (15 U.S.C. 6805) prescribes regulations pursuant to the amendments made by this section or the date that is 365 days after the date of enactment of this Act, whichever date is earlier, to include in such disclosures the information and certification described in the amendment made by paragraph (1)(C).

(c) RULEMAKING.—Section 504 of the Gramm-Leach-Bliley Act (15 U.S.C. 6804) is amended by adding at the end the following:

''(c) RULEMAKING ON FOREIGN OUTSOURCING.—

''(1) IN GENERAL.—

''(A) REGULATORY AUTHORITY.—The Federal banking agencies, the National Credit Union Administration, the Secretary of the Treasury, the Securities and Exchange Commission, and the Federal Trade Commission (referred to in this subsection as the 'regulatory agencies') shall—

''(i) prescribe such regulations consistent with paragraph (2) as may be necessary to carry out this subtitle with respect to foreign outsourcing, with respect to the financial institutions subject to their jurisdiction under section 505; and

''(ii) determine the appropriate penalties to impose upon financial institutions for a violation of a provision of this subsection.

''(B) COORDINATION, CONSISTENCY, AND COMPARABILITY.—The regulatory agencies shall consult and coordinate with each other for the purposes of assuring, to the extent possible, that the regulations prescribed by each such agency are consistent and comparable with the regulations prescribed by the other such agencies.

''(C) PROCEDURES AND DEADLINES.—The regulations described in subparagraph (A) shall be prescribed in accordance with all applicable legal requirements and shall be issued in final form not later than 365 days after the date of enactment of this subsection.

''(2) NECESSARY REGULATIONS.—The regulatory agencies shall prescribe regulations—

''(A) requiring that a contract between a financial institution and such institution's foreign-based business contain a provision that provides such institution with the right to audit such business, as needed, to monitor performance under the contract; and

''(B) requiring that foreign-based businesses and subcontractors of financial institutions be contractually bound by Federal privacy standards and security safeguards.''.

(d) BREACH OF SECURITY.—Section 502 of the Gramm-Leach-Bliley Act (15 U.S.C. 6802) is amended by adding at the end the following:

''(f) BREACH OF SECURITY.—

''(1) BREACH OF SECURITY OF THE SYSTEM.—In this subsection, the term 'breach of security of the system'—

''(A) means the compromise of the security, confidentiality, or integrity of computerized data that results in, or there is a reasonable basis to conclude has resulted in, the unauthorized acquisition of and access to nonpublic personal information maintained by the financial institution, foreign-based business, or subcontractor; and

''(B) does not include good faith acquisition of nonpublic personal information by an employee or agent of the financial institution, foreign-based business, or subcontractor for the purposes of the institution, business, or subcontractor, if the nonpublic personal information is not used or subject to further unauthorized disclosure.

''(2) DATABASE SECURITY.—

''(A) FINANCIAL INSTITUTION.—A financial institution—

''(i) that owns or licenses electronic data containing nonpublic personal information shall, following the discovery of a breach of security of the system containing such data, notify the entity under which the institution is subject to jurisdiction under section 505 of such breach; or

''(ii) that receives a notification under subparagraph (B) of a breach, shall notify the entity under which the institution is subject to jurisdiction under section 505 of such breach.

''(B) OTHER PARTIES.—

''(i) IN GENERAL.—The Federal banking agencies, the National Credit Union Administration, the Secretary of the Treasury, the Securities and Exchange Commission, and the Federal Trade Commission shall require, with respect to the financial institutions subject to their jurisdiction under section 505, that a contract between a financial institution and such institution's foreign-based business contain a provision that if the foreign-based business (or any subcontractor of such business) owns or licenses electronic data containing nonpublic personal information that was provided to the business through the financial institution, the business (or subcontractor) shall, following the discovery of a breach of security of the system containing such data—

''(I) notify the entity from which it received the nonpublic personal information of such breach; and

''(II) provide a description to the entity from which it received the nonpublic personal information of any corrective actions taken to guard against future security breaches.

''(ii) NOTIFICATION PROCESS.—Each entity that receives a notification under clause (i) shall notify the entity from which it received the nonpublic personal information of such breach until the notification reaches the foreign-based business who shall, in turn, notify the financial institution of such breach.

''(C) TIMELINESS OF NOTIFICATION.—All notifications required under subparagraphs (A) and (B) shall be made as expediently as possible and without unreasonable delay following—

''(i) the discovery of a breach of security of the system; and

''(ii) any measures necessary to determine the scope of the breach, prevent further disclosures, and restore the reasonable integrity of the data system.

''(3) EFFECTIVE DATE.—This subsection shall take effect on the expiration of the date that is 365 days after the date of enactment of this subsection.''.

**SEC. 4. FOREIGN CALL CENTERS.**

(a) FOREIGN CALL CENTER DEFINED.—In this section, the term ''foreign call center'' means a foreign-based service provider or a foreign-based subcontractor of such provider that—

(1) is unaffiliated with the entity that utilizes such provider or subcontractor; and

(2) provides customer-based service and sales or technical assistance and expertise to individuals located in the United States via the telephone, the Internet, or other telecommunications and information technology.

(b) REQUIREMENT.—A contract between a foreign call center and an entity that utilizes such foreign call center to initiate telephone calls to, or receive telephone calls from, individuals shall include a requirement that each employee of the foreign call center disclose the physical location of such employee upon the request of such individual.

(c) CERTIFICATION REQUIREMENT.—An entity described in subsection (b) shall submit an annual certification to the Federal Trade Commission on whether or not the entity and its subsidiaries, and the foreign call center employees and its subsidiaries, have complied with subsection (b). Such annual certifications shall be made available to the public.

(d) NONCOMPLIANCE.—An entity described in subsection (b) or its subsidiaries that violates subsection (b) shall be subject to such civil penalties as the Federal Trade Commission prescribes under subsection (e).

(e) REGULATIONS.—Not later than 365 days after the date of enactment of this Act, the Federal Trade Commission shall prescribe such regulations as are necessary for effective monitoring and compliance with this section. Such regulations shall include appropriate civil penalties for noncompliance with this section.

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By Mrs. CLINTON (for herself and Mr. SCHUMER):

S. 2482. A bill to amend the Marine Protection, Research, and Sanctuaries Act of 1972 to prohibit the dumping of dredged material in certain bodies of water; to the Committee on Environment and Public Works.

Mrs. CLINTON. Mr. President, I rise today to introduce the Long Island Sound Protection Act on behalf of myself and Senator SCHUMER. This legislation, which Congressman BISHOP will be introducing in the House, would ensure that contaminated dredge materials are not dumped in Long Island Sound.

The need for this legislation is that the U.S. Environmental Protection Agency is finalizing the process of designating several sites in Long Island Sound as long term disposal sites under the Marine Protection, Research, and Sanctuaries Act. Once this designation is complete, the sites will be open to receive dredged material indefinitely.

I recognize that there has been and will continue to be a need to dredge harbors and marinas around the Sound to support commerce and navigation. But I am concerned that EPA has not looked hard enough at alternatives to dumping in the sound. While not all dredged materials are contaminated, we know that some are contaminated with heavy metals and other toxins. In my view, we should not use the Sound as a dumping ground for those materials.

We must look more thoroughly for alternatives to dumping contaminated waste in Long Island Sound. We need careful planning that involves a strong role for the State of New York in this process. That is why this legislation is so important—we cannot let short term economics overtake long term environmental concerns.

The Long Island Sound Protection Act would require the Corps of Engineers and the EPA to work with other federal agencies and the states of New York and Connecticut to develop a dredged material management plan (DMMP) that would govern dumping in the sound.

The Long Island Sound Protection Act would require the DMMP to meet a set of objectives, including: Identifying the major sources and quantities of dredge material and contamination that require disposal; determining management actions that are to be taken to reduce sediment and contaminant loading of dredged areas; thoroughly assessing alternative locations, treatment technologies and beneficial uses for dredged material; ensuring that dumping is the disposal option of the last resort after all other options have been exhausted; securing alternative methods of disposal of contaminated dredge materials, including decontamination technologies, and alternative uses of materials, including upland disposal, containment, beach nourishment, marsh restoration, habitat construction, and other beneficial reuses; and confirming the specific roles of Federal, State, and local agencies with respect to various aspects of dredged material management.

The Long Island Sound Protection Act also would stipulate that no dumping can occur in Long Island Sound, except in accordance with a DMMP that has been approved by the Governors of New York and Connecticut.

In addition, the bill would provide for public hearings in both New York and Connecticut during the development of the DMMP.

To me this is a common sense solution to the current dredge disposal problem. It would enable both New York and Connecticut to play a stronger role in determining what we put in the Sound. And it would provide for a much harder look at upland disposal and beneficial reuse as alternatives to dumping in the Sound.

I ask unanimous consent that the text of the measure be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2482

*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 ''Long Island Sound Protection Act''.

**SEC. 2. PROHIBITION ON DUMPING OF DREDGED MATERIAL.**

Section 106 of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1416) is amended by striking subsection (f) and inserting the following:

''(f) PROHIBITION ON DUMPING OF DREDGED MATERIAL.—

''(1) DEFINITIONS.—In this subsection:

''(A) COVERED BODY OF WATER.—The term 'covered body of water' means—

''(i) Long Island Sound;

''(ii) Fisher's Island Sound;

''(iii) Block Island Sound;

''(iv) Peconic Bay; and

''(v) any harbor or tributary of a body of water described in any of clauses (i) through (iv).

''(B) COVERED PROJECT.—The term 'covered project' means—

''(i) any Federal dredging project (or any project conducted for a Federal agency pursuant to Federal authorization);

''(ii) a dredging project carried out by a non-Federal entity that results in the production of more than 25,000 cubic yards of dredged material; and

''(iii) any of 2 or more dredging projects carried out by 1 or more non-Federal entities in a covered body of water, simultaneously or sequentially within a 180-day period, that result, in the aggregate, in the production of more than 25,000 cubic yards of dredged material.

''(C) PLAN.—The term 'plan' means the dredged material management plan required under paragraph (5).

''(2) PROHIBITION.—No dredged material from any covered project shall be dumped, or transported for the purpose of dumping, into any covered body of water unless and until the dredged material is determined by the Administrator—

''(A) to have, or to cause (including through bioaccumulation), concentrations of chemical constituents that are not greater than those concentrations present in the water column, sediments, and biota of areas proximate to, but unaffected by, the proposed disposal site; and

''(B) to meet all requirements under this title (including the trace contaminant provision under section 227.6 of title 40, Code of Federal Regulations (or a successor regulation), and requirements under other regulations promulgated under section 108).

''(3) DESIGNATION OF SITES.—No dredged material shall be dumped, or transported for the purpose of dumping, into any covered body of water except—

''(A) at a site designated by the Administrator in accordance with section 102(c); and

''(B) upon a determination by the Administrator, following approval of the plan required under paragraph (5)(F), that no feasible alternative to ocean disposal, including sediment remediation, beneficial reuse, and land-based alternatives, is available prior to the time of designation.

''(4) RELATIONSHIP TO OTHER LAW.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), this title applies to each covered body of water.

''(B) EXCEPTION.—No waiver under section 103(d) shall be available for the dumping of dredged material in any covered body of water.

''(5) DREDGED MATERIAL MANAGEMENT PLAN.—

''(A) IN GENERAL.—Before designation of any dredged material disposal site in a covered body of water, the Secretary and the Administrator, in consultation with the United States Fish and Wildlife Service, the National Marine Fisheries Service, the United States Coast Guard, and the States of Connecticut and New York, shall—

''(i) develop a dredged material management plan for the management of all dredged sediment in the covered bodies of water; and

''(ii) submit the plan to Congress and the Governors of the States of Connecticut and New York.

''(B) OBJECTIVES.—The objectives of the plan shall be—

''(i) to identify sources, quantities, and the extent of contamination of dredged material that requires disposal;

''(ii) to determine management actions that are to be taken to reduce sediment and contaminant loading of dredged areas;

''(iii) to thoroughly assess alternative locations, treatment technologies, and beneficial uses for dredged material;

''(iv) to ensure that dumping is the disposal option of last resort for dredged material and is used only after all other options have been exhausted;

''(v) to secure—

''(I) alternative methods of disposal of dredged materials, including decontamination technologies; and

''(II) alternative uses of materials, including upland disposal, containment, beach nourishment, marsh restoration, habitat construction, and other beneficial reuses; and

''(vi) to confirm the specific roles of Federal, State, and local agencies with respect to various aspects of dredged material management.

''(C) REQUIREMENTS.—The plan shall include environmental, economic, and other analysis required to meet the objectives listed in subparagraph (B), including—

''(i) an analysis of strategies to reduce sediment loading of harbors and navigation areas;

''(ii) an analysis of sources of sediment contamination, including recommendations for management measures to limit or reduce those contamination sources;

''(iii) an analysis of options for reducing dredging needs through modification of navigation strategies;

''(iv) an analysis of decontamination technologies, including subsequent alternative uses of decontaminated materials (such as upland disposal, containment, beach nourishment, marsh restoration, and habitat construction); and

''(v) a program for use of alternative methods of disposal and use of dredged material, including alternatives to dumping or dispersal in a covered body of water.

''(D) PUBLIC INPUT.—The Secretary and the Administrator shall—

''(i) during the development of the plan, hold in the States of Connecticut and New York a series of public hearings on the plan; and

''(ii) append to the plan a summary of the public comments received.

''(E) SUPPORT.—Each of the Federal agencies referred to in subparagraph (A) shall provide such staff support and other resources as are necessary to carry out this paragraph.

''(F) APPROVAL BY CONNECTICUT AND NEW YORK.—

''(i) IN GENERAL.—Not later than 60 days after the date of receipt of the plan, the Governors of the States of Connecticut and New York shall notify the Secretary and the Administrator of whether the States approve or disapprove the plan.

''(ii) DUMPING OF DREDGED MATERIAL.—No dredged material from a covered project may be dumped, or transported for the purpose of dumping, in any covered body of water unless the dredged material—

''(I) conforms to a plan that has been approved by the Governors of the States of Connecticut and New York; and

''(II) is to be dumped in a dredged material disposal site designated by the Administrator under this title.

''(iii) FINALITY.—No dredged material disposal plan shall become final until the plan has been approved by the States of Connecticut and New York under clause (i).

''(iv) PREVIOUSLY DESIGNATED SITES.—No dredged material disposal site in any covered body of water that was designated before the date of enactment of this clause shall be used for dumping of dredged material from a covered project until the plan has been approved by the States of Connecticut and New York under clause (i).

''(G) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this paragraph $5,000,000 for each of fiscal years 2005 and 2006.''.

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By Mr. SPECTER:

S. 2483. A bill to increase, effective as of December 1, 2004, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans; to the Committee on Veterans' Affairs.

Mr. SPECTER. Mr. President, I have sought recognition to comment on legislation I am introducing today to provide a cost-of-living, COLA, adjustment for certain veterans' benefits programs. This COLA adjustment would affect payments made to nearly 3 million Department of Veterans Affairs, VA, beneficiaries, and would be reflected in beneficiary checks that are received in January 2005, and thereafter.

An annual cost-of-living adjustment in veterans benefits is an important tool which protects veterans' cash-transfer benefits against the corrosive effects of inflation. The principal programs affected by the adjustment would be compensation paid to disabled veterans, and dependency and indemnity compensation, DIC, payments made to the surviving spouses, minor children and other dependants of persons who died in service, or who died after service as a result of service-connected injuries or diseases.

The President's budget anticipates inflation to be at a 1.3-percent level at the close of this year as measured by the consumer price index, CPI, published by the Department of Labor's Bureau of Labor Statistics. If inflation is held to the 1.3-percent level, that will be the level of COLA adjustment under this legislation since it ties the increase directly to the CPI increase as measured by the Department of Labor. Whatever the CPI increase eventually turns out to be, however, veterans' and survivors' benefits payments must be protected by being increased by a like amount. The Senate has already concurred with that judgment with passage of a budget resolution which assumes an increase equal to the CPI, and which sets aside the funds necessary to finance the COLA increase envisioned by this legislation.

I ask my colleagues to support this vital legislation.

I ask unanimous consent that this bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2483

*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 ''Veterans' Compensation Cost-of-Living Adjustment Act of 2004''.

**SEC. 2. INCREASE IN RATES OF DISABILITY COMPENSATION AND DEPENDENCY AND INDEMNITY COMPENSATION.**

(a) RATE ADJUSTMENT.—The Secretary of Veterans Affairs shall, effective on December 1, 2004, increase the dollar amounts in effect for the payment of disability compensation and dependency and indemnity compensation by the Secretary, as specified in subsection (b).

(b) AMOUNTS TO BE INCREASED.—The dollar amounts to be increased pursuant to subsection (a) are the following:

(1) COMPENSATION.—Each of the dollar amounts in effect under section 1114 of title 38, United States Code.

(2) ADDITIONAL COMPENSATION FOR DEPENDENTS.—Each of the dollar amounts in effect under sections 1115(1) of such title.

(3) CLOTHING ALLOWANCE.—The dollar amount in effect under section 1162 of such title.

(4) NEW DIC RATES.—The dollar amounts in effect under paragraphs (1) and (2) of section 1311(a) of such title.

(5) OLD DIC RATES.—Each of the dollar amounts in effect under section 1311(a)(3) of such title.

(6) ADDITIONAL DIC FOR SURVIVING SPOUSES WITH MINOR CHILDREN.—The dollar amount in effect under section 1311(b) of such title.

(7) ADDITIONAL DIC FOR DISABILITY.—The dollar amounts in effect under sections 1311(c) and 1311(d) of such title.

(8) DIC FOR DEPENDENT CHILDREN.—The dollar amounts in effect under sections 1313(a) and 1314 of such title.

(c) DETERMINATION OF INCREASE.—(1) The increase under subsection (a) shall be made in the dollar amounts specified in subsection (b) as in effect on November 30, 2004.

(2) Except as provided in paragraph (3), each such amount shall be increased by the same percentage as the percentage by which benefit amounts payable under title II of the Social Security Act (42 U.S.C. 401 et seq.) are increased effective December 1, 2004, as a result of a determination under section 215(i) of such Act (42 U.S.C. 415(i)).

(3) Each dollar amount increased pursuant to paragraph (2) shall, if not a whole dollar amount, be rounded down to the next lower whole dollar amount.

(d) SPECIAL RULE.—The Secretary may adjust administratively, consistent with the increases made under subsection (a), the rates of disability compensation payable to persons within the purview of section 10 of Public Law 85–857 (72 Stat. 1263) who are not in receipt of compensation payable pursuant to chapter 11 of title 38, United States Code.

**SEC. 3. PUBLICATION OF ADJUSTED RATES.**

At the same time as the matters specified in section 215(i)(2)(D) of the Social Security Act (42 U.S.C. 415(i)(2)(D)) are required to be published by reason of a determination made

under section 215(i) of such Act during fiscal year 2005, the Secretary of Veterans Affairs shall publish in the Federal Register the amounts specified in subsection (b) of section 2, as increased pursuant to that section.

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By Mr. SPECTER (by request):

S. 2484. A bill to amend title 38, United States Code, to simplify and improve pay provisions for physicians and dentists, to authorize alternate work schedules and executive pay for nurses; to the Committee on Veterans' Affairs.

Mr. SPECTER. Mr. President, as Chairman of the Committee on Veterans' Affairs, I have today introduced, at the request of the Secretary of Veterans Affairs, S. 2484, a proposed bill to simplify and improve pay provisions for physicians and dentists, and to authorize alternate work schedules and executive pay for nurses. The Secretary of Veterans Affairs submitted this proposed legislation to the President of the Senate by letter dated July 18, 2003.

My introduction of this measure is in keeping with the policy which I have adopted of generally introducing—so that there will be specific bills to which my colleagues and others may direct their attention and comments—all administration-proposed draft legislation referred to the Committee on Veterans' Affairs. In this case, I delayed introduction of this measure so that certain provisions of the proposed legislation, which proposes extensive changes in the physician pay policies of the Department of Veterans Affairs (VA), might be reviewed by the Committee's staff, and by potentially-interested parties, prior to its introduction. I am pleased to state that many constructive ideas have been expressed, and the Committee's staff, working with the VA, the National Association of VA Physicians and Dentists, the American Federation of Government Employees, the National Federation of Federal Employees, and other representatives of VA's labor force, have identified prospective modifications to the proposed bill's text which, all appear to agree, would represent improvements over the language of the legislation forwarded to the Senate in July 2003.

Even so, the bill I introduce today is the bill which the Secretary of Veterans Affairs sent to the Committee in July 2003. I have introduced that bill so that the original ''by request'' legislation might be available to the Senate, and to the public, as part of the public record. As is always my policy with respect to any such ''by request'' legislation, I reserve the right to oppose the provisions of, as well as any amendment to, this legislation. Indeed, as I have indicated, the Committee's staff, with the assistance of VA and other interested parties, is already working on modifications to the bill as proposed by the administration.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD, together with the transmittal letter and a section-by-section analysis which accompanied it.

There being no objection, the material ordered to be printed in the RECORD, as follows:

S. 2484

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''Department of Veterans Affairs Health Care Personnel Enhancement Act of 2003''.

**SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.**

Except as otherwise expressly provided, whenever in this Act an amendment is expressed in terms of an amendment to a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

**SEC. 3. IMPROVEMENT AND SIMPLIFICATION OF PAY PROVISIONS FOR PHYSICIANS AND DENTISTS.**

(a) Chapter 74 is amended—

(1) In section 7404(b)—

(A) by striking ''(1)'' after ''(b)''.

(B) by striking the list of position grades under the caption, **"PHYSICIAN AND DENTIST SCHEDULE"** and inserting in lieu thereof the following:

''Physician grade.

Dentist grade.''

(C) by striking paragraph (2) in its entirety.

(2) In section 7404(c) by striking ''special''.

(3) By striking Subchapter III in its entirety and inserting in lieu thereof the following new sections:

Subchapter III—Pay for Physicians and Dentists

**§ 7431. Pay authority.**

(a) In order to recruit and retain highly qualified physicians and dentists in the Veterans Health Administration, the Secretary shall establish and periodically adjust the rates of pay for physicians and dentists based upon the factors specified in subsection (b). Total pay shall be benchmarked to representative salaries of non-Department physicians, dentists, and health care clinician-executives.

(b) Pay for physicians and dentists employed in the Veterans Health Administration shall have three components:

(1) Base pay.—This shall be a uniform pay band applicable nationwide. The minimum rate shall be the maximum rate for Chief grade in the Veterans Health Administration Physician and Dentist Pay Schedule in effect on the day before the date of enactment of this Act. The maximum rate may not exceed the rate of basic pay authorized by section 5316 of title 5 for Level V of the Executive Schedule. The Secretary shall adjust annually the minimum rate by the same percentage as the adjustment under section 5303 of title 5 in the rates of pay for the General Schedule, and the maximum rate in accordance with section 5318 of title 5. Administration facilities, under regulations prescribed by the Secretary, may set individual base pay anywhere within the pay band.

(2) Market pay.—This shall be a variable pay band based on geographic area, specialty, assignment, personal qualifications, and individual experience, and shall be established and adjusted locally in accordance with regulations prescribed under subsection (c). Administration facilities will set individual market pay in accordance with regulations prescribed by the Secretary. The Under Secretary for Health shall periodically review and recommend to the Secretary adjustments to the market pay band based on published healthcare workforce employment and compensation data. The Secretary may adjust the market pay band periodically based on the recommendations of the Under Secretary and in response to changing health-care labor trends.

(3) Performance pay.—

(A) There shall be a variable pay band linked to the physician's or dentist's achievement of specific corporate goals and individual performance objectives. Physicians and dentists other than those specified in subsection (f)(1) shall not be eligible for this component during the first year of appointment. The amount payable to a physician or dentist for this component may vary based on individual achievement. The performance component paid to any physician or dentist other than those specified in subsection (f)(1) will be in accordance with regulations prescribed by the Secretary and may not exceed $10,000 in a year.

(B) In accordance with regulations prescribed by the Secretary, ten percent of the benchmarked total pay for physicians and dentists specified in subsection (f)(1) shall be linked to the physician's or dentist's achievement of specific corporate goals and individual performance objectives as a performance component. Administration facilities may set the performance pay in accordance with regulations prescribed by the Secretary.

(c) Compensation paid under this subchapter shall be considered pay for all purposes, including but not limited to retirement benefits under chapters 83 and 84 of title 5, United States Code, and other benefits. Notwithstanding the preceding sentence, amounts paid for performance pay under subsection (b)(3)(A) shall not be considered pay for retirement benefits under chapters 83 and 84 of title 5, United States Code.

(d) Any decrease in pay that results from an adjustment to the market or performance component of a physician's or dentist's total compensation does not constitute an adverse action.

(e) In no case may the total amount of compensation paid to a physician or dentist under this title in any one year exceed the amount of annual compensation (excluding expenses) specified in section 102 of title 3, United States Code.

(f)(1) COVERED POSITIONS.—This subsection applies to physicians and dentists in the following positions: Chiefs of Staff or equivalent facility-level and Network-level clinical management positions (including Network Clinical Service Managers), facility and Network or Regional executive positions (including Network Service Line Coordinators and Medical Center/Health Care System Directors), Central Office executive positions, and such other positions under this title as the Secretary may determine in accordance with regulations prescribed in accordance with section 7434(a).

(2) Notwithstanding the special relationships of the Veterans Health Administration with affiliated institutions under section 7302, physicians and dentists serving in covered positions and receiving compensation under this subchapter may not receive any compensation on or after the date specified in regulations issued by the Secretary, through employment or contract with, or negotiate or accept any offer of employment from, any institution or other entity that is affiliated with the VA medical center to which they are assigned, or affiliated with a VA medical center which falls under their official responsibilities. This limitation shall include receiving compensation through or from practice groups or any other entities associated with the affiliated institution(s), or from entities under contract with the affiliated institution(s). Compensation includes anything of monetary value, including but not limited to honoraria, salary, and any fringe benefits such as: tuition waiver, insurance protection, contributions to a retirement fund, payment for books, below-

market interest loans, or employee discounts. Nothing in this section precludes physicians and dentists in covered positions from holding uncompensated appointments as other than officer, director, or trustee with affiliated institutions in furtherance of section 7302.

(3) Subject to any conditions the Secretary may by regulation prescribe, the Secretary may, on a case-by-case basis, suspend or waive the limitation in paragraph (2) to an individual physician or dentist, when necessary and appropriate to carry out the purposes of section 7302, to assist communities or practice groups to meet medical needs which otherwise would not be met, or where the Secretary determines that suspension or waiver would be in the best interest of the United States. The Secretary shall make any suspension or waiver made pursuant to this paragraph in writing.

**§ 7432. Transition to new pay system.**

(a) All current special pay agreements entered into under the provisions of this subchapter in effect on the day before the date of enactment of this Act shall terminate on the date of enactment of this Act. Any physician or dentist in receipt of special pay on that date shall continue to be compensated as if such agreement were still in effect until the date specified in regulations issued by the Secretary implementing this new subchapter.

(b) Physicians and dentists appointed or reassigned on or after the date of enactment of this Act, but before implementation of this subchapter shall be compensated in accordance with sections 7404, 7405, 7433, 7434, 7435, and 7436, as applicable, in effect on the day before the date of enactment of this Act. Any such physician or dentist shall continue to be compensated at the applicable rates until such date specified in regulations issued by the Secretary implementing the new pay system. No special pay agreement will be required of any physician or dentist receiving such pay.

(c) During the period from the date of enactment of this Act through the date of implementation of this subchapter, physicians and dentists paid pursuant to this section shall be subject to paragraphs (1), (2), (4), (5), and (6) of subsection (b) of section 7438 in effect on the day before the date of enactment of this Act.

(d) The amount of pay paid under this subchapter for a physician or dentist appointed before the effective date of regulations implementing this subchapter shall be not less than the amount of base pay and special pay such physician or dentist received under this title on the day before such effective date.

(e) Special pay subject to the provisions of section 7438, as in effect before the date of enactment of this section, or subject to subsection (c), paid to Veterans Health Administration physicians and dentists appointed before the effective date of regulations implementing this subchapter and who separate after such effective date, shall be fully creditable for purposes of computing benefits under chapters 83 and 84 of title 5.

**§ 7433. Pay for Under Secretary for Health**

(a) Section 5314 of title 5 establishes the base pay for the Under Secretary for Health at Level III of the Executive Schedule.

(b) In addition to base pay under section 5314 of title 5, the Under Secretary for Health shall be eligible for Market Pay under section 7431(b)(2).

(c) TRANSITION. The current special pay agreement of the Under Secretary for Health entered into under the provisions of this subchapter in effect on the day before the date of enactment of this Act shall terminate on the date of enactment of this Act. The incumbent Under Secretary for Health on the date of enactment of this Act shall continue to receive special pay as if such agreement were still in effect until the date specified in regulations issued by the Secretary implementing this new subchapter. Any Under Secretary for Health appointed on or after the date of enactment of this Act, but before the date specified in regulations issued by the Secretary implementing this new subchapter, shall receive special pay in accordance with sections 7432(d)(2), 7433 and 7437(a) in effect on the day before the date of enactment of this Act.

**§ 7434. Administrative provisions.**

(a) After receiving the recommendations of the Under Secretary for Health, the Secretary, pursuant to the authority in section 7421(a), shall prescribe regulations implementing the physician and dentist pay system established in this new subchapter. Such regulations shall include the method for computing the pay for all physicians and dentists in the Veterans Health Administration under this title.

(b) Eighteen months after the Secretary issues regulations implementing this subchapter and annually thereafter for the next ten years, the Secretary shall provide to the Committees on Veterans' Affairs of the Senate and House of Representatives a report on the implementation of the authorities under this subchapter. Each report shall include:

(1) a description of the rates of pay in effect during the preceding fiscal year with a comparison to the rates in effect during the previous fiscal year by facility and by specialty;

(2) the number of physicians and dentists who left employment with the Veterans Health Administration during the preceding year;

(3) the number of unfilled physician and dentist positions in each specialty in the Veterans Health Administration, the average and maximum lengths of time that such positions have been unfilled, and a summary of the reasons that such positions remain unfilled; and

(4) an assessment of the impact of implementation of this subchapter on efforts to recruit and retain physicians and dentists in the Veterans Health Administration.

In addition, the first two reports following implementation of this subchapter shall also include a comparison of staffing levels, contract expenditures, and average salary of physicians and dentists by facility and specialty for the preceding and previous fiscal years.

(b) The title and list of sections for Subchapter III in the table of sections at the beginning of Chapter 74 is amended to read as follows:

Subchapter III—Pay for Physicians and Dentists

§ 7431. Pay authority.
§ 7432. Transition to new pay system.
§ 7433. Pay for Under Secretary for Health
§ 7434. Administrative provisions.

