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No. 16

House of Representatives

The House met at noon and was called to order by the Speaker pro tempore (Mr. ISAKSON).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
January 29, 2003.

I hereby appoint the Honorable JOHNNY ISAKSON to act as Speaker pro tempore on this day.

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

PRAYER

The Reverend Tracy A. Carroll, Senior Minister, Community Christian Church, Camdenton, Missouri, offered the following prayer:

God of all nations and the United States of America, bless the House of Representatives as together they converse, contemplate and carve paths of peace, purpose and prosperity for all people. Remind each statesman and stateswoman of sacred trust.

Grant assurance of the goodness of people across this great land as we face various concerns in this generation. In gratitude for institutions of democracy, grant courage to stand and to build consensus.

Guard from partisanship and political pressure. Help each to listen to You and the voices of all people, until unity and harmony are discovered anew for the least and the greatest, immigrant and long-time citizen, orphan and secure child, widow and married, poor and rich, farmer and developer, mentally ill and capable teacher, investor and consumer, employed and unemployed, physically challenged and strong athlete, soldier and protestor, young and the aged, sorrowing ones and ones who rejoice.

Bless the personal lives of our leaders, O God, granting them moments of renewal in the midst of demanding days. Bless the people of the United States and all people in Your world.
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 Arizona (Mr. RENZI) come forward and lead the House in the Pledge of Allegiance.

Mr. RENZI 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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain one 1-minute. The remaining 1 minutes today will begin at the end of the proceedings of today's session.

INTRODUCING GUEST CHAPLAIN, REVEREND TRACY A. CARROLL, COMMUNITY CHRISTIAN CHURCH, CAMDENTON, MISSOURI

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

Mr. SKELTON. Mr. Speaker, it is my privilege today to introduce to my House colleagues our guest chaplain, Reverend Tracy A. Carroll, minister of the Community Christian Church in Camdenton, Missouri.

Reverend Carroll was born in St. Joseph, Missouri, and still has many relatives in northern Missouri. After graduating from high school in Des Moines, Iowa, he attended Northwest Christian College in Eugene, Oregon, and later earned a Master's of Divinity from Texas Christian University.

Reverend Carroll is joined today by his wife, Colleen, who is also an ordained minister, working alongside her husband as an associate minister at the Community Christian Church. They have two children, Nathaniel, who is a senior at Camdenton, High School, and Tabitha, who is in the 7th grade at Camdenton Junior High School.

Reverend Carroll has devoted his life to the ministry for over 20 years and has served the Community Christian Church in Camdenton since 1992. In the time that they have lived in Camdenton, the Carrolls have become beloved members of the Lake of the Ozarks community. Both church members and members of the community at large talk about Reverend Carroll's compassion and his caring for others.

Reverend Carroll has been very active in community affairs, playing a major role in the Lake Area Ministerial Alliance and with the LAMB House, which provides food and clothing to those in need. He has been on the board of the Citizens Against Domestic Violence, worked with Habitat for Humanity, the Salvation Army, and many other community and youth organizations.

I would like to thank Chaplain Coughlin for his kind invitation to Reverend Carroll to offer the opening prayer, and I would like to thank both Reverend Carrolls for traveling to our Nation's capital to be with us today.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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will postpone further proceedings today on the motion 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.

Any record vote on the postponed question will be taken later today.

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CONGRATULATING THE TAMPA
BAY BUCCANEERS FOR WINNING
SUPER BOWL XXXVII

Mr. PUTNAM. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 31) congratulating the Tampa Bay Buccaneers for winning Super Bowl XXXVII.

The Clerk read as follows:

H. RES. 31

Whereas, on Sunday, January 26, 2003, the Tampa Bay Buccaneers dominated Super Bowl XXXVII, defeating the Oakland Raiders by a score of 48-21;

Whereas the 27-year-old Buccaneers franchise won the National Football League's World Championship in their first-ever Super Bowl appearance;

Whereas coach Jon Gruden, in his first year as head coach of the Buccaneers, led the team to the pinnacle of success;

Whereas the Buccaneers overcame adversity and defeated the Oakland Raiders, a team credited with possessing the number-one ranked offense in the National Football League;

Whereas throughout the season the Buccaneers were led by a number of players, most notably veterans Warren Sapp, Derrick Brooks and John Lynch, who banded together to form the number-one ranked defense in the National Football League;

Whereas owner Malcolm Glazer's unwavering dedication to bringing together the most talented coaches and players has resulted in the achievement of the most sought-after honor in professional football: the Vince Lombardi trophy;

Whereas the Buccaneers are an integral part of the Tampa Bay community;

Whereas the entire Tampa Bay community is proud of the Buccaneers and their extraordinary season and tremendous accomplishment;

Whereas this championship is especially satisfying to the dedicated Buccaneers fans who have loyally supported the team since their inception in 1976; a very long journey that has culminated in a Super Bowl victory and the recognition that the Buccaneers are the best football team in the world: Now, therefore, be it

Resolved, That the House of Representatives congratulates the World Champion Tampa Bay Buccaneers for their victory in Super Bowl XXXVII.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. PUTNAM) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

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

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, it is a great day in the State of Florida. The jubilation, the celebration is still going on in the streets of Tampa and in large cities and small towns all over the Sunshine State as we rejoice in the victory of the Tampa Bay Buccaneers in the Super Bowl XXXVII, a decisive win, the second highest number of points scored in any Super Bowl.

The Buccaneers brought forth a talented offense and a legendary defense with undoubtedly several future Hall of Famers.

Mr. Speaker, I would be remiss if we did not begin by recognizing the man who brought us to the top of that mountain, the youngest coach to ever coach a winning team in the Super Bowl, Jon Gruden, who built on the foundation laid by Tony Dungy and brought spirit, hope and promise to that team by repeating the same mantra: pound the rock, pound the rock, keep pounding away at the opportunities, keep pounding away at the other team's offense, seize the moments and capitalize on the other team's mistakes and weaknesses.

Those outstanding players who were there to back him up, under the visionary leadership of the owners, the Glazer family, were able to capitalize on an opportunity to bring the Tampa Bay area their first Super Bowl championship.

Mr. Speaker, the community spirit that was there, the fans who have suffered through a number of seasons of poor performances, of missed opportunities, they were well rewarded last Sunday afternoon in San Diego. Those fans who have scrimped and saved to purchase season tickets, they have endured a series of coaches, a series of top-notch draft opportunities. They have endured heart-breaking losses in the final seconds, and frankly, embarrassing losses at the beginning of the game for seasons on end. Their determination, their patience paid off; and so this victory, while it is incredibly sweet for the team, it is very altogether fitting and proper for the owners, the real victory is for the fans who have done so much and given so much to keep that team spirit alive, and the Tampa Bay area is, therefore, rewarded with this Super Bowl championship.

Mr. Speaker, I urge adoption of this 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.

I am pleased to join with the gentleman from Florida in consideration of this resolution, Mr. Speaker. Since the first professional football game in the United States took place in 1895 in the town of Latrobe, Pennsylvania, football has become one of America's favorite pastimes. As a matter of fact, it is so popular and so etched in the

minds and hearts of Americans, until many people stop whatever they are doing when it comes time for the Super Bowl.

The Buccaneers' magical season began at the Magic Kingdom, as the bucks held training camp at the Disney Wide World of Sports Complex. It ended on Sunday with the Bucs defeating the Oakland Raiders in Super Bowl XXXVII for the franchise's first world championship.

Buccaneers head coach Jon Gruden's, masterful coaching throughout the 2002 playoffs paid off in the Super Bowl as the Bucs always seemed to make the right call at the right time.

Facing the league's most potent offense in the first-ever Super Bowl match-up of the league's top-rated offense and defense, the Bucs surrendered just 269 yards, only 78 by the time Tampa Bay had built a 34-3 lead. The Bucs controlled the clock for over 37 of the 60 game minutes.

Joining the 1985 Bears as the only team in National Football League history to lead the National Football League in yards allowed, points allowed and interceptions in the same season, the Bucs racked up five interceptions and five sacks in stifling the Raiders' quarterback Rich Gannon.

The Buccaneers more than deserved the warm welcome when they returned home to a packed Raymond James Stadium on Monday night and victory parade through the town on Tuesday.

During the parade, thousands of fans lined the street and screamed their approval as the players drove by in convertibles and pickup trucks.

The Bucs were equally grateful. Manager Rich McKay said, "We have heard a lot about the Eagles fans and we have heard a lot about the Raiders fans. We have heard a lot about all these fans, but I think we all know who the best fans in the United States of America are, and they are the Buccaneers fans."

The Bucs and their fans were simply happy that the Bucs have become the world champs by a margin of 48 to 21, no less for the first time in the franchise's 27-year history.

I urge my colleagues to support this resolution introduced by the gentleman from Florida (Mr. DAVIS) honoring the Tampa Bay Buccaneers.

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

Mr. PUTNAM. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. YOUNG), the distinguished chairman of the Committee on Appropriations and senior member of the Florida delegation.

Mr. YOUNG of Florida. Mr. Speaker, we are rightfully proud in the Tampa Bay area of our team, the Tampa Bay Buccaneers; and I want to thank the gentleman from Florida (Mr. DAVIS), my colleague from Tampa and my neighbor, for introducing this resolution calling attention to the tremendous success of the team.

Also, Mr. Speaker, I think it is important to compliment both teams. I

know we had the Raiders, their team and their coach, and we had the Buccaneers, our team and our coach. They gave America, and especially America's sports fans, a tremendous Sunday afternoon. It was exciting. It was an exciting time and the challenge was real, and the Buccaneers really came through; and as my friend, the gentleman from Florida (Mr. PUTNAM), said, we had a dry season for quite a while, but we finally made it.

In the few seconds that I have left, I wanted to make this comment, that since I have been in the Congress, many people have told me to quit talking so much about national defense because I have been here preaching about a strong national defense ever since I came here many years ago; but I think Jon Gruden and the Tampa Bay Buccaneers proved there ain't nothing like a good defense.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would remind all persons in the gallery that they are here as guests of the House of Representatives and that any manifestation of approval or disapproval of proceedings or other audible conversation is in violation of the rules of the House.

The Chair recognizes the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield such time as he might consume to the gentleman from Florida (Mr. DAVIS), my colleague and classmate, who is the originator of this resolution.

Mr. DAVIS of Florida. Mr. Speaker, I thank the gentleman for yielding me the time.

I think, what is a relatively somber time in Washington as we debate issues about national defense and having a strong and smart defense, that it is appropriate that we take time to honor another collection of heroes whom I am terribly proud to speak on behalf of today.

□ 1215

As a lifelong resident of Tampa, and now a representative of the Tampa Bay area, as all of us will be that speak today, along with some other Floridians, I take tremendous pride in offering this resolution, with others, not to celebrate just a victory, because that is not exactly what happened on Sunday. The Bucs did not just win, I think they won with class and they won with style. It is not just about winning, it is about how you win, and the Bucs won the right way.

As a resident of the community, I am so terribly proud of each of these individuals, the attention that has come to them and will continue to come to them, about the personal sacrifices they have made to play their hearts out on the field, the terrific contributions they are making to our community as leaders, particularly with young people, and all kinds of scholarships and charities that I do not have time to talk about today. It just makes

me very proud and really speaks to why these people are leaders on the field and off the field.

The other important thing that has happened in my community, that my colleague, the gentleman from Florida (Mr. PUTNAM), alluded to, is the tremendous solidarity this team has brought. It has brought together people of all walks of life, an important lesson for Congress to learn, about how you can get people to overlook differences of all kinds that we can imagine to focus simply on the goal, and celebrating victory that has been many, many years in the coming.

I would like to share a few facts about the history of the team for those people that are just beginning to pay attention to this truly amazing story about the Bucs' victory. Since 1976, when the Bucs started as an expansion team, the Tampa Bay area has embraced this team and cherished and supported the team through some very tough times. In the first season, the Bucs went 0 and 26. The former coach, John McKay, was asked after one game what he thought of the team's execution, and his response was, he was all for execution.

There were bright spots in those earlier years as well. Hall of Fame defensive lineman and current University of South Florida athletic director Lee Roy Selmon and the 1980 NFC championship team were a stellar performance for the Bucs, although the Bucs lost that game barely.

When Rich McKay, a former high school classmate of mine, took over the general manager position, and Tony Dungy, who is just a wonderful person and terrific coach, hit the field, things began to turn around. The owner of the team, Malchom Glazer, began to invest the money in the team that needed to be invested from the beginning. As a result, in the 6 years after that, the Bucs made the playoffs 5 times. They reached the NFC championship game in 2000 and became league leaders in Pro Bowl appearances over that time and began to build this incredible, strong and smart defense.

John Gruden, who has been mentioned, is a story that speaks for himself. He is a wonderful coach. He showed true genius on the field. The defensive coordinator, Monte Kiffin, showed how to play defensive football in ways that will be a model for years to come.

The game is over now. No matter what happens next, the Bucs will always be remembered as the winners of Super Bowl XXXVII. Nothing can ever take that away from them. I want to congratulate not just the team and the coaches, but all the players and coaches that came before them and laid the foundation that we are celebrating today, as well as all the players and fans that have really sacrificed to support this team.

I want to finally close by urging my colleagues to support the resolution, and I want to especially urge the Mem-

bers of Congress in the Oakland area to support this resolution. I know it was tough to lose to the Bucs, but, clearly, the Bucs demonstrated they were entitled to this.

A lot of people talk about the west coast and the Bay area as a very important part of the country. That has been true for a long time. The San Francisco, Oakland, Silicon Valley area is what we all think of nationally when we think of the Bay area in the west coast. But, guess what? The Bucs have helped us remember that part of the future of this country is another west coast, another bay area, and it is the Tampa Bay area. It is the west coast of Florida, as these terrific Members of Congress will speak to here today, all of whom are really overshadowed and humbled to be in the company of a wonderful group of players and competitors and citizens of Florida.

So, Mr. Speaker, I again would urge adoption of the resolution.

Mr. PUTNAM. Mr. Speaker, I yield 2 minutes to the gentleman from Palm Beach, Florida (Mr. FOLEY).

Mr. FOLEY. Mr. Speaker, I thank my colleague for yielding me this time, and of course I thank my colleague, the gentleman from Florida (Mr. DAVIS).

Congratulations to the Tampa Bay Bucs and all who live in Tampa Bay, St. Petersburg, and all the environs. As a fan of the Dolphins, and coming from southeast Florida, many of us obviously wished the Dolphins great success, the last team in Florida to win a Super Bowl until this outstanding victory of our west coast compatriots.

Governor Gray Davis will have to pay up the debt to our own Governor, Jeb Bush, so we are excited that we had two victories over this past weekend. But the thrill of competition and the teamwork that took place was evidenced in that outstanding, incredible, incredible victory.

I want to commend both gentlemen that serve us in Congress representing the west coast of Florida for their leadership on this resolution and for their taking time to honor the skills of the athlete. I think the gentleman from Tampa, Florida (Mr. DAVIS), spoke eloquently about the members of the team who give back to their community outside of their professional sports endeavors; that actually mentor the kids; that work in the educational environment; help in inner-city schools, and do things that display the kind of character we hope all professional athletes will emulate.

Oftentimes role models for young kids who are struggling to find a role model to look up to are those that make a lot of money and drive fancy cars. Many on the team take time out of their own lives and professional endeavors to help those children. So this is not only a victory for a team on the field, it is a victory for the kids off the field.

So as Tampa Bay will continue to celebrate this outstanding achievement of a phenomenal team, we in

southeast Florida are all proud Tampa Bay Buccaneers, too. Mr. Glazer is a resident of Palm Beach, so we kind of share the opportunity to have the owner of the team in our county, but we also have a chance now as all Floridians to articulate the kind of excitement we felt that night when the time ran out on the clock and we, in fact, had another Super Bowl championship to put in the case of history.

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

I am sure that people throughout all America join with our colleagues from Florida in paying tribute to the Tampa Bay Buccaneers. I join with them in their enthusiasm, and urge swift passage of this resolution.