**SEC. 4. ALTERNATE WORK SCHEDULES.**

(a) Chapter 74 is amended by adding a new section 7456a:

**§ 7456a. Alternate work schedules.**

(a) COVERAGE.—This section applies to registered nurses appointed under this chapter.

(b) 36/40 WORK SCHEDULE.—

(1) Subject to paragraph (2), if the Secretary determines it be necessary in order to obtain or retain the services of registered nurses at any Department health-care facility, the Secretary may provide, in the case of nurses employed at such facility, that such nurses who work three regularly scheduled 12-hour tours of duty within a workweek shall be considered for all purposes (except computation of full-time equivalent employees for the purposes of determining compliance with personnel ceilings) to have worked a full 40-hour basic workweek.

(2)(A) Basic and additional pay for a registered nurse who is considered under paragraph (1) to have worked a full 40-hour basic workweek shall be subject to subparagraphs (B) and (C).

(B) The hourly rate of basic pay for such a nurse for service performed as part of a regularly scheduled 36-hour tour of duty within the workweek shall be derived by dividing the nurse's annual rate of basic pay by 1,872.

(C)(i) Such a nurse who performs a period of service in excess of such nurse's regularly scheduled 36-hour tour of duty within a workweek is entitled to overtime pay under section 7453(e) of this title, or other applicable law, for officially ordered or approved service performed in excess of eight hours on a day other than a day on which such nurse's regularly scheduled three 12-hour tours fall, or in excess of 12 hours for any day included in the regularly scheduled 36-hour tour of duty, or in excess of 40 hours during an administrative workweek.

(ii) Except as provided in subparagraph (i), a registered nurse to whom this subsection is applicable is not entitled to additional pay under section 7453 of this title, or other applicable law, for any period included in a regularly scheduled 12-hour tour of duty.

(3) A nurse who works a 36/40 work schedule described in this subsection who is absent on approved sick leave or annual leave during a regularly scheduled 12-hour tour of duty shall be charged for such leave at a rate of ten hours of leave for nine hours of absence.

(c) 7/7 WORK SCHEDULE.—

(1) Subject to paragraph (2), if the Secretary determines it be necessary in order to obtain or retain the services of registered nurses at any Department health-care facility, the Secretary may provide, in the case of nurses employed at such facility, that such nurses who work seven regularly scheduled 10-hour tours of duty, with seven days off duty, within a two-week pay period, shall be considered for all purposes (except computation of full-time equivalent employees for the purposes of determining compliance with personnel ceilings) to have worked a full 80 hours for the pay period.

(2)(A) Basic and additional pay for a registered nurse who is considered under paragraph (1) to have worked a full 80-hour pay period shall be subject to subparagraphs (B) and (C).

(B) The hourly rate of basic pay for such a nurse for service performed as part of a regularly scheduled 70-hour tour of duty within the pay period shall be derived by dividing the nurse's annual rate of basic pay by 1,820.

(C)(i) Such a nurse who performs a period of service in excess of such nurse's regularly scheduled 70-hour tour of duty within a pay period is entitled to overtime pay under section 7453(e) of this title, or other applicable law, for officially ordered or approved service performed in excess of eight hours on a day other than a day on which such nurse's regularly scheduled seven 10-hour tours fall, or in excess of 10 hours for any day included in the regularly scheduled 70-hour tour of duty, or in excess of 80 hours during a pay period.

(ii) Except as provided in subparagraph (i), a registered nurse to whom this subsection is applicable is not entitled to additional pay under section 7453 of this title, or other applicable law, for any period included in a regularly scheduled 10-hour tour of duty.

(3) A nurse who works a 7/7 work schedule described in this subsection who is absent on approved sick leave or annual leave during a

regularly scheduled 12-hour tour of duty shall be charged for such leave at a rate of eight hours of leave for seven hours of absence.

(d) 9-MONTH WORK SCHEDULE.—The Secretary may authorize a registered nurse appointed under section 7405, with the nurse's written consent, to work full-time for nine months with three months off duty, within a fiscal year, and be paid at 75 percent of the full-time rate for such nurse's grade for each pay period of such fiscal year. Such employee shall be considered a .75 full-time equivalent employee in computing full-time equivalent employees for the purposes of determining compliance with personnel ceilings. Service on this schedule shall be considered part-time service for purposes of computing benefits under chapters 83 and 84 of title 5.

(f) The Secretary shall prescribe regulations for the implementation of this section.

(b) The title and list of sections for Subchapter IV in the table of sections at the beginning of Chapter 74 is amended to read as follows:

Subchapter IV—Pay for Nurses and Other Health-Care Personnel

7451. Nurses and Other Health-Care Personnel: competitive pay.
7452. Nurses and other health-care personnel: administration of pay.
7453. Nurses: additional pay.
7454. Physician assistants and other health care professionals: additional pay.
7455. Increases in rates of basic pay.
7456. Nurses: special rules for weekend duty.
7456a. Alternate work schedules.
7457. On-call pay.
7458. Recruitment and retention bonus pay.

**SEC. 5. NURSE EXECUTIVE SPECIAL PAY.**

(a) Section 7452 is amended by adding at the end thereof:

''(g)(1) In order to recruit and retain highly qualified Department nurse executives, the Secretary, in accordance with regulations the Secretary shall prescribe, shall pay special pay to the nurse executive at each Department health-care facility or at Central Office.

(2) Special pay paid under paragraph (1) shall be a minimum of $10,000 and a maximum of $25,000. The amount paid to each nurse executive shall be based on factors such as the grade of the nurse executive position, the scope and complexity of the nurse executive position, the nurse executive's personal qualifications, the characteristics of the health-care facility, e.g., tertiary, single site or multi-site, nature and number of specialty care units, demonstrated recruitment and retention difficulties, and such other factors the Secretary deems appropriate.

(3) Special pay paid under paragraph (1) shall be in addition to any other pay (including basic pay) and allowances to which the nurse executive is entitled, and shall be considered pay for all purposes, including but not limited to retirement benefits under chapters 83 and 84 of title 5, United States Code, and other benefits, but shall not be considered basic pay for purposes of adverse actions under subchapter V.''

**SEC. 6. EFFECTIVE DATE.**

The amendments to title 38, United States Code, contained herein shall take effect on the first day of the first pay period on or after the later of April 1, 2004, or six months after the date of enactment.

**SEC. 7. ADMINISTRATIVE PROVISION.**

(a) Chapter 74 is amended by adding a new section 7427:

**§ 7427. Functions.**

The functions assigned to the Secretary and other officers of the Department of Veterans Affairs under this chapter are vested in their discretion.

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THE SECRETARY OF VETERANS AFFAIRS,
*Washington, DC, July 18, 2003.*

Hon. RICHARD B. CHENEY,
*President of the Senate,*
*Washington, DC.*

DEAR MR. PRESIDENT: There is transmitted herein a draft bill ''To amend title 38, United States Code, to simplify and improve pay provisions for physicians and dentists, to authorize alternate work schedules and executive pay for nurses.'' We request that it be referred to the appropriate committee for prompt consideration and enactment.

The revised physician and dentist pay system and nursing provisions were included in the President's budget. They would be effective on the first day of the first pay period on or after the later of April 1, 2004, or six months after the date of enactment.

ENHANCED PHYSICIAN/DENTIST PAY

This bill will greatly enhance ability of the Department of Veterans Affairs (VA) to recruit and retain the highest quality physicians and dentists to treat the Nation's veterans. It would completely revise the VA physician and dentist pay system to allow VA to adjust physician and dentist compensation levels according to market forces. The system's simplicity and flexibility would ensure that VA physician and dentist compensation levels and practices do not become outdated over time due to statutory limits. This system also would ensure that VA pay levels do not fall drastically behind while awaiting adjustment to the statutory authority. It will be a living system that adjusts to changing forces in the healthcare labor market. Generally, amounts paid under this system will be considered pay for all purposes, including retirement benefits under chapters 83 and 84 of title 5, United States Code, and other benefits. However, amounts paid under the performance pay component will not be considered pay for retirement benefits.

VA STAFFING CHALLENGES

The VA compensation structure for physicians and dentists has not changed since 1991. The current system is extremely complex, comprising seven or eight different special pay components in addition to basic pay. The system offers insufficient flexibility to respond to the changing competitive market for many of the medical specialties, especially for the highest paid medical subspecialties. VA is no longer able to compete for these critical subspecialties. Also, although Congress increased special pay for dentists in 2000, those increases did not bring VA pay up to the levels in private dental practice. The effects of noncompetitive pay and benefits are reflected in dramatic increases in VA's scarce specialty, fee basis, and contractual expenditures.

VA is facing a critical situation. Its compensation system for physicians and dentists is unable to respond to the demands of the current market. Severe shortages of qualified physician specialists currently exist throughout the country in specialties critical to VA's health care mission, such as Anesthesiology, Radiology, Cardiology, Urology, Gastroenterology, Oncology, and Orthopedic Surgery. These shortages have driven compensation levels dramatically upward. In these shortage specialties, VA total compensation lags behind the private or academic sectors by 35 percent or more. Such compensation gaps make recruitment almost impossible and retention becomes more difficult. This legislation will enable VA to compete for physicians in the higher-paid, critical specialties and will protect other physicians' and dentists' pay. Moreover, VA will be able to offer to all physicians and dentists the prospect, now and in the future, of market-sensitive pay rates, with a portion of their compensation based on achievement of specific performance goals.

The problems with the current system are clear: special pay rates are fixed in statute, so over time their values are eroded by inflation, and VA pay eventually falls behind the market. The mechanisms available to VA to adjust physician and dentist pay are not able to respond to fluctuations in market levels of incomes for the different specialties. VA physician and dentist base salary rates increase by the amount of the annual national comparability adjustment that Federal employees generally receive; however, there is no increase in special pay amounts. Compensation for many specialties has risen significantly in the private sector, and VA pay cannot be increased to keep pace. VA is already paying the maximum authorized amounts for scarce specialists; there is no discretion under existing statute to pay more to retain employees.

Additionally, the current system does not adequately recognize disparities in pay among specialties. This results in serious pay compression and makes it difficult for VA to compete for the most highly paid specialists. For example, the difference between the average pay of non-Federal cardiologists vs. primary care practitioners is about 100 percent; in VA, the difference averages about 20 percent.

VA historically had been able to use the Federal benefits package as a major recruitment tool. To offset pay disparities with the private sector, VA publicized its benefits, such as the generous leave policies, opportunities to pursue research and education activities, and formal relationships with academic affiliates. More and more, though, the private sector offers comparable or better benefits. Some benefits widely available in the private sector exceed VA's offerings including paid relocation as a recruiting incentive, cafeteria-style benefit plans, payment for courses to acquire continuing medical education (CME) credits for license and board renewal, disability insurance, and retirement benefits.

Increased enrollment by veterans for Veterans Health Administration, VHA, services and the need for more comprehensive care to aging veteran patients will result in an increase in workload across the system over the next 5 years. Current trends indicate a steady decrease in the number of physicians and dentists VHA will be able to employ over the same period. This decrease will result from increased retirements, losses to the private sector, a shrinking dentist labor supply, and increasing difficulty in recruiting replacements. These factors will combine to create significant gaps between VHA's staffing needs and available resources for most physician specialties.

Without the flexibility to adjust pay in response to market pressures and improve its competitive position in recruiting and retaining physicians, the Department will be unable to meet the demands of its increasing workload. VHA will be forced to rely more heavily on scarce medical specialist contracts and fee basis care, which often cost more than using VHA physicians. It is critical that VHA be able to offer more competitive compensation for physicians and dentists.

PROPOSED NEW VA PHYSICIAN/DENTIST PAY SYSTEM

We propose a three-tiered system of base pay, market pay, and performance-based pay. VA would benchmark the sum of all three bands to the 50th percentile of the Association of American Medical Colleges (AAMC) Associate Professor compensation

(for physicians) and 75 percent of American Dental Association (ADA) net private practice income (for dentists). The base pay component would be increased by the annual comparability adjustments to Federal pay authorized by Executive Order.

First Tier—Base Pay. A uniform base pay band will apply to all positions in VHA, without grade distinctions. The proposed range is Chief grade, step 10 of the VA Physician/Dentist Schedule to Level V of the Executive Schedule, from roughly $110,000 to $125,000. This change will dramatically simplify hiring and employment and facilitate reassignments and position changes. Placement in this band would be based on the individual's qualifications. This band would form the floor below which no individual's pay would ever go.

Second Tier—Market Pay. The second tier, the market pay band, will be determined according to geographic area, specialty, assignment, personal qualifications and individual experience. It would be indexed to the salaries of similarly qualified non-Department physicians, dentists, and health-care executives at the entry, mid-career, and senior levels. The flexibility of this tier allows VA to keep pace with the market, both on upward and downward trends. VA would link the market band for clinicians to AAMC faculty compensation. For executives at the Chief of Staff (COS) level and above, the benchmarks would be hospital and HMO executive compensation levels. For dentists, the benchmark will be American Dental Association (ADA) net private practice income.

Third Tier—Performance Pay. The third band will be linked to performance, and would be paid for discrete achievements in quality, productivity, and support of corporate goals. The measures will be flexible and generally set locally; national objectives could also be mandated. VA facilities may authorize performance pay of up to $10,000 for physicians and dentists below the Chief of Staff (COS) level. For managers at the COS level and above, ten percent of their benchmarked pay would be at risk, and would be payable to the extent that performance goals are met. This will address a concern that has been raised by the General Accounting Office and others of a disconnect between employees' performance and their pay.

The draft bill also would prohibit senior title 38 officials at the Chief of Staff level and above from receiving any compensation, whether from employment or contract, and from accepting any offers of future employment, from medical schools affiliated with their respective VAMCs. This prohibition will reduce the risk of potential conflicts of interest, and will ensure that the Department's interests in agreements with affiliated medical schools are adequately protected. It is highly desirable to have an independent senior clinical official at each facility. VA's implementation of the bill will increase executive compensation to a level that would offset any loss of outside income resulting from this provision. In limited circumstances, the Secretary could suspend or waive this prohibition.

DETAILS OF VA'S IMPLEMENTATION PLAN

Salary benchmarks will be set at the national level and communicated to networks. Local facilities would set pay levels within a range (±10 percent of the benchmark) according to local circumstances. Any decision to set pay outside the 10–percent band will require higher-level approval.

Benchmark salaries will be set for each specialty and location, at entry, mid-career, and senior levels. Increments and graduated benchmarks will be set to reflect varying levels of experience and to provide for reasonable income growth over a period of time.

VA will use ADA net private practice income to set VA dentist salary benchmarks. About 93 percent of all practicing dentists are employed in private practice, so VA's primary competition in the marketplace is private practice income.

Specific amounts of each tier and the total payable for each clinician will be set at the local level. This continues the VA practice of local pay setting based on national policy (used for physician and dentist special pay, nurse locality pay system, and special salary rates):

This proposal will greatly enhance VA's ability to compete for the full range of skilled medical and dental services at the most reasonable cost. VA will be able to offer competitive compensation to full-time, part-time, or occasional staff, or pay on contract, according to the most clinically appropriate and efficient option.

This proposed physician and dentist pay aligns with the President's budget and would be effective on the first day of the first pay period on or after the later of April 1, 2004, or six months after the date of enactment.

EXAMPLES

An example of how this system will work for Internal Medicine:

VA internist with 10 years of experience, 2003: $142,682; AAMC Associate Professor median salary, 2001–2002: $142,000; Benchmark for VA Salary (±10% of AAMC): $127,800–156,200; Targeted Increase: $0–$13,518.

An example of how this system will work for Therapeutic Radiologists:

VA radiologist with 10 years of experience, 2003: $190,682; AAMC Associate Professor median salary, 2001–2002: $248,000; Benchmark for VA Salary (±10% of AAMC): $223,200–272,800; Targeted Increase: $32,518–82,118.

An example of how this system will work for General Dentists:

VA general dentist with 10 years of experience, 2003: $131,682; ADA net private practice income (minus benefits), 2002: $134,928; Benchmark for VA Salary (±10% of ADA): $121,435–148,421; Targeted Increase $0–$16,739.

ESTIMATED COSTS/SAVINGS

VA estimates the first year costs to be $69.42 million, with ten-year costs of $1.59 billion. There are expected savings from productivity and the avoidance of costly specialty contracts resulting from more competitive pay. The net first year costs are $48.47 million, with net ten-years costs of $636.25 million. A detailed explanation is in the attached charts.

ENHANCEMENTS FOR NURSES

Over the next several years the projected increase in the number of aging veterans and increased enrollment in the VA healthcare system by veterans of all ages will increase workload across the VA healthcare system. Between 2000 and 2010, the number of veterans age 75 and above will increase from 4 million to 4.5 million and within that number, those veterans age 85 and older will triple from 422,000 to 1.3 million. Veteran enrollees in the VA healthcare system will increase from approximately 6 million in FY 2002, to approximately 7.75 million in FY 2007. This increasing and aging population of veterans will exhibit higher comorbidity and require more comprehensive care both as inpatients and as outpatients.

At the same time, national nursing leaders and healthcare organizations project a shortage of registered nurses that will be unlike any experienced in the past. Changes in healthcare delivery requiring larger numbers of professional nurses to perform increasingly complex functions in hospitals and the community has heightened the demand for professional nurses. Given the aging of the current registered nurse workforce (average age nationally, 45.2 yrs., in VA, 46 yrs.), and the decreasing number of students who choose nursing as a career, the future availability of professional, registered nurses (RN) will be insufficient to meet our national healthcare needs. Negative perceptions of nursing as a profession (i.e., perceived negative work environment and pay inequities between nurses and a wide range of alternative career options that require less education and have less responsibility) have exacerbated this situation. VA already is experiencing some staffing difficulties. VA's nurse vacancy and turnover rates have greatly increased since 1998. VA must better position itself to attract the nurses to meet current and future healthcare needs.

Nurse shortages, complex healthcare environments and growing administrative demands require highly skilled nurse executives at facility and national levels with the knowledge and experience to develop responsive care delivery models in an ever-changing healthcare environment. VA nursing leadership must be highly qualified and capable of implementing cutting edge, innovative changes. Current VA pay for nurse executives is not comparable to private sector pay and perquisites. As a result, VA often is not in a position to hire and retain nurse executives with exceptional skills. The current pay structure offers little or no incentive for current VA nurse executives and potential nurse leaders to take on progressively more responsible and complex assignments. Moreover, the current VA pay structure is generally not attractive to highly skilled and experienced non-VA nurse executives.

Approximately 55 percent of all VA Nurse Executives are eligible for retirement by 2005; 69 percent will be eligible by 2008. In addition, 35 percent of all current VA registered nurses are eligible to retire by 2005. When coupled with the national shortage, this potential loss of nurses could jeopardize VA's ability to accomplish its healthcare mission.

Thus, we propose legislation enabling VA medical centers (VAMCs) to offer flexible tours, and establishing a nurse executive special pay program.

FLEXIBLE TOURS

The proposed legislation would authorize VA to offer registered nurses the following flexible tours:

(1) three 12–hour tours (36 hours) in a workweek paid as 40 hours;

(2) 7 ten-hour days/7 days off in a pay period, with pay for 80 hours;

(3) 9 months of work with 3 months off, with pay apportioned over a 12-month period.

Inflexibility in work schedules is a major cause of dissatisfaction in nurse employment. A 2000 survey conducted by the American Organization of Nurse Executives (AONE), found that after salary, the top benefit sought by nurses was ''flexible scheduling and control over shifts.'' Providing different options for scheduling would be a way of bringing more nurses into the workplace and retaining their services.

VAMCs across the country must compete in local employment markets that offer a variety of flexible working schedules and pay practices to professional nurses. Such options are popular among nurses because it allows them to accommodate individual lifestyles and personal obligations. The proposed changes would allow VAMCs to implement flexible pay and work-schedule options common in many job markets. The ability to offer options comparable to those offered by their competitors would enhance VAMCs'

ability to remain competitive employers. These flexible nurse tour proposals align with the President's budget and would be effective on the first day of the first pay period on or after the later of April 1, 2004, or six months after the date of enactment.

NURSE EXECUTIVE SPECIAL PAY

The proposed legislation also would authorize VA to approve special pay to the nurse executive at each VA medical center or VA Central Office. The special pay would range from a minimum of $10,000 to a maximum of $25,000, based on factors such as the grade of the nurse executive, the scope and complexity of the nurse executive position, the nurse executive's personal qualifications, the characteristics of the of the healthcare facility, e.g., tertiary, single site or multi-site, nature and number of specialty care units, demonstrated recruitment and retention difficulties, and such other factors as the Secretary deems appropriate.

This proposed nurse executive pay aligns with the President's budget and would be effective on the first day of the first pay period on or after the later of April 1, 2004, or six months after the date of enactment.

There are significant inadequacies in the VA nurse locality pay system (LPS) as it relates to nurse executive compensation. There are difficulties in obtaining comparative survey data on non-VA nurse executive positions to use in making an informed determination concerning locality pay. Non-VA employers often do not cooperate in the survey process. Nurse executive positions are often one-of-a-kind positions making it difficult to match VA and non-VA jobs. Non-VA employers typically do not include nurse executives in compensation surveys. With the organizational changes and scope of responsibilities changes for nurse executives occurring in both VA and non-VA healthcare facilities, lines of authority and levels of responsibilities for executive nurses are changing. Thus, job and pay matching for nurse executives at VAMCs and non-VA healthcare facilities is extremely difficult. Furthermore, nurse executives work in a national labor market, or at least a regional one. LPS compares jobs on a local basis. Another major problem is that VA nurse executives are capped at Level V of the Executive Schedule (EL–V), $125,400. There is no such cap in the non-VA healthcare industry. The EL–V rate is no longer competitive with non-VA nurse executive positions. Moreover, non-VA employers negotiate nurse executive compensation as a total compensation package, often including bonuses and other incentives in addition to base pay. VA is unable to do that.

The proposal derives from a recommendation of the VHA Future Nursing Workforce Planning Group. This group, composed of Medical Center Administrators, Nurse Executives, Network Managers and clinicians, has identified the $10,000–$25,000 range as the amount that most commonly would mirror salary and/or community based prerequisites of non-VA nurse executives, while not making VA the pay leader within the community. It is also consistent with the range of special pay currently available to VA physician executives.

Responsibilities of VA nurse executives are rapidly changing and becoming more varied and complex. VA's pay system for them must address this growing variety and complexity.

COSTS

FLEXIBLE TOURS

(1) Three 12-hour tours (36 hours) paid as 40 hours.

Assumptions: Based on a 36 hour work week/72 hours per pay period for selected RNs. 40 hours/wk (Full-time) – 36 hours/wk (Full-time requested) = 4.

Average VA RN hourly wage = $29.02 (using FY02 avg RN salary = $56,679, adjusted by 3.2% annual pay increase = $60,364, divided by 2,080).

Cost is 4 hours per week/208 hours per year per nurse.

Cost per RN per week: 4 $29.02 = $116.08; Cost per RN per year: 208 $29.02 = $6036.

Based on an estimated 25 nurses per facility, the cost would be as follows:

25 (RNs) $6036 = $150,900; 162 (VAMCs) $150,900 = $24.4 million.

FY 2004 costs would be $12,222,900 (half-year implementation).

Costs in future years increased by 3.2%.

[In millions of dollars]

| | |
|---|---|
| FY05 | $25.22 |
| FY06 | 26.03 |
| FY07 | 26.86 |
| FY08 | 27.72 |
| FY09 | 28.61 |
| FY10 | 29.53 |
| FY11 | 30.47 |
| FY12 | 31.45 |
| FY13 | 32.45 |
| Total (over 10 years) | $270.56 |

(2) 9 months of work with 3 months off, with pay apportioned over a 12-month period.

This is an authorization to pay RNs who are hired under this provision less than full time pay for full time worked. RNs would work a full nine months prior to pay continuance for 3 months. Registered nurses hired under this provision would reflect the following:

1. Hired as part-time employees .75 FTE.
2. Each would work full-time (40 hr/wk) for nine months.
3. While working full time for 9 months they would agree to be paid .75 salary.
4. While not working for a period of 3 months, they would continue to be paid .75 salary.

VAMCs would determine when such appointments would begin, based on regional needs (e.g. higher winter workload in the sunbelt) and community-based competitive factors.

There are no costs associated with this proposal. It is estimated that VAMCs will derive fiscal benefits from deferring 25 percent of pay for full-time work over a 9-month period.

(3) 7 ten-hour days/7 days off, with pay for 80 hours.

Assumptions: Based on paying an RN who works 70 hours as if 80 hours are worked. Average hourly wage = $29.02 (using FY02 avg RN salary = $56,679, adjusted by 3.2% annual pay increase = $60,364, divided by 2,080).

Cost is 10 hours per pay period/260 hours per year.

Cost per RN per pay period: 10 $29.02 = $290.20; Cost per RN per year 260 $29.02 = $7,545.

Based on an estimated 15 nurses per facility, the cost would be as follows:

15 (RNs) $7,545 = $113,175; 162 (VAMCs) $113,175= $18,334,350.

FY 2004 costs would be $9,167,175 (half-year implementation).

Costs in future years increased by 3.2%.

[In millions of dollars]

| | |
|---|---|
| FY05 | $18.92 |
| FY06 | 19.53 |
| FY07 | 20.15 |
| FY08 | 20.80 |
| FY09 | 21.46 |
| FY10 | 22.15 |
| FY11 | 22.86 |
| FY12 | 23.59 |
| FY13 | 24.34 |
| Total (over 10 years) | 203.00 |

NURSE EXECUTIVE PAY

Assumptions: One nurse executive at each of the 162 VHA medical centers would be authorized to receive the executive special pay, [Note: the estimate below is a maximum estimate since in any given year there will be a varying number of nurse executive vacancies. On board strength is estimated to average 150 nurse executives. This number also includes 5 nurse executives in the VACO Office of Nursing Services]. The average per executive would be $17,500, $2.62 million per year for 150 executives.

| *Year* | *Cost (millions)* |
|---|---|
| 2004 | $1.31 |
| (Based on April 4, 2004 effective date): | |
| 2005 | 2.62 |
| 2006 | 2.62 |
| 2007 | 2.62 |
| 2008 | 2.62 |
| 2009 | 2.62 |
| 2010 | 2.62 |
| 2011 | 2.62 |
| 2012 | 2.62 |
| 2013 | 2.62 |
| Total | 24.89 |

The Office of Management and Budget advises that the submission of this draft bill is in accord with the program of the President.

Sincerely yours,

ANTHONY J. PRINCIPI.

| | Cost estimate | |
|---|---|---|
| | Direct costs for current staff | Savings from productivity |
| Cost for physicians | $124,488,837 | $28,389,272 |
| Cost for dentists | 4,996,680 | 703,166 |
| Cost for management | 9,354,318 | 0 |
| Total | 138,839,835 | 29,092,438 |

10-YEAR PROJECTIONS

[First year cost projections assume implementation in 3rd quarter of FY 2004 [1]]

| | Cost | Productivity savings | Contract/fee savings [2] | Net cost |
|---|---|---|---|---|
| FY 2004 | $69,419,917 | $14,546,219 | $6,405,709 | $48,467,990 |
| 2005 | 144,254,588 | 30,227,043 | 19,217,127 | 94,810,419 |

10-YEAR PROJECTIONS—Continued

[First year cost projections assume implementation in 3rd quarter of FY 2004 [1]]

| | Cost | Productivity savings | Contract/fee savings [2] | Net cost |
|---|---|---|---|---|
| 2006 | 149,880,517 | 31,405,898 | 32,028,544 | 86,446,075 |
| 2007 | 155,725,857 | 32,630,728 | 44,839,962 | 78,255,168 |
| 2008 | 161,799,166 | 33,903,326 | 57,651,380 | 70,244,460 |
| 2009 | 168,109,333 | 35,225,556 | 69,656,718 | 63,227,060 |
| 2010 | 174,665,597 | 36,599,352 | 80,855,976 | 57,210,269 |
| 2011 | 181,477,556 | 38,026,727 | 92,055,235 | 51,395,594 |
| 2012 | 188,555,180 | 39,509,769 | 103,254,493 | 45,790,918 |
| 2013 | 195,908,832 | 41,050,650 | 114,453,752 | 40,404,430 |
| Total | 1,589,796,546 | 333,125,267 | 620,418,896 | 636,252,382 |

[1] Assuming annual rate of inflation of 3.9 percent.

[2] Savings based on difference between cost of providing services in-house vs. contact and fee basis. See attached sheet for calculation of estimated total contract savings ($112 million over 10 years). Savings in contract expenditures based on realizing 10 percent of total savings per year. Savings in fee basis expenditures ($8.05 million) based on 5 percent reduction per year over 5 years.

Note: Savings in 2013 do not equal total due to crediting only half-year savings in first year.

CONTRACT SAVINGS COMPUTATION SHEET

| Clinical specialty | Current active vacancies | FY 2001 contract costs | New VA pay | Estimated average contract cost per FTE [1] | Estimated contract FTE [2] | Estimated savings from contract replacement [3] |
|---|---|---|---|---|---|---|
| Allergy/Immunology | 2.4 | $393,353 | $134,629 | $265,724 | 1.48 | $194,061 |
| Anesthesiology | 89.5 | 18,040,153 | 216,469 | 387,500 | 46.56 | 7,962,388 |
| Cardiology | 58.1 | 17,556,339 | 183,928 | 423,031 | 41.50 | 9.923,087 |
| Dermatology | 18.125 | 19,411,073 | 173,538 | 352,366 | 55.09 | 9,851,230 |
| Emergency Medicine | 20 | 8,322,130 | 174,949 | 216,824 | 38.38 | 1,607,245 |
| Endocrinology | 6.1 | 186,985 | 133,695 | 181,776 | 1.03 | 49,458 |
| Gastroenterology | 45.4 | 1,902,181 | 156,510 | 329,111 | 5.78 | 997,592 |
| General Internal Medicine | 191.225 | 113,586,127 | 136,250 | 160,058 | 709.66 | 16,895,004 |
| General Surgery | 31.25 | 12,232,562 | 194,361 | 277,702 | 44.05 | 3,671,108 |
| Geriatrics | 11.375 | 5,300,674 | 132,003 | 167,694 | 31.61 | 1,128,177 |
| Gynecology (OB/Gyn—Other) | 1.9 | 2,646,880 | 176,359 | 206,943 | 12.79 | 391,181 |
| Hematology/Oncology | 29.625 | 3,604,702 | 140,164 | 385,606 | 9.35 | 2,294,428 |
| Infectious Diseases | 18.505 | 597,046 | 135,196 | 199,761 | 2.99 | 192,972 |
| Nephrology | 7 | 4,561,735 | 139,617 | 275,311 | 16.57 | 2,248,366 |
| Neurology | 22.25 | 2,182,569 | 133,314 | 212,216 | 10.28 | 811,484 |
| Neurosurgery | 7.175 | 3,786,867 | 249,601 | 502,913 | 7.53 | 1,907,405 |
| Ophthalmology | 17.1 | 4,315,444 | 171,094 | 301,451 | 14.32 | 1,866,135 |
| Orthopedic Surgery | 22.875 | 6,600,581 | 242,825 | 444,105 | 14.86 | 2,991.556 |
| Otolaryngology | 11.55 | 962.887 | 190.567 | 304.389 | 3.16 | 360.058 |
| Pathology | 24.875 | 10,832,884 | 145,778 | 289,235 | 37.45 | 5,372,989 |
| Physical Medicine & Rehab | 20.575 | 969,748 | 142,976 | 234,605 | 4.13 | 378,752 |
| Plastic Surgery | 5.125 | 840,228 | 223,465 | 472,475 | 1.78 | 442,828 |
| Preventive Medicine | 1 | ..... | 145,807 | N/A | N/A | N/A |
| Psychiatry | 110.175 | 4,350,983 | 146,887 | 161,440 | 26.95 | 392,213 |
| Pulmonology | 16.975 | 1,162,023 | 138,667 | 236,298 | 4.92 | 480,114 |
| Radiology | 100.2 | 64,119,853 | 220,662 | 450,000 | 142.49 | 32,678,042 |
| Rheumatology | 9.4 | 165,564 | 133,563 | 212,183 | 0.78 | 61,347 |
| Thoracic/Cardiovasc Surgery | 10.375 | 15,826,215 | 247,602 | 375,385 | 42.16 | 5,387,326 |
| Urology | 34.75 | 3,597,512 | 200,690 | 337,144 | 10.67 | 1,456,039 |
| Total | 944.905 | 328,055,298 | ..... | ..... | ..... | 111,992,584 |

[1] Estimated unit FTE cost based on MGMA Physician Compensation Report, 2002 (based on 2001 data); actual contract FTE costs may be higher.