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

Mr. PUTNAM. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from Florida (Ms. BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I was never a football fan until I moved to the Tampa Bay area. I think it was the contagious enthusiasm both from my husband and my grandchildren that converted me to become a Tampa Bay Bucs fan.

I rise today to congratulate the Tampa Bay Buccaneers for their outstanding performance and subsequent victory in Sunday's Super Bowl. The Super Bowl was the most watched Super Bowl ever in history. I do not know whether it is just because every television set in Florida was tuned in or not, but it was the most viewed Super Bowl in history.

The Buccaneers' victory of 48 to 21 over the Oakland Raiders came at long last to very, very patient Tampa Bay Bucs fans such as myself and my family, who endured many, many years of sticking with the Bucs even when they weren't winning. We knew it was just a matter of time, and that time came this past Sunday. The Buccaneer defense scored three touchdowns from five interceptions, and that was a Super Bowl record.

Aside from congratulating the team, I would also like to congratulate John Gruden, the NFL's youngest coach. In his very first year, he took the Tampa Bay Bucs on to victory. We would be remiss if we did not also thank Tony Dungy, the former coach, because he was able to develop that team and develop the team to the point where their defense was so strong.

I would certainly congratulate all of the members of the Buccaneer team and as well to the Oakland Raiders. It was a hard-fought battle. Somebody had to win, and I am just darn glad that it was the Tampa Bay Bucs.

Mr. PUTNAM. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. HARRIS).

(Ms. HARRIS asked and was given permission to revise and extend her remarks.)

Ms. HARRIS. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, as a seasoned ticket holder of the Tampa Bay Bucs since the beginning of their creation, I can only tell my colleagues that we are so thrilled over their victory, and I rise to congratulate the world champion Tampa Bay Buccaneers for their extraordinary victory in Super Bowl XXXVII.

This season the Bucs epitomized what Americans admire most in a champion. They won because of an incredible defense and an effective offense, which they built with outstanding talent and refined through extraordinary coaching.

This championship did not emerge overnight. It followed many years of grit and perseverance, during which the Glazer family, general manager Rich McKay, and former head coach Tony Dungy built a winner brick by brick.

Head coach John Gruden brought this sleeping giant to life. Like the leadership of this great body, he united a team of diverse talents and personalities behind his vision, flawlessly executing his championship blueprint through his team's discipline, dedication, and character.

On behalf of the citizens of southwest Florida, I congratulate Coach Gruden and the entire Bucs organization for a job very well done. They have made our Tampa Bay region very proud.

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

As you can see, Mr. Speaker, there is a tremendous amount of pride from the Florida delegation in the Tampa Bay Buccaneers. We certainly are grateful to Tampa's hometown Congressman, the gentleman from downtown Tampa, Florida (Mr. DAVIS), for introducing this resolution. He serves with a great deal of class, just as the Buccaneers were victorious with class, and the fans have celebrated with class.

This team gives back to the community, and the community is rightfully joyful in this celebration today. All of us are so proud of the work the Glazer family and Coach Gruden has done, and so I urge adoption of this resolution.

Mr. BILIRAKIS. Mr. Speaker, I rise today to offer my strong support for this resolution and salute the Tampa Bay Buccaneers for winning Super Bowl 37.

The Buccaneers have proven themselves through the years. From their humbling 0-26 start in 1976 and winless first season and a half, the Bucs have evolved into a force with which to be reckoned—the Champions of Super Bowl 37.

As a Bucs season ticket-holder and longtime resident of the Tampa Bay area, I am proud to have witnessed the years of change and hard work that culminated in Sunday's triumph over the Oakland Raiders.

Former Coach Tony Dungy deserves much of the credit for this victory. He changed the character of the team by instilling in them a focus on community, character, and leadership. His hard work, and that of many other

coaches, players and team staff, created the solid foundation upon which today's Super Bowl Champion Buccaneers stand.

The youngest coach ever to win a Super Bowl, Jon Gruden has built upon that foundation and continued the legacy of hard work and responsibility. I commend him for leading the Bucs to their first-ever Super Bowl appearance and victory. The Buccaneers paid a hefty price for Coach Gruden, but it was a price well worth paying, because football's ultimate treasure, the Lombardi Trophy, is where it belongs—in Tampa Bay.

Certainly, no congratulatory speech would be complete without honoring the players themselves. Coming into the game as the underdogs, the Buccaneers stayed the course and fought hard to secure their championship. An outstanding defensive effort prevented the Raiders from gaining momentum. Tampa's defense returned three of a Super Bowl record five interceptions for touchdowns, dashing any hopes Oakland may have had in winning the title of World Football Champions.

Mr. Speaker, I am proud to represent part of the Tampa Bay area and to be here today to offer my congratulations to Coach Gruden and the players. I urge my colleagues to support this resolution honoring the Buccaneers for their hard work and their well-deserved Super Bowl title.

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

The SPEAKER pro tempore (Mr. ISAKSON). The question is on the motion offered by the gentleman from Florida (Mr. PUTNAM) that the House suspend the rules and agree to the resolution, House Resolution 31.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the motion to go to conference on House Joint Resolution 2, making further continuing appropriations for fiscal year 2003, and for other purposes, and that I may include tabular and extraneous material.

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

There was no objection.

APPOINTMENT OF CONFEREES ON H.J. RES. 2, FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2003

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the joint resolution (H.J. Res. 2) making further continuing appropriations for fiscal year 2003, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

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

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I offer a motion to instruct conferees.

The Clerk read as follows:

Mr. OBEY moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the joint resolution, H.J. Res. 2, be instructed to agree to the highest level of funding within the scope of conference (1) for the programs within the jurisdiction of the Subcommittee on Labor, Health and Human Services, Education and Related Agencies, including advance appropriations in the Senate amendment, and (2) for veterans' medical care and to insist that, within the scope of conference, no item requested by the President for homeland security (as identified in the OMB submission titled "Homeland Security Funding") be funded below the level of the President's request.

The SPEAKER pro tempore. Under clause 7 of rule XXII, the gentleman from Wisconsin (Mr. OBEY) and the gentleman from Florida (Mr. YOUNG) each will control 30 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, Article I of the Constitution states that no money can be drawn from the Treasury except by act of Congress.

□ 1230

That is the essence of the separation and balance of power in this government. It is the core function of this body. It is what makes this a legislative body, not a Soviet-style rubber stamp.

So let me ask what some Members might find to be a somewhat embarrassing question: How did the House of Representatives get through an entire session of Congress last year without ever even calling up for debate Senate appropriation bills that fund more than three-quarters of the government outside of the Department of Defense? Now I am not asking why we failed to pass the bills. There can be numerous answers to that question. I am not asking why we did not complete the conference report. That could easily be blamed on the intransigence or inaction of the other body.

What I am asking is how could we fail to even call up for debate on this floor, on this floor, the basic pieces of legislation to fund the government when that is our fundamental responsibility as an institution.

Mr. Speaker, this is the 108th Congress. This is the 215th year in which this body has gathered to perform our duties under the Constitution. As a result, it is quite difficult to do something in Congress that has never been done before, but I think this body in the last Congress actually succeeded in that respect. The House Republican leadership never even let these bills out of committee, never debated on the

House floor whether the amounts requested or the sums recommended by the committee were too much or too little, never allowed the elected representatives of the American people to vote on any of these matters.

The result, the party that is oh, so noisy in talking about accountability for teachers and schools is oh, so silent when it comes to the accountability of Members of Congress. You cannot be held accountable for the choices you never make, and that is the game that has gone on here for almost a year.

Mr. Speaker, how can there be a more fundamental breakdown of the institution? What a disgrace. What was it that we did all year that was so important we could not at least call these bills up?

I want to make it quite clear, there is one person in this institution who I am not referring to, and that is the gentleman from Florida (Mr. YOUNG), the chairman of the Committee on Appropriations, who has gone to the mat time and time again to try to get this House to meet its responsibilities. He has spoken on the subject often and eloquently, and it is in spite of his very considerable efforts that we find ourselves where we are today.

In my mind there is one issue at the bottom of this: the majority party leadership in this House abandoned its central responsibility under the Constitution and to the American people in order to get political cover on one issue. They love to talk the talk on education, but they are not willing to walk the walk. They are not willing to put their money where their mouths are. Oh, yes, they like to visit schools. They like to read to children when the cameras are around; and oh, they love to make TV ads about how important education is and how much they care about it. They like to vote for big, expensive authorization programs creating new major responsibilities for local boards to meet, and they like to promise huge sums of Federal money to pay for them. They love to do all of those things.

There is only one thing that they apparently cannot and will not do, and that is pay the bill afterwards. Now most people have seen a con artist in action, at least in the movies. They have the capacity to seem in almost every respect to be someone quite different from whom they really are. That is what the majority party has done over the last several years with respect to education. Of course, the only time they get caught at the game is when the appropriations bills are on the floor. That is the one point in time when all of the pretty images fall apart, all of photo ops, press releases and slick TV ads, that is the time when they do not run true; and that is why this day has been delayed for almost 8 months, well after the election, well after the opportunity of the American people to measure whether the rhetoric coming out of the Congress and this administration has anything whatsoever

to do with the reality as far as education is concerned.

Unfortunately, even now we do not have an appropriate bill in front of us. We do not have specific funding levels proposed for specific programs. We have the most confusing hodgepodge of numbers it would be possible to concoct, and a motion to go to conference on those numbers. That is an open invitation to have a small group of people bring back an all-or-nothing omnibus package so big and so complex and so late in the year that we can claim that we just had to vote for it, even though it is on a program-by-program basis 180 degrees at variance with what a large majority of this body claims to support.

Today I want to give this House an opportunity to send a different message to the conference. I want to give Members on the other side of the aisle who truly believe what they say about resources in the classroom, better teachers, small classes, stronger curriculum a chance to stand up and say to Mitch Daniels and their leadership here in the House that they are for real, that they insist on a bottom line that is much higher for education than the numbers that my friend, the gentleman from Ohio (Mr. REGULA), has been given to work with.

Our motion to instruct simply says that the allocation to the bill that contains education funding shall not be smaller when the bill comes back to the House than the sums contained in the Senate bill. If we take all of the increases the Senate says it would like to make in that bill, we find ourselves \$9.55 billion over the level the House has allocated to the Regula bill. Even after we subtract the remarkable across-the-board cuts contained in the Senate package, this bill is about \$5.7 billion above House levels. CBO has not scored it yet, and so we do not have precise numbers; but that is about where we believe the Senate ends up.

We are asking that the House direct its conferees to begin this conference by agreeing with the Senate on that overall funding level. It is not at the level of increase in our schools that we have provided in any of the last 6 years. It would mean that the result of all of the time and debate we spent in enacting No Child Left Behind would be to scale back the funds that we are sending to schools. It is not the level that we can and should provide, but under the rules we are working under it is the best we can do; and it is without any question the least we should do. I would simply note, by the way, that the bludgeoning-nature of the across-the-board cuts provided by the Senate has resulted in unacceptable damage to a number of other crucial activities in areas such as health and science.

There are two other parts to this motion. One is that the level of funds for homeland security activities in this package shall not fall below the levels requested by the President so far as it

is possible within the scope of the conference. Yesterday, I catalogued just how inadequate the President's budget is for homeland security, for port protection, for first responders. But the Senate's across-the-board cuts have taken more than a billion dollars from homeland security activities. Our intent is to restore those funds. It, at the very least, will make clear that the education funds will not be coming from homeland security.

Finally, we have a crisis in veterans' medical care. The across-the-board cuts in the Senate bill significantly exacerbates that crisis. We direct in this motion the conferees to go to the highest possible level for veterans' medical care that is within the scope of the conference.

I will be very blunt about this instruction. If anyone votes for it, they are setting parameters on the conference that do not permit the conference to come back within the allocation that Mitch Daniels and the gentleman from Iowa (Mr. NUSSLE) have established. This motion says to them that the line that they have drawn in the sand for education and other domestic needs is unrealistic. We need to move on and resolve these differences, and we need to support local schools. This is not the end of the process; this is step one.

If a majority of this body votes to agree with the Senate that we need this \$5.7 billion increase for education, and the Congress then agrees to a conference report that rejects the position taken by both Houses, the American people will then know exactly what is going on around here. They are going to know at that point exactly how phony all of these press releases and TV ads on education have been.

Mr. Speaker, no one should vote for this motion if they intend to vote for a later conference report that scales back funding for the very education programs we are trying to protect by this motion. That would be an act of hypocrisy that would be startling even by the standards of this town.

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

Mr. Speaker, I appreciate the effort that the gentleman from Wisconsin (Mr. OBEY) is making here, and I would say that these are some of the items that we will definitely be dealing with as we go to conference.

But for those Members who have followed the budget and the appropriations process for fiscal year 2003, they will recognize that we really have accomplished somewhat of a miracle to be where we are today, ready to appoint conferees so we can go to conference with the Senate.

If we agreed with the bill that the other body has sent to us as an amendment to our continuing resolution, we could just agree to their amendment today and our business for fiscal year 2003 would be concluded, and I would tell Members that I do not think the

gentleman from Wisconsin (Mr. OBEY) and I could be happier if that were the case. But the fact is, as we study that bill, it is not a bill that we can agree with; so it is essential that we go to conference.

The Senate had to reduce the bills that they had reported from their committee by \$9 billion just to get to the top number that a majority of Members have agreed to. In addition to that, they are going to have to make some additional changes because even though they are at the top number, there are many things in the bills that our committee reported that are not in their bill, and they have included things in their bill that were not in our bill, so we have a lot of work to do.

So as we go to conference, we need flexibility. We need to be able to negotiate, to move, to make decisions, and to bring back to this House a responsible omnibus appropriations bill, for fiscal year 2003 and conclude the business for fiscal year 2003 because fiscal year 2004 is approaching us like a runaway train, and thus we will be beginning fiscal year 2004 activities almost immediately.

The gentleman from Wisconsin (Mr. OBEY) does not need to have this motion to instruct conferees. He and I will lead a very strong conference team to meet with our counterparts in the other body. I will be speaking for the majority side, and the gentleman from Wisconsin (Mr. OBEY) will be speaking for the minority side. He and I are partners. We will go into this conference knowing where we want to end up and knowing what we have to do to end up there.

We actually do not need a motion to instruct conferees. If for some reason the conference committee got bogged down, maybe we would need a motion to instruct, but I do not think that is going to happen. I have worked very closely with the chairman of the Senate Committee on Appropriations, and we believe that we have the ability to reach agreements on very difficult decisions. Because of that, I think today is not a good time to instruct conferees. I would say at a later date if that becomes necessary that maybe I would agree to it. Today I ask Members to reject this motion to instruct.

Mr. FRANK of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Speaker, after listening to the gentleman from Florida (Mr. YOUNG), it sounded like the gentleman was saying that the conferees would be himself and the gentleman from Wisconsin. I want to say if that is the deal, if there are going to be two conferees, the chairman and the ranking minority member of the Committee on Appropriations, I would urge the gentleman from Wisconsin (Mr. OBEY) to withdraw the motion to instruct because if those are the two Members, as the gentleman said, I would have complete confidence

in them. Pending that, if the gentleman would just confirm that he said the conferees will be himself and the gentleman from Wisconsin (Mr. OBEY), I am ready to go home.

Mr. YOUNG of Florida. Mr. Speaker, I thank the gentleman from Massachusetts (Mr. FRANK) for his comments. At one point I actually suggested that we keep our side of the conference very, very small, meaning the gentleman from Wisconsin (Mr. OBEY) and myself, and maybe one other be conferees, but that did not work.

Mr. FRANK of Massachusetts. Mr. Speaker, if the gentleman would continue to yield, the "maybe one other" just ruined it.

□ 1245

Mr. YOUNG of Florida. Mr. Speaker, I think I said all that needs to be said, and I would like to advise the gentleman from Wisconsin (Mr. OBEY), my friend, I really do not have any other speakers on the subject; so I am going to reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield 6 minutes to the gentleman from Maryland (Mr. HOYER), the distinguished minority whip.

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

Mr. Speaker, the hollow promises must end. Last night President Bush said, and I quote, "Whatever action is required, whenever action is necessary, I will defend the freedom and security of the American people." That was correct that he said that. Last year he said, "Whatever it costs to defend our country, we will pay." I think he was right to say that. The late fees, however, on those promises are piling up.

My friends on the other side of the aisle, not, by the way, members of the Committee on Appropriations, and not under the leadership of the gentleman from Florida (Mr. YOUNG), who does an extraordinary job in our committee, but some of my friends on the other side of the aisle are licking their chops at the smorgasbord of tax cuts that would fatten the wealthy and leave scraps for most Americans and force our children to pay the bill. But they do not want to spend resources now that are needed for Federal agencies to respond to terrorist threats. The gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY) tried to bring that to their attention. Nor will they honor the bipartisan pledge to improve our educational system.

Within the limits of parliamentary procedures, we are limited in what can be offered in this motion. However, its purpose is critical. It is time to leave the hot air behind and the rhetoric behind and to live up to our commitment and the expectations of those who sent us here. It is time to live up to our commitment to indeed leave no child behind.

We made a promise to help schools implement reforms to meet higher

standards. We have asked States and local school districts to do the work, and we must show that we were serious, that we meant what we said, that we will put the Nation's money where the Nation's heart is. The House bill is \$5.7 billion less than the other body's funding for the No Child Left Behind Act. If we pursue that number, we will leave millions of children behind.

This is simply inadequate, inadequate to help local school districts meet the new mandates we insisted upon just last year. Title I is intended to help disadvantaged students meet high academic standards, a critical objective. Ten million children are eligible for Title I services. Again, the House only meets two-thirds of the \$16 billion we need. I say to my friends, that is saying to over 3 million children in America there is no room in this rich inn. The other body provides an additional \$500 million, and we ought to give them at least that level so that we leave no child behind.

The other body also provides \$2 billion more in IDEA grants, children with disabilities who seek an education. We promised the States we would participate; \$2 billion light are we. The House level provides less than half of the Federal contribution toward the added cost of special education that is authorized under IDEA. Again, we as the representatives of the American people need to ensure the fact that America lives up to its promises.

We must not forget our veterans either. Over 310,000 veterans are on waiting lists for medical care, and many veterans are waiting as long as 6 months for an appointment to see a doctor. To a person last night we stood and cheered and clapped with respect and appreciation for those who serve us in uniform both here and abroad. Should we do any less for them when they are through their active service but need the health care we have promised? It is an outrage to not do so. Freedom's defenders deserve better. We must fully fund VA medical care. We do not do it.

Finally, with regard to homeland security, the Council on Foreign Relations reported last October that we are "dangerously unprepared to prevent and respond to a catastrophic terrorist attack on U.S. soil." The gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY) pleaded with the President of the United States to respond to this vulnerability. The cost of addressing our vulnerabilities is a mere fraction of the President's \$674 billion tax cut.

I was elected to State Senate in 1966. Ted Agnew, who was then the county executive of Baltimore County, elected Governor that same year, and in the inaugural address he said this: That the price of progress far exceeds the cost of failure. The billions of dollars that were suggested by the gentleman from Florida (Mr. YOUNG) and by the gentleman from Wisconsin (Mr. OBEY) could save us tens of billions of dollars,

as the President said, in preventing just one catastrophic event.

I hope my colleagues will support this motion. I hope my colleagues will stand and say we promise and we talk, but this motion says we are also prepared to take the walk. I believe Americans are prepared to take that walk as well.

Mr. OBEY. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Massachusetts, the new ranking member of the Committee on Financial Services.

Mr. FRANK of Massachusetts. Mr. Speaker, I thank the gentleman for yielding me this time. I have to say with respect to the gentleman from Florida (Mr. YOUNG) even if the conference was not just himself and the gentleman from Wisconsin, if it was just himself, many on our side would not be so nervous, but he is for all dedication not autonomous, less autonomous, less nearly autonomous than he used to be under the current regime, and we fear that the instructions he will be getting from the other side of Pennsylvania Avenue will outweigh commitments that we think ought to be made to the people we are here to serve.

I wish we were not dealing with all of these issues in one instruction motion, but it must be repeated again. The way in which this House leadership has chosen to deal with the appropriations process this year has been one of the most thorough degradations of the democratic process I have ever seen. And people have said, well, but the Senate did not pass a budget. What does that have to do with the constitutional right of this body to pass appropriations bills?

We, in fact, passed two appropriations bills for defense. There was no obstacle there, and there was no obstacle with the other appropriations bills except the political reality that by the time you get through financing two wars with three tax cuts, you do not have enough money left to meet fundamental social obligations.

And what the gentleman from Wisconsin is trying to do and he says, in a burst of reasonableness, within the scope of conference, indeed I think that might be the part of it to which the other side objects the most, because staying within the scope of the conference has rarely been their practice in recent years, but the gentleman from Wisconsin has correctly in parliamentary terms framed his motion, and he says we would have liked even more in some of these areas. At least let us go to the level that the Republican-controlled United States Senate voted for.

What happens if we do not do that? Veterans get a good deal of rhetoric from this institution. I wish they got 25 percent as much help as they get rhetoric. In the New England region Category 8 veterans have been shut off altogether because we cannot afford it because we have got to do a big tax

cut, because we have other priorities. The gentleman from Wisconsin's motion is giving a chance to say do that.

I will say this: If people do not vote for the gentleman's motion, and if, as he stressed, even more importantly they do not vote for a conference report that reaches that level, if they vote for a conference report that has less than that, then any of them who then talk about how sorry they are that veterans' medical care is being cut are indeed guilty of the grossest form of hypocrisy, as the gentleman from Wisconsin said.

There are other areas we cannot touch here because of the unwillingness of the majority to let the normal process go forward. The Securities and Exchange Commission even at the Senate level will be substantially below what the President said they should get when he signed the corporate responsibility bill. The last time we debated this, the gentleman from Virginia, who is a subcommittee chairman, said to me, "I am introducing a bill to give them the money." He introduced the bill. It remains introduced. It has not been voted on. It has not been acted on.

Housing is also significantly underfunded, and there will be terrible problems in public housing, in Section 8.

But in the areas of the gentleman's motion, health care for veterans, research at NIH, and education, a failure not simply to vote for this instruction motion, because I am not sure that we may not be able to rope-a-dope here, in which people will vote for an instruction motion and then act contrary to it, and try and get coverage because they voted for the instruction motion, if we do not have an appropriation that at least reaches these levels for the National Institutes for Health, for education, for veterans care, then we will have really thoroughly failed in our obligation to the American people.

We passed an education bill, and we cheered for it, and now we have imposed on the localities without giving them the money. We have done this time and time again. The gentleman from Wisconsin's motion and its being taken seriously by the conference committee is the minimum that decency requires, and I wish I was not skeptical that we will achieve it.

I thank the gentleman for yielding me this time.

Mr. OBEY. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from California (Mr. GEORGE MILLER), the ranking member of the Committee on Education and the Workforce.

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

Mr. GEORGE MILLER of California. Mr. Speaker, I rise in strong support of the Obey motion because it keeps a promise with the American public. It keeps a promise with America's schoolchildren, and it keeps a promise with the parents of those children and the

teachers that teach them. And that promise was made by the President of the United States, that promise was made by the Congress of the United States, that in the process of enacting the most far-reaching reforms in the Federal role in education in this country, that we would fully fund the means by which the States and localities and school districts could carry out those reforms. But almost before the ink was dry, the President submitted a budget that, in fact, made cuts in that education promise.

Last night the President talked about the accomplishments that he had had. He talked about setting standards and having young children achieve those standards. That is the promise, but it is not happening. It is not happening in this country, and now it is even under greater threat because of the cuts that are taking place in education because of the economic distress in our country and the budgetary distress in our States.

The question for us is whether or not we will help these school districts carry out these reforms so that these children can have a higher level of achievement, a higher level of accomplishment, and a better chance of participating in the American dream. That is what the Obey amendment is about. That is what this vote is about. It is about whether or not this Congress will redeem that promise on behalf of America's schoolchildren.

We cannot have a freeze on those, as the House appropriations bill did. We cannot have the measly increase that the Senate has suggested. What, in fact, we need is to add this additional \$5.7 billion so that the promise of no child left behind is, in fact, a reality. And it is important because States are required under this law to do many things differently, many things better than they have done in the past, and we believe, and most educators believe, that the result will be that America's schoolchildren will have a higher level of accomplishment, will have a higher level of performance. By the same token, those very same independent observers of the American education system understand that if the resources are not there, this promise will be hollow.

□ 1300

The President made the promise, the President should keep the promise, and the Congress of the United States should help him to keep that promise by passing the Obey motion to instruct.

Mr. OBEY. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, yesterday this House refused to provide the financial assistance necessary to our local firemen and policemen and other first responders whose responsibility it is to be our first line of defense against terrorist attacks in communities throughout this country.

Today I would hope that the House would not take action to deny the

health care resources that American veterans need and deserve. I would hope we would not deny them the funds that those veterans need in order to avoid the kind of service cutoffs that we have seen the VA announce over recent weeks.

I know the name of the game on the part of the White House and the majority party leadership is to preserve every possible dollar on the table for tax cuts, a huge percentage of which are aimed at the most well-off 1 percent of the folks in our society who make more than \$300,000. I understand that that is the name of the game. But in my view, while I certainly wish those folks well and while I think they ought to share in the same tax cuts provided other people, I think that veterans need VA health care more than someone who is earning \$500,000 a year needs to have an extra jumbo-sized tax cut.

So I would simply ask Members of this House, do not, please, pose for political "holy pictures" by having photos at local schools, if the only thing you are willing to send those local schools is a new set of mandates without the money to help pay for them. Do not do that. School districts are in too big a squeeze and State governments with their financial problems are in too big a squeeze already.

All we are asking you to do is, within the possibilities presented by this conference report, we are asking you to vote for the maximum amount possible in order to come closer than we will otherwise come to meeting the promises so far unfulfilled of the No Child Left Behind Act.

I urge a "yes" vote on the motion to instruct.

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

Mr. YOUNG of Florida. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I want to make the case very strongly that a "no" vote on this motion to instruct does not deny any of the things that have been discussed today. It does not approve them; it does not deny them. A "no" vote allows us to have total flexibility as the gentleman from Wisconsin (Mr. OBEY) and I lead this conference committee into a final solution for fiscal year 2003.

I listened to the debate, and I have a hard time disagreeing with things that I have heard. But as I said, a "no" vote does not deny any of that.

So, Mr. Speaker, I would ask my colleagues to reject this motion to instruct. Let us go to conference, and let us bring the best bill that we possibly can back here for consideration by the House.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion.

There was no objection.

The SPEAKER pro tempore (Mr. ISAKSON). The question is on the mo-

tion to instruct offered by the gentleman from Wisconsin (Mr. OBEY).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. OBEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 200, nays 209, not voting 25, as follows:

[Roll No. 17]

YEAS—200

Abercrombie	Hall	Napolitano
Ackerman	Harman	Neal (MA)
Alexander	Hill	Oberstar
Allen	Hinchey	Obey
Andrews	Hinojosa	Ortiz
Baca	Hoeffel	Owens
Baird	Holden	Pallone
Baldwin	Holt	Pascarell
Ballance	Honda	Pastor
Bell	Hoolley (OR)	Payne
Berkley	Hoyer	Pelosi
Berman	Inslee	Peterson (MN)
Berry	Israel	Pomeroy
Bishop (GA)	Jackson (IL)	Price (NC)
Bishop (NY)	Jackson-Lee	Rahall
Blumenauer	(TX)	Rangel
Boswell	Jefferson	Reyes
Boucher	John	Rodriguez
Boyd	Jones (OH)	Ross
Brady (PA)	Kanjorski	Rothman
Brown (OH)	Kelly	Roybal-Allard
Brown, Corrine	Kennedy (RI)	Ruppersberger
Capps	Kildee	Rush
Capuano	Kilpatrick	Ryan (OH)
Cardin	Kind	Sabo
Cardoza	Kleczka	Sanchez, Linda
Carson (IN)	Kucinich	T.
Carson (OK)	Lampson	Sanchez, Loretta
Case	Langevin	Sanders
Clay	Lantos	Sandlin
Clyburn	Larsen (WA)	Schakowsky
Cooper	Larson (CT)	Schiff
Costello	Leach	Scott (GA)
Cramer	Lee	Scott (VA)
Crowley	Levin	Serrano
Cummings	Lewis (GA)	Sherman
Davis (AL)	Lipinski	Skelton
Davis (CA)	Lofgren	Slaughter
Davis (FL)	Lowe	Smith (WA)
Davis (IL)	Lucas (KY)	Snyder
Davis (TN)	Lynch	Solis
DeFazio	Majette	Spratt
DeGette	Maloney	Stark
Delahunt	Markey	Stenholm
DeLauro	Marshall	Strickland
Deutsch	Matheson	Stupak
Dicks	Matsui	Tanner
Dingell	McCarthy (MO)	Tauscher
Doggett	McCarthy (NY)	Taylor (MS)
Dooley (CA)	McCollum	Thompson (CA)
Doyle	McDermott	Thompson (MS)
Edwards	McGovern	Tierney
Emanuel	McIntyre	Turner (TX)
Engel	McNulty	Udall (CO)
Eshoo	Meehan	Udall (NM)
Etheridge	Meek (FL)	Van Hollen
Evans	Meeks (NY)	Velazquez
Farr	Menendez	Visclosky
Fattah	Michaud	Waters
Filner	Millender-	Watson
Ford	McDonald	Watt
Frank (MA)	Miller (NC)	Waxman
Frost	Miller, George	Weiner
Gonzalez	Mollohan	Wexler
Gordon	Moore	Woolsey
Green (TX)	Moran (VA)	Wu
Grijalva	Murtha	Wynn
Gutierrez	Nadler	

NAYS—209

Aderholt	Barrett (SC)	Bereuter
Akin	Bartlett (MD)	Biggart
Bachus	Barton (TX)	Bilirakis
Baker	Bass	Bishop (UT)
Ballenger	Beauprez	Blackburn

Blunt	Graves	Oxley
Boehler	Green (WI)	Paul
Boehmer	Greenwood	Pearce
Bonilla	Gutknecht	Pence
Bonner	Harris	Peterson (PA)
Bono	Hart	Petri
Boozman	Hastings (WA)	Pickering
Bradley (NH)	Hayes	Pitts
Brady (TX)	Hayworth	Platts
Brown (SC)	Hefley	Pombo
Brown-Waite,	Hensarling	Porter
Ginny	Hobson	Portman
Burgess	Hostettler	Pryce (OH)
Burns	Houghton	Putnam
Burr	Hulshof	Quinn
Buyer	Hunter	Radanovich
Calvert	Hyde	Ramstad
Cannon	Isakson	Regula
Cantor	Issa	Rehberg
Capito	Istook	Renzi
Carter	Janklow	Reynolds
Castle	Jenkins	Rogers (AL)
Chabot	Johnson (CT)	Rogers (KY)
Chocola	Johnson (IL)	Rogers (MI)
Coble	Johnson, Sam	Rohrabacher
Cole	Jones (NC)	Royce
Collins	Keller	Ryan (WI)
Cox	Kennedy (MN)	Ryun (KS)
Crane	King (IA)	Saxton
Crenshaw	King (NY)	Schroek
Culberson	Kingston	Sensenbrenner
Cunningham	Kirk	Sessions
Davis, Jo Ann	Klme	Shadegg
Davis, Tom	Knollenberg	Shays
Deal (GA)	Kolbe	Sherwood
DeLay	LaHood	Shimkus
DeMint	Latham	Shuster
Diaz-Balart, L.	LaTourette	Simmons
Diaz-Balart, M.	Lewis (KY)	Simpson
Doolittle	Linder	Smith (NJ)
Dreier	LoBiondo	Souder
Duncan	Lucas (OK)	Stearns
Dunn	Manzullo	Sullivan
Emerson	McCotter	Sweeney
English	McCrery	Tancredo
Everett	McHugh	Tauzin
Feeney	McInnis	Taylor (NC)
Ferguson	McKeon	Terry
Flake	Mica	Thomas
Fletcher	Miller (FL)	Thornberry
Foley	Miller (MI)	Tiberi
Forbes	Miller, Gary	Toomey
Fossella	Moran (KS)	Turner (OH)
Franks (AZ)	Murphy	Upton
Frelinghuysen	Musgrave	Vitter
Garrett (NJ)	Myrick	Walden (OR)
Gerlach	Nethercutt	Walsh
Gibbons	Ney	Wamp
Gilchrest	Northup	Weldon (FL)
Gillmor	Norwood	Weller
Gingrey	Nunes	Whitfield
Goode	Nussle	Wicker
Goodlatte	Osborne	Wolf
Goss	Ose	Young (AK)
Granger	Otter	Young (FL)

NOT VOTING—25

Becerra	Hastings (FL)	Smith (MI)
Burton (IN)	Herger	Smith (TX)
Camp	Hoekstra	Tiahrt
Combest	Johnson, E.B.	Towns
Conyers	Kaptur	Weldon (PA)
Cubin	Lewis (CA)	Wilson (NM)
Ehlers	Olver	Wilson (SC)
Gallely	Ros-Lehtinen	
Gephardt	Shaw	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ISAKSON). The Chair would advise Members that there are 2 minutes remaining on this vote.