[2] Contract FTE constructed by dividing total contract expenditures by estimated unit FTE cost.

[3] Savings based on difference between contract costs per contract FTE and VA employee costs for same FTE, or actual contract expenditures, whichever is lower.

ANALYSIS OF DRAFT BILL

The first section provides a title for the bill, the ''Department of Veterans Affairs Health Care Personnel Enhancement Act of 2003''.

Section 2 specifies that, unless otherwise expressly provided, references throughout are to title 38, United States Code.

Section 3 establishes a new pay system for VA physicians and dentists.

Section 3(a)(1) amends section 7404(b)(1) to revise the Physician and Dentist Schedule such that there now are two grades: Physician grade and Dentist grade. It strikes paragraph (2) as a conforming amendment as the Director and Executive grades no longer exist.

Section 3(a)(2) strikes ''special'' before ''pay'' because Section 3(a)(3) repeals the special pay provisions, but the individuals concerned will still be paid under subchapter Ill.

Section 3(a)(3) strikes existing Subchapter III in its entirety and inserts in lieu thereof new sections 7431–7434:

Section 7431 establishes a new pay system for VHA physicians and dentists composed of three tiers, base pay, market pay, and performance pay. It additionally provides that compensation under the new system shall be considered pay for all purposes, that downward adjustments do not constitute adverse actions, and that total pay may not exceed that of the President. In order to reduce the risk of potential conflicts of interest, this section also would prohibit certain senior title 38 officials from receiving any compensation, whether from employment or contract, from medical schools affiliated with their respective VAMCs.

Section 7432 provides for transition to the new pay system: written special pay agreements are terminated, but current pay levels continue until the new provisions are implemented on a date to be specified in VA regulations. Upon conversion to the new system, incumbent employees will be paid at least as much as they were paid under the old system. All pay under the new system, except performance pay, as well as special pay under the previous system, is fully creditable in computing retirement benefits.

Section 7433 contains provisions for pay for the Under Secretary for Health. In addition to base pay at Executive Level III, the Under Secretary would be eligible for market pay under the new system. The current Under Secretary's written special pay agreements are terminated, but would continue to be paid at current pay levels until the new provisions are implemented on a date to be specified in VA regulations. If a new Under Secretary were to be appointed during the interim, he/she would be paid under current law until a date to be specified in VA regulations.

Section 7434 contains several administrative provisions: (a) the Secretary is authorized to prescribe regulations; (b) current employees will not have their pay reduced when they move to the new system; (c) beginning eighteen months after issuance of regulations implementing the new pay system and annually thereafter for the next ten years, the Secretary would be required to provide a report to the Committees on Veterans' Affairs of the Senate and House of Representatives on the implementation of the new system.

Section 3(b) makes a conforming amendment to the title and list of sections for Subchapter III in the table of sections at the beginning of Chapter 74.

Section 4 provides for alternate work schedules.

Section 4(a) amends Chapter 74 to add a new section 7456a, Alternate Work Schedules:

Section 7456(a) specifies that this section applies to chapter 74 registered nurses.

Section 7456(b)(1) authorizes the Secretary, when necessary to obtain or retain registered nurses at any Department healthcare facility, to provide for such nurses to work three regularly scheduled 12-hour tours of duty within a workweek, and for such tour to be considered for all purposes (except computation of full-time equivalent employees for the purposes of determining compliance with personnel ceilings) a full 40-hour basic workweek.

Section 7456(b)(2) provides the formula for determining the hourly rate, and sets forth rules for overtime pay.

Section 7456(c)(1) authorizes the Secretary, when necessary to obtain or retain registered nurses at any Department healthcare facility, to provide for such nurses to

work seven regularly scheduled 10-hour tours of duty, with seven days off duty, within a two-week pay period, and for such tour to be considered for all purposes (except computation of full-time equivalent employees for the purposes of determining compliance with personnel ceilings) a full 80-hour pay period.

Section 7456(c)(2) provides the formula for determining the hourly rate, and sets forth rules for overtime pay.

Section 7456(d)(1) authorizes the Secretary to provide for nurses to work full-time for 9 months with 3 months off, and be paid at 75 percent of the full-time rate over a full 12-month period over a fiscal year, and for employees working such tours to be considered .75 full-time equivalent employees. Service on this schedule shall be considered part-time service for purposes of computing retirement benefits.

Section 7456(e) provides the formula for determining leave charges for nurses working 36/40 or 7/7 work schedules.

Section 7456(f) directs the Secretary to prescribe implementing regulations.

Section 4(b) makes a conforming amendment to the title and list of sections for Subchapter IV in the table of sections at the beginning of Chapter 74 to add new section 7456a.

Section 5 establishes special pay for VA nurse executives.

Section 5(a) adds a new subsection (f) to section 7452:

Subsection (f)(1) authorizes, when necessary to recruit or retain nurse executives, special pay for the nurse executive at each Department health-care facility or at Central Office.

Subsection (f)(2) sets the range of special pay to be a minimum of $10,000 and a maximum of $25,000, and specifies the factors in determining the amount paid to each nurse executive.

Subsection (f)(3) specifies that special pay is in addition to any other pay (including basic pay) and allowances to which the nurse executive is entitled, and that it is be considered pay for all purposes.

Section 6 sets the effective date for rates of pay established pursuant to section 7431, as added by section 3(a), and sections 4 and 5, as the first day of the first pay period on or after the later of April 1, 2004, or six months after the date of enactment. All other provisions are effective on the date of enactment.

Section 7 adds an administrative provision concerning functions under chapter 74. It provides that functions of the Secretary and other Department officers under chapter 74 are vested in their discretion. The purpose of this provision is to make clear that the exercise of those functions 5 U.S.C. 701(a)(2) exempts the exercise of those functions from judicial review under the Administrative Procedures Act.

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By Mr. SPECTER (by request):

S. 2485. A bill to amend title 38, United States Code, to improve and enhance the authorities of the Secretary of Veterans Affairs relating to the management and disposal of real property and facilities, and for other purposes; to the Committee on Veterans' Affairs.

Mr. SPECTER. Mr. President, as chairman of the Committee on Veterans' Affairs, I have introduced today, at the request of the Secretary of Veterans' Affairs, S. 2485, a proposed bill to modify provisions of law relating to the administration of real property assets by the Department of Veterans' Affairs, VA. The Secretary of Veterans' Affairs submitted the elements of this proposed legislation to the President of the Senate by letters dated August 15, 2003, and October 3, 2003.

My introduction of this measure is in keeping with the policy which I have adopted of generally introducing—so that there will be specific bills to which my colleagues and others may direct their attention and comments—all administration-proposed draft legislation referred to the Committee on Veterans' Affairs. In this case, however, I have departed from my usual course of simply introducing administration-advanced measures as forwarded to me. Measures that the administration forwarded in August and October, 2003, relate to similar subject matter, namely the administration of VA-controlled real property assets. It is my belief that these provisions, inasmuch as they are related, might be considered in a more orderly fashion as parts of a single piece of legislation. To facilitate that, I have included sections 401–403 of the administration's August 15, 2003, request, and sections 5–6 of the administration's October 3, 2003, request, in the single bill which I have introduced today. As is always my policy with respect to any such ''by request'' legislation, I reserve the right to oppose the provisions of, as well as any amendment to, this 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. 2485

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE; REFERENCES TO TITLE 38, UNITED STATES CODE.**

(a) SHORT TITLE.—This Act may be cited as the ''Department of Veterans Affairs Real Property and Facilities Management Improvement Act of 2004''.

(b) REFERENCES TO TITLE 38 UNITED STATES CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

**SEC. 2. AUTHORITY TO USE PROJECT FUNDS TO CONSTRUCT OR RELOCATE SURFACE PARKING INCIDENTAL TO A CONSTRUCTION OR NON-RECURRING MAINTENANCE PROJECT.**

Section 8109 is amended by adding at the end the following new subsection:

''(j) Funds in a construction account or capital account that are available for a construction project or non-recurring maintenance project may be used for the construction or relocation of a surface parking lot incidental to such project.''.

**SEC. 3. IMPROVEMENTS OF ENHANCED-USE LEASE AUTHORITIES.**

(a) BUSINESS PLAN CRITERIA.—Section 8162 is amended—

(1) in subsection (a)(2)(B), by striking ''the Under Secretary for Health for applying the consideration under such a lease to the provision of medical care and services'' and inserting ''one of the Under Secretaries for applying the consideration under such a lease to the programs and activities of the Department''; and

(2) in subsection (b)(4)(A), by striking ''on the leased property''.

(b) CONSIDERATION OF PROPOSALS FOR LEASES.—(1) Section 8163 is amended—

(A) in subsection (a), by striking the first sentence and inserting the following new sentence: ''If the Secretary proposes to enter into an enhanced-use lease with respect to certain property, the Secretary shall conduct a public hearing before entering into the lease.'';

(B) in subsection (b), by striking ''of the proposed designation and of the hearing'' in the matter preceding paragraph (1) and inserting ''on the proposed lease and the hearing to the congressional veterans' affairs committees and to the public''; and

(C) in subsection (c)—

(i) in paragraph (1)—

(I) by striking ''to designate the property involved'' and inserting ''to enter into an enhanced-use lease of the property involved''; and

(II) by striking ''to so designate the property'' and inserting ''to enter into the lease'';

(ii) in paragraph (2), by striking ''90-day'' and inserting ''45-day''; and

(iii) by striking paragraph (4).

(2)(A) The heading of such section is amended to read as follows:

**''§ 8163. Proposals for property to be leased''.**

(B) The table of sections at the beginning of chapter 81 is amended by striking the item relating to section 8163 and inserting the following new item:

''8163. Proposals for property to be leased.''.

(c) DISPOSAL AUTHORITY.—Section 8164 is amended—

(1) in subsection (a)—

(A) by striking ''by requesting the Administrator of General Services to dispose of the property pursuant to subsection (b)''; and

(B) by striking the last sentence;

(2) in subsection (b)—

(A) by striking ''and the Administrator of General Services jointly determine'' and inserting ''determines''; and

(B) by striking ''and the Administrator consider'' and inserting ''considers''; and

(3) in subsection (c), by striking ''90 days'' and inserting ''45 days''.

(d) USE OF PROCEEDS.—Section 8165 is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''Funds received'' and inserting ''Except as provided in paragraph (2), funds received'';

(B) by redesignating paragraph (2) as paragraph (3);

(C) by inserting after paragraph (1) the following new paragraph (2):

''(2) Funds received by the Department under an enhanced-use lease implementing a business plan proposed by the Under Secretary for Benefits or the Under Secretary for Memorial Affairs and remaining after any deduction from such funds under subsection (b) shall be credited to applicable appropriations of the Veterans Benefits Administration or National Cemetery Administration, as the case may be.''; and

(D) in paragraph (3), as so redesignated, by striking ''nursing home revolving fund'' and inserting ''Capital Asset Fund established under section 8122A of this title'';

(2) in subsection (b)—

(A) by inserting ''(1)'' after ''(b)''

(B) in paragraph (1), as so designated, by striking ''for that fiscal year''; and

(C) by adding at the end the following new paragraph:

''(2) The Secretary may also deduct from the proceeds of any enhanced-use lease an amount to reimburse applicable appropriations of the Department for any expenses incurred by the Secretary in the development

of additional enhanced-use leases. Amounts so deducted shall be utilized to reimburse such appropriations.''; and

(3) by striking subsection (c).

**SEC. 4. DISPOSAL OF REAL PROPERTY OF THE DEPARTMENT OF VETERANS AFFAIRS.**

(a) IN GENERAL.—(1) Subchapter II of chapter 81 is amended by inserting after section 8122 the following new section:

**''§ 8122A. Disposal of real property**

''(a) IN GENERAL.—(1) To the extent provided in advance in appropriations Acts, the Secretary may, in accordance with this section and sections 8122 and 8164 of this title, dispose of real property of the Department, including land and structures and equipment associated with such property, that is under the jurisdiction or control of the Secretary by—

''(A) transfer to or exchange with another department or agency of the Federal Government;

''(B) conveyance to or exchange with a State or a political subdivision of a State, an Indian tribe, or other public entity; or

''(C) conveyance to or exchange with any private person or entity.

''(2) The Secretary may exercise the authority in paragraph (1) notwithstanding the following provisions of law:

''(A) Sections 521, 522, and 541 through 545 of title 40.

''(B) Section 501 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11411).

''(3) In any transfer, exchange, or conveyance of real property under this subsection, the Secretary shall obtain consideration in an amount equal to the fair market value of the property, as determined by the Secretary.

''(b) TREATMENT OF PROCEEDS.—Proceeds from the transfer, exchange, or conveyance of real property under subsection (a) shall be deposited in the Capital Asset Fund under subsection (c).

''(c) CAPITAL ASSET FUND.—There is established on the books of the Treasury of the United States a revolving fund known as the Capital Asset Fund (in this section referred to as the 'Fund').

''(d) ELEMENTS OF FUND.—The Fund shall consist of the following:

''(1) Amounts authorized to be appropriated to the Fund.

''(2) Proceeds from the transfer, exchange, or conveyance of real property under subsection (a) that are deposited in the Fund under subsection (b).

''(3) Funds to be deposited in the Fund under section 8165(a)(3) of this title.

''(4) Any other amounts specified for transfer to or deposit in the Fund by law.

''(e) USE OF AMOUNTS IN FUND.—Subject to the provisions of appropriations Acts, amounts in the Fund shall be available for purposes as follows and in the following order of priority:

''(1) For costs of the Department in disposing of real property, including costs associated with demolition, environmental clean-up, maintenance and repair, improvements to facilitate disposal, and associated administrative expenses.

''(2) For costs of the Department associated with proposed disposals of real property of the Department.

''(3) For costs of non-recurring capital projects of the Department.

''(f) REPORTS.—The Secretary shall include with the budget justification documents submitted to Congress each year with the budget of the President for the fiscal year beginning in such year (as submitted pursuant to section 1105 of title 31) a report setting forth the following:

''(1) A statement of each disposal of real property to be undertaken in such fiscal year that is valued in excess of the major medical facility project threshold specified in section 8104(a)(3)(A) of this title.

''(2) A description of each disposal of real property that was completed in the fiscal year ending in the year before such report is submitted.''.

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 8122 the following new item:

''8122A. Disposal of real property.''.

(b) CONFORMING AMENDMENT.—Section 8164(a) is amended in the second sentence by inserting ''or 1822A'' after ''section 8122''.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Department of Veterans Affairs for fiscal year 2005, $10,000,000 for deposit in the Capital Asset Fund under section 1822A(c) of title 38, United States Code (as added by subsection (a)).

**SEC. 5. MODIFICATION OF OTHER REAL PROPERTY DISPOSAL AUTHORITIES.**

(a) GENERAL LIMITATIONS ON DISPOSAL.—Paragraph (2) of subsection (a) of section 8122 is amended to read as follows:

''(2) Except as provided in paragraph (3) of this subsection, the Secretary may not during any fiscal year dispose of real property owned by the United States and under the jurisdiction and control of the Secretary that has an estimated value in excess of the major medical facility project threshold specified in subsection 8104(a)(3)(A) of this title unless—

''(A) the disposal is described in the budget justification documents submitted to Congress each year with the budget of the President for the fiscal year beginning in such year (as submitted pursuant to section 1105 of title 31);

''(B) the Department receives consideration for the real property equal to the fair market value of the property, as determined by the Secretary; and

''(C) the net proceeds of the disposal are deposited in the Capital Asset Fund under section 8122A(c) of this title.''.

(b) DISPOSAL PROCEDURES.—Subsection (d) of such section is amended—

(1) by inserting ''(1)'' after ''(d)''; and

(2) by adding at the end the following new paragraphs:

''(2)(A) In the case of property (including land and structures and equipment associated with such property) that has an estimated value less than the major medical facility project threshold specified in section 8104(a)(3)(A) of this title, the Secretary may dispose of the property if—

''(i) the Secretary notifies the Administrator of General Services of an intent to dispose of the property; and

''(ii) a period of 30 days elapses after notice under clause (i) during which period no other department or agency of the Federal Government expresses an interest in assuming jurisdiction of the property under the condition of paying the Secretary the fair market value of the property, as determined by the Secretary, of the property.

''(B) In disposing of property under subparagraph (A), the Secretary shall publish a notice of sale in the real estate section of a local newspaper of general circulation serving the market in which the property is located.

''(3) In the case of property (including land and structures and equipment associated with such property) that has an estimated value in excess of the major medical facility project threshold specified in section 8104(a)(3)(A) of this title, the Secretary may dispose of the property if—

''(A) the Secretary complies with subsection (a)(2) with respect to the property;

''(B) the Secretary—

''(i) notifies the Administrator of General Services of an intent to dispose of the property;

''(ii) publishes in the Federal Register notice of an intent to dispose of the property; and

''(iii) notifies the committees of an intent to dispose of the property;

''(C) a period of 30 days elapses after notice under subparagraph (B)(i) during which period no other department or agency of the Federal Government expresses an interest in assuming jurisdiction of the property under the condition of paying the Secretary the fair market value of the property, as determined by the Secretary, of the property; and

''(D) a period of 60 days elapses after notice under subparagraph (B)(iii).''.

**SEC. 6. TERMINATION OF NURSING HOME REVOLVING FUND.**

(a) TERMINATION.—(1) Section 8116 is repealed.

(2) The table of sections at the beginning of chapter 81 is amended by striking the item relating to section 8116.

(b) CONFORMING AMENDMENT.—Section 8165(a)(3), as redesignated by section 3(d)(1)(D) of this Act, is further amended by striking ''nursing home revolving fund'' and inserting ''Capital Asset Fund under section 1822A of this title''.

(c) TRANSFER OF UNOBLIGATED BALANCES TO CAPITAL ASSET FUND.—Any unobligated balances in the nursing home revolving under section 8116 of title 38, United States Code, as of the date of the enactment of this Act shall be deposited in the Capital Asset Fund under section 8122A of title 38, United States Code (as added by section 4(a) of this Act).

**SEC. 7. INAPPLICABILITY OF LIMITATION ON USE OF ADVANCE PLANNING FUND TO AUTHORIZED MAJOR MEDICAL FACILITY PROJECTS.**

Section 8104 is amended by adding at the end the following new subsection:

''(g) The limitation specified in subsection (f) shall not apply to projects for which funds have already been authorized by law in accordance with subsection (a)(2).''.

**SEC. 8. LEASE OF CERTAIN NATIONAL CEMETERY ADMINISTRATION PROPERTY.**

(a) IN GENERAL.—Chapter 24 is amended by adding at the end the following new section:

**''§ 2412. Lease of land and buildings**

''(a) LEASE AUTHORIZED.—The Secretary may lease any undeveloped land and unused or underutilized buildings, or parts or parcels thereof, belonging to the United States and part of the National Cemetery Administration.

''(b) TERM.—The term of a lease under subsection (a) may not exceed 10 years.

''(c) LEASE TO PUBLIC OR NONPROFIT ORGANIZATIONS.—(1) A lease under subsection (a) to any public or nonprofit organization may be made without regard to the provisions of section 3709 of the Revised Statutes (41 U.S.C. 5).

''(2) Notwithstanding section 1302 of title 40 or any other provision of law, a lease under subsection (a) to any public or nonprofit organization may provide for the maintenance, protection, or restoration of the leased property by the lessee, as a part or all of the consideration for the lease.

''(d) NOTICE.—Before entering into a lease under subsection (a), the Secretary shall give appropriate public notice of the intention of the Secretary to enter into the lease in a newspaper of general circulation in the community in which the lands or buildings concerned are located.

''(e) NATIONAL CEMETERY ADMINISTRATION FACILITIES OPERATION FUND.—(1) There is established on the book of the Treasury an account to be known as the 'National Cemetery Administration Facilities Operation

Fund' (in this section referred to as the 'Fund').

''(2) The Fund shall consist of the following:

''(A) Amounts authorized to be appropriated to the Fund.

''(B) Proceeds from the lease of land or buildings under this section.

''(C) Proceeds of agricultural licenses of lands of the National Cemetery Administration.

''(D) Any other amounts authorized for deposit in the Fund by law.

''(3) Amounts in the Fund shall be available to cover costs incurred by the National Cemetery Administration in the operation and maintenance of property of the Administration.

''(4) Amounts in the Fund shall remain available until expended.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''2412. Lease of land and buildings.''.

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By Mr. SPECTER (for himself and Ms. MURKOWSKI) (by request):

S. 2486. A bill to amend title 38, United States Code, to improve and enhance education, housing, employment, medical, and other benefits for veterans and to improve and extend certain authorities relating to the administration of benefits for veterans, and for other purposes; to the Committee on Veterans' Affairs.

Mr. SPECTER. Mr. President, I have sought recognition to comment on legislation which I have introduced today which would, among other things, improve the education and housing benefits of our Nation's veterans. Education and housing benefits administered by the Department of Veterans Affairs, VA, were the essence of one of the most significant pieces of legislation in the 20th Century, the 1944 GI Bill of Rights. Sixty years later, the Veterans' Benefits Improvements Act of 2004, which I introduce today, would build on that historic legacy.

Section 101 of the bill would allow for significant increases in Montgomery GI Bill, MGIB, educational assistance benefits by expanding on ''buy up'' legislation which I authored in 1999 and which was enacted as part of Public Law 106–419. Under the provisions of the existing ''buy up'' program, active duty service members can increase their monthly MGIB ''pay-out'' by making voluntary in-service contributions of up to $600 in addition to the $1,200 aggregate contribution which is made to secure basic eligibility for MGIB benefits. In return for this added $600 ''investment,'' a veteran can secure an increase in his or her monthly MGIB benefit of $150 per month. Assuming the veteran completes a 36-month course of full-time study, the added benefit amount to $5,400, an effective yield of $9 for every added dollar contributed. The legislation which I have introduced today would expand the ''buy-up'' program by allowing service members to voluntarily contribute more—up to $2000—to the program, in return for which they could ''buy'' up to an additional $18,000—or $500 per month over 36 months—in potential MGIB benefits. A service member who contributes the full $2,000 could thus increase his or her aggregate MGIB entitlement to $53,460, the amount that the College Board, an association of over 4,000 colleges and other educational organizations, estimates is necessary today to finance the average cost of tuition, fees, books, room and board, transportation, and expenses for a resident student at a four-year public institution of higher learning.

Section 102 of this bill would authorize VA to carry out a 4-year pilot program under which veterans could extend, for up to 2 years, their eligibility period to use MGIB education benefits. Current law states, in summary, that a veteran is entitled to 36 months of MGIB benefit, but only during a 10-year ''delimiting period'' beginning on the date of discharge from service. Section 102 of my bill would allow a veteran with a ''left-over'' entitlement to apply for a one-time extension of the delimiting period so that he or she might gain vocational or job readiness skills necessary to obtain or maintain employment. I believe that as the workforce evolves, so too must workers in order to stay competitive. Providing veterans with some flexibility in the use of a benefit they have earned—at a point in life beyond the ''delimiting period''—is a sensible approach to helping veterans obtain the skills they may need to stay competitive in a 21st Century workforce.

Section 103 of this legislation would prohibit veterans' education benefits from being considered when determining a veteran's entitlement to Federal financial aid administered by the Department of Education. Under current law, such benefits are already excluded from eligibility calculations in determining eligibility for some forms of assistance granted by Title IV of the Higher Education Act of 1965, e.g., Pell grants and subsidized Stafford loans, but not for other forms of assistance, e.g., unsubsidized Stafford loans and campus-based aid. This legislation would rectify that anomaly by excluding veterans' education benefits from all such eligibility determinations.

Section 104 of the bill would fix yet another anomaly of law applicable to Reservists who are called to active duty. Current law generally specifies that such Reservists are eligible for MGIB benefits if they have served a minimum of 2 consecutive years of active duty. Current law also requires that service members contribute $100 a month during their first 12 months of service to gain eligibility for MGIB benefits. Because the Department of Defense (DoD) activates Reservists for indefinite periods of time, it is impossible for a Reservist to know at the beginning of his or her activation period—when a decision has to be made on contributing the requisite $100 per month—whether he or she will, in fact, end up serving 2 consecutive years of active duty and, thus, whether he or she will become eligible for MGIB benefits. Due to that uncertainty, activated Reservists are, quite reasonably, hesitant to make the requisite contributions. The DoD and VA have worked around this problem; they permit Reservists who end up serving 2 consecutive years to pay the $1,200 contribution at some later point—but the law does not explicitly authorize that allowance. This legislation would update the law to authorize these ''late'' contributions.

Section 201 of this legislation would increase the maximum amount of the VA home loan guaranty from $60,000 to $83,425. A guaranty of $60,000 allows a veteran to purchase, without a down payment, a home with a value of four times that amount, or $240,000. In many areas of the country, the median cost of housing is over $300,000, effectively limiting the utility of this benefit. This legislation would raise the VA guaranty limit to make the effective amount of a VA loan equal to the so-called conforming loan rate in the non-VA secondary mortgage markets.

Sections 202 and 203 of this bill would expand on legislation I authored in 2002 that added a pilot adjustable rate mortgage, ARM, feature to VA's loan guaranty program. Currently, the pilot program, which expires on September 30, 2005, allows VA to guarantee only so-called ''hybrid'' ARMs. Even then, restrictive adjustment caps have effectively limited the program to only one type of hybrid ARM financing. This bill would give VA permanent authority to guaranty a full range of ARM financing, to include traditional 1-year ARMs and hybrid ARMs with interest rates fixed for periods of 3, 5, 7, or 10 years, consistent with the ARM provisions of the National Housing Act. I believe the housing benefit for veterans should, at the very least, equal that of benefits available for non-veterans through the FHA program.

Section 204 of this legislation resurrects legislation that was approved by the Senate during the 106th Congress, but which failed to pass the House. Current law mandates that VA collect a funding fee when veterans obtain a loan with a VA guaranty, but it also allows for a waiver of the funding fee if the veteran seeking housing assistance has suffered a service-connected disability. For the funding fee to be waived under current law, however, the veteran must already be receiving compensation, an event which can only occur after the service member has been discharged from service. Because VA has a presence at over 136 military discharge sites (where it conducts pre-discharge medical examinations), it is common for someone who is still in service to be adjudged disabled by VA. But because such a service member cannot yet receive veterans' compensation, VA cannot waive the funding fee even though an active-duty service can make use of his or her entitlement to a VA-guaranteed home loan while still in

service. This legislation would rectify that situation by, prospectively, allowing VA to waive funding fees for active duty service members who are eligible to receive compensation as a result of a pre-discharge examinations, but who are not yet discharged from service.

Section 301 of this legislation would rectify what I perceive to be an unintended oversight of the Veterans Employment Opportunity Act of 1998. That statute granted Federal job preferences to two classes of veterans—those who are ''preference eligible'' due to service during wartime or because of service-connected disability, and those who served on active duty for at least three years. The statute also authorized administrative and judicial redress but, by oversight, it limited such redress to the ''preference eligible'' class of veterans only. This legislation would extend current remedies to all veterans who are eligible for Federal job preferences.

Section 311 of this legislation would prohibit the collection of co-payments from veterans receiving VA-provided hospice care. The requirement for co-payments for hospice care is, I think, unduly burdensome in cases where the end of life is near. The Bush administration concurs; it requested this exemption in its fiscal year 2005 budget proposal. I am glad to advance this provision on behalf of the President.

Section 321 of this bill would extend three non-controversial statutory authorities that are now scheduled to expire. The first would extend, until 2009, the requirement that the VA's Advisory Committee on Former Prisoners of War submit a biennial report of its recommendations for improvements to benefits afforded to former prisoners of war. The second would make permanent VA authority to provide counseling and treatment services to veterans who have experienced sexual trauma while in service. The third would extend, until December 31, 2009, a reporting requirement imposed on VA's Special Medical Advisory Group. Finally, Section 331 of my legislation would update the definition of minority group members for purposes of the work of VA's Advisory Committee on Minority Veterans.

Mr. President, the principal thrust of this legislation is to improve and modernize aspects of VA education and housing programs which were first conceived 60 years ago. These improvements, and others contained in this bill, merit the support of the Senate. I request that support, and 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. 2486

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) SHORT TITLE.—This Act may be cited as the ''Veterans' Benefits Improvements Act of 2004''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. References to title 38, United States Code.

TITLE I—EDUCATION BENEFITS

Sec. 101. Increase in maximum amount of contribution for increased amount of basic educational assistance under Montgomery GI Bill.
Sec. 102. Pilot program on additional two-year period for use of entitlement by participants in Montgomery GI Bill for vocational or job readiness training.
Sec. 103. Exclusion of veterans education benefits in determination of eligibility or amount of Federal educational grants and loans.
Sec. 104. Collection of contributions for educational assistance under Montgomery GI Bill from Reserves called to active duty.