□ 1324

Messrs. KINGSTON, TAUZIN, BARTON of Texas, SAXTON, KING of New York, and Mrs. BONO and Mrs. NORTHUP changed their vote from "yea" to "nay."

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to recommit was laid on the table.

Stated for:

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I was unable to vote on rollcall No. 17, motion to go to conference on House Joint Resolution 2, because I am still recovering from surgery. Had I been present, I would have voted "yea" on rollcall No. 17.

Mr. BECERRA. Mr. Speaker, on Wednesday, January 29, 2003, I was unavoidably detained, and therefore unable to cast my floor vote on rollcall No. 17, the Motion to Instruct Conferees on H.J. Res. 2.

Had I been present for the vote, I would have voted "yea" on rollcall vote 17.

Stated against:

Mr. WILSON of South Carolina. Mr. Speaker, on rollcall No. 17 I was unavoidably detained as my pager did not work.

Had I been present, I would have voted "nay."

Mr. TIAHRT. Mr. Speaker, on rollcall No. 17 I was unavoidably detained and missed the vote.

Had I been here I would have voted "nay."

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees:

Messrs. YOUNG of Florida, REGULA, ROGERS of Kentucky, WOLF, KOLBE, WALSH, TAYLOR of North Carolina, HOBSON, ISTOOK, BONILLA, KNOLLENBERG, KINGSTON, OBEY, MURTHA, DICKS, SABO, MOLLOHAN, Ms. KAPTUR, Mr. VISCLOSKEY, Mrs. LOWEY, Mr. SERRANO and Mr. MORAN of Virginia.

There was no objection.

LEGISLATIVE PROGRAM

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

Mr. HOYER. Mr. Speaker, in light of the fact that both of us are brand new in this job and this is the first time we are doing this, I want the gentleman from Texas (Mr. DELAY) to know that I am pleased to yield to him today and will be pleased to yield to him in days to come. I want him to stay leader; I would just like to change the designation, the adjective, but I yield to the majority leader.

Mr. DELAY. Mr. Speaker, I appreciate the gentleman yielding to me, and I appreciate his interest in changing my title, but that will not happen for another 2 years, at least.

Before I discuss next week's schedule, I would like to note for the gentleman and other Members of the House a very significant historical event that took place in the House of Representatives during this week back in 1815. Mr. Speaker, the Library of Congress was established back in 1800, and the Library was housed here in the Capitol, as many of us know, until 1814 when the British troops set fire to the building and destroyed most of the books in our collection. Retired President Thomas Jefferson graciously offered his personal library from Monticello as a replacement, and Congress purchased the library 188 years ago today for the sum of \$23,950.

Now, after the job he did in the Louisiana Purchase, one would have

thought Mr. JEFFERSON would have negotiated a little higher price from us, but, in any case, it was a great deal for America and a gracious gesture for our great champion of ideas.

Mr. Speaker, if the gentleman would continue to yield, the House will convene on Tuesday in pro forma session. On Wednesday we hope to consider the conference report on H. Res. 2, which will finish up the 2003 appropriations process. However, if the conference report is not ready for floor consideration, the House will need to consider another continuing resolution on Wednesday.

In addition, we may consider some measure under suspension of the rules. A list will be provided to all offices by Monday evening. There will be no votes in the House before 6:30 p.m. on Wednesday, and on Thursday we expect to consider H.R. 395, the Do Not Call Implementation Act, to restrain rampant telemarketers, and finish with legislative business for the week by 1 p.m.

□ 1330

Mr. Speaker, I am happy to answer any questions.

Mr. HOYER. Mr. Speaker, I thank the gentleman for the information he has given to us. I understand we are coming back at 6:30 p.m. on Wednesday and leaving no later than 1 p.m. on Thursday. I know the gentleman's party has its retreat. Ours is this week, as the gentleman knows.

I would ask the leader, Mr. Speaker, he indicates that the conference committee report may come back on Wednesday. If that is the case, does the gentleman have any information as to when the conference might meet?

Mr. DELAY. If the gentleman will continue to yield, Mr. Speaker, parties, both in the minority and the majority in both Houses, are speaking and talking to each other as we meet. Obviously, the chairman of the Committee on Appropriations in the House and the chairman in the Senate will do their own scheduling when the formal conference would be held.

We are hoping that, working with the minority and the ranking Members of both Houses, and working hard through the weekend, as hard as they can, that they will come to some sort of resolution next week. That is the schedule that the House would like to see happen; but we know, as all these things happen, it could leak and we would have to do another continuing resolution for another week. Hopefully, by then all the work would be done.

Mr. HOYER. Mr. Speaker, I thank the gentleman for that information.

Assuming that the conference report would be offered on Wednesday, assuming that work gets done, can the leader give us any information on the kind of rule under which that conference report would be considered? And I say that, Mr. Speaker, to the leader in the context that most members of the Committee on Appropriations, not to mention most Members of the House,

have not had the opportunity to see exactly what is in the bill. I think we just got the papers yesterday, so there has not been much consideration.

As the chairman, I am sure, knows, there will be a desire on, I am sure, both sides of the aisle, perhaps, to offer some legislative proposals to the conference committee report if they are made in order. Can the gentleman enlighten us as to what kind of rule the conference committee report might be considered under?

Mr. DELAY. If the gentleman will continue to yield, Mr. Speaker, the gentleman, as well as this gentleman, having served on the Committee on Appropriations, understands that this is a very unusual process that we are going through. In fact, I do not think we have gone through this process anytime that I have served on the Committee on Appropriations, so we are sort of feeling our way trying to get the appropriations done.

I remind the gentleman that the Committee on Appropriations in the House passed out every one of the 13 bills out of committee, so we do have something to look at as to what at least the committee had done in the House; and they are trying to reconcile that with what the Senate did or what the other body did.

As far as bringing it back, it is the tradition of this House and has been the tradition of this House to bring back a conference report on an appropriations bill under a closed rule. To be honest, I do not know that we would want to change that.

Mr. HOYER. Reclaiming my time, Mr. Speaker, I thank the gentleman. Let me make a couple of comments.

First of all, the gentleman is almost right; we did 11 of the 13 bills. But the second largest bill, of course, as the gentleman knows, on discretionary spending, not only did we not do it, but it was not considered in subcommittee, much less in full committee, the Labor-Health bill, which is, of course, itself over \$125 billion in discretionary spending, and somewhere approximately \$300 billion, when we include the mandatory spending within that bill, as the gentleman recalls.

But as the gentleman makes the point, this is the most unusual procedure for the appropriations process that I have seen in my 20 years on the committee. It is the least involvement, I think, that members of the Committee on Appropriations in the House have had on the product that now is being sent to us by the Senate.

I know that the gentleman from Ohio (Mr. REGULA) on the Labor-Health bill introduced 2 days ago a Labor-Health alternative, which presumably will be used as a basis for that title of the bill to be conferenced. However, Mr. Speaker, I would say to the gentleman, I would very much hope that in light of the extraordinarily unusual circumstances under which this appropriation bill is being considered, essentially emanating from the Senate,

which obviously from the House position is not what we want to see as normal practice, that the majority would very seriously consider, in the interests of democracy in this House, with a small "d," and in the interest of full debate on the priorities we are going to set forth in this bill that deals with over \$360 billion of discretionary spending, to have a rule that is not traditional, because we are not dealing with a traditional process.

I would hope that the leader, in discussions with the Speaker, with the majority whip, and with the gentleman from Florida (Mr. YOUNG), as well as the gentleman from California (Mr. DREIER), would consider a process which would allow Members to have a greater opportunity to express their views on this particular bill.

Mr. DELAY. Mr. Speaker, I appreciate the gentleman for yielding again. The gentleman is correct in correcting me, that we only did 11 bills out of the committee. I do remind the gentleman that the chairman introduced a Labor-HHS bill, and it is my information that that is what they are working from.

Secondly, I would say that the conference committee as named has 12 Republicans and 10 Democrats on it, so the minority is very well represented on the conference committee, and will be, obviously, consulted and worked with in as open a manner as possible.

I would also point out the fact that conference reports are privileged resolutions, and it would be highly unusual for us to change the precedent and the rules governing privileged resolutions. So we are trying the best we can to accommodate any Member that is interested in what is going on in that conference, whether they be Democrat or Republican, by opening up the process as much as possible and having a process that Members can plug into so that their voices can be heard in the consideration of the conference.

Mr. HOYER. Reclaiming my time, Mr. Speaker, I understand what the gentleman has said; but I am sure the gentleman also understands our consternation, because we are going on a retreat for 2 days. We are leaving here tomorrow morning. I ask the gentleman when the conference is going to occur. We really do not know when the conference is going to occur.

As the gentleman knows, like himself, I am a ranking member on the Committee on Appropriations. I have received no notice of a scheduled conference on this particular piece of legislation. I am one of the higher-ranking Members in the House. Therefore, I would think the gentleman and I would have access; but the more junior members of the Committee on Appropriations and those who do not serve on the Committee on Appropriations, while theoretically having some access to a conference, if the conference is never held, if there is no scheduled meeting, if they have no opportunity to participate in those deliberations, it is very difficult for them, short of acting on the floor, to consider this legislation.

So I would simply ask of the leader, Mr. Speaker, again in light of the extraordinarily unusual process that has been pursued over the last 12 months in dealing with the appropriation bills, and the fact that we did not bring the Labor-Health, one of the largest bills that our committee considers, to the floor or to full committee or to subcommittee for consideration, and yes, the chairman introduced a bill, but it was introduced by the chairman alone; it was not cosponsored by anybody else. That did not give us much input.

I will not belabor this point further, but I would hope and ask my colleagues, in light of the fact that this is the first substantive piece of legislation that we are going to consider, that it be considered with an opportunity for those of us who represent somewhere in the neighborhood of 49 percent of the people of the United States to have their voice heard meaningfully in the deliberations.

Mr. DELAY. Mr. Speaker, if the gentleman will yield further, the gentleman makes a very good point. We want to be fair to all concerned. We want to have this as open a process as we possibly can make it.

I just want the Members of this body to know that we just received the paper from the other body last night, so it is going to take probably the entire time of the gentleman's retreat for the staff to go through that paper and get it ready for Members' consideration. Obviously, the Members that are interested in having an impact on this conference will probably have an opportunity, or I know they will have an opportunity, starting Sunday or Monday, to have input into that process. I offer to the gentleman that if anybody feels that they have been shut out of the process, our office is open and we are more than willing to work with them.

Mr. HOYER. I thank the gentleman for his comments.

ADJOURNMENT TO FRIDAY, JANUARY 31, 2003; AND ADJOURNMENT FROM FRIDAY, JANUARY 31, 2003, TO TUESDAY, FEBRUARY 4, 2003

Mr. DELAY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. on Friday, January 31, 2003; and further, that when the House adjourns on Friday, January 31, 2003, it adjourn to meet at 4 p.m. on Tuesday, February 4, 2003.

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

There was no objection.

INTRODUCTION OF INSTRUCTIONAL MATERIALS ACCESSIBILITY ACT

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

Mr. PETRI. Mr. Speaker, today my colleague, the gentleman from California (Mr. GEORGE MILLER), and I are introducing the Instructional Materials Accessibility Act, which makes sure that blind students will be able to enjoy an equal opportunity to a quality education.

It often takes months for a blind student to have the same materials as his or her sighted peers because of the cumbersome process needed to translate a textbook into Braille or other specialized format. This legislation will eliminate these delays by putting in place standards to assist States and school districts in delivering instructional materials to blind students.

I would urge my colleagues to support this important bill.

U.N. ABSURDITIES

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

Mr. PITTS. Mr. Speaker, for 12 years we have amassed a mountain of proof that Saddam Hussein has both weapons of mass destruction and the missiles he needs to launch them.

Right now, Saddam Hussein is violating a long string of binding U.N. resolutions. He continues to repeatedly violate the terms of the 1991 ceasefire, which amounts to a resumption of war.

As we heard last evening, our President is determined to stop Saddam Hussein before it is too late by disarming him of weapons of mass destruction. But over and over we hear the President's critics say that he should not act without the United Nations.

Now, President Bush agrees that the U.N. can be very helpful, but sometimes the U.N. does the wrong thing. Last year, the U.N. placed some of the world's worst human rights abusers on its Commission on Human Rights. Now, of all countries, Libya is going to chair that body.

If that is not bad enough, Iraq, Iraq is in line to take over the U.N. Conference on Disarmament. Could anything be more ludicrous?

President Bush should do the right thing with or without the United Nations.

COMMENDING INDIA ON ITS CELEBRATION OF REPUBLIC DAY

(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, I rise today to join with Indian Americans across the Nation in recognition of India's Republic Day, which was celebrated this last Sunday. Fifty-three years ago India's constitution, greatly influenced by America's Founding Fathers, was adopted to solidify its parliamentary democracy.

Today, India is the world's largest democracy, of over 1 billion people; and

the shared values of American and Indian people have never been more apparent. Our countries share a love of freedom; and both uphold the ideal of equality of all people, regardless of faith, gender, or ethnicity.

As the co-chair of the House India Caucus, along with the co-chairman, the gentleman from New York (Mr. CROWLEY), I commend both President George W. Bush and Prime Minister Atal Bihari Vajpayee, elected leaders of the world's two largest democracies, for continuing to actively cultivate strong ties between the United States and India.

URGING CONGRESS TO PASS THE PRESIDENT'S LEGISLATIVE PRIORITIES, AND LEGISLATION HOLDING CRIMINALS RESPONSIBLE FOR HARMING UNBORN CHILDREN

(Ms. HART asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. HART. Mr. Speaker, last night the President of the United States challenged this Congress to tackle many problems facing our country, such as health care reform and economic growth. The President also urged Congress to pass legislation banning partial birth abortions and human cloning. All of these are extremely important goals.

In addition, Mr. Speaker, I am confident that we will again pass a bill that will hold criminals responsible for harming unborn children. Last session we did pass such legislation, but under current Federal law an individual could attack a pregnant woman, injuring that woman and killing the child. While the assailant could be tried for the assault against the mother, no legal action is available under Federal law to address the murder of the child.

This is not the case in many States in this Nation. In fact, 24 States, including my home State of Pennsylvania, have passed unborn victims' laws.

□ 1345

These are effective laws that have been upheld by the courts on a number of occasions when they have been challenged. In fact, all legal challenges to such unborn victims laws have failed. And a number of Federal courts have turned away challenges to State unborn victims laws.

An expectant mother who loses a child as a result of an attack by a violent criminal before she gets to hold her child deserves recourse. Well, this recourse would never be a substitute for her terrible loss. I do not think it is too much to ask to have a similar unborn victims laws on the books. Last year we passed this act. I am confident we will pass this bill again.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. CULBERSON). Under the Speaker's an-

nounced policy of January 7, 2003, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

HONORING FORMER CONGRESSMAN LUCIEN BLACKWELL

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

Mr. BRADY of Pennsylvania. Mr. Speaker, I stand here today with a very heavy heart as the passing of a dear, dear friend of mine and a dear friend of a lot of people, former Congressman Lucien Blackwell.

Lucien Blackwell was a Korean decorated war hero. He was a Member of this body. He was a member of the Pennsylvania State Legislature, a member of city council, and he was a very famous labor leader. Lucien Blackwell was a champion for the little people.

Two things come to mind when you talk about Lucien Blackwell: He was a warrior, and he had passion. He was a warrior and a fighter for the people who could not fight for themselves, and he spoke for people who could not speak for themselves.

Mr. Speaker, in my 18 years as a party chairman for the city of Philadelphia, he was my vice chair. He stood beside me for 18 years, and for 18 years there was never a motion on the floor that he did not make or he did not second. He was without question a man of integrity and a man who will be missed.

I was with him the day before he passed. We did our normal politicking and our famous back-room scheming, always to try to help somebody else.

I would not be here today if it was not for Lucien Blackwell. When this seat became vacant, the first congressional seat of Pennsylvania, he was going to fill it. He was going to come back and resume his career as a Congressman. And then 2 days prior to submitting the name, he said to me that he met with his family, was having breakfast with his granddaughters and grandsons, and they said to him, Pop-Pop, if you went back to Congress we could not be doing this with you. So he thought better of it. He thought better to stay with his family and not to come back to this body, and that is why I am here. He nominated me, and I took that congressional seat.

I feel a little responsible for allowing his family to have him for 5 more years, which is a very short time.

Mr. Speaker, the Nation, this body lost a good man. The State of Pennsylvania lost a good man. The city of Philadelphia and the labor movement lost a good man. His family, they lost a loving husband; his loving wife, city council lady Janey Blackwell. His family lost a father, a brother, a grandfather, a great grandfather. And, Mr. Speaker, I lost a good friend. He will never be forgotten, and for sure he can never be replaced.

HONORING FORMER CONGRESSMAN LUCIEN BLACKWELL

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

Mr. FATTAH. Mr. Speaker, I, too, rise to comment on the life and legacy of our former colleague Lucien E. Blackwell, who served as a Congressman for the Second District, and prior to that served for two decades as a member of the city council of Philadelphia, where he served as a chairman of the finance committee and moved through the council all of the critical and major pieces of legislation that impacted the growth and development of the city of Philadelphia as we know it today. And even before that service, he served as an elected official in the State legislature in Pennsylvania.

I remember almost three decades now ago when he led an effort with the late State representative David P. Richardson of Pennsylvania to clean up the conditions at our youth detention facility headquartered in our side of the State of the Youth Study Center on the parkway. He fought in the city council and passed the first major minority set-aside legislation once he found out that African American and women-owned businesses were getting less than 2 percent of the city procurement business, and created a program that opened a door for disadvantaged businesses to have an opportunity at the procurement in Philadelphia.

As my colleague, the gentleman from Pennsylvania (Mr. BRADY), has indicated, he started his public career, however, as a labor leader where he leveled the Longshoreman's Union in Philadelphia. And immediately prior to that he served our Nation in the Korean War conflict. He was a veteran of that conflict, and he won medals for his commitment and his service fighting with the Korean War veterans, and was a part of the effort to create an appropriate memorial for Korean veterans.

So Lucien E. Blackwell, who died suddenly at the age of 71, as it is reported, leaves now his wife, who is a city councilwoman in Philadelphia and a major leader in our city, and a host of children and grandchildren, who are going to in their own way make a mark and live up to the legacy of Lucien Blackwell.

And Philadelphians, Pennsylvanians, and all across this country people remember the passion of Lucien Blackwell, particularly his effort to be concerned about those who were considered in some quarters to be little people or outside of the mainstream of power. He fought with Maleek for ex-offenders. He fought to feed the homeless in Philadelphia, sometimes to the chagrin of the establishment. He fought to include labor fully in the discussions of economic development in our city, major building projects and every other respect.

Lucien Blackwell should be remembered by this House as not just a

former Member, but someone whose life of service honored the House by him being a Member here, and for all of his service to our country we should be grateful. And I would just like to say that for a lot of those people, the Linda Brickhouses, the Kentues at the grassroots political network, and all of the people he worked with, John Macklin on the disadvantaged business efforts, the minority business efforts, and the gentleman from Pennsylvania (Mr. BRADY), who he worked with shoulder to shoulder developing the political machinery in our city, at least in terms of the Democratic Party, but he also reached across the aisle and worked quite well with our Republican colleagues to make our city what it is today.

We are indebted. And I join my colleague from the First Congressional District in honoring his memory, his legacy, and I know that this House will find appropriate ways as we go forward to more formally recognize his service.

I thank the Speaker for allowing us this time.

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

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

CRISIS IN RURAL HEALTH CARE

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

Mr. MARSHALL. Mr. Speaker, this is the first time I have had an opportunity to speak to the Speaker, and it is an honor to do so. I speak on behalf of rural America, Mr. Speaker. It is an issue that is bipartisan. It is an issue that is of great concern to an awful lot of Americans.

Last night in his State of the Union Address the President said all seniors should have the choice of a health care plan that provides prescription drugs. I hope that the President's plan when it comes out takes the opportunity to address some of the weak points in Medicare and to truly provide access to prescription drugs for seniors throughout the United States, including in rural areas.

At the moment, Mr. Speaker, the formula for deciding how to reimburse medical providers discriminates against providers that are in rural areas. In my district we have had two rural hospitals close in the last 2 or 3 years. One closed, then reopened, and went through two or three different sets of management. We have had a number of rural hospitals that have struggled just to make ends meet.

This is caused in part by our funding formula under Medicare, and I hope the President in crafting his plan for prescription drugs and for Medicare re-

form will take into account the need to protect rural areas, to protect the citizens that are in rural areas, and to protect the economies of rural areas.

At the moment the funding formula for Medicare reimbursement discriminates against rural providers and benefits urban providers. That formula needs to be adjusted. I believe this matter has been addressed before in the House. I hope that the Rural Health Care Caucus will be presenting to the House a bill that will address this matter, and I also hope that the President and the House will support that bill. If the President could incorporate the concepts behind that bill, which during the last session was called the Rural Community Hospital Assistance Act, then I think the Medicare reform that is offered by the President could well address the crisis in health care that we see today in rural areas.

REPUBLIC VERSUS DEMOCRACY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, the gentleman from Texas (Mr. PAUL) is recognized for 60 minutes as the designee of the majority leader.

Mr. PAUL. Mr. Speaker, at the close of the Constitutional Convention in 1787, Benjamin Franklin told an inquisitive citizen that the delegates to the Constitutional Convention gave the people a Republic, if you can keep it. We should now apologize to Mr. Franklin. It is obvious that the Republic is gone, and we are wallowing in a pure democracy against which the Founders had strongly warned.

Madison, the Father of the Constitution, could not have been more explicit in his fear and concern for democracies. "Democracies have ever been spectacles of turbulence and contentions, have ever been found incompatible with personal security or the rights of property, and have in general been as short in their lives as they have been violent in their deaths."

If Madison's assessment was correct, it behooves those of us in Congress to take note and decide, indeed, whether the public has vantaged when it occurred and what to expect in the ways of turbulence, contention and violence, and above all else what can we and what will we do about it.

The turbulence seems self-evident. Domestic welfare programs are not sustainable and do not accomplish their stated goals. State and Federal spending and deficits are out of control. Terrorism and uncontrollable fear undermines our sense of well-being. Hysterical reactions to dangers not yet seen prompt the people at the prodding of the politicians to readily sacrifice their liberties in vain hope that someone else will take care of them and guarantee their security.

With these obvious signs of a failed system all around us, there seems to be more determination than ever to antagonize the people of the world by pursuing a world empire. Nation-building, foreign intervention, preemptive

war and global government drive our foreign policy.

There seems to be complete aversion to defending the Republic and the Constitution that established it. The Founders clearly understood the dangers of a democracy. Edmond Randolph of Virginia described the effort to deal with the issue at the Constitutional Convention: "The general object was to produce a cure for evils under which the United States labored; that in tracing these evils to their origins, every man had found it in the turbulence and follies of democracy."

□ 1400

These strongly held views regarding the evils of democracies and the benefit of a constitutional republic were shared by all the Founders. For them, a democracy meant centralized power, controlled by majority opinion, which was up for grabs and, therefore, completely arbitrary.

In contrast, a republic was decentralized and representative in nature, with the government's purpose strictly limited by the Constitution to the protection of liberty and private property ownership. They believe the majority should never be able to undermine its principle and that the government must be tightly held in check by constitutional restraints.

The difference between a democracy and a republic was simple. Would we live under the age old concept of the rule of man or the enlightened rule of law?

A constitution in and by itself does not guarantee liberty in a republican form of government. Even a perfect constitution, with this goal in mind, is no better than the moral standards and desires of the people.

Although the United States Constitution was by far the best ever written for the protection of liberty, with safeguards against the dangers of a democracy, it, too, was flawed from the beginning. Instead of guaranteeing liberty equally for all people, the authors themselves yielded to the democratic majority's demands that they compromise on the issue of slavery. This mistake, plus others along the way, culminated in a civil war that surely could have been prevented with clearer understanding and a more principled approach to the establishment of a constitutional republic.

Subsequently, the same urge to accommodate majority opinion while ignoring the principles of individual liberty led to some other serious errors. Even amending the Constitution in a proper fashion to impose alcohol prohibition turned out to be a disaster. Fortunately, this was rectified after a short time with its repeal.

But today, the American people accept drug prohibition, a policy equally damaging to liberty as was alcohol prohibition. A majority vote in Congress has been enough to impose this very expensive and failed program on the American people even without both-

ering to amend the Constitution. It has been met with only minimal but, fortunately, growing dissent. For the first 150 years of our history, when we were much closer to being a true Republic, there were no Federal laws dealing with the serious medical problem of addiction.

The ideas of democracy, not the principles of liberty, were responsible for the passage of the 16th amendment. It imposed the income tax on the American people and helped us usher in the modern age of the welfare warfare State. Unfortunately, the 16th amendment has not been repealed as was the 18th. As long as the 16th amendment is in place, the odds are slim that we can restore a constitutional republic dedicated to liberty. The personal income tax is more than symbolic of a democracy; it is a predictable consequence.

The transition from republic to democracy was gradual and insidious. Its seeds were sown early in our history. In many ways, the Civil War and its aftermath laid the foundation for the acute erosion that took place over the entire 20th century.

Chronic concern about war and economic downturns events caused by an intrusive government's failure to follow the binding restraints of the Constitution allowed majority demands to supercede the rights of the minority. By the end of the 20th century, majority opinion had become the determining factor in all that government does. The rule of law was cast aside, leaving the Constitution a shell of what it once was, a Constitution with rules that guaranteed a Republic with limit and regional government and protection of personal liberty.

The marketplace, driven by voluntary cooperation, private property ownership, and sound money was severely undermined with the acceptance of the principles of true democracy. Unfortunately, too many people confused the democratic elections of leaders in a Republic for democracy by accepting the rule of majority opinion in all affairs. For majorities to pick leaders is one thing. It is something quite different for majorities to decide what rights are, to redistribute property, to tell people how to manage their personal lives, and to promote undeclared, unconstitutional wars.

The majority is assumed to be in charge today and can do whatever it pleases. If the majority has not yet sanctioned some desired breach of action demanded by special interest, the propaganda machine goes into operation and the pollsters relay the information back to politicians who are seeking legitimacy in their endeavors. The rule of law and the Constitution have become irrelevant, and we live by constant polls.

This trend toward authoritarian democracy was tolerated because, unlike a military dictatorship, it was done in the name of benevolence, fairness, and equity. The pretence of love and compassion by those who desire to remold

society and undermine the Constitution convinced the recipients and even the victims of its necessity.

Since it was never a precipitous departure from the Republic, the gradual erosion of liberty went unnoticed, but it is encouraging that more and more citizens are realizing just how much has been lost by complacency.

The resolution to the problems we face as a result of this profound transition to pure democracy will be neither quick nor painless. This transition has occurred even though the word "democracy" does not appear in the Constitution and the Declaration of Independence. The Founders explicitly denounced it.

Over the last hundred years the goal of securing individual liberties within the framework of a constitutional republic has been replaced with incessant talk of democracy and fairness. Rallying support for our ill-advised participation in World War I, Wilson spoke glowingly of making the world safe for democracy and never mentioned national security. This theme has to this day persisted in all our foreign affairs. Neoconservatives now brag of their current victories in promoting what they call "hard Wilsonism."

A true defense of self-determination for all people, the necessary ingredient of a free society is ignored. Self-determination implies separation of smaller governments from the larger entities that we witnessed in the breakup of the Soviet Union. This notion contradicts the goal of pure democracy and world government. A single world government is the ultimate goal of all social egalitarians who are unconcerned with liberty.

Today, the concepts of rights and property ownership are completely arbitrary. Congress, the courts, Presidents and bureaucrats arbitrarily legislate on a daily basis, seeking only the endorsement of the majority. Although the Republic was designed to protect the minority against the dictates of the majority, today we find the reverse. The Republic is no longer recognizable.

Supporters of democracy are always quick to point out one of the perceived benefits of this system is the redistribution of wealth by government to the poor. Although this may be true in a limited fashion, the champions of this system never concern themselves with the victims from whom the wealth is stolen. The so-called benefits are short lived because democracy consumes wealth with little concern for those who produce it. Eventually, the programs cannot be funded, and the dependency that has developed precipitates angry outcries for even more fairness.

Since reversing the tide against liberty is so difficult, this unworkable system inevitably leads to various forms of tyranny. As our Republic crumbles, voices of protest grow louder. The central government becomes more authoritarian with each crisis. As

the equality of education plummets, the role of the Federal Government is expanded. As the quality of medical care collapses, the role of the Federal Government in medicine is greatly increased.

Foreign policy failures precipitate cries for more intervention abroad and an even greater empire. Cries for security grow louder and concern for liberty languishes.

A tax on our homeland form a massive increase in the bureaucracy to protect us from all dangers seen and imagined.

The prime goal of the concern of the Founders, the protection of liberty, is ignored. Those expressing any serious concern for personal liberty are condemned for their self-centeredness and their lack of patriotism. Even if we could defeat the al Qaeda, which is surely a worthwhile goal, it would do little to preserve our liberties, while ignoring the real purpose of our government. Another enemy would surely replace it, just as the various groups of so-called barbarians never left the Roman Empire alone once its internal republican structure collapsed.

Once it becomes acceptable to change the rules by majority vote, there are no longer any limits on the power of the government. When the Constitution can be subverted by mere legislative votes, executive orders or judicial degrees, constitutional restraints on the government are eliminated. This process was rare in the early years of our history, but now it is routine.

Democracy is promoted in the name of fairness in an effort to help some special interest group receive a benefit that it claims it needs or is entitled to. If only one small group were involved, nothing would come of the demands, but coalitions develop and the various groups ban together to form a majority, to vote themselves all those things that they expect others to provide for them.

Although the motivating factor is frequently the desire for the poor to better themselves through the willingness of others to sacrifice for what they see as a good cause, the process is doomed to failure. Governments are inefficient and the desired goals are rarely achieved. Administrators who benefit perpetuate the programs. Wealthy elites learn to benefit from the system in a superior fashion over the poor because they know how to skim the cream off the top of all the programs designed for the disadvantaged. They join the various groups in producing the majority vote needed to fund their own special interest.

Public financing of housing, for instance, benefits builders, bureaucrats, insurance companies and financial institutions while the poor end up in drug-invested, crime-ridden housing projects. For the same reason, not only do business leaders not object to this system but they also become strong supporters of welfare programs and foreign aid.