TITLE II—HOUSING BENEFITS

Sec. 201. Increase in maximum amount of housing loan guarantee.
Sec. 202. Permanent authority for guarantee of adjustable rate mortgages.
Sec. 203. Permanent authority for guarantee of hybrid adjustable rate mortgages and modification of guarantee authority.
Sec. 204. Termination of collection of loan fees from veterans rated eligible for compensation at pre-discharge rating examinations.

TITLE III—OTHER BENEFITS AND BENEFITS MATTERS

Subtitle A—Employment Benefits

Sec. 301. Availability of administrative and judicial redress for certain veterans denied opportunity to compete for Federal employment.

Subtitle B—Medical Benefits

Sec. 311. Prohibition on collection of copayments for hospice care.

Subtitle C—Extension of Benefits and Related Authorities

Sec. 321. Extension of various authorities relating to benefits for veterans.

Subtitle D—Other Matters

Sec. 331. Modification of definition of minority group member for purposes of Advisory Committee on Minority Veterans.

**SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.**

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

## TITLE I—EDUCATION BENEFITS

**SEC. 101. INCREASE IN MAXIMUM AMOUNT OF CONTRIBUTION FOR INCREASED AMOUNT OF BASIC EDUCATIONAL ASSISTANCE UNDER MONTGOMERY GI BILL.**

(a) ACTIVE DUTY BENEFIT.—Section 3011(e)(3) is amended by striking ''$600'' and inserting ''$2,000''.

(b) SELECTED RESERVE BENEFIT.—Section 3012(f)(3) is amended by striking ''$600'' and inserting ''$2,000''.

**SEC. 102. PILOT PROGRAM ON ADDITIONAL TWO-YEAR PERIOD FOR USE OF ENTITLEMENT BY PARTICIPANTS IN MONTGOMERY GI BILL FOR VOCATIONAL OR JOB READINESS TRAINING.**

(a) IN GENERAL.—(1) Subchapter I of chapter 30 is amended by adding at the end the following new section:

**''§ 3020A. Additional two-year period for use of entitlement for vocational or job readiness instruction or training: pilot program**

''(a) PILOT PROGRAM REQUIRED.—(1) The Secretary shall carry out a pilot program to assess the feasibility and advisability of permitting individuals whose entitlement to basic educational assistance under this chapter expires under section 3031 of this title before their complete use of such entitlement to be entitled to an additional two-year period for their use of such entitlement.

''(2) The pilot program shall commence six months after the date of the enactment of this section, and shall terminate four years after the date of the commencement of the pilot program.

''(b) ADDITIONAL TWO-YEAR PERIOD OF ENTITLEMENT.—Notwithstanding any provision of section 3031 of this title, an individual described in subsection (c) shall, at the expiration of the 10-year period beginning on the educational assistance entitlement commencement date of such individual, be entitled to an additional two-year period for the use of entitlement to basic educational assistance under this chapter.

''(c) ELIGIBLE INDIVIDUALS.—(1) An individual described in this subsection is any individual who—

''(A) as of the end of the 10-year period beginning on the educational assistance entitlement commencement date of such individual—

''(i) would remain entitled to basic educational assistance under this chapter but for the expiration of the 10-year delimiting period applicable to such individual under section 3031 of this title; and

''(ii) has not utilized all of the entitlement of such individual to basic educational assistance under this chapter; and

''(B) at the time of the application for entitlement under this subsection (d), is accepted, enrolled, or otherwise participating (as determined by the Secretary) in instruction or training described in subsection (e).

''(2) This subsection does not apply to an individual otherwise described by paragraph (1) whose remaining entitlement to basic educational assistance under this chapter as described in subparagraph (A)(ii) of that paragraph is based on the transfer of basic educational assistance under section 3020 of this title.

''(d) APPLICATION.—(1) An individual seeking an additional two-year period for the use of entitlement under this section shall submit to the Secretary an application therefor containing such information as the Secretary may require for purposes of this section.

''(2) The Secretary may not receive applications under this subsection after the termination date of the pilot program under subsection (a)(2).

''(e) COMMENCEMENT OF ADDITIONAL PERIOD FOR USE.—The additional two-year period for the use of entitlement by an individual under this section shall commence on the date the application of the individual under subsection (d) is received by the Secretary if the Secretary determines pursuant to a review of the application that the individual is an individual described by subsection (c) for purposes of this section.

''(f) INSTRUCTION OR TRAINING COVERED BY ADDITIONAL PERIOD FOR USE.—(1) The instruction or training for which entitlement to basic educational assistance under this chapter may be used during the additional two-year period for the use of entitlement under this section is as follows:

''(A) Education leading to employment in a high technology industry for purposes of section 3014A of this title.

''(B) A full-time program of apprenticeship or other on-job training approved as provided

in clause (1) or (2), as appropriate, of section 3687 of this title.

''(C) A cooperative program (as defined in section 3482(a)(2) of this title).

''(D) A licensing or certification test approved under section 3689 of this title.

''(E) Training or education leading toward a professional or vocational objective which has been approved in accordance with the provisions of subchapter I of chapter 36 of this title and is identified by the Secretary in regulations to be prescribed by the Secretary for purposes of this section.

''(2) Entitlement to basic educational assistance under this chapter may not be used during the additional two-year period for the use of entitlement under this section for the instruction or training as follows:

''(A) General education leading toward a standard college degree (as defined in section 3452(g) of this title), unless the program or training concerned will result in an associates degree that is approved by the Secretary in the manner specified in paragraph (1)(E) to be necessary to obtain a professional or vocational objective.

''(B) Preparatory courses for a test that is required or used for admission to an institution of higher education or graduate school.

''(g) COORDINATION WITH CERTAIN OTHER BENEFITS.—(1) An individual entitled to basic educational assistance under subsection (c) is entitled to educational and vocational counseling under section 3697A of this title in connection with the use of entitlement under this section.

''(2) An individual using entitlement to basic educational assistance under this chapter during the additional two-year period for the use of entitlement under this section is not entitled during the use of such entitlement to the following:

''(A) Supplemental educational assistance under subchapter III of this chapter.

''(B) A work-study allowance under section 3485 of this title.

''(h) EDUCATIONAL ASSISTANCE ENTITLEMENT COMMENCEMENT DATE DEFINED.—In this section, the term 'educational assistance entitlement commencement date', in the case of an individual described in subsection (b)(1), means the date on which begins the period during which the individual may use the individual's entitlement to educational assistance under chapter as determined under section 3031 of this title.

''(i) EFFECT OF TERMINATION OF PILOT PROGRAM.—The termination of the pilot program under subsection (a)(2) shall not effect the continuing use of entitlement under this section of any individual whose additional two-year period for the use of entitlement under this section continues after the date of the termination of the pilot program under that subsection.''.

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 3020 the following new item:

''3020A. Additional two-year period for use of entitlement for vocational or job readiness instruction or training: pilot program.''.

(b) CROSS-REFERENCE AMENDMENT.—Section 3031 is amended—

(1) in subsection (a), by striking ''subsections (b) through (g), and subject to subsection (h),'' and inserting ''subsections (b) through (h), and subject to subsection (i),'';

(2) by redesignating subsection (h) as subsection (i); and

(3) by inserting after subsection (g) the following new subsection (h):

''(h) An individual whose period for the use of entitlement to basic educational assistance under this chapter would otherwise expire under this section may be eligible for an additional two-year period for the use of entitlement under section 3020A of this title.''.

**SEC. 103. EXCLUSION OF VETERANS EDUCATION BENEFITS IN DETERMINATION OF ELIGIBILITY OR AMOUNT OF FEDERAL EDUCATIONAL GRANTS AND LOANS.**

(a) IN GENERAL.—(1) Subchapter II of chapter 36 is amended by inserting after section 3694 the following new section:

**''§ 3694A. Exclusion of veterans education benefits in determination of eligibility or amount of Federal education grants and loans**

''(a) EXCLUSION.—Notwithstanding any other provision of law and subject to subsection (b), education benefits shall not be considered as income, assets, or other monetary resource in determining eligibility for, or the amount of, grant or loan assistance provided under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).

''(b) EXCEPTION.—In the case of campus-based student financial assistance, the amount of such assistance for which an individual would otherwise be eligible without taking into consideration education benefits as described in subsection (a) shall be reduced to the extent that the sum of such amount, the amount of the education benefits of the individual, and the amount of the Federal Pell Grant, if any, of the individual exceeds the cost of attendance of the individual.

''(c) DEFINITIONS.—In this section:

''(1) The term 'campus-based student financial assistance' means grant, work, or loan assistance provided under subpart 3 of part A, and parts C and E of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070b et seq; 42 U.S.C. 2751 et seq.; 20 U.S.C. 1087aa et seq.).

''(2) The term 'cost of attendance' has the meaning given such term in section 472 of the Higher Education Act of 1965 (20 U.S.C. 1087*ll*).

''(3) The term 'education benefits' means education benefits under chapters 30, 32, and 35 of this title and under chapter 1606 of title 10.

''(4) The term 'Federal Pell Grant' means a grant provided under subpart 1 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a).''.

(2) The table of sections at the beginning of chapter 36 is amended by inserting after the item referring to section 3694 the following new item:

''3694A. Exclusion of veterans education benefits in determination of eligibility or amount of Federal education grants and loans.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall be effective with respect to award years, as that term is defined in section 481(a)(1) of the Higher Education Act of 1965 (20 U.S.C. 1088(a)(1)), beginning on or after July 1, 2004.

**SEC. 104. COLLECTION OF CONTRIBUTIONS FOR EDUCATIONAL ASSISTANCE UNDER MONTGOMERY GI BILL FROM RESERVES CALLED TO ACTIVE DUTY.**

(a) ACTIVE DUTY PROGRAM.—Section 3011(b) is amended—

(1) by striking ''The basic pay'' and inserting ''(1) Except as provided in paragraph (2), the basic pay'';

(2) by designating the second sentence as paragraph (3), indenting the left margin of such paragraph, as so designated, two ems, and, in that paragraph by striking ''this chapter'' and inserting ''this subsection''; and

(3) by inserting after paragraph (1), as so designated, the following new paragraph:

''(2) In the case of an individual covered by paragraph (1) who is a Reserve, the Secretary shall collect from the individual an amount equal to $1,200 before the commencement by the individual of the use of entitlement to basic educational assistance under this chapter. The Secretary may collect such amount through reductions in basic pay in accordance with paragraph (1) or through such other method as the Secretary determines appropriate.''.

(b) SELECTED RESERVE PROGRAM.—Section 3012(c) is amended—

(1) by striking ''The basic pay'' and inserting ''(1) Except as provided in paragraph (2), the basic pay'';

(2) by designating the second sentence as paragraph (3), indenting the left margin of such paragraph, as so designated, two ems, and, in that paragraph by striking ''this chapter'' and inserting ''this subsection''; and

(3) by inserting after paragraph (1), as so designated, the following new paragraph:

''(2) In the case of an individual covered by paragraph (1) who is a Reserve, the Secretary shall collect from the individual an amount equal to $1,200 before the commencement by the individual of the use of entitlement to basic educational assistance under this chapter. The Secretary may collect such amount through reductions in basic pay in accordance with paragraph (1) or through such other method as the Secretary determines appropriate.''.

## TITLE II—HOUSING BENEFITS

**SEC. 201. INCREASE IN MAXIMUM AMOUNT OF HOUSING LOAN GUARANTEE.**

(a) IN GENERAL.—Subparagraph (A)(i)(IV) of section 3703(a)(1) is amended by striking ''$60,000'' and inserting ''$83,425''.

(b) CONFORMING AMENDMENT.—Subparagraph (B) of such section is amended by striking ''$60,000'' and inserting ''$83,425''.

**SEC. 202. PERMANENT AUTHORITY FOR GUARANTEE OF ADJUSTABLE RATE MORTGAGES.**

Section 3707(a) is amended by striking ''The Secretary shall'' and all that follows through ''guaranteeing loans'' and inserting ''The Secretary shall guarantee loans''.

**SEC. 203. PERMANENT AUTHORITY FOR GUARANTEE OF HYBRID ADJUSTABLE RATE MORTGAGES AND MODIFICATION OF GUARANTEE AUTHORITY.**

(a) PERMANENT AUTHORITY.—Subsection (a) of section 3707A is amended by striking ''The Secretary shall'' and all that follows through ''guaranteeing loans'' and inserting ''The Secretary shall guarantee loans''.

(b) MODIFICATION OF INTEREST RATE ADJUSTMENT REQUIREMENTS.—Subsection (c) of such section is amended—

(1) by striking paragraph (3) and inserting the following new paragraph (3):

''(3) in the case of the initial interest rate adjustment under such provisions, be limited to a maximum increase or decrease of 1 percentage point if the interest rate remained fixed for 3 or fewer years; and''; and

(2) in paragraph (4), by striking ''5 percentage points'' and all that follows and inserting ''such number of percentage points as the Secretary shall prescribe for purposes of this section.''.

(c) NO EFFECT ON GUARANTEE OF LOANS UNDER HYBRID ADJUSTABLE RATE MORTGAGE GUARANTEE DEMONSTRATION PROJECT.—The amendments made by this section shall not be construed to affect the force or validity of any guarantee of a loan made by the Secretary of Veterans Affairs under the demonstration project for the guarantee of hybrid adjustable rate mortgages under section 3707A of title 38, United States Code, as in effect on the day before the date of the enactment of this Act.

**SEC. 204. TERMINATION OF COLLECTION OF LOAN FEES FROM VETERANS RATED ELIGIBLE FOR COMPENSATION AT PRE-DISCHARGE RATING EXAMINATIONS.**

Section 3729(c) is amended—

(1) by inserting ''(1)'' before ''A fee''; and

(2) by adding at the end the following new paragraph:

''(2) A veteran who is rated eligible to receive compensation as a result of a pre-discharge disability examination and rating shall be treated as receiving compensation for purposes of this subsection as of the date on which the veteran is rated eligible to receive compensation as a result of the pre-discharge disability examination and rating without regard to whether an effective date of the award of compensation is established as of that date.''.

**TITLE III—OTHER BENEFITS AND BENEFITS MATTERS**

**Subtitle A—Employment Benefits**

**SEC. 301. AVAILABILITY OF ADMINISTRATIVE AND JUDICIAL REDRESS FOR CERTAIN VETERANS DENIED OPPORTUNITY TO COMPETE FOR FEDERAL EMPLOYMENT.**

(a) ADMINISTRATIVE REDRESS.—Section 3330a(a)(1) of title 5, United States Code, is amended—

(1) by inserting ''(A)'' after ''(1)''; and

(2) by adding at the end the following new subparagraph:

''(B) A veteran described in section 3304(f)(1) who alleges that an agency has violated such section with respect to such veteran may file a complaint with the Secretary of Labor.''.

(b) JUDICIAL REDRESS.—Section 3330b(a)(1) of such title is amended by inserting '', or a veteran described by section 3330a(a)(1)(B) with respect to a violation described by such section,'' after ''a preference eligible''.

**Subtitle B—Medical Benefits**

**SEC. 311. PROHIBITION ON COLLECTION OF CO-PAYMENTS FOR HOSPICE CARE.**

Section 1710B(c)(2) is amended—

(1) in subparagraph (A), by striking ''or'' at the end;

(2) by redesignating subparagraph (B) as subparagraph (C); and

(3) by inserting after subparagraph (A) the following new subparagraph (B):

''(B) to a veteran being furnished hospice care under this section; or''.

**Subtitle C—Extension of Benefits and Related Authorities**

**SEC. 321. EXTENSION OF VARIOUS AUTHORITIES RELATING TO BENEFITS FOR VETERANS.**

(a) SIX-YEAR EXTENSION OF BIENNIAL REPORT OF ADVISORY COMMITTEE ON FORMER PRISONERS OF WAR.—Section 541(c)(1) is amended by striking ''2003'' and inserting ''2009''.

(b) PERMANENT AUTHORITY FOR COUNSELING AND TREATMENT FOR SEXUAL TRAUMA.—Section 1720D(a) is amended—

(1) in paragraph (1), by striking ''During the period through December 31, 2004, the Secretary'' and inserting ''The Secretary''; and

(2) in paragraph (2), by striking '', during the period through December 31, 2004,''.

(c) FIVE-YEAR EXTENSION OF REPORTS BY SPECIAL MEDICAL ADVISORY GROUP.—Section 7312(d) is amended by striking ''December 31, 2004'' and inserting ''December 31, 2009''.

**Subtitle D—Other Matters**

**SEC. 331. MODIFICATION OF DEFINITION OF MINORITY GROUP MEMBER FOR PURPOSES OF ADVISORY COMMITTEE ON MINORITY VETERANS.**

Subsection (d) of section 544 is amended to read as follows:

''(d) In this section, the term 'minority group member' means an individual who is—

''(1) American Indian or Alaska Native;

''(2) Asian;

''(3) Black or African American;

''(4) Native Hawaiian or other Pacific Islander; or

''(5) of Hispanic, Latino, or Spanish origin.''.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 368—COMMENDING THE UNIVERSITY OF VIRGINIA CAVALIERS WOMEN'S LACROSSE TEAM FOR WINNING THE 2004 NCAA DIVISION I WOMEN'S LACROSSE NATIONAL CHAMPIONSHIP

Mr. ALLEN (for himself and Mr. WARNER) submitted the following resolution; which was considered and agreed to:

S. RES. 368

Whereas the students, alumni, faculty, and supporters of the University of Virginia are to be congratulated for their commitment and pride in the University of Virginia Cavaliers National Champion women's lacrosse team;

Whereas in the National Collegiate Athletic Association (NCAA) championship game against the Princeton Tigers, the Cavaliers raced out to a 5 to 1 halftime lead on the strength of 8 saves by tournament Most Valuable Player Andrea Pfeiffer and 2 goals and an assist from Tyler Leachman;

Whereas the Cavaliers won the 2004 NCAA Division I women's lacrosse National Championship with an outstanding second half performance, scoring 5 goals to the Princeton Tigers' 3 goals to win by a score of 10 to 4;

Whereas the Cavaliers added the NCAA women's lacrosse title to their Atlantic Coast Conference (ACC) title to claim their second championship in 2004;

Whereas every player on the Cavalier women's lacrosse team—Amy Appelt, Caitlin Banks, Bridget Bradley, Kate Breslin, Laura Burns, Cary Chasney, Kim Connors, Ashley Dodson, Ashleigh Haas, Julie Hauser, Megan Havrilla, Carol Hotarek, Lauren Keller, Meredith Lazarus, Tyler Leachman, Nikki Leib, Chelsea Metz, Ginger Miles, Jessy Morgan, Erin Nagle, Andrea Pfeiffer, Elizabeth Pinney, Kaitlin Swagart, Erin Sweeney, Morgan Thalenberg, Molly Urlock, Jess Wasilewski, and Courtney Young—contributed to the team's success in this impressive championship season;

Whereas the Cavaliers women's lacrosse team Head Coach Julie Myers has won more than 100 games and has taken her teams to the NCAA title game 4 times, a feat only accomplished by 4 other coaches in women's lacrosse Division I history;

Whereas Coach Myers's 8 consecutive invitations to the NCAA lacrosse tournament has only been accomplished by 4 other coaches in women's lacrosse Division I history;

Whereas Coach Myers entered this season, her ninth year at the University of Virginia, as Head Coach with 2 NCAA women's lacrosse titles—1 as a player (1991) and 1 as an assistant coach (1993);

Whereas Julie Myers is the third person in NCAA women's lacrosse history to win a title as both a player and a coach, and is the first person to play for the championship both as a player and as a head coach; and

Whereas assistant coaches Heather Dow, Kateri Linville, and Colleen Shearer deserve high commendation for their strong leadership of, and superb coaching support to, the University of Virginia Cavaliers women's lacrosse team: Now, therefore, be it

*Resolved,* That the Senate—

(1) congratulates the University of Virginia Cavaliers women's lacrosse team for winning the 2004 NCAA Division I women's lacrosse 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; and

(3) directs the Secretary of the Senate to transmit an enrolled copy of this resolution to the Head Coach of the National Champion University of Virginia Cavaliers women's lacrosse team.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 3251. Mr. TALENT submitted an amendment intended to be proposed by him to the bill S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes; which was ordered to lie on the table.

SA 3252. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill S. 2400, supra; which was ordered to lie on the table.

SA 3253. Mr. ALLARD (for himself and Mr. PRYOR) submitted an amendment intended to be proposed by him to the bill S. 2400, supra; which was ordered to lie on the table.

SA 3254. Mr. ALLARD (for himself and Mr. PRYOR) submitted an amendment intended to be proposed by him to the bill S. 2400, supra; which was ordered to lie on the table.

SA 3255. Mr. SARBANES (for himself and Ms. MIKULSKI) submitted an amendment intended to be proposed by him to the bill S. 2400, supra; which was ordered to lie on the table.

SA 3256. Mr. CAMPBELL submitted an amendment intended to be proposed by him to the bill S. 1955, to make technical corrections to laws relating to Native Americans, and for other purposes; which was ordered to lie on the table.

## TEXT OF AMENDMENTS

**SA 3251.** Mr. TALENT submitted an amendment intended to be proposed by him to the bill S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

**SEC. 1068. SENSE OF CONGRESS ON AMERICA'S NATIONAL WORLD WAR I MUSEUM.**

(a) FINDINGS.—Congress makes the following findings:

(1) The Liberty Memorial Museum in Kansas City, Missouri, was built in 1926 in honor of those individuals who served in World War I in defense of liberty and the Nation.

(2) The Liberty Memorial Association, a nonprofit organization which originally built the Liberty Memorial Museum, is responsible for the finances, operations, and collections management of the Liberty Memorial Museum.

(3) The Liberty Memorial Museum is the only public museum in the Nation that exists for the exclusive purpose of interpreting the experiences of the United States and its allies in the World War I years (1914–1918), both on the battlefield and on the home front.

(4) The Liberty Memorial Museum project began after the 1918 Armistice through the efforts of a large-scale, grass-roots civic and fundraising effort by the citizens and veterans of the Kansas City metropolitan area. After the conclusion of a national architectural design competition, ground was broken in 1921, construction began in 1923, and the Liberty Memorial Museum was opened to the public in 1926.

(5) In 1994, the Liberty Memorial Museum closed for a massive restoration and expansion project. The restored museum reopened to the public on Memorial Day, 2002, during a gala rededication ceremony.

(6) Exhibits prepared for the original museum buildings presaged the dramatic, underground expansion of core exhibition gallery space, with over 30,000 square feet of new interpretive and educational exhibits currently in development. The new exhibits, along with an expanded research library and archives, will more fully utilize the many thousands of historical objects, books, maps, posters, photographs, diaries, letters, and reminiscences of World War I participants that are preserved for posterity in the Liberty Memorial Museum's collections. The new core exhibition is scheduled to open on Veterans Day, 2006.

(7) The City of Kansas City, the State of Missouri, and thousands of private donors and philanthropic foundations have contributed millions of dollars to build and later to restore this national treasure. The Liberty Memorial Museum continues to receive the strong support of residents from the States of Missouri and Kansas and across the Nation.

(8) Since the restoration and rededication of 2002, the Liberty Memorial Museum has attracted thousands of visitors from across the United States and many foreign countries.

(9) There remains a need to preserve in a museum setting evidence of the honor, courage, patriotism, and sacrifice of those Americans who offered their services and who gave their lives in defense of liberty during World War I, evidence of the roles of women and African Americans during World War I, and evidence of other relevant subjects.

(10) The Liberty Memorial Museum seeks to educate a diverse group of audiences through its comprehensive collection of historical materials, emphasizing eyewitness accounts of the participants on the battlefield and the home front and the impact of World War I on individuals, then and now. The Liberty Memorial Museum continues to actively acquire and preserve such materials.

(11) A great opportunity exists to use the invaluable resources of the Liberty Memorial Museum to teach the ''Lessons of Liberty'' to the Nation's schoolchildren through on-site visits, classroom curriculum development, distance learning, and other educational initiatives.

(12) The Liberty Memorial Museum should always be the Nation's museum of the national experience in the World War I years (1914–1918), where people go to learn about this critical period and where the Nation's history of this monumental struggle will be preserved so that generations of the 21st century may understand the role played by the United States in the preservation and advancement of democracy, freedom, and liberty in the early 20th century.

(13) This initiative to recognize and preserve the history of the Nation's sacrifices in World War I will take on added significance as the Nation approaches the centennial observance of this event.

(14) It is fitting and proper to refer to the Liberty Memorial Museum as ''America's National World War I Museum''.

(b) SENSE OF CONGRESS.—Congress—

(1) recognizes the Liberty Memorial Museum in Kansas City, Missouri, including the museum's future and expanded exhibits, collections, library, archives, and educational programs, as ''America's National World War I Museum'';

(2) recognizes that the continuing collection, preservation, and interpretation of the historical objects and other historical materials held by the Liberty Memorial Museum enhance the knowledge and understanding of the Nation's people of the American and allied experience during the World War I years (1914–1918), both on the battlefield and on the home front;

(3) commends the ongoing development and visibility of ''Lessons of Liberty'' educational outreach programs for teachers and students throughout the Nation; and

(4) encourages the need for present generations to understand the magnitude of World War I, how it shaped the Nation, other countries, and later world events, and how the sacrifices made then helped preserve liberty, democracy, and other founding principles for generations to come.

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**SA 3252.** Mr. ALLARD submitted an amendment intended to be proposed by him to the bill S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XXVIII, add the following:

**SEC. 2844. TREATMENT OF PROCEEDS OF SALE OF REAL PROPERTY AT ROCKY MOUNTAIN ARSENAL, COLORADO, DISPOSED OF FOR COMMERCIAL, HIGHWAY, OR OTHER PUBLIC USE.**

Section 5(c) of the Rocky Mountain Arsenal National Wildlife Refuge Act of 1992 (Public Law 102–402; 106 Stat. 1966; 16 U.S.C. 668dd note) is amended by striking paragraph (2) and inserting the following new paragraphs:

''(2) Any amounts realized by the United States upon the sale of property as described in paragraph (1) shall be transferred to the National Fish and Wildlife Foundation for use in constructing a visitor center and an environmental education center for the refuge.

''(3) The use by the Foundation of amounts transferred to the Foundation under paragraph (2) shall be subject to the following:

''(A) Applicable provisions of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3701 et seq.), except that such use shall not be subject to section 10(a) of such Act (16 U.S.C. 3709(a)).

''(B) Such terms and conditions as the Foundation and the United States Fish and Wildlife Service shall jointly agree upon with respect to the construction of the visitor center and the environmental education center.

''(4) If the amount transferred to the Foundation under paragraph (2) is excess to the amount required for the construction of the visitor center and the environmental education center, the Foundation shall use the amount of the excess to pay costs associated with the operation and maintenance of the centers.''.

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**SA 3253.** Mr. ALLARD (for himself and Mr. PRYOR) submitted an amendment intended to be proposed by him to the bill S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, between the matter following line 13 and line 14, insert the following:

**SEC. 535. QUALIFICATIONS FOR APPOINTMENT AS DEAN OF THE FACULTY AT THE UNITED STATES AIR FORCE ACADEMY.**

Section 9335(a) of title 10, United States Code, is amended by inserting before the period at the end of the second sentence the following: '', except that, if the Dean is not an officer of the Air Force on active duty, the Dean shall be a retired officer or former officer of the Air Force, and a person may not be appointed or assigned as Dean unless that person holds the highest academic degree in that person's academic field''.

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**SA 3254.** Mr. ALLARD (for himself and Mr. PRYOR) submitted an amendment intended to be proposed by him to the bill S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, between the matter following line 13 and line 14, insert the following:

**SEC. 535. REPEAL OF REQUIREMENT FOR OFFICER TO RETIRE UPON TERMINATION OF SERVICE AS SUPERINTENDENT OF THE AIR FORCE ACADEMY.**

(a) REPEALS.—Sections 8921 and 9333a of title 10, United States Code, are repealed.

(b) CLERICAL AMENDMENTS.—Subtitle D of title 10, United States Code, is amended—

(1) in the table of sections at the beginning of chapter 867, by striking the item relating to section 8921; and

(2) in the table of sections at the beginning of chapter 903, by striking the item relating to section 9333a.

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**SA 3255.** Mr. SARBANES (for himself and Ms. MIKULSKI) submitted an amendment intended to be proposed by him to the bill S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title III, insert the following:

**SEC. 353. SENSE OF THE SENATE REGARDING RESIDENTIAL COMMUNITIES INITIATIVE.**

(a) FINDINGS.—The Senate finds the following:

(1) There are approximately 750,000 school-aged children of members of the active duty Armed Forces in the United States.

(2) Approximately 650,000 of those students are currently being served in public schools across the United States.

(3) The Department of the Army has embarked on a housing initiative, the Residential Communities Initiative, which will result in 70,770 new family housing units at 34 installations and a corresponding increase in the number of school-aged children housed at those installations.

(4) The Secretary of the Army is authorized to include new school facilities in privatized housing contracts; however, the Secretary of the Army has not been using this authority to its fullest advantage. As a result, local educational agencies are being severely impacted by increased student-age populations.

(5) Local educational agencies are struggling under increasing financial burdens as a result of State budget cuts that have reduced the rate of growth for education spending to its lowest point since the 1990–1991 recession and this burden is exacerbated by a stagnate Federal education budget that actually cuts total education funding in fiscal year 2006 through fiscal year 2009 by $5,000,000.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the Department of the Army should support, through a dedicated fund, the construction of schools in local educational agencies whose student populations are severely impacted by housing developed through the Residential Communities Initiative.

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**SA 3256.** Mr. CAMPBELL submitted an amendment intended to be proposed by him to the bill S. 1955, to make technical corrections to laws relating to Native Americans, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) SHORT TITLE.—This Act may be cited as the ''Native American Technical Corrections Act of 2004''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

*Sec. 1. Short title; table of contents.*
*Sec. 2. Definition of Secretary.*
*TITLE I—TECHNICAL AMENDMENTS AND OTHER PROVISIONS RELATING TO NATIVE AMERICANS*
*Sec. 101. National Fund for Excellence in American Indian Education.*
*Sec. 102. Indian Financing Act Amendments.*
*Sec. 103. Indian tribal justice technical and legal assistance.*
*Sec. 104. Tribal justice systems.*
*Sec. 105. Crow Tribal Trust Fund.*
*Sec. 106. ANCSA amendment.*
*Sec. 107. Washoe Tribe of Nevada and California land conveyance.*
*TITLE II—ASSINIBOINE AND SIOUX TRIBES OF THE FORT PECK RESERVATION*
*Sec. 201. Short title.*
*Sec. 202. Findings.*
*Sec. 203. Definitions.*
*Sec. 204. Distribution of judgment funds.*
*Sec. 205. Applicable law.*
*TITLE III—INDIAN LAND LEASING*
*Sec. 301. Authorization of 99-year leases.*
*Sec. 302. Certification of rental proceeds.*
*Sec. 303. Montana Indian Tribes; agreement with Dry Prairie Rural Water Association, Incorporated.*
*Sec. 304. Authorization of leases of restricted land for terms of 99 years.*
*TITLE IV—NAVAJO HEALTH CONTRACTING*
*Sec. 401. Navajo health contracting.*

**SEC. 2. DEFINITION OF SECRETARY.**

In this Act, the term ''Secretary'' means the Secretary of the Interior.