Big business strongly supports programs like the Export Import Bank, the IMF, the World Bank, foreign subsidies and military adventurism. Tax Code revisions and government contracts mean big profits for those who are well-connected. Concern for individual liberty is pushed to the bottom of the priority list for both the poor and the rich welfare recipients.

Prohibitions placed in the Constitution against programs that serve special interests are the greatest threat to the current system of democracy under which we operate. In order for the benefits to continue, politicians must reject the rule of law and concern themselves only with the control of majority opinion. Sadly, that is the job of almost all politicians. It is clearly the motivation behind the millions spent on constant lobbying, as well as the billions spent on promoting the right candidate in each election.

Those who champion liberty are rarely heard from. The media, banking, insurance, airlines, transportation, financial institutions, government employees, the military industrial complex, the education system and the medical community are all dependent on government appropriations resulting in a high-stakes system of government.

Democracy encourages the mother of all political corruption, the use of political money to buy influence. If the dollars spent in this effort represent the degree to which democracy has won out over the rule of law and the Constitution, it looks like the American Republic is left wanting. Billions are spent on the endeavor. Money and politics is the key to implementing policy and swaying democratic majorities. It is seen by most Americans, and rightly so, as a negative and danger. Yet the response, unfortunately, is only more of the same.

More laws tinkering with freedom of expression are enacted in hopes that regulating sums of private money thrown into the political system will curtail the abuse; but failing to understand the cause of the problem, lack of respect for the Constitution and obsession with legislative relativity dictated by the majority serve only to further undermine the rule of law.

We were adequately warned about this problem. Democracies lead to chaos, violence and bankruptcy. The demands of the majority are always greater than taxation alone can provide. Therefore, control of the monetary and banking system is required for democracies to operate.

It was no accident in 1913 when the dramatic shift toward democracy became pronounced that the Federal Reserve was established. A personal income tax was imposed as well. At the same time, popular election of Senators was instituted, and our foreign policy became aggressively interventionist. Even with an income tax, the planners for war and welfare knew that it would become necessary to eliminate

restraints on the printing of money. Private counterfeiting was a heinous crime, but government counterfeiting and fractional reserve banking were required to seductively pay for the majority's demands.

□ 1415

It is for this reason that democracies always bring about currency debasement through inflation of the money supply.

Some of the planners of today clearly understand the process. And others, out of ignorance, view central bank money creation as a convenience with little danger. That is where they are wrong. Even though the wealthy and the bankers support paper money, believing they know how to protect against its ill effects, many of them are eventually dragged down in the economic downturns that always develop. It is not a new era that they have created for us today, but more of the same endured throughout history by so many other nations.

The belief that democratic demands can be financed by deficits, credit creation, and taxation is based on false hope and failure to see how it contributes to the turbulence as the democracy collapses. Once a nation becomes a democracy, the whole purpose of government changes. Instead of the government's goal being that of guaranteeing liberty, equal justice, private property and voluntary exchange, the government embarks on the impossible task of achieving economic equality and micromanaging the economy and protecting citizens from themselves in all their activities.

The destruction of the wealth-building process, which is inherent in a free society, is never anticipated. Once it is realized it has been undermined, it is too late to easily reverse the attacks against limited government and personal liberty. Democracy, by necessity, endorses special interest interventionism, inflationism and corporatism. In order to carry out the duties now expected of the government, power must be transferred from the citizens to the politicians. The only thing left is to decide which group or groups have the greatest influence over the government officials.

As the wealth of the nation dwindles, competition between the special interest groups grows more intense and becomes the dominant goal of all political action. Restoration of liberty, the market, and personal responsibilities are of little interest and are eventually seen as impractical. Power and public opinion become crucial factors in determining the direction of all government expenditures.

Although both major parties now accept the principles of rule of majority and reject the rule of law, the beneficiaries for each party are generally different, although they frequently overlap. Propaganda, demagoguery, and control of the educational system

and the media are essential to directing the distribution of the loot the government steals from those who are still honestly working for a living.

The greater problem is that nearly everyone receives some government benefit and, at the same time, contributes to the Treasury. Most hope they will get back more than they pay in and, therefore, go along with the firmly entrenched system. Others, who understand and would choose to opt out and assume responsibility for themselves, are not allowed to and are forced to participate. The end only comes with the collapse of the system, since a gradual and logical reversal of the inexorable march toward democratic socialism is unachievable. Soviet-style communism dramatically collapsed once it was recognized that it could no longer function, and a better system replaced it. It became no longer practical to pursue token reforms like those that took place over its 70-year history.

The turmoil and dangers of pure democracy are known. We should get prepared. But it will be the clarity with which we plan its replacement that determines the amount of pain and suffering endured during the transition to another system. Hopefully, the United States Congress and other government leaders will come to realize the seriousness of our current situation and replace the business-as-usual attitude, regardless of political demands and growing needs of a boisterous majority.

Simply stated, our wealth is running out, and the affordability of democracy is coming to an end. History reveals that once majorities can vote themselves largesse, the system is destined to collapse from within. But in order to maintain the special interest system for as long as possible, more and more power must be given to an ever-expanding central government, which of course only makes matters worse. The economic shortcomings of such a system are easily understood. What is too often ignored is that the flip side of delivering power to government is the loss of liberty to the individual. This loss of liberty causes exactly what the government does not want: Less productive citizens who can't pay taxes.

Even before 9-11 these trends were in place, and proposals were abundant for restraining liberty. Since 9-11 the growth of centralized government and the loss of privacy and personal freedoms have significantly accelerated. It is in dealing with homeland defense and potential terrorist attacks that the domestic social programs and the policy of foreign intervention are coming together and precipitating a rapid expansion of the state and an erosion of personal liberty.

Like our social welfarism at home, our foreign meddling and empire-building abroad are a consequence of our becoming a pure democracy. The dramatic shift away from the Republic that occurred in 1913, as expected, led to a bold change of purpose in foreign

affairs. The goal of making the world safe for democracy was forcefully put forth by Wilson. Protecting national security had become too narrow a goal and selfish in purpose. An obligation for spreading democracy became a noble obligation backed by a moral commitment every bit as utopian as striving for economic equality in an egalitarian society here at home.

With the growing affection for democracy, it was no giant leap to assume that majority opinion should mold personal behavior. It was no mere coincidence that the 18th amendment, alcohol prohibition, was passed in 1919.

Ever since 1913, all our Presidents have endorsed meddling in the internal affairs of other nations and have given generous support to the notion that a world government would facilitate the goals of democratic welfare or socialism. On a daily basis we hear that we must be prepared to send our money and use our young people to police the world in order to spread democracy. Whether it is Venezuela or Colombia, Afghanistan or Pakistan, Iran, Iraq, Korea or Vietnam, our intervention is always justified with the tone of moral arrogance that it is for their own good. Our policymakers promote democracy as a cure-all for the various complex problems of the world. Unfortunately, the propaganda machine is able to hide the real reasons for our empire-building.

Promoting democracy overseas merely becomes a slogan for doing things that the powerful and influential strive to do for their own benefit. To get authority for these overseas pursuits, all that is required of the government is that the majority be satisfied with the stated goals no matter how self-serving they may be. The rule of law, that is constitutional restraint, is ignored. But as successful as the policy may be on the short run, and as noble as it may be portrayed, it is a major contributing factor to the violence and chaos that eventually come from pure democracy.

There is abundant evidence that the pretense of spreading democracy contradicts the very policies we are pursuing. We preach about democratic elections, but we are only too willing to accept some for-the-moment friendly dictator who actually overthrew a democratically elected leader or to interfere in some foreign election. This is the case with Pakistan's Musharraf. For a temporary alliance, he reaped hundreds of millions of dollars, even though strong evidence exists that the Pakistanis have harbored and trained al Qaeda terrorists, that they have traded weapons with North Korea, and that they possess weapons of mass destruction.

No one should be surprised that the Arabs are confused by our overtures of friendship. We have just recently promised billions of dollars to Turkey to buy their support for the new Persian Gulf War. Our support of Saudi Arabia, in spite of its ties to the al Qaeda, is fi-

nancing and training. It is totally ignored by those obsessed with going to war against Iraq. Saudi Arabia is the furthest thing from a democracy. As a matter of fact, if democratic elections were permitted, the Saudi Government would be overthrown by a bin Laden ally.

Those who constantly preach global government and democracy ought to consider the outcome of their philosophy in a hypothetical Mideast regional government. If these people were asked which country in this region possessed weapons of mass destruction, had a policy of oppressive occupation, and constantly defies U.N. council resolutions, the vast majority would overwhelmingly name Israel. Is this ludicrous? No. This is what democracy is all about and what can come from a one man, one vote philosophy.

U.S. policy supports the overthrow of the democratically elected Chavez government in Venezuela because we do not like the economic policy it pursues. We support a military takeover as long as the new dictator will do as we tell him.

There is no credibility in our contention that we really want to impose democracy on other nations, yet promoting democracy is the public justification for our foreign intervention. It sounds so much nicer than saying we are going to risk the lives of young people and massively tax our citizens to secure the giant oil reserves of Iraq. After we take over Iraq, how long would one expect it to take until there are authentic nationwide elections in that country? The odds of that happening in even 100 years are remote. It is virtually impossible to imagine a time when democratic elections would ever occur for the election of leaders in a constitutional republic dedicated to the protection of liberty anyplace in the region.

The tragedy of 9-11 and its aftermath dramatizes so clearly how a flawed foreign policy has served to encourage the majoritarians determined to run everyone's life. Due to its natural inefficiencies and tremendous cost, a failing welfare state requires an ever-expanding authoritarian approach to enforce mandates, collect the necessary revenues, and keep afloat an unworkable system. Once the people grow to depend on government subsistence, they demand its continuation.

Excessive meddling in the internal affairs of other nations, and involving ourselves in every conflict around the globe has not endeared the United States to the oppressed of the world. The Japanese are tired of us, the South Koreans are tired of us, the Europeans are tired of us, the Central Americans are tired of us, the Filipinos are tired of us, and, above all, the Arab Muslims are tired of us. Angry and frustrated by our persistent bullying, and disgusted with having their own government bought and controlled by the United States, joining a radical Islamic movement was a natural and predictable consequence for Muslims.

We believe bin Laden when he takes credit for an attack on the West, and we believe him when he warns us of an impending attack, but we refuse to listen to his explanation of why he and his allies are at war with us. Bin Laden claims are straightforward. The U.S. defiles Islam with bases on the Holy Land and Saudi Arabia, its initiation of war against Iraq, with 12 years of persistent bombing, and its dollars and weapons being used against the Palestinians, as the Palestinian territory shrinks and Israel's occupation expands.

There will be no peace in the world for the next 50 years or longer if we refuse to believe why those who are attacking us do it. To dismiss terrorism as a result of Muslims hating us because we are rich and free is one of the greatest foreign policy frauds ever perpetuated on the American people. Because the propaganda machine, the media, and the government have restated this so many times, the majority now accept it as face value, and the administration gets the political cover it needs to pursue a holy war for democracy against the infidels who hate us for our goodness.

Polling on the matter is followed closely and, unfortunately, is far more important than the rule of law. Do we hear the pundits talk of constitutional restraints on Congress and the administration? No. All we ever hear are the reassurances that the majority support the President; therefore, it must be all right.

The terrorist attacks are related to our severely flawed foreign policy of intervention. They also reflect the shortcomings of a bureaucracy that is already big enough to know everything it needs to know about impending attacks, but too cumbersome to do anything about it. Bureaucratic weaknesses within a fragile welfare state provide a prime opportunity for those whom we antagonize by our domination over world affairs and global wealth to take advantage of our vulnerability.

What has been our answer to the shortcomings of policies driven by manipulated majority opinion by the powerful elite? We have responded by massively increasing the Federal Government's policing activity to hold American citizens in check and make sure we are well behaved and pose no threat, while massively expanding our aggressive presence around the world. There is no possible way these moves can make us more secure against terrorism, yet they will accelerate our march toward national bankruptcy with a currency collapse.

Relying on authoritarian democracy and domestic and international meddling only moves us sharply away from a constitutional republic and the rule of law and toward the turbulence of a decaying democracy about which Madison and others had warned. Once the goal of liberty is replaced by a preconceived notion of the benefits and

the moral justification of a democracy, a trend toward internationalism and world government follows. We certainly witnessed this throughout the 20th century. Since World War II, we have failed to follow the Constitution in taking this country to war, but instead have deferred to the collective democratic wisdom of the United Nations.

□ 1430

Once it is recognized that ultimate authority comes from an international body, whether it is the United Nations, NATO, the WTO, the World Bank or the IMF, the contest becomes a matter of who holds the reins of power and is able to dictate what is perceived as the will of the people in the world.

In the name of democracy, just as it is done in Washington, powerful nations with the most money will control the United Nations policy. Bribery, threats and intimidation are common practices used to achieve a democratic consensus, no matter how controversial and short-lived the benefits.

Can one imagine what it might be like if true worldwide democracy existed and the United Nations were controlled by a world-wide, one man/one vote philosophy? The masses of China and India could vote themselves whatever they needed from the more prosperous Western countries. How long would a world system last based on this absurdity? Yet this is the principle that we are working so hard to impose on ourselves and others around the world.

In spite of the great strides made toward one-world government based on egalitarianism, I am optimistic that this utopian nightmare will never come to fruition. I have already made the case that here at home powerful special interests take over controlling majority opinion, making sure fairness in distribution is never achieved. This fact causes resentment and becomes so expensive that the entire system becomes unstable and eventually collapses.

The same will occur internationally, even if it miraculously did not cause conflict among the groups demanding the loot confiscated from the producing individuals or countries. Democratic socialism is so destructive to production of wealth that it must fail, just as socialism failed under communism. We have a long way to go before old-fashioned nationalism is dead and buried. In the meantime, the determination of those promoting democratic socialism will cause great harm to many people before its chaotic end and we rediscover the basic principle responsible for all of human progress.

With the additional spending to wage war against terrorism at home, while propping up an ever-expensive and failing welfare state, and the added funds needed to police the world, all in the midst of a recession, we are destined to see an unbelievably huge explosion of deficit spending. Raising taxes will not

help. Borrowing the needed funds for the budgetary deficit, plus the daily borrowing from foreigners required to finance our ever-growing account deficit, will put tremendous pressure on the dollar.

The time will come when the Fed will no longer be able to dictate low interest rates. Reluctance of foreigners to lend, the exorbitant size of our borrowing needs, and the risk premium will eventually send interest rates upward. Price inflation will accelerate and the cost of living for all Americans will increase. Under these conditions, most Americans will face a decline in their standard of living.

Facing this problem of paying for past and present excess spending, the borrowing and inflating of the money supply has already begun in earnest. Many retirees, depending on their 401(k) funds and other retirement programs, are suffering the ill effects of the stock market crash, a phenomenon that still has a long way to go. Depreciating the dollar by printing excessive money, like the Fed is doing, will eventually devastate the purchasing power of those retirees who are dependent on Social Security. Government cost-of-living increases will never be able to keep up with the loss. The elderly are already unable to afford the inflated cost of medical care, especially the cost of pharmaceuticals.

The reality is that we will not be able to inflate, tax, spend or borrow our way out of this mess that the Congress has delivered to the American people.

The demands that come with pure democracy always lead to an unaffordable system that ends with economic turmoil and political upheaval. Tragically, the worse the problems get, the louder is the demand for more of the same government programs that caused the problems in the first place, both domestic and international. Weaning off of government programs and getting away from foreign meddling because of political pressure are virtually impossible. The end comes only after economic forces make it clear we can no longer afford to pay for the extravagance that comes from the democratic dictates.

Democracy is the most excessive form of government. There is no "king" with an interest in preserving the nation's capital. Everyone desires something, and the special-interest groups, banding together, dictate to the politicians exactly what they want and need. Politicians are handsomely rewarded for being "effective," that is, getting the benefits for the groups that support them. Effectiveness is never measured by efforts and achievements in securing liberty, even though it is the most important element in a prosperous and progressive world.

Spending is predictable in a democracy, especially one that endorses foreign interventionism. It always goes up, both in nominal terms and in percentage of the nation's wealth.