## TITLE I—TECHNICAL AMENDMENTS AND OTHER PROVISIONS RELATING TO NATIVE AMERICANS

**SEC. 101. NATIONAL FUND FOR EXCELLENCE IN AMERICAN INDIAN EDUCATION.**

Title V of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 458bbb) is amended—

(1) by striking the title heading and inserting the following:

**''TITLE V—NATIONAL FUND FOR EXCELLENCE IN AMERICAN INDIAN EDUCATION'';**

(2) in section 501 (25 U.S.C. 458bbb)—

(A) by striking the section heading and inserting the following:

**''SEC. 501. NATIONAL FUND FOR EXCELLENCE IN AMERICAN INDIAN EDUCATION.'';**

and

(B) in subsection (a), by striking ''the American Indian Education Foundation'' and inserting ''a foundation to be known as the 'National Fund for Excellence in American Indian Education' ''; and

(3) in section 503(2) (25 U.S.C. 458bbb–2(2)), by striking ''Foundation'' the second place it appears and inserting ''National Fund for Excellence in American Indian Education''.

**SEC. 102. INDIAN FINANCING ACT AMENDMENTS.**

(a) LOAN GUARANTIES AND INSURANCE.—Section 201 of the Indian Financing Act of 1974 (25 U.S.C. 1481) is amended—

(1) by striking ''the Secretary is authorized (a) to guarantee'' and inserting ''the Secretary may—

''(1) guarantee'';

(2) by striking ''Indians; and (b) in lieu of such guaranty, to insure'' and inserting ''Indians; or

''(2) to insure'';

(3) by striking ''SEC. 201. In order'' and inserting the following:

**''SEC. 201. LOAN GUARANTIES AND INSURANCE.**

''(a) IN GENERAL.—In order''; and

(4) by adding at the end the following:

''(b) ELIGIBLE BORROWERS.—The Secretary may guarantee or insure loans under subsection (a) to both for-profit and nonprofit borrowers.''.

(b) LOAN APPROVAL.—Section 204 of the Indian Financing Act of 1974 (25 U.S.C. 1484) is amended by striking ''SEC. 204.'' and inserting the following:

**''SEC. 204. LOAN APPROVAL.''.**

(c) LOANS INELIGIBLE FOR GUARANTY OR INSURANCE.—Section 206 of the Indian Financing Act of 1974 (25 U.S.C. 1486) is amended by striking ''Internal Revenue Code of 1954, as amended,'' and inserting ''Internal Revenue Code of 1986 (except loans made by certified Community Development Finance Institutions)''.

(d) AGGREGATE LOANS OR SURETY BONDS LIMITATION.—Section 217(b) of the Indian Financing Act of 1974 (25 U.S.C. 1497(b)) is amended by striking ''$500,000,000'' and inserting ''$1,500,000,000''.

**SEC. 103. INDIAN TRIBAL JUSTICE TECHNICAL AND LEGAL ASSISTANCE.**

Sections 106 and 201(d) of the Indian Tribal Justice Technical and Legal Assistance Act (25 U.S.C. 3666, 3681(d)) are amended by striking ''for fiscal years 2000 through 2004'' and inserting ''for fiscal years 2004 through 2010''.

**SEC. 104. TRIBAL JUSTICE SYSTEMS.**

Subsections (a), (b), (c), and (d) of section 201 of the Indian Tribal Justice Act (25 U.S.C. 3621) are amended by striking ''2007'' and inserting ''2010''.

**SEC. 105. CROW TRIBAL TRUST FUND.**

Section 6(d) of the Crow Boundary Settlement Act of 1994 (25 U.S.C. 1776d(d)), is amended—

(1) in the subsection heading, by inserting ''AND CAPITAL GAINS'' after ''INTEREST'';

(2) in paragraph (1), by striking ''Only'' and inserting ''Except as provided in paragraph (4), only''; and

(3) by adding at the end the following:

''(4) DISTRIBUTION OF CAPITAL GAINS.—Notwithstanding subsection (f) or any other provision of law, capital gains and any other noninterest income received on funds in the Crow Tribal Trust Fund shall be available for distribution by the Secretary to the Crow Tribe to the extent that the balance in the Crow Tribal Trust Fund (including capital gains) exceeds $85,000,000, for the same uses and subject to the same restrictions in paragraphs (1) and (3) as are applicable to distributions of interest.''.

**SEC. 106. ANCSA AMENDMENT.**

All land and interests in land in the State of Alaska conveyed by the Federal Government under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) to a Native Corporation and reconveyed by that Native Corporation, or a successor in interest, in exchange for any other land or interest in land in the State of Alaska and located within the same region (as defined in section 9(a) of the Alaska Native Claims Settlement Act (43 U.S.C. 1608(a)), to a Native Corporation under an exchange or other conveyance, shall be deemed, notwithstanding the conveyance or exchange, to have been conveyed pursuant to that Act.

**SEC. 107. WASHOE TRIBE OF NEVADA AND CALIFORNIA LAND CONVEYANCE.**

Section 2 of Public Law 108–67 (117 Stat. 880) is amended by striking ''the parcel'' and all that follows and inserting ''a portion of Lots 3 and 4, as shown on the United States and Encumbrance Map revised January 10, 1991, for the Toiyabe National Forest, Ranger District Carson −1, located in the S½ of NW¼ and N½ of SW¼ of the SE¼ of sec. 27, T. 15N, R. 18E, Mt. Diablo Base and Meridian, comprising 24.3 acres.''.

## TITLE II—ASSINIBOINE AND SIOUX TRIBES OF THE FORT PECK RESERVATION

**SEC. 201. SHORT TITLE.**

This title may be cited as the ''Assiniboine and Sioux Tribes of the Fort Peck Reservation Judgment Fund Distribution Act of 2004''.

**SEC. 202. FINDINGS.**

Congress finds that—

(1) on December 18, 1987, the Assiniboine and Sioux Tribes of the Fort Peck Reservation and 5 individual Fort Peck tribal members filed a complaint in the United States Claims Court (currently the Court of Federal Claims) in the case of Assiniboine and Sioux Tribes of the Fort Peck Reservation v. United States of America, Docket No. 773–87–L, to recover interest earned on trust funds while those funds were held in special deposit accounts and Indian Moneys–Proceeds of Labor accounts;

(2) the Court held that the United States was liable for any income derived from investment of the trust funds of the Tribe and individual members of the Tribe for the period during which those funds were held in special deposit accounts and Indian Moneys–Proceeds of Labor accounts;

(3) on December 31, 1998, the plaintiffs entered into a settlement with the United States for claims made in the case for payment by the United States of—

(A) $1,339,415.33, representing interest earned on funds while held in special deposit accounts at the Fort Peck Agency during the period August 13, 1946, through September 30, 1981;

(B) $2,749,354.41, representing—

(i) interest on the principal indebtedness for the period from August 13, 1946, through July 31, 1998; plus

(ii) $364.27 in per diem interest on the principal indebtedness for each day during the period commencing August 1, 1998, and ending on the date on which the judgment is paid; and

(C) $350,000, representing the litigation costs and attorney's fees that the Tribe incurred to prosecute the claims;

(4) the terms of the settlement were approved by the Court on January 8, 1999, and judgment was entered on January 12, 1999;

(5) on March 18, 1999, $4,522,551.84 was transferred to the Department of the Interior;

(6) that judgment amount was deposited in an escrow account established to provide—

(A) $350,000 for the payment of attorney's fees and expenses; and

(B) $4,172,551.84 for pending Court-ordered distribution to the Tribe and individual Indian trust beneficiaries;

(7) on January 31, 2001, the Court approved a joint stipulation that established procedures for—

(A) identification of the class of individual Indians having an interest in the judgment;

(B) notice to and certification of that class; and

(C) the distribution of the judgment amount to the Tribe and affected class of individual Indians;

(8)(A) on or about February 14, 2001, in accordance with the Court-approved stipulation, $643,186.73 was transferred to an account established by the Secretary for the benefit of the Tribe; and

(B) that transferred amount represents—

(i) 54.2 percent of the Tribe's estimated 26-percent share of the amount referred to in paragraph (6)(B); plus

(ii) 50 percent of the Tribe's estimated 26-percent share of interest and capital gains earned on the judgment amount from the period beginning March 18, 1999, and ending on December 31, 2000;

(9) under the Court-approved stipulation—

(A) that transferred amount is to remain available for use by the Tribe in accordance with a plan adopted under the Indian Tribal Judgment Funds Use or Distribution Act (25 U.S.C. 1401 et seq.);

(B) the Tribe will most likely receive additional payments from the distribution amount once the identification of all individuals eligible to share in the distribution amount is completed and the pro rata shares are calculated; and

(C) those additional payments would include—

(i) the balance of the share of the Tribe of the distribution amount and investment income earned on the distribution amount;

(ii) the portion of the distribution amount that represents income derived on funds in special deposit accounts that are not attributable to the Tribe or any individual Indian; and

(iii) the portion of the distribution amount that represents shares attributable to individual Indians that—

(I) cannot be located for purposes of accepting payment; and

(II) will not be bound by the judgment in the case referred to in paragraph (1); and

(10) under the Indian Tribal Judgment Funds Use or Distribution Act (25 U.S.C. 1401 et seq.), the Secretary is required to submit to Congress for approval an Indian judgment fund use or distribution plan.

**SEC. 203. DEFINITIONS.**

In this title:

(1) COURT.—The term ''Court'' means the Court of Federal Claims.

(2) DISTRIBUTION AMOUNT.—The term ''distribution amount'' means the amount referred to in section 202(6)(B).

(3) JUDGMENT AMOUNT.—The term ''judgment amount'' means the amount referred to in section 202(5).

(4) PRINCIPAL INDEBTEDNESS.—The term ''principal indebtedness'' means the amount referred to in section 202(3)(A).

(5) TRIBE.—The term ''Tribe'' means the Assiniboine and Sioux Tribes of the Fort Peck Reservation.

**SEC. 204. DISTRIBUTION OF JUDGMENT FUNDS.**

(a) IN GENERAL.—Notwithstanding any provision of the Indian Tribal Judgment Funds Use or Distribution Act (25 U.S.C. 1401 et seq.), the share of the Tribe of the distribution amount, and such additional amounts as may be awarded to the Tribe by the Court with respect to the case referred to in section 202(1) (including any interest accrued on those amounts)—

(1) shall be made available for tribal health, education, housing, and social services programs of the Tribe, including—

(A) educational and youth programs;

(B) programs for improvement of facilities and housing;

(C) programs to provide equipment for public utilities;

(D) programs to provide medical assistance or dental, optical, or convalescent equipment; and

(E) programs to provide senior citizen and community services; and

(2) shall not be available for per capita distribution to any member of the Tribe.

(b) BUDGET SPECIFICATION.—The specific programs for which funds are made available under subsection (a)(1), and the amount of funds allocated to each of those programs, shall be specified in an annual budget developed by the Tribe and approved by the Secretary.

**SEC. 205. APPLICABLE LAW.**

Except as provided in section 204(a), all funds distributed under this title are subject to sections 7 and 8 of the Indian Tribal Judgment Funds Use or Distribution Act (25 U.S.C. 1407, 1408).

## TITLE III—INDIAN LAND LEASING

**SEC. 301. AUTHORIZATION OF 99-YEAR LEASES.**

(a) IN GENERAL.—Subsection (a) of the first section of the Act of August 9, 1955 (25 U.S.C. 415(a)), is amended in the second sentence—

(1) by inserting ''the reservation of the Confederated Tribes of the Umatilla Indian Reservation,'' before ''the Burns Paiute Reservation,'';

(2) by inserting ''the'' before ''Yavapai-Prescott'';

(3) by inserting ''the Muckleshoot Indian Reservation and land held in trust for the Muckleshoot Indian Tribe,'' after ''the Cabazon Indian reservation,''.

(4) by striking ''Washington,,'' and inserting ''Washington,'';

(5) by inserting ''lands held in trust for the Fallon Paiute Shoshone Tribes,'' before ''lands held in trust for the Pueblo of Santa Clara''; and

(6) by inserting ''land held in trust for the Yurok Tribe, land held in trust for the Hopland Band of Pomo Indians of the Hopland Rancheria,'' after ''Pueblo of Santa Clara,''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to any lease entered into or renewed after the date of enactment of this Act.

**SEC. 302. CERTIFICATION OF RENTAL PROCEEDS.**

Notwithstanding any other provision of law, any actual rental proceeds from the lease of land acquired under section 1 of Public Law 91–229 (25 U.S.C. 488) certified by the Secretary of the Interior shall be deemed—

(1) to constitute the rental value of that land; and

(2) to satisfy the requirement for appraisal of that land.

**SEC. 303. MONTANA INDIAN TRIBES; AGREEMENT WITH DRY PRAIRIE RURAL WATER ASSOCIATION, INCORPORATED.**

(a) IN GENERAL.—The Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation (referred to in this section as the ''Tribes'') may, with the approval of the Secretary of the Interior, enter into a lease or other temporary conveyance of water rights recognized under the Fort Peck-Montana Compact (Montana Code Annotated 85–20–201) for the purpose of meeting the water needs of the Dry Prairie Rural Water Association, Incorporated (or any successor entity), in accordance with section 5 of the Fort Peck Reservation Rural Water System Act of 2000 (114 Stat. 1454).

(b) CONDITIONS OF LEASE.—With respect to a lease or other temporary conveyance described in subsection (a)—

(1) the term of the lease or conveyance shall not exceed 100 years; and

(2)(A) the lease or conveyance may be approved by the Secretary of the Interior without monetary compensation to the Tribes; and

(B) the Secretary of the Interior shall not be subject to liability for any claim or cause of action relating to the compensation or consideration received by the Tribes under the lease or conveyance.

(c) NO PERMANENT ALIENATION OF WATER.—Nothing in this section authorizes any permanent alienation of any water by the Tribes.

**SEC. 304. AUTHORIZATION OF LEASES OF RESTRICTED LAND FOR TERMS OF 99 YEARS.**

The first section of the Act of August 9, 1955 (25 U.S.C. 415) (as amended by section 3), is amended by adding at the end the following:

''(h) AUTHORIZATION OF LEASES OF TRIBALLY OWNED RESTRICTED LAND FOR TERMS OF 99 YEARS.—

''(1) IN GENERAL.—Notwithstanding subsection (a), any restricted Indian land that is owned by an Indian tribe may be leased by the tribal owner, with the approval of the Secretary of the Interior, for a term of not longer than 99 years, for—

''(A) public, religious, educational, recreational, residential, or business purposes; and

''(B) any other purpose stated in subsection (a), unless the Secretary determines that the principal purpose of the lease is for—

''(i) exploration, development, or extraction of a mineral resource; or

''(ii) storage of materials listed as high level radioactive waste (as defined in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101)).

''(2) APPROVAL BY THE SECRETARY.—To the maximum extent practicable under law, the Secretary shall approve or disapprove a lease described in subsection (a) or an amendment to such a lease not later than the date that is 270 days after the date on which an application for approval of the lease or lease amendment is submitted to the Secretary.''.

## TITLE IV—NAVAJO HEALTH CONTRACTING

**SEC. 401. NAVAJO HEALTH CONTRACTING.**

The Navajo Health Foundation/Sage Memorial Hospital in Ganado, Arizona, shall be considered to be a tribal contractor under the Indian Self-Determination and Education Assistance Act for the purposes of section 102(d) and subsections (k) and (o) of section 105 of that Act (25 U.S.C. 450f(d), 450j) provided that the Hospital remains the authorized tribal organization (as defined in section 4 of that Act (25 U.S.C. 450b)) of the Navajo Nation.

## NOTICES OF HEARINGS/MEETINGS

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, I would like to announce for the information of the Senate and the public that the following hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will take place on Tuesday, June 8th, 2004 at 10:00 a.m. in Room 366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing is to consider the nomination of Suedeen G. Kelly, to be a Member of the Federal Energy Regulatory Commission for the term expiring June 30, 2009.

For further information, please contact Judy Pensabene of the Committee staff at (202) 224–1327.

### SUBCOMMITTEE ON NATIONAL PARKS

Mr. THOMAS. Mr. President, I would like to announce for the information of the Senate and the public that the following hearing has been scheduled before the Subcommittee on National Parks of the Committee on Energy and Natural Resources:

The hearing will be held on Tuesday, June 8, 2004 at 2:30 p.m. in room SD–366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to receive testimony on the following bills: S. 931, to direct the Secretary of the Interior to undertake a program to reduce the risks from and mitigate the effects of avalanches on visitors to units of the National Park System and on other recreational users of public land; S. 1678, to provide for the establishment of the Uintah Research and Curatorial Center for Dinosaur National Monument in the States of Colorado and Utah, and for other purposes; S. 2140, to expand the boundary of the Mount Rainier National Park; S. 2287, to adjust the boundary of the Barataria Preserve Unit of the Jean Lafitte National Historical Park and Preserve in the State of Louisiana, and for other purposes; and S. 2469, to amend the National Historic Preservation Act to provide appropriation authorization and improve the operations of the Advisory Council on Historic Preservation.

Because of the limited time available for the hearings, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, SD–364 Dirksen Senate Office Building, Washington, DC 20510–6150.

For further information, please contact Tom Lillie at (202) 224–5161 or Sarah Creachbaum at (202) 224–6293.

## COMMENDING THE UNIVERSITY OF VIRGINIA WINNING THE 2004 NCAA DIVISION I WOMEN'S LACROSSE NATIONAL CHAMPIONSHIP

Mr. MCCONNELL. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of S. Res. 368, which was submitted earlier today by Senators ALLEN and WARNER.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 368) commending the University of Virginia Cavaliers women's lacrosse team for winning the 2004 NCAA Division I women's lacrosse National Championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. ALLEN. Mr. President, I congratulate the University of Virginia Women's Lacrosse team for winning the 2004 NCAA Division I lacrosse championship with a 10-to-4 victory over the previously undefeated 2003 champion Princeton Tigers and introduce a resolution expressing the congratulations of the United States Senate to these outstanding young women.

As a University of Virginia graduate and father of a daughter who plays lacrosse in high school, I express the pride felt by all students, faculty and alumni of the University of Virginia at this tremendous accomplishment by the women's lacrosse team. Coach Julie Myers and her superb coaching staff: Colleen Shearer, Heather Dow and Kateri Linville, deserve much of the credit for the accomplishment of these student athletes and should also be highly commended.

The University of Virginia Cavaliers Women's Lacrosse team raced out to a 5 to 1 halftime lead on the strength of eight saves by tournament MVP Andrea Pfeiffer and two goals and an assist from Tyler Leachman. The University of Virginia went on to win the championship with an outstanding second half performance scoring five goals to the Princeton Tigers' three to win the 2004 NCAA women's lacrosse title 10 to 4.

In her distinguished career, Cavalier Head Coach Julie Myers has won over a hundred games and has taken her teams to the NCAA title game four times, a feat accomplished by only four other coaches in Division I history. Cavalier teams' eight consecutive invitations to the NCAA tournament have been accomplished by only four other coaches in Division I history. In addition to their 2004 National title, the women's team also won the ACC championship, one of the toughest conferences in the country.

The members of the 2004 University of Virginia's Women's Lacrosse team have indeed made Mr. Jefferson's University proud and should be applauded for their character and leadership, both on and off the playing field. I congratulate Amy Appelt, Caitlin Banks, Bridget Bradley, Kate Breslin, Laura Burns, Cary Chasney, Kim Connors, Ashley Dodson, Ashleigh Haas, Julie Hauser, Megan Havrilla, Carol Hotarek, Lauren Keller, Meredith Lazarus, Tyler Leachman, Nikki Leib, Chelsea Metz, Ginger Miles, Jessy Morgan, Erin Nagle, Andrea Pfeiffer, Elizabeth Pinney, Kaitlin Swagart, Erin Sweeney, Morgan Thalenberg, Molly Urlock, Jess Wasilewski, and Courtney Young.

Mr. President, I hope my colleagues will join with Senator WARNER and me to pass this resolution recognizing the National Champion University of Virginia Women's Lacrosse team.

Mr. MCCONNELL. Mr. President, I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements related to this resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 368) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 368

Whereas the students, alumni, faculty, and supporters of the University of Virginia are to be congratulated for their commitment and pride in the University of Virginia Cavaliers National Champion women's lacrosse team;

Whereas in the National Collegiate Athletic Association (NCAA) championship game against the Princeton Tigers, the Cavaliers raced out to a 5 to 1 halftime lead on the strength of 8 saves by tournament Most Valuable Player Andrea Pfeiffer and 2 goals and an assist from Tyler Leachman;

Whereas the Cavaliers won the 2004 NCAA Division I women's lacrosse National Championship with an outstanding second half performance, scoring 5 goals to the Princeton Tigers' 3 goals to win by a score of 10 to 4;

Whereas the Cavaliers added the NCAA women's lacrosse title to their Atlantic Coast Conference (ACC) title to claim their second championship in 2004;

Whereas every player on the Cavalier women's lacrosse team—Amy Appelt, Caitlin Banks, Bridget Bradley, Kate Breslin, Laura Burns, Cary Chasney, Kim Connors, Ashley Dodson, Ashleigh Haas, Julie Hauser, Megan Havrilla, Carol Hotarek, Lauren Keller, Meredith Lazarus, Tyler Leachman, Nikki Leib, Chelsea Metz, Ginger Miles, Jessy Morgan, Erin Nagle, Andrea Pfeiffer, Elizabeth Pinney, Kaitlin Swagart, Erin Sweeney, Morgan Thalenberg, Molly Urlock, Jess Wasilewski, and Courtney Young—contributed to the team's success in this impressive championship season;

Whereas the Cavaliers women's lacrosse team Head Coach Julie Myers has won more than 100 games and has taken her teams to the NCAA title game 4 times, a feat only accomplished by 4 other coaches in women's lacrosse Division I history;

Whereas Coach Myers's 8 consecutive invitations to the NCAA lacrosse tournament has only been accomplished by 4 other coaches in women's lacrosse Division I history;

Whereas Coach Myers entered this season, her ninth year at the University of Virginia,

as Head Coach with 2 NCAA women's lacrosse titles—1 as a player (1991) and 1 as an assistant coach (1993);

Whereas Julie Myers is the third person in NCAA women's lacrosse history to win a title as both a player and a coach, and is the first person to play for the championship both as a player and as a head coach; and

Whereas assistant coaches Heather Dow, Kateri Linville, and Colleen Shearer deserve high commendation for their strong leadership of, and superb coaching support to, the University of Virginia Cavaliers women's lacrosse team: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates the University of Virginia Cavaliers women's lacrosse team for winning the 2004 NCAA Division I women's lacrosse 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; and

(3) directs the Secretary of the Senate to transmit an enrolled copy of this resolution to the Head Coach of the National Champion University of Virginia Cavaliers women's lacrosse team.

## UNANIMOUS CONSENT AGREEMENT—S. 2400

Mr. MCCONNELL. Mr. President, I ask unanimous consent the agreement reached earlier today limiting amendments to the Department of Defense authorization bill be modified so that all second-degree amendments must be relevant to the amendment to which they are offered.

The PRESIDING OFFICER. Without objection, it is so ordered.

## ORDERS FOR WEDNESDAY, JUNE 2, 2004

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:45 a.m. tomorrow, Wednesday, June 2. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, the Senate then begin a period of morning business for up to 60 minutes, with the Democratic leader or his designee in control of the first 30 minutes, and the majority leader or his designee in control of the final 30 minutes; provided that following morning business, the Senate resume consideration of calendar No. 503, S. 2400, the Department of Defense authorization bill.

I further ask consent that the Senate recess from 12:30 to 2:15 for the weekly party luncheons.

The PRESIDING OFFICER. Without objection, it is so ordered.

## PROGRAM

Mr. MCCONNELL. Tomorrow, following morning business, the Senate will resume consideration of the DOD authorization bill.

Earlier today we were able to lock in a final list of first-degree amendments to the bill. While this will help Senators WARNER and LEVIN begin working on a schedule for the consideration of amendments, I was disappointed the list included, unfortunately, 200 possible amendments. I encourage Senators on both sides of the aisle to show restraint in offering amendments. Nothing requires all 200 of those amendments, in fact, be offered. With everyone's cooperation, we should be able to finish this bill this week.

With that being said, the chairman and ranking member will be here tomorrow working through those amendments. We do expect rollcall votes throughout the day tomorrow in relation to these amendments and Senators will be notified when the first vote is scheduled.

Mr. REID. Mr. President, if my distinguished colleague will yield for me to comment.

Mr. MCCONNELL. I yield.

Mr. REID. Mr. President, we are so grateful we are now moving to the Defense bill, getting off the cloture vote. This was a good move. We appreciate that very much.

Realistically, we have about 140 amendments. The majority has over 90 amendments. That is a lot of amendments. Many of the amendments, as we know, will not be offered. There are a large number of irrelevant amendments which are just a ''holder'' in case something comes up that is not anticipated. However, we still have scores of amendments that people will offer. A number of these amendments, the managers will work through and we will be able to dispose of one way or the other.

However, we are not going to finish the bill Thursday. There is an important trip Members are taking to commemorate the anniversary of the Normandy invasion and a number of Senators will be leaving for that sometime Thursday evening, I understand.

I further note we will not be able to work on this bill Friday. That is my understanding, at least. Certainly there will not be any votes.

We want to work to finish this bill. As I mentioned earlier today, there is not anything we can be more importantly engaged in than working on this Defense bill. Yesterday, five soldiers were killed. We have averaged two deaths a day for the last 2 months. We are approaching 5,000 of our military personnel who have been injured, many of those grievously injured.

We are going to be as cooperative as we can. This is a bill we want as much as the majority. That is why we raised this issue a week ago last Friday and did not want to move off the Defense bill to go to the important class action legislation.

This may be our only opportunity to talk about this issue this year. I hope people are not thinking we were not cooperating. We cannot finish it in 2 days. It is impossible, legislatively impossible. We should get off that and understand that.

Mr. MCCONNELL. Mr. President, the assistant Democratic leader has indicated we have had some casualties this week. It is also important to point out this is the smallest number of casualties of any major war in the history of the United States by far.

We just had an opportunity this past weekend to open the World War II Memorial and remember the over 400,000 Americans who were lost in that great conflict. It is impossible to fight the war on terrorism with no casualties. We regret every single death and every single injury, but given the enormous task, we have already completed liberating over 50 million people in the last 2½ years. It has been done in an extraordinarily effective way with minimum loss of life on our side. We all agree our military forces are quite extraordinary in the task they are undertaking.

Speaking of World War II, in addition, tomorrow at 5 p.m., there will be a reception honoring Senators AKAKA, HOLLINGS, LAUTENBERG, INOUYE, STEVENS, and WARNER, all of whom served in World War II. We will devote the hour prior to the reception to speeches in the Senate honoring their service.

## ADJOURNMENT UNTIL 9:45 A.M. TOMORROW

Mr. MCCONNELL. 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 6:37 p.m., adjourned until Wednesday, June 2, 2004, at 9:45 a.m.

## NOMINATIONS

Executive nominations received by the Senate June 1, 2004:

### DEPARTMENT OF DEFENSE

PETER CYRIL WYCHE FLORY, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE, VICE JACK DYER CROUCH, II.

### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

CARIN M. BARTH, OF TEXAS, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, VICE ANGELA ANTONELLI.

### DEPARTMENT OF LABOR

VERONICA VARGAS STIDVENT, OF TEXAS, TO BE AN ASSISTANT SECRETARY OF LABOR, VICE CHRIS SPEAR, RESIGNED.

### DEPARTMENT OF EDUCATION

JOHN H. HAGER, OF VIRGINIA, TO BE ASSISTANT SECRETARY FOR SPECIAL EDUCATION AND REHABILITATIVE SERVICES, DEPARTMENT OF EDUCATION, VICE ROBERT PASTERNACK.

### NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

HERMAN BELZ, OF MARYLAND, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2010, VICE LINDA LEE AAKER, TERM EXPIRED.

TAMAR JACOBY, OF NEW JERSEY, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2010, VICE PEDRO G. CASTILLO, TERM EXPIRED.

CRAIG HAFFNER, OF CALIFORNIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2010, VICE MICHAEL PACK, TERM EXPIRED.

JAMES DAVIDSON HUNTER, OF VIRGINIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2010, VICE EDWARD L. AYERS, TERM EXPIRED.

HARVEY KLEHR, OF GEORGIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A

TERM EXPIRING JANUARY 26, 2010, VICE THEODORE WILLIAM STRIGGLES, TERM EXPIRED.

THOMAS K. LINDSAY, OF TEXAS, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2010, VICE IRA BERLIN, TERM EXPIRED.

IRIS LOVE, OF VERMONT, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2010, VICE EVELYN EDSON, TERM EXPIRED.

THOMAS MALLON, OF CONNECTICUT, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2010. (REAPPOINTMENT)

RICARDO QUINONES, OF CALIFORNIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2010, VICE AMY APFEL KASS, TERM EXPIRED.

DEPARTMENT OF JUSTICE

ROBERT CRAMER BALFE III, OF ARKANSAS, TO BE UNITED STATES ATTORNEY FOR THE WESTERN DISTRICT OF ARKANSAS FOR THE TERM OF FOUR YEARS, VICE THOMAS C. GEAN, RESIGNED.

DAVID E. NAHMIAS, OF GEORGIA, TO BE UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF GEORGIA FOR THE TERM OF FOUR YEARS, VICE WILLIAM S. DUFFEY, JR.

WILLIAM SANCHEZ, OF FLORIDA, TO BE SPECIAL COUNSEL FOR IMMIGRATION-RELATED UNFAIR EMPLOYMENT PRACTICES FOR A TERM OF FOUR YEARS, VICE JUAN CARLOS BENITEZ, RESIGNED.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE SURGEON GENERAL, UNITED STATES ARMY, AND APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 3036:

*To be lieutenant general*

MAJ. GEN. KEVIN C. KILEY, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be captain*

JOSEPH P. COSTELLO, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be captain*

RALPH W. COREY III, 0000
KIRK A. FOSTER, 0000
WALTER M. FREDERICK, 0000
DAVID E. GROGAN, 0000
JEFFREY S. HORWITZ, 0000
JON E. NELSON, 0000
KENNETH J. OROURKE, 0000
JOHN K. WAITS, 0000
EDWARD S. WHITE, 0000

## CONFIRMATION

Executive nomination confirmed by the Senate June 1, 2004:

THE JUDICIARY

F. DENNIS SAYLOR IV, OF MASSACHUSETTS, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MASSACHUSETTS

# EXTENSIONS OF REMARKS

## A TRIBUTE TO MS. DOROTHY GRACE BOYAJIAN ON HER 53 YEARS OF DEDICATED SERVICE

**HON. TOM LANTOS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 1, 2004*

Mr. LANTOS. Mr. Speaker, it is with great honor and pride that I pay tribute to an extraordinary teacher, Dorothy Grace Boyajian. For the past 53 years, she has been an inspiration to many of her colleagues by dedicating herself to serving the children of the San Mateo-Foster City School District.

Ms. Boyajian was born in Camden, New Jersey, and arrived in the Bay Area with her parents in 1938. She attended Turnbill Elementary School, and later returned to the same building as a teacher. She attended professional growth classes at San Francisco State University, Stanford University and University of California, Berkeley. Ms. Boyajian still lives in the home her father built in Burlingame. She supports three children through Child Care International.

Mr. Speaker, Ms. Boyajian's extraordinary teaching has received many awards. She has won the Who's Who in Teaching Award twice, was inducted into the San Mateo County Women's Hall of Fame and was once judged to be one of the top 40 teachers in the United States. The litany of awards and honors bestowed upon her are indicative of the professional respect she has achieved, but Ms. Boyajian's true legacy is her students.

Since her first days as a teacher 53 years ago, Dorothy Grace Boyajian has instilled in her students an important lesson that no matter how big the world is, they can and should play a part in it. As part of this lesson her students would write to famous dignitaries whose responses line the walls around her classroom. This led to a memorable moment when a local television show came to her classroom and showed responses from Queen Elizabeth II and the then First Lady Nancy Reagan.

After a half century dedicating her life to teaching, Ms. Boyajian's passion for teaching and her commitment to this noble profession has not wavered. Ms. Boyajian has decided to retire in order to save the jobs of two of her younger colleagues. In what is truly the epitome of selflessness, Ms Boyajian recently reflected on her retirement by saying, ''I'll miss [teaching], but if it's going to help out some younger teachers, I'm willing to do it.'' It is a truly sad day when one of the most special teachers who has touched so many lives, has to retire due to budget cuts.

Mr. Speaker, the impact that Dorothy Grace Boyajian has made on the people of San Mateo County is immeasurable. From the dolls her students have given to her for her collection, to getting stopped on the street by former students and told how she has affected their lives, there is no doubt that Ms. Boyajian is a teacher admired by many. Other teachers who have been lucky enough to work with her have described her as a mentor, and an inspiration to those who strive to make students feel like dignitaries themselves.

Mr. Speaker, another example of Ms. Boyajian's effect on the community can be seen by the fact that the San Mateo County Board of Trustees has declared that June 4, 2004 will be Dorothy Grace Boyajian Day, and the San Mateo-Foster City School Board will rename the Sunnybrae Elementary School, where she taught over the last 20 years, the Dorothy Grace Boyajian Elementary School for the day.

Teachers like Ms. Boyajian do not come along everyday, and seeing her retire, though well deserved, will certainly be hard on the community. I hope that all those who follow the path that Ms. Boyajian embarked upon over a half century ago find the same riches that she has found, the riches that you find in the hearts and minds of children.

I urge all of my colleagues to join me in paying tribute to Dorothy Grace Boyajian, whose life has been dedicated to teaching the children of the Peninsula.

## HONORING JUNE 4, 2004 AS LINC TELACU SCHOLARS DAY

**HON. CIRO D. RODRIGUEZ**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 1, 2004*

Mr. RODRIGUEZ. On behalf of the Congressional Hispanic Caucus, I rise to recognize June 4, 2004 as LINC TELACU Scholars Day. As a leading service organization, LINC TELACU Education Foundation in partnership with numerous corporations and universities, has helped to improve Latino communities including East Los Angeles by advancing higher education opportunities for thousands of young Latino leaders.

For over two decades, the Foundation has assisted talented Latinos overcome formidable barriers to academic success by providing millions of dollars in scholarships, as well as comprehensive educational support programs which include: leadership development, college retention, internships, counseling, mentoring, tutorial assistance, computer lab, college advisement and placement assistance, and parental support programs. In addition, TELACU was selected nationally as one of only two community-based organizations nationwide to deliver the TRIO Programs—Classic Upward Bound, Veterans Upward Bound, and Talent Search—through which middle and high-school students and veterans receive preparation for post-secondary education

I would like to commend David C. Lizárraga, TELACU's President and CEO, and his executive staff for their leadership over the past year. Their dedication is helping Latino students overcome the effects of low income, inadequate support and counseling, and a lack of professional and academic role models and to become well educated community leaders.

Thanks to the successful leadership of LINC TELACU, every 2003 LINC TELACU Scholar achieved their high school diploma, college degree, or nursing degree. This year, LINC TELACU will help 600 more students accomplish their higher education goals. As the Chairman of the Congressional Hispanic Caucus, I am proud of these students for their commitment to succeed and wish them continued success.

Mr. Speaker, I ask my colleagues to recognize the many achievements and services provided by LINC TELACU. Please join me in honoring the LINC TELACU Scholars on June 4, 2004.

## RECOGNIZING ERIC ADLARD FOR ACHIEVING THE RANK OF EAGLE SCOUT

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 1, 2004*

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Eric Adlard, son of Mark and Laura Adlard, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 846, and by earning the most prestigious award of Eagle Scout.

Eric has been very active with his troop, participating in numerous scout activities. Over the years Eric has been involved with scouting, he has held numerous leadership positions, serving as Troop Historian, Patrol Leader, and Senior Patrol Leader. Eric holds such special scouting honors as Arrow of Light, Faith in God, On My Honor, Order of the Arrow, Foxman in the Tribe of Mic-O-Say, and World Conservation Award. Eric holds twenty-six merit badges.

For his Eagle Scout project, Eric built three concrete pads for the baseball bleachers at Cecil Baker Memorial Field in Buckner, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Eric Damon Adlard for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

## FALLEN HEROES

SPEECH OF

**HON. JOHN SHIMKUS**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 20, 2004*

Mr. SHIMKUS. Mr. Speaker, I rise today to recognize the life of Captain John Tipton who was recently killed in Iraq.

Cpt. Tipton, 32, a 1989 Granite City High School graduate, died this past Sunday in an explosion during combat in the Al Anbar Province in Iraq. The province, west of Baghdad,

is where Camp Fallujah is located and is one of the most hostile regions in Iraq. Capt. Tipton was commander of Headquarters Company, 1st Battalion, 16th Infantry, 1st Brigade, 1st Infantry Division out of Fort Riley. He was stationed at Fort Riley, Kansas with his wife, Susie Tipton, of Collinsville, and their two children, Austin, 4, and Kaitlyn, 2.

I am proud of the service Cpt. Tipton has given to our country and the service he and others provide on a daily basis. Not enough can be said about the sacrifice and dedication these men and women display while serving in Iraq. It is troops like Cpt. Tipton, those risking their lives everyday, that ensure our freedom here at home and to others throughout the rest of the world. I salute him and my heart felt condolences go out to his family and all the troops continually fighting to ensure freedom and democracy.

## TRIBUTE TO GLENN CUNNINGHAM A TRUE PUBLIC SERVANT

### HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 1, 2004*

Mr. PAYNE. Mr. Speaker, it is with sorrow that I inform my colleagues of the sudden and untimely passing of Glenn Cunningham. Mr. Cunningham was a longtime public servant. He was Mayor of Jersey City, New Jersey, a significant part of my congressional district. He also served as a member of the New Jersey State Senate. Mayor/State Senator Cunningham was the proverbial public servant. His career in the public arena spanned more than three decades. He was truly a man of the people.

Over the years, I had the privilege of working with Glenn on issues of shared interest, as our careers paralleled each other's. I was delighted when Glenn was elected to his first office as a Hudson County Freeholder in 1975, and then watched with pride as he moved forward in his career to become elected to the Jersey City Municipal Council in 1981 and reelected in 1985 and became President of the Jersey City Municipal Council. In 1996, Glen was appointed by President Clinton to become the first African American U.S. Marshall from the state of New Jersey. In 2001, Glenn was elected the first African American Mayor of Jersey City, and last year Mayor Cunningham was elected State Senator for the 31st District.

Glenn was especially proud of his military and law enforcement experience, having served with honor as a United States Marine. He also was a member of the Jersey City Police Department for more than two decades, rising to the rank of Captain. He later distinguished himself in the post of Hudson County Director of Public Safety.

Glenn was also known for his interest in Black History. I enjoyed having conversations with hirn about the history of Jersey City, Underground Railroad in New Jersey and other significant historical events that shaped our state and nation. I was impressed with his passion and the breadth of his knowledge of historical subjects.

Mr. Speaker, I ask you and my colleagues to join me in remembering a life long distinguished native son of Jersey City, Glenn Cunningham, who was an outstanding role model. His exemplary service will long be remembered. I express my condolences to his survivors, especially his wife, Saundra.

## IN RECOGNITION OF THE NEW YORK BLOOD CENTER'S 40TH ANNIVERSARY AND WALL OF HONOR RECEPTION

### HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 1, 2004*

Mrs. MALONEY. Mr. Speaker, I rise to acknowledge the achievements of the New York Blood Center (NYBC). On the evening of May 19, 2004, the NYBC will unveil its Wall of Honor, which recognizes the many generous donors—both financial and medical—who make possible the Blood Center's tremendous contributions to the public good. The Wall of Honor will also commemorate the Blood Center's forty years of outstanding service to our community, our nation and our world.

The Blood Center has long been an indispensable part of the New York community. Over the last four decades, the NYBC has become one of America's largest community-based, non-profit blood centers. Each year, it provides life-saving blood products and clinical transfusion services to more than one million patients, in over two hundred New York and New Jersey hospitals. In addition, the Center's Solvent Detergent Viral Inactivation Process has improved the safety of more than twenty billion units of blood-derived products distributed worldwide.

The Blood Center has also become a nationally-recognized center for medical education. The NYBC has trained more than 100 physician professionals through its transfusion medicine fellowship, and has offered clinical training to over 400 medical students and 300 laboratory technicians. In all, more than 30 percent of New York and New Jersey blood bank directors have received specialized training from the New York Blood Center. By any measure, the foregoing statistics represent a truly astonishing record of achievement. The clinicians, staff and contributors of the NYBC should be extremely proud of these accomplishments.

As we take time to celebrate the NYBC's history, we must also acknowledge the Blood Center's efforts to meet new and often daunting challenges. As you may know, the New York region is currently facing a critical shortage of blood. The NYBC estimates that the demand for transfusions will easily exceed the Center's projected supply during the coming summer months. The Center has urged local community groups, schools and churches to organize blood drives to forestall interruptions in major medical services this summer. These difficulties make it all the more necessary for the New York community to continue to support the NYBC's noble efforts.

Mr. Speaker, I request that my colleagues join me in paying tribute to the New York Blood Center, whose forward-thinking initiatives to promote the public's health and well-being are truly worthy of celebration. To the dedicated professionals, volunteers and friends of this fine organization, I offer my continuing admiration, respect and support.

## HONORING STEPHEN W. STRUMPH

### HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 1, 2004*

Mr. ISRAEL. Mr. Speaker, I rise today to honor Stephen W. Strumph of Glen Cove, New York, a decorated veteran and a proud American.

Mr. Strumph began his military career in 1937, at the Reserve Officers Army Academy of Poland. At the onset of WWII he was commissioned Second Lieutenant Platoon Leader of the 6th Regiment, 22nd Mountain division in the Polish army.

On November 1, 1939 Mr. Strumph was transported to Lukenwalde and was held as a prisoner of war. He heroically escaped German custody three times, before finally being released in the spring of 1945 and heading for the United States zone.

Mr. Strumph was soon commissioned as a U.S. Army multi-lingual interpreter to interview German soldiers and Gestapo. He was then reunited with Polish troops under Colonel Brzeszczynski, and was placed in command of 125 soldiers and a U.S. Army ammunitions depot. After he was demobilized in 1947, Mr. Strumph worked for eight years at the U.S. embassy in Paris, before emigrating to the United States.

Since his arrival in New York on July 28, 1955, Mr. Strumph has been an outstanding public citizen, volunteering with veterans and fraternal organizations and was honored as "Outstanding Senior Volunteer of the Year." He and his loving wife are the proud parents of three children and eight grandchildren.

I commend Stephen Strumph for his bravery and valor during World War II and thank him for his invaluable service to the Long Island community.

## INDIA'S HUMAN RIGHTS VIOLATIONS IN PUNJAB, KASHMIR SUCCESSFULLY EXPOSED

### HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 1, 2004*

Mr. TOWNS. Mr. Speaker, on May 12, the Subcommittee on Human Rights and Wellness conducted a hearing into human-rights violations in Kashmir and in Punjab, Khalistan. It was a very successful hearing. Witnesses travelled from Kashmir and from out of state to testify.

Those testifying included The Honorable Michael Kozak, Principal Deputy Assistant Secretary of State, Bureau of Human Rights and Labor; The Honorable Donald Camp, Deputy Assistant Secretary of State, Bureau of South Asian Affairs; Mr. T. Kumar, Advocacy Director—Asia, Amnesty International; The Honorable Robert Giuda, Deputy Majority Leader of the New Hampshire House of Representatives and Chairman, Americans for Resolution of Kashmir; Dr. Ghulam Nabi Fai, Executive Director, Kashmiri American Council; Mrs. Attiya Inayatullah, a human-rights activist from Kashmir; Selig Harrison, Director of the Asia Program, Woodrow Wilson Center for International Policy; and Dr. Gurmit Singh Aulakh, President of the Council of Khalistan.

Many witnesses talked about the atrocities that have become everyday policy in India's minority states, such as Punjab, Khalistan and Kashmir. Witnesses testified to such atrocities as extrajudicial killings, including fake encounter killings, custodial deaths throughout the country, excessive use of force by security forces, youth sexually incapacitated through torture, rapes, murders, burning villages, and others.

India claims to be democratic, but it is really a brutal tyranny, as these atrocities show. It has placed over 700,000 troops in Kashmir and another 500,000 in Punjab, Khalistan to suppress any opposition to its brutal rule. The Indian government has murdered over 250,000 Sikhs since 1984, more than 300,000 Christians since 1948, over 87,000 Muslims in Kashmir since 1988, and tens of thousands of Tamils, Assamese, Bodos, Manipuris, Dalits, and others.

Mr. Speaker, the United States of America, the beacon of freedom for the world, cannot just stand by and let these atrocities occur. We should stop aid to India until it respects human rights and we should put this Congress on record in support of self-determination for the Sikhs, Kashmiris, Nagas, and everyone who is seeking freedom from India's brutal rule.

Mr. Speaker, the Council of Khalistan issued an excellent, detailed, and informative press release on the hearing, which I would like to insert in the RECORD now.

DR. AULAKH, OTHERS EXPOSE INDIAN HUMAN RIGHTS VIOLATIONS AT CONGRESSIONAL HEARING

WASHINGTON, DC, MAY 12, 2004.—Dr. Gurmit Singh Aulakh, President of the Council of Khalistan, exposed Indian human rights violations against the Sikhs and other minorities at a Congressional hearing today entitled ''Decades of Terror: Exploring Human Rights Abuses in Kashmir and the Disputed Territories.'' He gave a very emotional informative, strong statement. It was a very successful appearance.

''Repression is the official policy of supposedly secular and democratic India,'' said Dr. Aulakh. ''The reality is that India is a Hindu theocracy, not the democracy it claims to be,'' he said. On October 7, 1987, the Sikh Nation declared its independence from India, naming its new country Khalistan. India's brutal occupation of Khalistan and other minority nations is now internationalized and brought to the attention of the world. On December 5, President Bush told Dr. Aulakh, ''I am aware of the Sikh and Kashmiri problem.'' Dr. Aulakh made it clear to the committee that ''freedom for all the minority nations of South Asia is the only way to end the repression and secure full human rights for everyone in that troubled region.''

Dr. Aulakh testified that ''An Army commander in Amritsar district threatened that he would murder the Sikh men, bring the women to the Army barracks, and 'produce a new generation of Sikhs.' Mr. Chairman, this is disgraceful and extremely insulting to the proud Sikhs. It is unbecoming of an army commander of a nation which claims to be the world's largest democracy.'' He blasted India's policy of Hindutva, the total Hinduization of every aspect of life in India. He noted that Amnesty International has not been allowed into Punjab since 1978. ''Even Castro's Cuba has allowed Amnesty International into the country more recently,'' he said.

Subcommittee Chairman Representative Dan Burton (R–Indiana) opened the hearing with a statement. Congressman Burton said, ''Just as the world is disgusted by the abuse of Iraqi prisoners by United States servicemen and women, we should be disgusted by the tactics that have been systematically employed by Indian military and paramilitary forces.'' He quoted the U.S. State Department report on India: ''Significant human rights abuses included: Extrajudicial killings, including fake encounter killings, custodial deaths throughout the country, and excessive use of force by security forces.'' Chairman Burton noted ''techniques like reprisal killings, burning down of whole villages, and summary executions.'' He said that ''India's insistence on resolving a political problem by force has dragged it down into a campaign of essentially lawless state terrorism.''

''We thank Chairman Burton for holding this important hearing,'' said Dr. Aulakh. ''It has been helpful in showing the world the truth about India's claim to be a secular democracy. What India really is is one of the world's most brutal tyrannies,'' he said.

Other speakers included The Honorable Michael Kozak, Principal Deputy Assistant Secretary of State, Bureau of Democracy, Human Rights, and Labor; The Honorable Donald Camp, Deputy Assistant Secretary of State, Bureau of South Asian Affairs; Mr. T. Kumar, Advocacy Director—Asia, Amnesty International; The Honorable Bob Giuda, Chairman of Americans for Resolution of Kashmir and Deputy Majority Leader of the New Hampshire House of Representatives; Dr. Ghulam Nabi Fai, Executive Director of the Kashmiri American Council; Mrs. Attiya Inayatullah, a human-rights activist and aid worker; and Selig Harrison, Director of the Asia Program, Woodrow Wilson Center for International Policy. Sikhs from Maryland, Virginia, the District of Columbia, New Jersey, and Pennsylvania came to the hearing. Representatives of the Sikh Coalition were in attendance. Such Sikh youth leaders as Amardeep Singh Bhalla, Gurpreet Singh Dhillon, Mona Kaur Dhillon, and others, as well as Sikh activists Ranjit Singh, Gurbax Singh Dhillon, Karj Singh Sandhu, Kavneet Singh Pannu, and many others attended in an excellent show of Sikh strength.

The Indian government has murdered over 250,000 Sikhs since 1984, more than 300,000 Christians since 1948, over 87,000 Muslims in Kashmir since 1988, and tens of thousands of Tamils, Assamese, Bodos, Manipuris, Dalits, and others. The Indian Supreme Court called the Indian government's murders of Sikhs ''worse than a genocide.'' Mrs. Inayatullah testified that in Kashmir, ''Since 1989 and as of January 2004 the death toll stands at 87,648. The orphan count is 105,210, women ages 7–70 molested is a shameful 9,297 and another 21,286 reported widowed, with there being no record of the number of youth sexually incapacitated through torture and disabled for life.'' She said that ''Buzz words like cross-border terrorism and fundamentalism will not cover India's guilt.'' Rep. Giuda noted that ''Indian law immunizes its army and police from prosecution for actions committed under color of 'prevention of terrorism', enabling a hideous government-sanctioned repertoire of torture, rapes, murder, arson, and custodial killing. Pakistan allows U.N. observers and human-rights organizations unfettered access to Free Kashmir, while India denies access to substantial parts of IOK. One must ask, 'Why are no observers allowed? What is India hiding?' ''

Mr. Kumar said that ''torture, including rape, deaths in custody, extrajudicial killings, and 'disappearances' have been perpetrated by agents of the state with impunity.'' He said that ''Most families of all backgrounds have experienced some form of loss—of livelihood, of a relative, or of the sense of security of life, liberty, and other fundamental human rights.'' Dr. Fai reported that ''Killings in Kashmir have become so commonplace that they are reported like car accidents in the United States.'' He described rapes, torture, arbitrary arrests, and other activities. He noted that ''freedom to speak, write, or organize around self-determination or criticism of the Indian government for millions of Kashmiris is chimerical.'' He noted that the Official Secrets Act gives the government authority to suppress criticism of its policies. He said that ''India has authorized a police state reminiscent of the Gestapo.''

Mr. Harrison stated that India has built ''an inflated military force that has committed well-documented atrocities.'' Secretary Kozak said, ''Our annual human-rights report documents our concern and gives examples of the abuses that take place all too frequently.''

Dr. Aulakh testified that Indian police arrested human-rights activist Jaswant Singh Khalra after he exposed their policy of mass cremation of Sikhs, in which over 50,000 Sikhs have been arrested, tortured, and murdered, then their bodies were declared unidentified and secretly cremated. Khalra was murdered in police custody. His body was never given to his family. The police never released the body of former Jathedar of the Akal Takht Gurdev Singh Kaunke after SSP Swaran Singh Ghotna murdered him. Ghotna has not been brought to trial for the murder of Jathedar Kaunke. No one has been brought to justice for the kidnapping and murder of Jaswant Singh Khalra. According to a report by the Movement Against State Repression (MASR), 52,268 Sikhs are being held as political prisoners in India without charge or trial. Some have been in illegal custody since 1984! Amnesty International recently reported at least 100 current torture cases in Punjab. A Sikh leader named Gurnihal Singh Pirzada was arrested on charges that he attended a meeting with ''dissidents.'' Although he denies attending the meeting, he said that it would not be illegal if he did.

Dr. Aulakh noted that history shows that multinational states such as India are doomed to failure. Countries like Austria-Hungary, India's longtime friend the Soviet Union, Yugoslavia, Czechoslovakia, and others prove this point. India is not one country; it is a polyglot like those countries, thrown together for the convenience of the British colonialists. It is doomed to break up as they did. India is ruled by Hindu theocrats whose agenda is ''Hindu, Hindi, Hindutva, Hindu Rashtra,'' or total Hindu domination of every facet of Indian life. An Indian Cabinet minister said that everyone who lives in India must be a Hindu or subservient to Hindus.

''As Professor Darshan Singh, a former Jathedar of the Akal Takht, said, 'If a Sikh is not for Khalistan, he is not a Sikh','' Dr. Aulakh noted. ''We must continue to press for our God-given birthright of freedom,'' he said. ''Without political power, religions cannot flourish and nations perish.''

## IN HONOR OF ROBERT RIVERS

### HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 1, 2004*

Mr. ENGEL. Mr. Speaker, Robert Rivers is a man of many parts who has served his community, city and country. Bobby, as he is most familiarly known, was born in Harlem and after

high school joined the Air Force, serving four years and being honorably discharged.

He returned home to his family and met Hazel Pazant, who became his wife. Fortunately for the Bronx they moved here and started to raise their family of four children. Bobby became a police officer in the New York City Police Department in 1969. While a police officer, he attended and graduated Fordham University with a degree in Sociology.

Also during his years on the force, he settled in the northeast Bronx and he joined his local block association, the Seton Falls Neighborhood Association, one of the many organizations helping his community that he joined. He also joined the Guardians Association, a police organization, eventually becoming its president. He retired from the Police Department in 1997 as a Detective but remains active with the National Black Police Association.

He has engaged in many civic activities in his community, including the fight to save Seton Falls Park from becoming a landfill, and joined the 47th Precinct Review Committee, monitoring the activities of the police in the community. He is also a member of the NAACP, serving on several committees in that organization, and is chair of the Legal Redress Committee.

He also serves as Chair of the Thurgood Marshall Independent Democratic Club.

Bobby Rivers is a tireless activist for his community, willing and able to participate in any and every activity that will help his community and improve life there. I congratulate him for his great work and wish him every continued success.

## RECOGNIZING JAMES PARKER SOUTHWORTH FOR ACHIEVING THE RANK OF EAGLE SCOUT

### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 1, 2004*

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize James Parker Southworth, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 135, and by earning the most prestigious award of Eagle Scout.

James has been very active with his troop for the past seven years, participating in numerous Scout activities. Over the years James has been involved with scouting, he has held numerous leadership positions such as Patrol and Senior Patrol Leader, five-year camper at H. Roe Bartle Scout Reservation, and Firebuilder in the Tribe of Mic-O-Say. He has also earned thirty Merit Badges. For his Eagle Scout project, James organized a project to teach tree pruning techniques to other Scouts and Leaders and then pruned the trees around the four mile walking trail in Kearney, Missouri.

James will be serving the United States of America by enlisting in the Marine Corps and will be leaving by the end of this month for his induction.

Mr. Speaker, I proudly ask you to join me in commending James Parker Southworth for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

## HONORING GLENN E. ESTESS AS ROTARY INTERNATIONAL PRESIDENT FOR 2004–2005

### HON. SPENCER BACHUS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 1, 2004*

Mr. BACHUS. Mr. Speaker, I rise to recognize and honor a good friend of mine, and an outstanding citizen, the newly named president of the Rotary International Club, Mr. Glenn E. Estess Sr. Following is a resolution provided by the Rotary Club of Shades Valley, Alabama, of which Mr. Estess is a member.

Whereas, Glenn E. Estess Sr., a native of the state of Mississippi, United States of America, has devoted a significant portion of his adult life to service with Rotary clubs; and

Whereas, Glenn E. Estess Sr. became a Rotarian first in 1960 as a member of the Rotary Club of Jacksonville, Florida; and

Whereas, upon moving to Wayne, New Jersey, he affiliated with the Rotary Club of that city, becoming as he had been in Florida, a member of the club's board of directors; and

Whereas, when his business brought him to Birmingham, Alabama in 1970, he promptly affiliated with the Rotary Club of Shades Valley, Alabama; and

Whereas, Glenn E. Estess Sr. held many offices of trust and responsibility as a valuable member of the Rotary Club of Shades Valley, Alabama, including that of president of the club in 1975–1976; and

Whereas, in the year 1979–1980 Glenn E. Estess Sr. was called upon to serve in the demanding position of district governor of Rotary District 686 (later 6860); and

Whereas, Glenn E. Estess Sr. was PolioPlus National Coordinator in 1987–1988, giving leadership to a program, conducted in cooperation with various national and international health organizations, designed to eradicate polio and other scourges throughout the world by the year 2005 by initially raising more than $240 million; and

Whereas, Glenn E. Estess Sr. was a member of the Rotary International Assembly Committee for six years, served as chairman of the Rotary International Assembly, and became International Assembly moderator in 1999; and

Whereas, Glenn E. Estess Sr. has three times been a member of the influential Rotary International Council on Legislation and has also attended two additional sessions of the Council on Legislation as an official observer; and

Whereas, Glenn E. Estess Sr. served as vice president of Rotary International during 1991–1992; and

Whereas, Glenn E. Estess Sr. was a trustee of The Rotary Foundation during the years 1993–1996; and

Whereas, in 1996–1997 Glenn E. Estess Sr. and his charming wife, Mary, served as official aides to the Rotary International president and his wife; and

Whereas, Glenn E. Estess Sr. is a Rotary Foundation Major Donor, a Paul Harris Fellow, and a Benefactor of the Foundation; and

Whereas, Glenn E. Estess Sr. is the deserving recipient of The Rotary Foundation's Citation for Meritorious Service and the Foundation's Distinguished Service Award; and

Whereas, Glenn E. Estess Sr. has recently served as a member of Rotary International's vital Audit and Operations Review Committee, Rotary International's only committee with a six-year term as mandated by the 1998 Council on Legislation; and

Whereas, Glenn E. Estess Sr. is the recipient of Rotary International's coveted Service Above Self Award; and

Whereas, Glenn E. Estess Sr. is married to Mary Grantham, and they are the parents of three adult children, all of whom; along with ten additional family members, are Paul Harris Fellows; and

Whereas, Glenn E. Estess Sr. has further demonstrated his unflagging spirit of service to the community by accepting roles of importance with such prominent civic organizations as the Birmingham Baptist Health System, then an eleven-hospital system with approximately 10,000 employees, of which he was chairman of the Board of Trustees; and

Whereas, Glenn E. Estess Sr. displayed his civic consciousness while living in Florida by serving as chairman of the YMCA, the American Chemical Society, and the Arthritis Foundation; and

Whereas, Glenn E. Estess Sr. has given service as a member of the Board of Regents of the National Association of Personnel Consultants in the United States; and

Whereas, Glenn E. Estess Sr. has been a director of the Better Business Bureau of Central Alabama and a trustee for the Workman's Compensation Trust of the Business Council of Alabama; and

Whereas, Glenn E. Estess Sr. has been a faithful and involved member of Brookwood Baptist Church of Mountain Brook, a suburb of Birmingham, Alabama; and

Whereas, Glenn E. Estess Sr. will be formally installed as president of Rotary International on May 26, 2004, at the annual convention held in Osaka, Japan, to serve during the year 2004–2005; and

Whereas, the citizens of the great state of Alabama are extremely honored and proud that Glenn E. Estess Sr. has been chosen to lead Rotary International during its centennial celebration year of 2005: Now, therefore, be it

*Resolved,* That the one hundred fifty six members of the Rotary Club of Shades Valley, Alabama, individually and collectively, unanimously and enthusiastically congratulate its esteemed fellow member, Glenn E. Estess Sr., upon his election to the prestigious position as president of Rotary International for the year 2004–2005; and be it

*Resolved,* That a copy of this resolution be suitably engrossed and framed and presented to Glenn and Mary Estess. Done this 3rd day of May 2004 by members of the Rotary Club of Shades Valley, Alabama, in meeting assembled.

## FALLEN HEROES

SPEECH OF

### HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 20, 2004*

Mr. SHUSTER. Mr. Speaker, in the rural landscape of family farms and small towns of central Pennsylvania, the fabric of America is woven. It is a fabric of patriotic Americans who work hard, respect their neighbors, and stand proud for this nation. It is a fabric of families that heaps admiration on the fathers and mothers and the sons and daughters who serve in our Armed Forces with selfless dedication. And it is this same fabric of families who sacrifice so much for this country.

Our soldiers stand resolved to protect our families and our children from danger and attack. To these American military heroes, it is understood that we must do everything possible to win the war on terror and keep Americans safe. Failure is not an option. If freedom

has a price, we hold in the highest regard these men and women who have the courage to pay it.

We mourn the loss of the following heroes in central Pennsylvania: Gunnery Sgt. Ronald E. Baum, 38, of Hollidaysburg, PA; Pfc. Bradley G. Kritzer, 19, of Irvona, PA; Spc. Clint Richard Matthews, 31, of Bedford, PA; Sgt. Timothy L. Hayslett, 26, of Newville, PA; Staff Sgt. Christopher E. Cutchall, 30, of McConnellsburg, PA; Pfc. Richard W. Hafer, 21, Seward, PA.