Paying for it can be quite complicated. The exact method is less consequential than the percent of the nation's wealth the government commands. Borrowing and central bank credit creation are generally used and are less noticeable, but more deceitful, than direct taxation to pay as we go.

If direct taxation were accomplished through monthly checks written by each taxpayer, the cost of government would immediately be revealed, and the democratic con game would end much more quickly.

The withholding principle was devised to make paying for the programs the majority demanded seem less painful. Passing on debt to the next generation through borrowing is also a popular way to pay for welfare and warfare. The effect of inflating a currency to pay the bills is difficult to understand and the victims are hard to identify. Inflation is the most sinister method of payment for a welfare state. It, too, grows in popularity as the demands increase for services that are not affordable.

Although this appears to be a convenient and cheap way to pay the bills, the economic consequences of lost employment, inflated prices and economic dislocation make the long-term consequences much more severe than paying as we go. Not only is this costly in terms of national wealth, it significantly contributes to the political chaos and loss of liberty that accompany the death throes of a doomed democracy.

This does not mean that direct taxes will not be continuously raised to pay for out-of-control spending. In a democracy, all earned wealth is assumed to belong to the government. Therefore, not raising taxes, cutting taxes, or granting tax credits are considered "costs" of government. Once this notion is established, tax credits or cuts are given only under condition that the beneficiaries conform to the democratic consensus. Freedom of choice is removed, even if a group is merely getting back control of that which was rightfully theirs in the first place.

Tax-exempt status for various groups is not universal but is conditioned on whether their beliefs and practices are compatible with politically correct opinions endorsed by the democratic majority. This concept is incompatible with the principles of private-property ownership and individual liberty. In contrast, in a free society, all economic and social decision-making is controlled by private property owners without government intrusion, as long as no one is harmed in the process.

The vast majority of the American people have come to accept democracy as a favorable system and are pleased with our efforts to pursue Wilson's dream of making the world safe for democracy. But the goals of pure democracy and that of a constitutional republic are incompatible. A clear understanding of the difference is paramount, if we are to remain a free and prosperous Nation.

There are certain wonderful benefits in recognizing the guidance that majority opinion offers. It takes a consensus or prevailing attitude to endorse the principles of liberty and a constitution to protect them. This is a requirement for the rule of law to succeed. Without a consensus, the rule of law fails. This does not mean that the majority or public opinion, measured by polls, court rulings or legislative bodies should be able to alter the constitutional restraints on the government's abuse of life, liberty and property. But in a democracy that happens, and we know today that is happening in this country on a routine basis.

In a free society with totally free markets, the votes by consumers through their purchases or refusal to purchase determine which businesses survive and which fail. This is free-choice democracy, and it is a powerful force in producing and bringing about economic efficiency. In today's democracy by decree, government laws dictate who receives the benefit and who gets shortchanged. Conditions of employment and sales are taxed and regulated at varying rates, and success or failure is too often dependent on government action than by consumers' voting in the marketplace by their spending habits. Individual consumers by their decisions should be in charge, not governments armed with mandates from the majority.

Even a system of free market money, a redeemable gold coin standard, functions through the principle of consumers always voting or withholding support for that currency. A gold standard can only work when freely converted into gold coins, giving every citizen a right to vote on a daily basis for or against the government's money.

It is too late to avoid the turbulence and violence that Madison warned us about. It has already started. But it is important to minimize the damage and prepare a way for the restoration of the Republic. The odds are not favorable, but not impossible. No one can know the future with certainty. The Soviet system came to an abrupt end with less violence than could ever have been imagined at the height of the Cold War. It was a pleasant surprise.

Interestingly enough, what is needed is a majority opinion, especially by those who find themselves in leadership roles, whether political, educational or in the media, that rejects democracy and supports the rule of law within the Republic. This majority support is essential for the preservation of the freedom and prosperity with which America is identified.

This will not occur until we as a Nation once again understand how freedom serves the interests of everyone. Henry Grady Weaver, in his 1947 classic, "The Mainspring of Human Progress," explains how it works. His thesis is simple. Liberty permits progress, while government intervention tends always to tyranny. Liberty releases creative energy; government

intervention suppresses it. This release of energy was never greater than in the time following the American Revolution and the writing of the U.S. Constitution.

Instead of individual activity being controlled by the government or superstitious beliefs about natural and mystical events, the activity is controlled by the individual. This understanding recognizes the immense value in voluntary cooperation and enlightened self-interests. Freedom requires self-control and moral responsibility. No one owes anyone else anything and everyone is responsible for his or her own acts. The principle of never harming one's neighbor, or never sending the government to do the dirty work, is key to making the system tend to peaceful pursuits and away from the tyranny and majority-induced violence. Nothing short of a reaffirmation of this principle can restore the freedoms once guaranteed under the Constitution. Without this, prosperity for the masses is impossible; and as a Nation we become more vulnerable to outside threats.

In a Republic, the people are in charge. The Constitution provides strict restraints on the politicians, bureaucrats and the military. Everything the government is allowed to do is only done with explicit permission from the people or the Constitution.

Today, it is the opposite. The American people must get permission from the government for their every move, whether it is the use of their own property or spending their own money. Even the most serious decisions, such as going to war, are done while ignoring the Constitution and without a vote of the people's representatives in the Congress. Members of the global government have more to say about when American troops are put in harm's way than the U.S. Congress. The Constitution no longer restrains the government. The government restrains the people in all they do. This destroys individual creative energy, and the "mainspring of human progress" is lost. The consequences are less progress, less prosperity, and less personal fulfillment.

A system that rejects voluntary contracts, enlightened self-interests and individual responsibilities permits the government to assume these responsibilities. And the government officials become morally obligated to protect us from ourselves, attempting to make us better people and setting standards for our personal behavior. That effort is already in full swing. But if this attitude prevails, liberty is gone.

When government assumes the responsibility for individuals to achieve excellence and virtue, it does so at the expense of liberty and must resort to force and intimidation. Standards become completely arbitrary, depending on the attitude of those in power and the perceived opinion of the majority. Freedom of choice is gone.

This leads to inevitable conflicts with the government dictating what

one can eat, drink, smoke, or whatever. One group may promote abstinence, the other tax-supported condom distribution. Arguments over literature, prayer, pornography and sexual behavior are endless. It is now not even permissible to mention the word "God" on public property. A people who allows its government to set personal moral standards for all nonviolent behavior will naturally allow it to be involved in the more important aspects of spiritual life. For instance, there are tax deductions for churches that are politically correct, but not for those whose benefits are considered out of the mainstream.

□ 1445

Groups that do not meet the official politically correct standards are more likely to be put on the terrorist list.

This arbitrary and destructive approach to solving difficult problems must be rejected if we ever hope to live again in a society where the role of government is limited to that of protecting freedom.

The question I am most often asked when talking about this subject is why do our elected leaders so easily relinquish liberty and have so little respect for the Constitution? The people of whom I speak are convinced that liberty is good and big government is dangerous. They also are quite certain that we have drifted a long way from the principles that made America great, and their bewilderment continuously elicits a big "why?"

There is no easy answer to this and no single explanation. It involves temptation, envy, greed and ignorance, but worst of all humanitarian zeal. Unfortunately, the greater the humanitarian outreach, the greater the violence required to achieve it. The greater the desire to perform humanitarian deeds through legislation, the greater is the violence required to achieve it.

Few understand this. There are literally no limits to the good deeds that some believe need to be done. Rarely does anyone question how each humanitarian act by government undermines the essential element of all human progress: individual liberty.

Failure of government programs prompts more determined efforts, while the loss of liberty is ignored or rationalized away. Whether it is the war against poverty, drugs, terrorism, or the current Hitler of the day, an appeal to patriotism is used to convince the people that a little sacrifice, here and there, of liberty is a small price to pay.

The results, though, are frightening and will soon even become more so. Poverty has been made worse. The drug war is a bigger threat than drug use. Terrorism remains a threat, and foreign wars have become routine and decided upon without congressional approval.

Most of the damage to liberty and the Constitution is done by men and women of goodwill who are convinced

they know what is best for the economy, others, and foreign powers. They inevitably fail to recognize their own arrogance in assuming they know what is the best personal behavior for others. Their failure to recognize the likelihood of mistakes by central planners allows them to ignore the magnitude of a flawed central government directive compared to an individual or a smaller unit of government mistake.

C.S. Lewis had an opinion on this subject: "Of all tyrannies, a tyranny sincerely exercised for the good of its victim may be the most oppressive. It may be better to live under robber barons than under omnipotent moral busybodies. The robber baron's cruelty may sometimes sleep, his cupidity may at some times be satiated, but those who torment us for our own good will torment us without end for they do so with the approval of their own conscience."

A system that is based on majority vote rather than the strict rule of law encourages the few who thrive on power and exerting authority over other people's lives, unlike the many driven by sincere humanitarian concerns. Our current system rewards those who respond to age-old human instincts of envy and greed as they gang up on those who produce. Those individuals who are tempted by the offer of power are quick to accommodate those who are the most demanding of government-giveaway programs and government contracts. These special interest groups notoriously come from both the poor and the rich, while the middle class is required to pay.

It is not a coincidence that in the times of rapid monetary debasement, the middle class suffers the most from the inflation and the job losses that monetary inflation brings. When inflation is severe, which it will become, the middle class can be completely wiped out. The stock market crash gives us a hint as to what is likely to come as this country is forced to pay for the excesses sustained over the past 30 years while operating under a fiat monetary system.

Eric Hoffer, the longshoreman philosopher, commented on this subject as well. "Absolute power corrupts even when exercised for humane purposes. The benevolent despot who sees himself as a shepherd of the people still demands from others the submissiveness of sheep."

Good men driven by a desire for benevolence encourage the centralization of power. The corruptive temptation of power is made worse when domestic and international interventions go wrong and feed into the hate and envy that invade men's souls when the love of liberty is absent.

Those of goodwill who work to help the downtrodden do so not knowing they are building a class of rulers who will become drunk with their own arrogance and a lust for power. Generally only a few in a society yield to the urge to dictate to others and seek

power for the sake of power and then abuse it. Most members of society are complacent and respond to propaganda, but they unite in the democratic effort to rearrange the world in hopes of gaining benefits through coercive means and convince themselves they are helping their fellow man as well. A promise of security is a powerful temptation for many.

A free society, on the other hand, requires these same desires be redirected. The desire for power and authority must be over one's self alone. The desire for security and prosperity should be directed inwardly rather than toward controlling others. We cannot accept the notion that the gang solution endorsed by the majority is the only option. Self-reliance and personal responsibility are crucial.

But there is also a problem with economic understanding. Economic ignorance about the shortcomings of central economic planning, excessive taxation and regulations, central bank manipulation of money, and credit and interest rates is pervasive in our Nation's Capital. A large number of conservatives now forcefully argue that deficits do not matter. Spending programs never shrink no matter whether conservatives or liberals are in charge. Rhetoric favoring free trade is cancelled out by special interest protectionist measures. Support of international government agencies that manage trade such as the IMF, the World Bank, the WTO, and NAFTA politicizes international trade and eliminates any hope that free-trade capitalism will soon emerge.

The Federal Government will not improve on its policies until the people coming to Washington are educated by a different breed of economists than those who dominate our government-run universities. Economic advisors and most officeholders merely reflect the economics taught to them. A major failure of our entire system will most likely occur before serious thought is given once again to the guidelines laid out in the Constitution.

The current economic system of fiat money and interventionism, both domestic and international, serve to accommodate the unreasonable demands for government to take care of the people, and this, in turn, contributes to the worst of human instincts: authoritarian control by the few over the many.

We as a Nation have lost our understanding of how the free market provides the greatest prosperity for the greatest number. Not only have most of us forgotten about the invisible hand of Adam Smith, few have ever heard of Mises and Hayek and Rothbart, the individuals who understood exactly why all economic ups and downs in the 20th century occurred, as well as the cause of the collapse of the Soviet Union.

But worst of all we have lost our faith in freedom. Materialistic concerns and desire for security drive our national politics. This trend has been sharply accelerated since 9-11.

Understanding the connection between liberty, prosperity and security has been lost. The priorities are backwards. Prosperity and security come from liberty. Peace and the absence of war come from a consequence of liberty and free trade. The elimination of ignorance and restraints on do-goodism and authoritarianism in a civilized society can only be achieved through a contractual arrangement between the people and the government, in our case the U.S. Constitution. This document was the best ever devised for releasing the creative energy of a free people while strictly holding in check the destructive powers of government. Only the rule of law can constrain those who by human instinct look for a free ride while delivering power to those few, found in every society, whose only goal in life is a devilish desire to rule over others.

The rule of law in a republic protects free-market activity and private property ownership and provides for equal justice under the law. It is this respect for law and rights over government power that protects the mainspring of human progress from the enemies of liberty. Communists and other Socialists have routinely argued that the law is merely a tool of the powerful capitalists.

But they have it backwards. Under democracy and fascism, the pseudocapitalists write the laws that undermine the Constitution and jeopardize the rights and property of all citizens. They fail to realize that the real law, the Constitution, itself guarantees the rights and equal justice and permits capitalism, thus guaranteeing progress.

Arbitrary, ever-changing laws are the friends of dictators. Authoritarians argue constantly that the Constitution is a living document and that rigid obedience to ideological purity is the enemy that we should be most concerned about. They would have us believe that those who cherish strict obedience to the rule of law in the defense of liberty are wrong merely because they demand ideological purity. They fail to demand that their love of relative rights and pure democracy is driven by a rigid obedience to an ideology as well. The issue is never rigid beliefs versus reasonable friendly compromise. In politics it is always competition between two strongly held ideologies. The only challenge for men and women of goodwill is to decide the wisdom and truth of the ideologies offered.

Nothing short of restoring a republican form of government with strict adherence to the rule of law, and curtailing illegal government programs, will solve our current and evolving problems.

Eventually the solution will come with the passage of the liberty amendment. Once there is serious debate on this amendment, we will know that the American people are considering the restoration of the constitutional republic

and a protection of individual liberty.

COMMUNICATION FROM HON.
NANCY PELOSI, DEMOCRATIC
LEADER

The SPEAKER pro tempore (Mr. PUTNAM) laid before the House the following communication from NANCY PELOSI, Democratic leader:

HOUSE OF REPRESENTATIVES,
OFFICE OF THE DEMOCRATIC LEADER,
Washington, DC, January 29, 2003.

Hon. J. DENNIS HASTERT,
*Speaker of the House of Representatives, The
Speaker's Room, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to 50 U.S.C. 401, section 1002(b) of the Intelligence Authorization Act, I hereby appoint to the National Commission for the Review of the Research and Development Programs of the United States Intelligence Community: Representatives Zoe Lofgren (D-CA) and Maurice Sonnenberg.

Best,

NANCY PELOSI,
Democratic Leader.

MEDICARE PRIVATIZATION

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

Mr. BROWN of Ohio. Mr. Speaker, last night the President said that seniors deserve enhanced preventative benefits and prescription drug coverage.

Seniors do deserve these benefits. What they do not deserve is being patronized, manipulated, and short-changed, particularly when the quality of their health care and their future financial security are at stake.

When the President said that seniors happy with the current Medicare system should be able to keep their coverage just the way it is, we all applauded. What he obviously means is this: If they are unwilling to leave Medicare and join an HMO, then they actually do not deserve preventative benefits and drug coverage, and they will not get any.

The President has every right to push his privatization agenda, Medicare privatization, Social Security privatization, but not by co-opting an issue as emotional and as important as prescription drug coverage. The President cannot go unchallenged when he mischaracterizes Medicare as a failed program.

My friends on the other side of the aisle continue to lambast, continue to criticize, continue to ridicule the Medicare program as a failed program so that then they can justify their goal of privatizing it.

The President in his budget, in his orders from the White House at HHS, recently dropped provisions to serve the general public, the Medicare public, in seminars asking questions, learning more about Medicare so that when seniors were overcharged, they would have some recourse. The Presi-

dent and his people at HHS are doing all they can to cut those Medicare services to make Medicare function more poorly so that Medicare does not serve the public as well, justifying their privatization of Medicare.