America's pursuit of freedom is a beacon of light in an otherwise starless sky. I continue to be immensely proud of our soldiers who are fighting this war on terror and I lament those who have made the ultimate sacrifice. They have left homes, families, and jobs to extinguish a threat, and they stand as testament to the strength of our resolve and the durability of our fabric.

America will never forget these heroes.

## RECOGNIZING THE SELECTION OF BRENT BAIR AS CHAIRMAN OF THE INTELLIGENT TRANSPORTATION SOCIETY OF AMERICA BOARD OF DIRECTORS

### HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 1, 2004*

Mr. ROGERS of Michigan. I rise today to recognize the accomplishment of Brent Bair for being named Chairman of the Board of Directors for the Intelligent Transportation Society of America (ITSA). ITSA is a not-for-profit organization established in 1991 to coordinate the development and deployment of transportation-related technologies in the United States.

Mr. Bair was named ITSA Board Chairman at the ITSA annual meeting in San Antonio, Texas. Previously, Bair served as vice-chairman of the board and has served as a board member since 2001. Mr. Bair has also served as chairman of the Congressional ITS Caucus Advisory Committee and is a board member and former president of the Intelligent Transportation Society of Michigan.

As an ardent supporter of Intelligent Transportation Systems, Mr. Bair brought the FAST–TRAC system to more than 600 intersections in Oakland County, Michigan. The FAST–TRAC system uses video cameras to detect vehicles approaching an intersection and computers determine, in real time, the most efficient timing for the traffic signals at that intersection. Because of Mr. Bair's vision for the future, the Road Commission for Oakland County now operates the largest system of adaptive traffic signals in the nation and the largest deployment of video imaging for traffic management in the world.

Mr. Speaker, Brent Bair has served the people of Oakland County with distinction and I am confident his abilities will serve all Americans as chairman of the Intelligent Transportation Society of America. I ask my colleagues to join me in recognizing the appointment of Mr. Bair and to thank him for his service to the people of Michigan.

## HONORING ALPHA NU OMEGA CHAPTER OF ALPHA KAPPA ALPHA SORORITY, INC.

### HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 1, 2004*

Ms. LEE. Mr. Speaker, I rise today to honor and recognize the Alpha Nu Omega Chapter of Alpha Kappa Alpha Sorority, Inc., as it celebrates its 75th Anniversary. Since it was chartered on June 8, 1929, the Alpha Nu Omega Chapter has enriched the social and intellectual life of African American college women in Berkeley and Oakland, California and contributed to the social and economic well-being of the greater East Bay community.

Alpha Kappa Alpha Sorority, Inc., is an international society that was founded at Howard University in January 1908. First conceived as an organization to enrich the social and intellectual aspects of college life, Alpha Kappa Alpha Sorority cuts across racial, international, and social barriers to help individuals and communities develop constructive relationships with others.

Inspired by the mission and dedication of the National Sorority, young women in Oakland and Berkeley, California founded the Alpha Nu Omega Chapter 21 years later. The moving spirit in the establishment of Alpha Nu Omega Chapter was Soror Ida L. Jackson who, at that time, was an Oakland public school teacher.

Over the years, Alpha Nu Omega Chapter has undertaken a wide range of community service activities that have greatly benefited communities in the East Bay and throughout the country.

The main thrust of its work has been to aid the community through social, civic, and health programs, vocational guidance, and political awareness.

As early as 1934, the chapter began supporting health programs and projects when Soror Ida L. Jackson proposed opening a health clinic in Lexington, Mississippi. In 1964, before Head Start, the chapter organized and operated an interracial ''Pre-Kindergarten Program'' for children from two elementary schools in Berkeley. Since the early 1970's, the chapter has sponsored a reading experience program—''Reading is Fundamental''—in several schools in Oakland.

Political activities such as the Rumford Fair Housing Bill, passage of school financial bills affecting thousands of California students and teachers, and voter registration and education have all been part of Alpha Nu Omega's ongoing commitment to community service.

During critical periods in our history—such as the transition from segregation to integration, wartime, the post war era, sit-ins, struggles for human dignity, acts of civil disobedience—Alpha Nu Omega has held high the torch for equality and social justice. I have no doubt that they will continue to blaze new trails and provide visionary leadership in the area of community service and political action throughout the Oakland-Berkeley area.

## TRIBUTE TO ROBERT AND SHERRI VINES

### HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 1, 2004*

Mr. BACA. Mr. Speaker, I rise to pay tribute to Robert and Sherri Vines, who are to receive this year's the Rabbi Norman F. Feldheym Award for service to our community on June 12, 2004, also marking the 113th anniversary of the founding of the Congregation Emanu El. As members of the Congregation for the past 30 years, they have embodied the characteristics of integrity, humility, and love. I join today with family and friends in honoring their remarkable achievements and expressing pride in this recognition that has been afforded to them.

Robert and Sherri have served the Congregation in numerous capacities over the years. As a teacher at the School of Jewish Living, chair of the Community Seder, and member of the Executive Committee, Sherri has continued to provide invaluable insight and unyielding effort in improving her community.

Robert has equally shared in the leadership responsibilities while serving on the United Jewish Welfare Fund of San Bernardino County as President, the Dues Adjustment Commission, and the Board of Managers for the Home of Eternity Cemetery.

In addition to these contributions, Robert is a celebrated attorney, receiving many accolades in his profession for integrity and performance. He was previously recognized in the Inland Empire Magazine as one of the top-ten attorneys in the Inland Empire.

Through their pro-active approach to leadership, Robert and Sherri have generously contributed their time, knowledge, and resources not only to their Congregation but also the entire Inland Empire community. The Rabbi Norman F. Feldheym Award is a way we can recognize these good works and pay tribute to their immense dedication over the last three decades.

I join today with their children, Jennifer, Jill, and Michael, to express our pride and admiration that they have received this well-deserved award. They are symbols of the qualities that Rabbi Feldheym exhibited and a continuing inspiration to their community.

## RECOGNIZING THE ANNANDALE HIGH SCHOOL UPON ITS 50 YEAR ANNIVERSARY

### HON. TOM DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 1, 2004*

Mr. TOM DAVIS of Virginia. Mr. Speaker, I would like to take this opportunity to pay tribute to Annandale High School as it prepares to celebrate its 50th anniversary.

Since its establishment in 1954 when President Eisenhower's ''Atoms for Education'' program lent its name to the school's mascot, the Annandale Atoms, Annandale High School has committed itself to lofty standards of academic and extracurricular excellence. Over the years, as the Annandale area has expanded

and diversified, Annandale High School has followed the community's example. The school boasts such a great diversity that it recently received national attention. During his second term, President Clinton publicly recognized Annandale as a "model school for diversity", commenting on the fact that Annandale's student body represents over 80 countries and more than 40 native languages.

To this day, Annandale High School remains a distinguished and greatly lauded school in all aspects from sports to the arts to academics. Annandale High School has won six state football championships and many other state-level recognitions. In addition, the band program, accompanied by the choral department, has won multiple awards in national competition and has performed in concerts at the Kennedy Center. This summer, a select choir will participate in the second part of an international exchange program with Germany. Furthermore, Annandale High School has taken the initiative to pioneer the International Baccalaureate program within the Fairfax County Public School System. This program, which allows students to take accelerated, honors courses that count towards an internationally recognized diploma, is one that other schools throughout the county remain reluctant to adopt due to its rigorous nature.

Annandale High School plays an instrumental role in shaping its students into kind, considerate, and generous individuals devoted to helping others and improving their community. Most recently, three sisters, all students at Annandale, founded Wash America, a car wash initiative designed to provide financial support to families of the victims of the September 11th attacks.

Mr. Speaker, in closing, I would like to thank Annandale High School faculty and staff for the immeasurable contributions that they have made to the community by shaping today's youth and tomorrow's future. I congratulate the High School on its successes over the last 50 years and I wish it more successful years in the future. I ask that my colleagues join me in applauding this outstanding and distinguished institution.

## RECOGNIZING SETH THOMAS JOHNSEN FOR ACHIEVING THE RANK OF EAGLE SCOUT

### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 1, 2004*

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Seth Thomas Johnsen, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 135, and by earning the most prestigious award of Eagle Scout.

Brian has been very active with his troop, participating in many Scout activities. Over the 4 years Brian has been involved with Scouting, he has earned 26 merit badges and held numerous leadership positions, serving as Patrol and Senior Patrol Leader, 4-year camper at H. Roe Bartle Scout Reservation, and as a Brave in the Tribe of Mic-O-Say.

For his Eagle Scout project, Tommy organized the Scouts and Leaders into teams for the purpose of cleaning and painting fire hydrants in the City of Kearney to the color of safety yellow.

Mr. Speaker, I proudly ask you to join me in commending Seth Thomas Johnsen for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

## FALLEN HEROES

SPEECH OF

### HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 20, 2004*

Mr. SHIMKUS. Mr. Speaker, I rise today to recognize the life of Gary Weston, who was recently killed in Kosovo.

Gary Weston was an employee of DynCorp International, which was serving with the United Nations as international police officers. Gary and other members were fired upon by a Jordanian police officer for unknown reason. Two fellow workers were killed in the resulting firefight. Gary was flown to a hospital after receiving several gunshots. He later died from complications of the gunshot wounds, his wife Nina Weston was there by her husband's side.

Gary Weston was 52 years old and lived in Vienna, Illinois. Not enough can be said about the great sacrifice this man made for his country, the ultimate sacrifice. He is survived by wife, Nina Weston; his mother, Christine Weston of Metropolis; a son, Richard N. Weston of Granite City; two daughters, Rachel A. Weston of Honolulu, Hawaii and Elizabeth E. Weston of Vienna; five grandchildren, Trey, Derek, Heather, Dalton and Parker; two brothers, Ben and wife Jan Weston of Vienna and Ed and wife Susan Weston of Cape Girardeau; a sister, Melinda and husband Ron White of Austin, Texas; and his mother-in-law, Marilyn Whiteside of Vienna. My thoughts and prayers go out to his families and loved ones. Gary Weston gave his life in an effort to improve the lives of others. This sacrifice should never be forgotten.

## HONORING THE DEDICATION OF THE NATIONAL WORLD WAR II MEMORIAL

### HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 1, 2004*

Mr. ISRAEL. Mr. Speaker, I rise today in honor of the dedication of the National World War II Memorial on the National Mall on Saturday, May 29, 2004.

Dedicated almost 60 years after the end of World War II, this stunning memorial honors all military veterans of the war, citizens on the home front, the nation at large and the high moral purpose and idealism that motivated the nation's call to arms.

We must never forget the 16 million troops who served in the armed forces during World War II and the more than 400,000 who made the ultimate sacrifice. As a member of the House Armed Services Committee, I know the importance of the troops' sacrifice to protect our freedom.

I am especially pleased to welcome over 200 Long Island veterans to Washington, DC for the dedication. Serving those who have served our country has been one of my greatest honors as a Member of Congress. I am proud to have secured over $1.16 million in retroactive benefits for veterans in my district.

On this historic occasion, we must remember to honor our troops and veterans not only with memorials and red poppy lapel pins, but also in our policies and budgets. Restoring cuts to veteran's services and making VA spending mandatory, not discretionary should be a top priority. We in Congress have a duty to make America a fit country for these heroes to live in.

This memorial is a long-overdue tribute to the "Greatest Generation." They risked and gave their lives to protect our freedom, and we must ensure our debt to them is repaid.

## TRIBUTE TO MRS. PAMELA LYNN WILEY

### HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 1, 2004*

Mr. PAYNE. Mr. Speaker, I rise today to recognize an outstanding and devoted citizen in my state, Mrs. Pamela Lynn Wiley. On Sunday, June 6, 2004, she will be honored with the Lifetime Achievement Award at St. Paul's Calvary United Church of God Usher's Annual Day.

Pamela was born on November 16, 1958 in Summit, New Jersey to the late Thomas and Gloria Peterson. She grew up in Vauxhall, New Jersey, where she attended the Union County school system and graduated from Union High School in 1977.

Pamela has been an active member of Saint Paul's Calvary United Church of God for over 40 years, ministering to its members through her service on many of the church boards and committees.

She is a member of their missionary department, as well as the Saint Paul's Calvary Young Adult Choir, The Voices of Praise. She is also an advisor to the CLC ensemble.

She is a beloved member of the usher board, having joined at a very young age, and is actively serving as their Vice President.

Pamela will be joined at this celebration by many friends and family, including her husband, Nathan Lamont Wiley, Sr.; her oldest daughter, A1C Joyita Kwamina Wiley-Jackson (U.S. Air Force); her son, CS3 Nathan Lamont Wiley, Jr. (U.S. Navy); her youngest daughter, SFC Gloria Lynette Wiley (Union High School JROTC); and her sisters, Kimm and Kiesha Peterson.

Mr. Speaker, please join me in extending my thanks to Pamela Lynn Wiley for her years of ministry and service to her congregation and to our community, and I invite my colleagues to join me in wishing her the strength and grace to continue for many years to come.

## COUNCIL OF KHALISTAN CONGRATULATES INDIA'S NEW SIKH PRIME MINISTER

### HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 1, 2004*

Mr. TOWNS. Mr. Speaker, as you know, a Sikh, Dr. Manmohan Singh, has been named as the new Prime Minister of India. Dr. Singh is a former Finance Minister in the government of Narasimha Rao from 1991 to 1996. He is a very experienced Indian official.

I hope that this will be a step forward for good relations between the United States and India, Mr. Speaker. We all seek good relations. However, the support of India's Communists for the governing coalition makes me wonder if good relations are possible under this particular government.

Dr. Gurmit Singh Aulakh, President of the Council of Khalistan has sent a letter to Prime Minister Singh congratulating him on his new position. In the letter, Dr. Aulakh notes that it is good for the image of Sikhs worldwide that Dr. Manmohan Singh is now Prime Minister. He also notes that it was the RSS, parent organization of the ousted BJP, that assassinated Mohandas Gandhi and takes note of India's violent history, urging Prime Minister Singh to take strong measures to avoid repeating this history, such as releasing the political prisoners that India holds, punishing those responsible for atrocities, ending the taking of Punjabi water to nonriparian states without compensation, and other such policies I think we can all support. India will be a better place if Prime Minister Singh implements these policies.

According to the Movement Against State Repression (MASR), 52,268 Sikhs are being held as political prisoners. Amnesty International reports that tens of thousands of other minorities are also being held as political prisoners. A democracy should not hold political prisoners. I am sure all my colleagues will agree with me that all these political prisoners should be released immediately.

The letter also reminds Prime Minister Singh that while ending the BJP's policy of Hindutva—total Hinduization of every aspect of Indian life—will be welcome, it was the Congress Party under Dr. Singh's political patrons, the Gandhi family, that carried out the military attack on the Golden Temple, the center and seat of the Sikh religion and the massacre of Sikhs in Delhi and elsewhere in India. Dr. Aulakh urges Dr. Singh to make a complete break with these policies by punishing those responsible.

In 1987, the Sikhs declared themselves independent from India, naming their new country Khalistan. As Dr. Aulakh points out in his letter, allowing Khalistan, Kashmir, Nagaland, and the other nations seeking their freedom from India to be free is the best way to spare the subcontinent any more bloodshed.

I join in that call, Mr. Speaker. We should support a free and fair plebiscite on the question of independence for the minority nations of South Asia. And until human rights are fully observed and a complete break is made with the bloody and repressive policies of the past, the United States should stop providing aid to India. These measures will encourage India to take the steps necessary to bring peace, freedom, prosperity, and dignity to everyone in the subcontinent.

Mr. Speaker, I would like to insert the Council of Khalistan's letter to Prime Minister Singh into the RECORD at this time.

COUNCIL OF KHALISTAN,
*Washington, DC, May 26, 2004.*

The Hon. Dr. Manmohan Singh,
*Prime Minister of India, Chanakyapouri, New Delhi, India.*

DEAR PRIME MINISTER SINGH: Congratulations on becoming Prime Minister of India. You have been entrusted with a significant responsibility.

We are very pleased to see a Sikh as Prime Minister. You have reached this high office because of your intelligence and hard work and your presence in this position gives the world a strong and positive impression of Sikhs. However, remember the way that the Gandhi family used Giani Zail Singh when he was President of India. He became the figurehead for their repression of the Sikhs. Unlike Zail Singh, you are in a position of real power. Sikhs around the world will be watching what you do and hoping that you will not allow yourself to be used in a similar manner.

As a Sikh, you are in a position to understand the problems of the Sikh Nation. The Movement Against State Repression (MASR) did a report that showed the government admitted to holding 52,268 Sikh political prisoners. They have been held without charge or trial, some for as long as 20 years! If you are truly committed to secularism, one of your first acts should be to release all political prisoners. If any have died in custody, their bodies should be released to their families. These are people who have committed no crime but opposition to the government. How can there be political prisoners in a democracy?

I urge you to restore to Punjab what is rightfully Punjab's. I call on you to restore the Punjabi-speaking areas that were removed from the state of Punjab to it. Punjab was meant to be a unified Sikh state and Indian governments of the past have pursued a deliberate policy of dividing, bankrupting, and weakening it to divide and weaken the Sikhs. As a Sikh and as Prime Minister, you are in a position to put a stop to this policy. You are also in a position to restore Punjab's water rights. For years, Punjab's water has been diverted to non-riparian states with no compensation to Punjab or to the people of Punjab. Please put an end to the diversion of Punjab's water to non-riparian states and when such diversion is necessary, please make certain that the Sikh farmers of Punjab get appropriate compensation for their water. This is only fair and right, and it is a policy that will earn you greater support among the Sikhs. All other states control their water resources.

We are also pleased that the BJP is out of power. Rahul Gandhi, MP, the son of Sonia and Rajiv Gandhi and a member of your party, pointed out that the RSS, which is the parent organization of the BJP, assassinated Mahatma Gandhi. The RSS is a pro-Fascist organization and both Vajpayee and Advani are proud RSS members. The end of the policy of Hindutva will be a welcome development. Sikh support for the Congress Party is also a by-product of the corrupt Parkash Singh Badal regime in Punjab, the most corrupt government in Punjab's history. The Badal government even invented a new word for bribery: fee for service. However, it was a Congress government that attacked the Golden Temple and carried out the massacre of Sikhs in Delhi and throughout India.

As your own nephew pointed out, Sikhs can never forget the attack on the Golden Temple. Thus it is disturbing to read that you have said you intend to follow the policies of Rajiv Gandhi. His policy was the murder of at least 8,000 Sikhs in Delhi alone and over 20,000 throughout India. It is also disturbing that your party gave tickets to Jagdish Tytler and Sajjan Kumar, who are responsible for ordering the murders of thousands of Sikhs in Delhi, and that Tytler was appointed to your Cabinet. Tytler and Sajjan Kumar supplied gasoline for these murders and incited the crowd. These people belong in jail, not in the government.

I hope that you will not follow such undemocratic, anti-secularist, anti-Sikhs policies. Policies such as these have made it clear that there is no place for Sikhs in India. If you are truly committed to secularism, you cannot follow such brutal, repressive policies against Sikhs and other minorities. The brutal policies have brought about the murders of over 250,000 Sikhs since 1984, more than 87,000 Kashmiri Muslims since 1988, over 300,000 Christians in Nagaland, and tens of thousands of Assamese, Bodos, Dalits, Manipuris, and other minorities. The United States State Department exposed the fact that between 1992 and 1994, a Congress government paid out more than 41,000 cash bounties to police officers for killing Sikhs. One officer received a bonus for murdering a three-year-old boy, claiming the toddler was a ''terrorist.''

The time has come for India to make a clean break with its past by punishing those responsible for these actions, compensating the victims' families, and committing itself to preventing and punishing such acts in the future. This will show your commitment to secular, democratic government and not the theocratic repression of the country's past governments.

India is a very fractured country. Because of past history, no party is able to unify the people and command a majority of the support, so coalition governments are inevitable. Coalition governments are inherently unstable. For example, the support of India's three Communist parties for your coalition weakens your ability to pursue good relations with the United States and other Western countries, which could increase India's isolation from the world.

History also shows us that multinational countries are doomed to failure. Austria-Hungary, the Soviet Union, Czechoslovakia, and Yugoslavia are examples of this. India is a multinational state, not a single country, thrown together by British colonialists and with 18 official languages. How can such a country be held together except by massive repression and bloodshed? And the repression has simply created greater resentment of the central government, which also strengthens the support for the 17 independence movements throughout India. Either way, holding India together is a futile enterprise destined to fail.

Since India is a democracy, I urge you to solve this problem the democratic way. In 1947, India committed itself to a plebiscite on the status of Kashmir. The Sikhs also seek their freedom and sovereignty, as the Nagas and others also do. If India is truly the world's largest democracy, why not simply allow the people to decide their status by a free and fair vote. That is the way that you achieved power, by the people's votes. Why not let the people vote on this critical issue? The essence of democracy is the right of self-determination.

As a Sikh, you are aware that the Sikh Nation is a separate nation which was supposed to receive sovereignty at the time of India's independence. As you know, Sikhs ruled Punjab from 1710 to 1716 and from 1765 to 1849. No Sikh representative has signed the Indian Constitution to this day. Every day,

Sikhs pray ''Raj Kare Ga Khalsa,'' the Khalsa shall rule. As you know, the Sikh Nation declared its independence from India on October 7, 1987, calling their new country Khalistan. As former Jathedar of the Akal Takht Professor Darshan Singh has said, ''If a Sikh is not a Khalistani, he is not a Sikh.''

I know that you are a Sikh, Mr. Prime Minister. I can see your turban. I know that you are concerned about the future of the Sikh Nation. Therefore, I urge you to sit down with Sikh representatives and negotiate the boundaries of a sovereign, independent, free Khalistan. This is the best thing that you can do for the Sikh Nation, your own people, and it is the best way to ensure that India goes the way of Czechoslovakia, not that of Yugoslavia. Please spare India, Khalistan, and all the nations of South Asia any further bloodshed.

Congratulations again on your new position.

Sincerely,

DR. GURMIT SINGH AULAKH,
*President, Council of Khalistan.*

## IN HONOR OF DAVID SABLE

### HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 1, 2004*

Mr. ENGEL. Mr. Speaker, the adage if you want something done ask a busy person to do it was never more true than in the case of David Sable. For more than 20 years he has been busy in marketing communications, becoming vice chair and president of Wunderman's worldwide operations.

But there is another side of Mr. Sable, one which led the Riverdale Jewish Center to honor him at their 50th anniversary celebration, a decision they said wasn't particularly difficult.

He was raised in Riverdale from early childhood, the son of the founding Rabbi of the Riverdale Jewish Center. He has served the RJC with extraordinary tenure as President and is currently the Chair of the Board of Trustees. He is, in their words, understanding of the RJC past, an integral part of its present, and a source of confidence for its future.

He also has served his community in a larger sense, as a member of New York City's Cultural Advisory Committee and a member of the steering committee for the Mail Industry Task Force of the United States Post Office.

His love for Israel is well known. With the breakout of the Yom Kippur war, he joined the Israeli Defense Force as a combat medic. He is a member of the Board of the Tzfat Foundation. He has also served the RJC as Youth Director and Vice President.

A celebration of the Riverdale Jewish Center without David Sable would not be a true celebration. I congratulate him and the RJC for all the good work both have accomplished in Riverdale and beyond.

## RECOGNIZING JUSTIN MYERS FOR ACHIEVING THE RANK OF EAGLE SCOUT

### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 1, 2004*

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Justin Myers, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 320, and by earning the most prestigious award of Eagle Scout.

Justin has been very active with his troop by participating in many Scout activities, earning numerous merit badges, and serving in a variety of leadership positions. He has held such positions as Patrol Leader, Assistant Patrol Leader, and Senior Patrol Leader, as well as Troup Guide. Justin has attended camp at Saukenauk Scout Reservation as well as Camp Maumee and Polar Bear Camp. He has also attended a High Adventure in Elk Horn, Colorado and a National High Adventure in the Northern Tier Bissett. Justin's dedication is quite impressive as he has been a member of four separate Councils through his career in the Scouts. For his Eagle Scout project, Justin organized the materials for him and his fellow Scouts to construct a safe and enjoyable playground area for the children of the Clay County Christian Church.

Mr. Speaker, I proudly ask you to join me in commending Justin Myers for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

## TRIBUTE TO HONORABLE WARD WHARTON MCFARLAND

### HON. SPENCER BACHUS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 1, 2004*

Mr. BACHUS. Mr. Speaker, I rise to remember and pay tribute to one of Alabama's most esteemed citizens on the occasion of the 25th anniversary of his passing. Today a flag flies over the Capitol building to honor the man who contributed to the state of Alabama as an educator, lawyer, and as a businessman. The Honorable Ward McFarland taught at the University of Alabama in the Economics Department for two years prior to practicing law in Tuscaloosa. He served as both State Highway Director and Docks Director for the state, and participated in International Commerce on behalf of the State of Alabama in order to recruit industry. His efforts were recognized in 1979, at the time of his death, as the Alabama State Senate commended him as one of the state's most outstanding and contributing citizens.

Mr. McFarland founded a multi-million dollar real estate empire that included the construction of malls, apartment complexes, medical buildings, restaurants, hotels, and neighborhoods throughout Alabama and the South. His works were again recognized this past year as Alabama Governor Bob Riley proclaimed June 20, 2003 to be James Elisha Folsom, Sr.-Ward Wharton McFarland Day, placing him alongside the governor with whom he had worked during two administrations. Concomitant to that proclamation came the naming of a highway in Alabama the ''Folsom-McFarland Highway''.

His legacy reaches well beyond the borders of Alabama as well. Mr. McFarland served in the Navy during WWII, during which his vessel was bombed. Accepting Medical Discharges along with all other survivors of the incident, he came home to enlist in the U.S. Army Air Corps. His resolute patriotism during this time served as a foreshadowing of the resolve he maintained in all other enterprises in his life. Mr. McFarland has a lasting legacy in the state of Alabama, one that will continue to be echoed in the structures that he helped build, and the minds and determinations that he helped to mold in the next generations of Alabama's citizens.

Mr. Speaker, I know that the citizens of Alabama are aware of and appreciate all that Mr. McFarland has done for his state. I am now honored to recognize his accomplishments to this House of Representatives in our nation's Capitol.

## CONGRATULATING BEDFORD FIRE DEPARTMENT #1, INC. ON 200TH ANNIVERSARY

### HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 1, 2004*

Mr. SHUSTER. Mr. Speaker, I rise today to congratulate the Bedford Fire Department #1, Inc. on its 200th Anniversary and to extend my sincere gratitude for the selfless actions of so many firefighters over the years. The citizens of Bedford, Pennsylvania are undoubtedly grateful for all that they have done.

The history of firefighting in Pennsylvania can be traced back to the early 1700's. Ben Franklin, a Philadelphia resident at the time, developed a fine-tuned system of volunteer firefighters that could handily combat the threat of fire within the city limits. When referring to how this cooperative technique worked, Franklin said,

> Soon after [a fire] is seen and cried out, the place is crowded by active men of different ages, professions and titles who, as of one mind and rank, apply themselves with all vigilance and resolution, according to their abilities, to the hard work of conquering the increasing fire.

The Bedford Fire Department is one of the oldest fire departments in the United States, founded in 1804. For 200 years this entirely volunteer department, which now consists of 82 members, has successfully collaborated to provide safety and protection for over 11,000 people within an area of 210 square miles.

These volunteer firefighters deserve the highest honors for constantly putting themselves in harm's way to protect and save fellow citizens. Their unselfish valor and relentless dedication to their community make them special, and certainly worthy of praise.

The two stations built within the rural area provide the necessary resources for the firefighters to perform to the best of their ability and handle any variety of situations. The volunteers spend countless hours planning and implementing fundraising events to maintain adequate facilities, provide each firefighter with the proper equipment, and ensure the continued success of the department.

I am tremendously appreciative of the vital duties that the Bedford Fire Department performs and for the time it spends contributing to the safety of the Bedford community. Congratulations on reaching the 200 year milestone! I am proud to have the distinguished honor to represent such a reputable group of volunteers.

## RECOGNIZING THE SUCCESS OF THE THIRD ANNUAL MID-MICHIGAN NATIONAL DANCE WEEK

### HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 1, 2004*

Mr. ROGERS of Michigan. Mr. Speaker, it is my pleasure today to recognize the outstanding success of the third Annual Mid-Michigan National Dance Week. National Dance Week is a wonderful opportunity for the children in Michigan's Eighth District as it encourages their cultural growth and promotes their physical well-being. In late April, over 450 mid-Michigan dancers representing 16 dance, gymnastics and performing arts studios delighted over 3,000 spectators who enjoyed a weekend filled with free, family-oriented entertainment.

Over the past 23 years, National Dance Week has actively encouraged the growth of dance in America. Today, National Dance Week is providing an opportunity for many young Michiganders to learn about the cultural and artistic expression of dance.

Mr. Speaker, National Dance Week is broadening the horizons and opening doors for many of mid-Michigan's most talented dancers. I ask my colleagues to join me in recognizing the success of National Dance Week 2004 and to wish continued success to National Dance Week this year and beyond.

## GIRL SCOUTS OF THE U.S.A. AWARD WINNER, MOLLY GOODMAN OF ASTORIA, ILLINOIS

### HON. LANE EVANS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 1, 2004*

Mr. EVANS. Mr. Speaker, today I would like to salute an outstanding young woman who has been honored with the Girl Scouts of the USA Gold Award by Girl Scouts of Two Rivers Council in Quincy, Illinois. She is Molly Goodman of Astoria, Illinois.

She is being honored for earning the highest achievement award in Girl Scouting. The Girl Scout Gold Award symbolizes outstanding accomplishments in the areas of leadership, community service, career planning, and personal development. The Girl Scout Gold Award can be earned by girls ages 14–17 or in grades 9–12.

Girl Scouts of the USA, an organization serving over 2.6 million girls, has awarded more than 20,000 Girl Scout Gold Awards to Senior Girl Scouts since the inception of the program in 1980. To receive the award, a Girl Scout must fulfill five requirements: earn four interest project patches, earn the Career Exploration Pin, earn the Senior Girl Scout Leadership Award, earn the Senior Girl Scout Challenge, and design and implement a Girl Scout Gold project. A plan for fulfilling the requirements of the award is created by the Senior Girl Scout and is carried out through close cooperation between the girl and an adult Girl Scout volunteer.

The earning of the Girl Scout Gold Award is a major accomplishment for Molly and I believe she should receive the public recognition due her for this significant service to her community and her country.

## FALLEN HEROES

SPEECH OF

### HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 20, 2004*

Ms. LEE. Mr. Speaker, I rise today to remember our veterans and to mourn all our losses. Our words today cannot match the eloquence or power of the moment of silence that preceded them because that silence reflects all the voices that have been stilled by war.

Each Memorial Day we pause to remember those who have fallen in the service of our country. Sadly, in the last year we have added hundreds of names to that tragic roll call.

Among those names is that of twenty-six year old Specialist Joseph Carl Norquist, of Oakland, California in my district. Specialist Norquist died in Iraq on October 9, 2003. He was serving in the 588th Engineering Battalion. He died when his convoy came under fire, and he posthumously received the Bronze Star and the Purple Heart.

Today, my thoughts and prayers go out to Specialist Norquist's family and friends and to all of those who mourn loved ones that they have lost.

This weekend, we also dedicate the World War II Memorial on the Washington Mall, to honor the service of those veterans, to recognize their tremendous sacrifice, and to shudder to think for a moment about what our world might have been like had they not served.

Mr. Speaker, on Memorial Day, we are especially aware of the terrible costs of war. Let us also then re-dedicate ourselves to the cause of peace so that we can dream of a year when we add no new names to the roster of those who have fallen in battle.

## CELEBRATING THE 20TH ANNIVERSARY OF THE ADULT REHABILITATION CENTER OF THE SALVATION ARMY

### HON. TOM DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 1, 2004*

Mr. TOM DAVIS of Virginia. Mr. Speaker, I rise today to commemorate the 20th anniversary of the Adult Rehabilitation Center of the Salvation Army in Alexandria, Virginia.

The Adult Rehabilitation Center (ARC), is a social service organization dedicated to saving people from addiction, dysfunction, poverty, incarceration, and homelessness. It provides support to those who suffer from social and emotional needs and enables them to provide for themselves.

An impressive 600-person turnout at the dedication ceremony on January 29, 1984 revealed both a need and support for the work of the ARC in Northern Virginia.

The ARC provides adequate housing, therapy and employment in an orderly and nourishing environment. ARC focuses on the physical and spiritual needs of participants to facilitate re-entry into society through gainful employment. Frequently those who are rehabilitated experience a normal lifestyle.

ARC is also unique in that its programs are self supporting. Items such as clothing and household items are brought to the salvation centers, repaired and refurbished and then resold to the public in the Salvation Army Thrift Stores.

Finally, ARC does not discriminate based on race, color or religious belief and is open to all men with a treatable handicap. Because of these distinct and honest characteristics, the Salvation Army is very successful. Since its inception ARC has provided an invaluable asset to the Northern Virginia community. Its services are greatly appreciated.

Mr. Speaker, in closing, I would like to congratulate the Salvation Army Adult Rehabilitation Center of Alexandria on 20 years of successful service. I call upon my colleagues to join me in applauding their efforts to prepare individuals in body, mind and spirit for active useful roles in society.

## TRIBUTE TO ANTHONY ACEVEDO

### HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 1, 2004*

Mr. BACA. Mr. Speaker, it is with great pride that I pay tribute today to Anthony Acevedo. He is a man who has exuded integrity and great character throughout his life, and it gives me no greater pleasure than joining today with family and friends in honoring this great patriot.

Anthony was born in San Bernardino, before moving to Mexico at the age of 13 where he was schooled. His overwhelming feelings of patriotism, however, brought him back to the United States where he registered for the draft and was inducted in August of 1943. As a member of the 70th Division, 275th Regiment, Company B, he was sent to Marseilles, France in December 1944 to fight on the front lines of WWII.

Anthony paid the ultimate price of being a soldier when he was captured during the Battle of the Bulge in the winter of 1944 and forced to endure unparalleled torture. Yet through it all, he remained proud, determined, and hopeful. Throughout his time serving our Nation, he always exhibited a tremendous passion and a deep resolve to fight for the freedoms that Americans experience on a daily basis. He is truly one of our American heroes.

Today, I am proud to join family and friends in paying tribute to Anthony Acevedo, a true American patriot. His unselfish duty to our country should not be overlooked. He is a symbol of all that we, as Americans, strive to be and I present to him today my steadfast thanks for his service.

## RECOGNIZING ERIC G. ANDERSON FOR ACHIEVING THE RANK OF EAGLE SCOUT

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 1, 2004*

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Eric G. Anderson, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1024, and in earning the most prestigious award of Eagle Scout.

Eric has been very active with his troop, participating in many Scout activities and earning a number of merit badges. For his Eagle Scout project, Eric built a one-hundred fifty-foot vinyl fence at the Earnest Shepard Center in Liberty, Missouri. Eric will be graduating from Liberty High School this month and will begin his college career next fall at the Northwest Missouri State University in Maryville, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Eric G. Anderson for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

# *Daily Digest*

## HIGHLIGHTS

See Résumé of Congressional Activity.

# Senate

## *Chamber Action*

*Routine Proceedings, pages S6253–S6297*

**Measures Introduced:** Six bills and one resolution were introduced, as follows: S. 2481–2486, and S. Res. 368. **Page S6274**

**Measures Passed:**

***Commending University of Virginia Cavaliers Women's Lacrosse Team:*** Senate agreed to S. Res. 368, commending the University of Virginia Cavaliers women's lacrosse team for winning the 2004 NCAA Division I women's lacrosse National Championship. **Pages S6291, S6295–96**

**Department of Defense Authorization Act—Agreement:** A unanimous-consent agreement was reached providing for further consideration of S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, at approximately 10:45 a.m., on Wednesday, June 2, 2004, and that only certain first degree amendments be in order, and that those amendments be subject to relevant second degree amendments. **Page S6296**

**Class Action Fairness Act—Agreement:** A unanimous-consent agreement was reached vitiating the previously scheduled motion to invoke cloture on the motion to proceed to consideration of S. 2062, to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants. **Page S6296**

A unanimous-consent agreement was reached providing that upon the conclusion of S. 2400, DOD Authorization, Senate will begin consideration of S. 2062. **Page S6296**

**Nominations Confirmed:** Senate confirmed the following nomination:

By unanimous vote of 89 yeas (Vote No. Ex. 104), F. Dennis Saylor IV, of Massachusetts, to be United States District Judge for the District of Massachusetts. **Pages S6263–64, S6297**

**Nominations Received:** Senate received the following nominations:

Peter Cyril Wyche Flory, of Virginia, to be an Assistant Secretary of Defense.

Carin M. Barth, of Texas, to be Chief Financial Officer, Department of Housing and Urban Development.

Veronica Vargas Stidvent, of Texas, to be an Assistant Secretary of Labor.

John H. Hager, of Virginia, to be Assistant Secretary for Special Education and Rehabilitative Services, Department of Education.

Herman Belz, of Maryland, to be a Member of the National Council on the Humanities for a term expiring January 26, 2010.

Tamar Jacoby, of New Jersey, to be a Member of the National Council on the Humanities for a term expiring January 26, 2010.

Craig Haffner, of California, to be a Member of the National Council on the Humanities for a term expiring January 26, 2010.

James Davidson Hunter, of Virginia, to be a Member of the National Council on the Humanities for a term expiring January 26, 2010.

Harvey Klehr, of Georgia, to be a Member of the National Council on the Humanities for a term expiring January 26, 2010.

Thomas K. Lindsay, of Texas, to be a Member of the National Council on the Humanities for a term expiring January 26, 2010.

Iris Love, of Vermont, to be a Member of the National Council on the Humanities for a term expiring January 26, 2010.

Thomas Mallon, of Connecticut, to be a Member of the National Council on the Humanities for a term expiring January 26, 2010. (Reappointment)

Ricardo Quinones, of California, to be a Member of the National Council on the Humanities for a term expiring January 26, 2010.

Robert Cramer Balfe III, of Arkansas, to be United States Attorney for the Western District of Arkansas for the term of four years.

David E. Nahmias, of Georgia, to be United States Attorney for the Northern District of Georgia for the term of four years.

William Sanchez, of Florida, to be Special Counsel for Immigration-Related Unfair Employment Practices for a term of four years.

1 Army nomination in the rank of general.

Routine lists in the Navy. **Pages S6296–97**

**Executive Communications:** **Pages S7272–74**

**Additional Cosponsors:** **Pages S6274–75**

**Statements on Introduced Bills/Resolutions:** **Pages S6275–91**

**Additional Statements:** **Pages S6270–72**

**Amendments Submitted:** **Page S6291**

**Notices of Hearings/Meetings:** **Pages S6295–96**

**Record Votes:** One record vote was taken today. (Total—104) **Page S6264**

**Adjournment:** Senate convened at 10 a.m., and adjourned at 6:37 p.m., until 9:45 a.m., on Wednesday, June 2, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on Page S6296.)

## *Committee Meetings*

No committee meetings were held.

# House of Representatives

## *Chamber Action*

**Measures Introduced:** 7 public bills, H.R. 4470–4476; and 4 resolutions, H. Res. 655–658, were introduced. **Pages H3604–05**

**Additional Cosponsors:** **Pages H3605–06**

**Reports Filed:** Reports were filed today as follows:

H.R. 4278. A bill to amend the Assistive Technology Act of 1998 to support programs of grants to States to address the assistive technology needs of individuals with disabilities, amended (H. Rept. 108–514).

H.R. 2010. A bill 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, amended (H. Rept. 108–515).

H.R. 3785. A bill to authorize the exchange of certain land in Everglades National Park, amended (H. Rept. 108–516).

S. 144. An act to require the Secretary of the Interior to establish a program to provide assistance through States to eligible weed management entities to control or eradicate harmful, nonnative weeds on pubic and private land, amended (H. Rept. 108–517, Part 1).

H. Res. 656. A resolution providing for consideration of the bill (H.R. 4444) to amend the Workforce Investment Act of 1998 to establish a Personal Reemployment Accounts grant program to assist Americans in returning to work, (H. Rept. 108–518) and,

H. Res. 657. A resolution providing for consideration of the jont reslution (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. Rept. 108–519). **Page H3604**

**Speaker Pro Tempore:** Read a letter from the Speaker wherein he appointed Representative Upton to act as Speaker Pro Tempore for today. **Page H3543**

**Chaplain:** The prayer was offered today by Rev. John Roller, Pastor Emeritus, St. Thomas Becket Parish in Mt. Prospect, Illinois. **Page H3543**

**Suspensions:** The House agreed to suspend the rules and agree to the following measures:

***Congratulating and saluting Focus: HOPE on the occasion of its 35th anniversary:*** H. Con. Res. 295, congratulating and saluting Focus: HOPE on the occasion of its 35th anniversary and for its remarkable commitment and contributions to Detroit, the State of Michigan, and the United States, by a ⅔ yea-and-nay vote of 374 yeas to 0 nays, Roll No. 210; **Pages H3544–47, H3565–66**

***Recognizing those who responded to the fire in Richmond, Virginia on March 26, 2004:*** H. Res. 612, amended, recognizing and honoring the firefighters, police, public servants, civilians, and private businesses who responded to the devastating fire in Richmond, Virginia, on March 26, 2004, by a ⅔ yea-and-nay vote of 375 yea to 0 nays, Roll No. 211; **Pages H3547–49, H3566–67**

***Honoring the Tuskegee Airmen:*** H. Con. Res. 417, honoring the Tuskegee Airmen and their contribution in creating an integrated United States Air Force, the world's foremost Air and Space Supremacy Force, by a ⅔ yea-and-nay vote of 378 yeas to 0 nays, Roll No. 212; **Pages H3549–53, H3567**

***Designating the Department of Veterans Affairs outpatient clinic in Lufkin, Texas as the "Charles Wilson Department of Veterans Affairs Outpatient Clinic":*** H.R. 4317, to name the Department of Veterans Affairs outpatient clinic located in Lufkin, Texas, as the "Charles Wilson Department of Veterans Affairs Outpatient Clinic"; **Pages H3555–57**

***Health, Safety, and Security of Peace Corps Volunteers Act of 2004:*** H.R. 4060, to amend the Peace Corps Act to establish an Ombudsman and an Office of Safety and Security of the Peace Corps; **Pages H3557–61**

***Mount Rainier National Park Boundary Adjustment Act of 2003:*** H.R. 265, amended, to provide for an adjustment of the boundaries of Mount Rainier National Park; **Pages H3561–62**

***Reaffirming the inherent sovereign rights of the Osage Tribe to determine its membership and form of government:*** H.R. 2912, to reaffirm the inherent sovereign rights of the Osage Tribe to determine its membership and form of government; and **Pages H3562–63**

***National Great Black Americans Commemoration Act of 2003:*** S. 1233, amended, to authorize assistance for the National Great Blacks in Wax Museum and Justice Learning Center. **Pages H3563–65**

**Suspensions—Proceedings Postponed:** The House debated the following measure under suspension of the rules. Further proceedings were postponed until Wednesday, June 2.

***Recognizing the 60th anniversary of the Allied landing at Normandy during World War II:*** S.J. Res. 28, recognizing the 60th anniversary of the Allied landing at Normandy during World War II; **Pages H3553–55**

**Recess:** The House recessed at 4:02 p.m. and reconvened at 6:30 p.m. **Page H3565**

**Senate Message:** Message received from the Senate today appears on page H3543.

**Quorum Calls—Votes:** Three yea-and-nay votes developed during the proceedings of today and appear on pages H3565–66, H3566–67, H3567. There were no quorum calls.

**Adjournment:** The House met at 2 p.m. and adjourned at 11:52 p.m.

# *Committee Meetings*

## GULF WAR ILLNESSES—STATUS OF RESEARCH AND INVESTIGATIONS

*Committee on Government Reform:* Subcommittee on National Security, Emerging Threats and International Relations held a hearing entitled "Examining the Status of Gulf War Research and Investigations on Gulf War Illnesses." Testimony was heard from the following officials of the GAO: Janet Heinrich, Director, Health Care-Public Health Issues; and Keith Rhodes, Chief General Accounting Technologist; Jonathan B. Perlin, M.D., Acting Under Secretary, Health and Acting Chief Research and Development Officer, Department of Veterans Affairs; MG Lester Martinez-Lopez, U.S. Army, Commanding General, U.S. Army Medical Research and Materiel Command, Department of Defense; and public witnesses.

## BACK TO WORK INCENTIVE ACT

*Committee on Rules:* The Committee granted, by a record vote of 8 to 2, a closed rule providing one hour of debate in the House on H.R. 4444, equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce. The rule provides that an amendment in the nature of a substitute consisting of the text of H.R. 4444 shall be considered as adopted. The rule provides one motion to recommit with or without instructions.

Section 2 of the rule provides that in the engrossment of H.R. 4444, the clerk shall add the texts of H.R. 4409 and H.R. 4410 as passed by the House, as new matter at the end of H.R. 4444, and then lay H.R. 4409 and H.R. 4410 on the table. Finally, the rule provides that if H.R. 4444 is disposed of without reaching the stage of engrossment, either H.R. 4409 or H.R. 4410, whichever first passes the House shall be treated in the manner specified for H.R. 4444 and the other bill shall be laid on the table. Testimony was heard from Representatives McKeon, Porter, and Kildee.

## HOUSE OF REPRESENTATIVES—CONSTITUTIONAL AMENDMENT REGARDING APPOINTMENT OF INDIVIDUALS TO FILL VACANCIES

*Committee on Rules:* The Committee granted, by a record vote of 8 to 2, a closed rule providing 90 minutes of debate in the House equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. Finally, the rule provides one motion to recommit. Testimony was heard from Chairman Sensenbrenner and Representatives Rohrabacher, Nadler, and Baird.

## FASTER AND SMARTER FUNDING FOR FIRST RESPONDERS ACT

*Committee on Transportation and Infrastructure:* Subcommittee on Economic Development, Public Buildings and Emergency Management approved for full Committee action, as amended, H.R. 3266, Faster and Smarter Funding for First Responders Act of 2004.

## NEW PUBLIC LAWS

*(For last listing of Public Laws, see* DAILY DIGEST, *p. D536)*

H.R. 408, to provide for expansion of Sleeping Bear Dunes National Lakeshore. Signed on May 28, 2004. (Public Law 108–229)

H.R. 708, to require the conveyance of certain National Forest System lands in Mendocino National Forest, California, to provide for the use of the proceeds from such conveyance for National Forest purposes. Signed on May 28, 2004. (Public Law 108–230)

H.R. 856, to authorize the Secretary of the Interior to revise a repayment contract with the Tom Green County Water Control and Improvement District No. 1, San Angelo project, Texas. Signed on May 28, 2004. (Public Law 108–231)

H.R. 923, to amend the Small Business Investment Act of 1958 to allow certain premier certified lenders to elect to maintain an alternative loss reserve. Signed on May 28, 2004. (Public Law 108–232)

H.R. 1598, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in projects within the San Diego Creek Watershed, California. Signed on May 28, 2004. (Public Law 108–233)

H.R. 3104, to provide for the establishment of separate campaign medals to be awarded to members of the uniformed services who participate in Operation Enduring Freedom and to members of the uniformed services who participate in Operation Iraqi Freedom. Signed on May 28, 2004. (Public Law 108–234)

## CONGRESSIONAL PROGRAM AHEAD

### Week of June 2 through June 5, 2004

### Senate Chamber

On *Wednesday,* at approximately 10:45 a.m., Senate will resume consideration of S. 2400, Department of Defense Authorization Act.

During the balance of the week, upon conclusion of S. 2400, DOD Authorization, Senate will begin consideration of S. 2062, Class Action Fairness Act. Also, Senate may consider any other cleared legislative and executive business.

### Senate Committees

*(Committee meetings are open unless otherwise indicated)*

*Committee on Appropriations:* June 2, Subcommittee on Defense, to hold hearings to examine proposed budget estimates for fiscal year 2005 for the Iraq and Afghanistan Contingent Emergency Reserve Fund, 10 a.m., SD–192.

*Committee on Armed Services:* June 2, to hold a closed briefing on national security issues, 10:15 1 a.m., S–407, Capitol.

*Committee on Banking, Housing, and Urban Affairs:* June 2, to hold hearings to examine the role of State securities regulators in protecting investors, 10 a.m., SD–538.

June 3, Full Committee, to hold hearings to examine the enforcement of the bank secrecy act, enacted in 1970, which authorizes the Secretary of the Treasury to issue regulations requiring that financial institutions keep records and file reports on certain financial transactions, 9:30 a.m., SD–538.

*Committee on Commerce, Science, and Transportation:* June 2, to hold hearings to examine fire fighting aircraft, 9:30 a.m., SR–253.

June 2, Full Committee, to hold hearings to examine the nominations of Jon D. Leibowitz, of Maryland, and Deborah P. Majoras, of Virginia, both to be a Federal Trade Commissioner, Brett T. Palmer, of New York, to be an Assistant Secretary of Commerce, Benjamin H. Wu, of Maryland, to be Assistant Secretary of Commerce for Technology Policy, Enrique J. Sosa, of Florida, to be a Member of the Reform Board (Amtrak), and Scott Kevin Walker, of Wisconsin, to be a Member of the Advisory Board of the Saint Lawrence Seaway Development Corporation, 2:30 p.m., SR–253.

June 3, Subcommittee on Competition, Foreign Commerce, and Infrastructure, to hold hearings to examine the TREAD Act, 2:30 p.m., SR–253.

*Committee on Foreign Relations:* June 2, to hold hearings to examine the Greater Middle East initiative, 9:30 a.m., SH–216.

*Committee on Governmental Affairs:* June 2, business meeting to consider pending calendar business, 10 a.m., SD–342.

*Committee on the Judiciary:* June 2, Subcommittee on Constitution, Civil Rights and Property Rights, business meeting to consider S.J. Res. 4, proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States, 1:30 p.m., SD–226.

June 3, Full Committee, business meeting to consider pending calendar business, 9:30 a.m., SD–226.

June 3, Full Committee, to hold hearings to examine the Child Custody Protection Act focusing on the protection of parents' rights and children's lives, 2:30 p.m., SD–226.

June 4, Full Committee, to hold hearings to examine pending judicial nominations, 10 a.m., SD–226.

## House Chamber

To be announced.

## House Committees

*Committee on Agriculture,* June 2, hearing to review the Federal Agricultural Mortgage Corporation, 10 a.m., 1300 Longworth.

*Committee on Appropriations,* June 2, Subcommittee on Defense, executive, to mark up the Department of Defense appropriations for fiscal year 2005, 2 p.m., H–140 Capitol.

June 3, Subcommittee on Commerce, Justice, State, Judiciary and Related Agencies, on FBI Transformation, 1 p.m., 2359 Rayburn.

June 3, Subcommittee on the District of Columbia, on District of Columbia Budget, 10 a.m., 2362–A Rayburn.

*Committee on Armed Services,* June 3, hearing on sexual assault prevention and response in the armed forces, 10 a.m., 2118 Rayburn.

*Committee on Energy and Commerce,* June 2, Subcommittee on Health, hearing entitled ''Scientific Opportunities and Public Needs: Balancing NIH's Priority Setting Process,'' 2 p.m., 2123 Rayburn.

June 2, Subcommittee on Telecommunications and the Internet, hearing entitled ''Advancing the DTV Transition: An Examination of the FCC Media Bureau Proposal,'' 10 a.m., 2123 Rayburn.

June 3, full Committee, to consider the following: H.R. 3266, Faster and Smarter Funding for First Responders Act of 2003; and the Satellite Home Viewer Extension and Reauthorization Act, 9:30 a.m., 2123 Rayburn.

*Committee on Financial Services,* June 2, Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises, hearing entitled ''Investing for the Future: 529 State Tuition Savings Plans,'' 10 a.m., 2128 Rayburn.

June 2, Subcommittee on Oversight and Investigations, hearing entitled ''Risk Management and Regulatory Failures at Riggs Bank and UBS: Lessons Learned,'' 2 p.m., 2128 Rayburn.

June 3, full Committee, to consider the following bills: H.R. 4363, Helping Hands for Homeownership Act of 2004; H.R. 3916, Presidential $1 Coin Act of 2004; H.R. 3755, Zero Downpayment Act of 2004; and H.R. 3574, Stock Option Accounting Reform Act, 10 a.m., 2128 Rayburn.

*Committee on Government Reform,* June 2. Subcommittee on Technology, Information Policy, Intergovernmental Relations and the census, oversight hearing entitled ''Who Might be Lurking at Your Cyber Front Door? Is Your System Really Secure? Strategies and Technologies to Prevent, Detect and Respond to the Growing Threat of Network Vulnerabilities,'' 1:30 p.m., 2154 Rayburn.

June 3, full Committee, to consider the following: H.R. 3826, Program Assessment and Results Act; H.R. 4222, to designate the facility of the United States Postal Service located at 550 Nebraska Avenue in Kansas City, Kansas, as the ''Newell George Post Office Building;'' H. Con. Res. 257, Expressing the sense of Congress that the President should posthumously award the Presidential Medal of Freedom to Harry W. Colmery; and H. Res. 653, Honoring former President George Herbert Walker Bush on the occasion of his 80th birthday; followed by a hearing entitled ''The Supersizing of America: The Federal Government's Role in Combating Obesity and Promoting Healthy Living,'' 10 a.m., 2154 Rayburn.

*Committee on International Relations,* June 2, hearing on United States Policy in Afghanistan, 10:30 a.m., 2172 Rayburn.

June 2, Subcommittee on Asia and the Pacific, hearing on U.S. Policy in East Asia and the Pacific, 1:30 p.m., 2172 Longworth.

*Committee on the Judiciary,* June 3, Subcommittee on Courts, the Internet, and Intellectual Property, oversight hearing on the Operations of the U.S. Copyright Office, 1 p.m., 2141 Rayburn.

*Committee on Resources,* June 3, Subcommittee on Fisheries Conservation, Wildlife and Oceans, to mark up the following bills: S. 1814, To transfer federal lands between the Secretary of Agriculture and the Secretary of the Interior; H.R. 3479, Brown Tree Snake Control and Eradication Act of 2003; and H.R. 4027, To authorize the Secretary of Commerce to make available to the University of Miami property under the administrative jurisdiction of the National Oceanic and Atmospheric Administration on Virginia Key, Florida, for use by the University for a Marine Life Science Center, 10 a.m., 1324 Longworth.

*Committee on Small Business,* June 2, hearing entitled ''Careers for the 21st Century: The Importance of Education and Worker Training for Small Business,'' 2 p.m., 2360 Rayburn.

*Committee on Transportation and Infrastructure,* June 2, to mark up H.R. 3266, Faster and Smarter Funding for First Responders Act of 2004, 11 a.m., 2167 Rayburn.

June 3, Subcommittee on Aviation, oversight hearing on The Financial Condition of the Airline Industry, 10 a.m., 2167 Rayburn.

*Permanent Select Committee on Intelligence,* June 2, Subcommittee on Human Intelligence, Analysis and Counterintelligence, executive, hearing on Assessing the Intelligence Community's Analytic Capabilities, 10 a.m., H–405 Capitol.

June 3, Subcommittee on Human Intelligence, Analysis and Counterintelligence, executive, hearing on Counterintelligence: Iran, 10 a.m., H–405 Capitol.

June 3, Subcommittee on Terrorism and Homeland Security, executive, briefing on Global Terrorism Update, 9 a.m., H–405 Capitol.

*Select Committee on Homeland Security,* June 3, hearing entitled ''Towards A National Biodefense Strategy,'' 1 p.m., 2318 Rayburn.

## Joint Meetings

*Joint Economic Committee:* June 4, to hold hearings to examine the employment situation for May, 9:30 a.m., SD–628.

# Résumé of Congressional Activity

## FIRST SESSION OF THE ONE HUNDRED EIGHTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

## DATA ON LEGISLATIVE ACTIVITY

January 20 through May 31, 2004

| | *Senate* | *House* | *Total* |
|---|---|---|---|
| Days in session | 68 | 54 | .. |
| Time in session | 512 hrs., 47′ | 366 hrs., 7′ | .. |
| Congressional Record: | | | |
| Pages of proceedings | 6,252 | 3,541 | .. |
| Extensions of Remarks | .. | 965 | .. |
| Public bills enacted into law | 12 | 24 | 36 |
| Private bills enacted into law | .. | .. | .. |
| Bills in conference | 2 | 10 | .. |
| Measures passed, total | 159 | 212 | 371 |
| Senate bills | 38 | 14 | .. |
| House bills | 28 | 81 | .. |
| Senate joint resolutions | 2 | .. | .. |
| House joint resolutions | .. | 3 | .. |
| Senate concurrent resolutions | 13 | 5 | .. |
| House concurrent resolutions | 20 | 33 | .. |
| Simple resolutions | 58 | 76 | .. |
| Measures reported, total * | 89 | 105 | 194 |
| Senate bills | 65 | 2 | .. |
| House bills | 11 | 64 | .. |
| Senate joint resolutions | 1 | .. | .. |
| House joint resolutions | .. | 1 | .. |
| Senate concurrent resolutions | 3 | .. | .. |
| House concurrent resolutions | 2 | 6 | .. |
| Simple resolutions | 7 | 32 | .. |
| Special reports | 1 | 1 | .. |
| Conference reports | 1 | 2 | .. |
| Measures pending on calendar | 210 | 104 | .. |
| Measures introduced, total | 598 | 1,041 | 1,639 |
| Bills | 476 | 769 | .. |
| Joint resolutions | 11 | 13 | .. |
| Concurrent resolutions | 27 | 90 | .. |
| Simple resolutions | 84 | 169 | .. |
| Quorum calls | .. | 1 | .. |
| Yea-and-nay votes | 103 | 145 | .. |
| Recorded votes | .. | 63 | .. |
| Bills vetoed | .. | .. | .. |
| Vetoes overridden | .. | .. | .. |

* These figures include all measures reported, even if there was no accompanying report. A total of 57 reports have been filed in the Senate, a total of 108 reports have been filed in the House.

## DISPOSITION OF EXECUTIVE NOMINATIONS

January 20 through May 31, 2004

| | |
|---|---|
| Civilian nominations, totaling 361, (including 195 nominations carried over from the First Session), disposed of as follows: | |
| Confirmed | 83 |
| Unconfirmed | 263 |
| Withdrawn | 14 |
| Returned to White House | 1 |
| Other Civilian nominations, totaling 2,321 (including 5 nominations carried over from the First Session), disposed of as follows: | |
| Confirmed | 1,093 |
| Unconfirmed | 1,227 |
| Withdrawn | 1 |
| Air Force nominations, totaling 7,996 (including 3,572 nominations carried over from the First Session), disposed of as follows: | |
| Confirmed | 4,739 |
| Unconfirmed | 3,257 |
| Army nominations, totaling 1,931 (including 594 nominations carried over from the First Session), disposed of as follows: | |
| Confirmed | 1,518 |
| Unconfirmed | 413 |
| Navy nominations, totaling 5,330 (including 2,444 nominations carried over from the First Session), disposed of as follows: | |
| Confirmed | 4,585 |
| Unconfirmed | 745 |
| Marine Corps nominations, totaling 1,220 (including 2 nominations carried over from the First Session), disposed of as follows: | |
| Confirmed | 1,199 |
| Unconfirmed | 21 |

*Summary*

| | |
|---|---|
| Total nominations carried over from the First Session | 6,812 |
| Total nominations received this Session | 12,347 |
| Total confirmed | 13,217 |
| Total unconfirmed | 5,926 |
| Total withdrawn | 15 |
| Total returned to the White House | 1 |

*Next Meeting of the* **SENATE**

**9:45 a.m., Wednesday, June 2**

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**Senate Chamber**

**Program for Wednesday:** After the transaction of any morning business (not to extend beyond a period of 60 minutes), Senate will resume consideration of S. 2400, Department of Defense Authorization Act.

*(Senate will recess from 12:30 p.m. until 2:15 p.m. for the Democratic party conference.)*

*Next Meeting of the* **HOUSE OF REPRESENTATIVES**

**10 a.m., Wednesday, June 2**

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**House Chamber**

**Program for Wednesday:** Consideration of Suspensions:

(1) H.R. 4409—to reauthorize title II of the Higher Education Act of 1965;

(2) H.R. 4410—to increase the amount of student loans that may be forgiven for highly qualified teachers in mathematics, science, and special education and for reading specialists;

(3) H.R. 4411—to amend title VII of the Higher Education Act of 1965 to ensure graduate opportunities in postsecondary education;

(4) H.R. 3908—to provide for the conveyance of the real property located at 1081 West Main Street in Ravenna, Ohio;

(5) H. Con. Res. 413—honoring the contributions of the women, symbolized by ''Rosie the Riveter'', who served on the homefront during World War II;

(6) H.R. 4109—Simple Tax for Seniors Act;

(7) H.R. 1086—Standards Development Organization Advancement Act of 2003; and

(8) H.R. 3866—Anabolic Steroid Control Act of 2004.

Consideration of 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 (Subject to a Rule).

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## Extensions of Remarks, as inserted in this issue

HOUSE

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Bachus, Spencer, Ala., E970, E974
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