The retirement safety net was not put in place by Democrats because we wanted to make the Federal Government bigger, and it should not be dismantled by conservatives just because they want to make Federal Government smaller. The safety net was put in place because the private sector could not make a profit offering health insurance to seniors; so they did not offer it. That is why when Medicare was begun in 1965 by a Democratic President, Democratic House, Democratic Senate, with only 11 Republicans supporting the vote on Medicare. That is why it was created, because 35 years ago 50 percent of seniors in this country had no health insurance. Today almost every senior has health insurance because of one of the greatest programs in American history: Medicare.

But what the President of the United States basically said last night as he sat in this Chamber looking in this direction, looking out at Members of Congress, looking at the Ambassadors, looking at his Cabinet, the Supreme Court, looking at people in the gallery, the President said basically if they want prescription drug benefits, they have got to join an HMO to get it. And that is the story of the President's Medicare privatization. If they want prescription drug coverage, if they want preventative care, then they have got to join an HMO, and that is the President's efforts to privatize Medicare.

So I ask my friends on the other side of the aisle. I ask people listening today in this Chamber to understand that the President's plan to privatize Medicare, that the President is using the prescription drug benefit to try to get his plans to privatize Medicare into place.

□ 1500

Again, Mr. Speaker, this whole debate is about the President saying if you want a prescription drug benefit, then you have to drop out of regular Medicare and join one of those HMOs. In some parts of the country there are no HMOs available. In many parts there are. It means you have to give up your choice of physician.

The President talks about choice, but when you are talking about real choice, it is all about fee-for-service traditional Medicare. You can choose your doctor, you can choose your hospital, you can choose your provider.

Under the President's plan, you have a choice. Your choice is stay in Medicare and not have a prescription drug benefit, or you can take a prescription drug benefit and join an HMO.

The Democrats' prescription drug plan is to include a prescription drug benefit inside traditional Medicare. Medicare works very well for the public. It works even better if there is a

decent voluntary prescription drug plan as part of Medicare.

Mr. Speaker, I ask this House to reject these privatization plans and instead put a prescription drug benefit inside Medicare, and continue to serve the Medicare population as well as Medicare has in the past.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. EHLERS (at the request of Mr. DELAY) for today on account of accompanying the President on his trip to Grand Rapids, Michigan.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

The following Members (at the request of Mr. BRADY of Pennsylvania) to revise and extend their remarks and include extraneous material:

Mr. BRADY of Pennsylvania, for 5 minutes, today.

Mr. FATTAH, for 5 minutes, today.

Mr. FILNER, for 5 minutes, today.

Mr. MARSHALL, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

The following Members (at the request of Mr. PAUL) to revise and extend their remarks and include extraneous material:

Mr. JONES of North Carolina, for 5 minutes, February 5.

ADJOURNMENT

Mr. BROWN of Ohio, Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 1 minute p.m.), under its previous order, the House adjourned until Friday, January 31, 2003, 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:

280. A letter from the Administrator, Poultry Programs, Department of Agriculture, transmitting the Department's final rule — Increase in Fees and Charges for Egg, Poultry, and Rabbit Grading [Docket No. PY-02-002] (RIN: 0581-AC10) received January 2, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

281. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement Vice Admiral Martin J. Mayer, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

282. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of General Joseph W. Ralston, United States Air Force, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

283. A letter from the Assistant General Counsel for Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Public Housing Total Development Cost [Docket No. FR-4489-F-02] (RIN: 2577-AC05) received January 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

284. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule — Changes in Flood Elevation Determinations — received January 6, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

285. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule — Suspension of Community Eligibility [Docket No. FEMA-7797] received January 6, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

286. A letter from the Deputy Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Disclosure Required by Sections 404, 406 and 407 of the Sarbanes-Oxley Act of 2002 [Release Nos. 33-8138; 34-46701; IC-25775; File No. S7-40-02] (RIN: 3235-AI66) received January 27, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

287. A letter from the Assistant Secretary, Securities and Exchange Commission, transmitting the Commission's "Major" final rule — Strengthening the Commission's Requirements Regarding Auditor Independence [Release No. 33-8154; 34-46934; 35-27610; IC-25838; IA-2088, FR-64, File No. S7-49-02] (RIN: 3235-AI73) received January 29, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

288. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule — Medicaid Program; External Quality Review of Medicaid Managed Care Organizations [CMS-2015-F] (RIN: 0938-AJ06) received January 23, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

289. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Federal Plan Requirements for Small Municipal Waste Combustion Units Constructed on or Before August 30, 1999 [AD-FRL-6995-3] (RIN: 2060-AJ46) received December 23, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

290. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NSR): Baseline Emissions Determination, Actual-to-Future-Actual Methodology, Plantwide Applicability Limitations, Clean Units, Pollution Control Projects [AD-FRL-7414-5] (RIN: 2060-AE11) received December 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

291. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NSR): Baseline Emissions Determination, Actual-to-Future-Actual Methodology, Plantwide Applicability Limitations, Clean Units, Pollution Control Projects [AD-FRL-7414-5] (RIN: 2060-AE11) received December 23, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

292. A letter from the Senior Legal Advisor, Media Bureau, Federal Communications

Commission, transmitting the Commission's final rule — Review of the Commission's Broadcast and Cable Equal Employment Opportunity Rules and Policies [MM Docket No. 98-204] received January 7, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

293. A letter from the Acting Deputy Chief, WCB/TAPD, Federal Communications Commission, transmitting the Commission's final rule — Federal-State Jt. Board on Universal Service [Doc No. 96-45]; 1998 Biennial Regulatory Review-Streamlined Contributor Reporting Requirements Associated with Admin. of Telecom. Relay Service, N. Amer. Numbering Plan, Local No. Portability, & Universal Service Support Mechanisms [Doc No. 98-171]; Telecom Services for Individuals with Hearing & Speech Disabilities, & the A.D.A. Act of 1990 [Doc No. 90-571]; Admin. of the N. Amer. Numbering Plan & N. Amer. Numbering Plan Cost Recovery Contribution Factor & Fund Size [Doc No. 92-237, NSD File No. L-00-72]; Number Resource Optimization [Doc No. 99-200]; Telephone No. Portability to the Committee on Energy and Commerce.

294. A letter from the Attorney Advisor, Federal Communications Commission, transmitting the Commission's final rule — Implementation of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996 [CC Docket No. 96-123] received January 23, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

295. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — List of Approved Spent Fuel Storage Casks: Standardized Advanced NUHOMS-24PT1 Addition (RIN: 3150-AG74) received January 6, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

296. A letter from the Secretary, Department of Education, transmitting the semi-annual report of the activities of the Office of Inspector General during the six month period ending September 30, 2002, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

297. A letter from the Secretary, Department of Energy, transmitting the semi-annual report on the activities of the Office of Inspector General for the period April 1, 2002 to September 30, 2002, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

298. A letter from the Secretary, Department of the Interior, transmitting the semi-annual report on the activities of the Office of Inspector General for the period April 1, 2002 through September 30, 2002, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

299. A letter from the Secretary, Pension Benefit Guaranty Corporation, transmitting the semiannual report on activities of the Inspector General of the Pension Benefit Guaranty Corporation for the period April 1, 2002 through September 30, 2002, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 8G(h)(2); to the Committee on Government Reform.

300. A letter from the Federal Co-Chairman, Appalachian Regional Commission, transmitting the semiannual report on the activities of the Office of Inspector General for the period April 1, 2002 through September 30, 2002, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 8G(h)(2); to the Committee on Government Reform.

301. A letter from the Chairman, Broadcasting Board of Governors, transmitting the semiannual report on the activities of the Office of Inspector General for the period April 1, 2002 to September 30, 2002, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

302. A letter from the Chairman, Consumer Product Safety Commission, transmitting

the semiannual report on the activities of the Office of Inspector General for the period April 1, through September 30, 2002, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 8G(h)(2); to the Committee on Government Reform.

303. A letter from the Chair, Board of Directors, Corporation for Public Broadcasting, transmitting the semiannual report of the Office of the Inspector General for the period ending September 30, 2002, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

304. A letter from the Secretary, Department of Education, transmitting the twenty-seventh Semiannual Report to Congress on Audit Follow-Up covering the period from April 1, 2002 to September 30, 2002, pursuant to 5 app.; to the Committee on Government Reform.

305. A letter from the Inspector General, Farm Credit Administration, transmitting the semiannual report on the activities of the Office of Inspector General for the period April 1, 2002 through September 30, 2002, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 8G(h)(2); to the Committee on Government Reform.

306. A letter from the Chairman, Federal Housing Finance Board, transmitting the semiannual report on the activities of the Office of Inspector General ending September 30, 2002, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

307. A letter from the Administrator, General Services Administration, transmitting the semiannual report on the activities of the Office of Inspector General for the period April 1, 2002 through September 30, 2002, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

308. A letter from the General Counsel, National Labor Relations Board, transmitting the semiannual report on the activities of the Office of Inspector General for the period April 1, 2002 through September 30, 2002, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 8G(h)(2); to the Committee on Government Reform.

309. A letter from the President and Chief Executive Officer, Overseas Private Investment Corporation, transmitting the Corporation's annual report in compliance with the Inspector General Act Amendments of 1988, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

310. A letter from the Director, Peace Corps, transmitting the semiannual report on the activities of the Office of Inspector General for the period April 1, 2002 through September 30, 2002, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

311. A letter from the Inspector General Liaison, Selective Service System, transmitting a report in accordance with the Inspector General Act of 1978, as amended, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

312. A letter from the Administrator, Small Business Administration, transmitting the semiannual report of the Office of Inspector General for the period April 1, through September 30, 2002, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

313. A letter from the Chairman, U.S. International Trade Commission, transmitting the semiannual report on the activities of the Office of Inspector General for the period April 1, 2002 through September 30, 2002, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 8G(h)(2); to the Committee on Government Reform.

314. A letter from the President, United States Institute of Peace, transmitting a report in compliance with the Inspector General Act of 1978 as amended and the Federal Managers' Financial Integrity Act, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

315. A letter from the Chair, Federal Election Commission, transmitting the Commission's final rule — Increased Contribution and Coordinated Party Expenditure Limits for Candidates Opposing Self-financed Candidates [Notice 2003-3] received January 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on House Administration.

316. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Revision of the Charter Vessel and Headboat Permit Moratorium in the Gulf of Mexico [Docket No. 021209298-2298-01; I.D. 120402C] (RIN: 0648-AQ59) received January 6, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

317. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — National Pollutant Discharge Elimination System Permit Regulation and Effluent Limitations Guidelines and Standards for Concentrated Animal Feeding Operations (CAFO's) [FRL-6921-4] (RIN: 2040-AD19) received December 20, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

318. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Weighted Average Interest Rate Update [Notice 2003-7] received January 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

319. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Rulings and determination letters (Rev. Proc. 2003-5) received January 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

320. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Rulings and determination letters (Rev. Proc. 2003-6) received January 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

321. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Services's final rule — Rulings and determination letters [Rev. Proc. 2003-4] received January 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

322. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Exclusion of Gain from Sale or Exchange of a Principal Residence [TD 9030] (RIN: 1545-AX28) received January 2, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

323. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Reduced Maximum Exclusion of Gain from Sale or Exchange of Principal Residence [TD 9031] (RIN: 1545-BB02) received January 2, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

324. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting

the Service's final rule — Rulings and determination letters (Rev. Proc. 2003-13) received January 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

325. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Gross Income defined (Rev. Rul. 2003-12) received January 2, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

326. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Election to Treat Trust as Part of an Estate [TD 9032] (RIN: 1545-AW24) received January 2, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

327. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Duration of COBRA continuation coverage (Rev. Rul. 2002-88) received January 2, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

328. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — LIFO Recapture [Notice 2003-4] received January 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

329. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Application of separate limitations to dividends from noncontrolled section 902 corporations [Notice 2003-5] received January 2, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

330. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Income, war profits or excess profits tax paid or accrued (Rev. Rul. 2003-8) received January 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. RANGEL:

H.R. 436. A bill to suspend the phase-in of additional tax reductions under the Economic Growth and Tax Relief Reconciliation Act of 2001 while the United States is in a state of war or on high military alert; to the Committee on Ways and Means.

By Mr. LARSON of Connecticut (for himself, Ms. DELAUNO, and Mr. SHAYS):

H.R. 437. A bill to direct the Secretary of the Interior to conduct a study of Coltsville in the State of Connecticut for potential inclusion in the National Park System; to the Committee on Resources.

By Mr. WILSON of South Carolina (for himself, Mr. COLE, Mr. BOEHNER, Mr. MCKEON, Mr. ISAKSON, Mr. GREENWOOD, Mr. SOUDER, Mr. PLATTS, Mr. TIBERI, Mr. BAKER, Mrs. WILSON of New Mexico, and Mr. GRAVES):

H.R. 438. A bill to increase the amount of student loans that may be forgiven for teachers in mathematics, science, and special education; to the Committee on Education and the Workforce.

By Mr. ANDREWS:

H.R. 439. A bill to create a system of background checks for certain workers who enter people's homes, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GUTIERREZ (for himself, Mrs. NAPOLITANO, Mr. PASTOR, Mr. SERRANO, Ms. SOLIS, Mr. GRIJALVA, and Mr. ACEVEDO-VILA):

H.R. 440. A bill to amend the Immigration and Nationality Act to adjust the status of certain aliens with longstanding ties to the United States to that of an alien lawfully admitted to permanent residence, to promote family unity, to improve national security, to modify provisions of such Act affecting removal of aliens from the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. BROWN of Ohio (for himself, Mr. CHABOT, Mr. COX, Mr. DAVIS of Florida, Mr. HOEFFEL, Mr. ROHR-ABACHER, Mr. SHERMAN, and Mr. WEXLER):

H.R. 441. A bill to amend Public Law 107-10 to authorize a United States plan to endorse and obtain observer status for Taiwan at the annual summit of the World Health Assembly in May 2003 in Geneva, Switzerland, and for other purposes; to the Committee on International Relations.

By Mr. CAMP (for himself, Mr. MCGOVERN, Mr. FOLEY, Mr. MATSUI, Mr. RAMSTAD, Mr. NEAL of Massachusetts, Mr. ENGLISH, Mrs. JONES of Ohio, Mr. HOUGHTON, Mr. HINCHEY, Mr. ROGERS of Michigan, Mr. EVANS, Mr. PETRI, Mr. TIERNEY, Mr. HOEKSTRA, Mr. STUPAK, Mrs. MILLER of Michigan, Mr. FRANK of Massachusetts, Mr. MCINNIS, Mr. WAXMAN, and Mr. WELLER):

H.R. 442. A bill to amend the Internal Revenue Code of 1986 to allow the Hope Scholarship Credit to cover fees, books, supplies, and equipment and to exempt Federal Pell Grants and Federal supplemental educational opportunity grants from reducing expenses taken into account for the Hope Scholarship Credit; to the Committee on Ways and Means.

By Mr. CAMP:

H.R. 443. A bill to amend part E of title IV of the Social Security Act to provide equitable access for foster care and adoption services for Indian children in tribal areas; to the Committee on Ways and Means.

By Mr. PORTER (for himself, Mr. BOEHNER, Mr. MCKEON, Ms. PRYCE of Ohio, Mr. BALLENGER, Mr. GREENWOOD, Mr. SOUDER, Mr. NORWOOD, Mr. DEMINT, Mr. ISAKSON, Mr. PLATTS, Mr. TIBERI, Mr. KELLER, Mr. WILSON of South Carolina, Mr. KLINE, Mr. BEAUPREZ, Mr. CUNNINGHAM, Mr. GREEN of Wisconsin, Mr. HAYES, Mr. MCHUGH, Mr. NETHERCUTT, Mr. OXLEY, Mr. SIMMONS, Mr. SMITH of New Jersey, Mr. TIAHRT, and Mr. WOLF):

H.R. 444. A bill to amend the Workforce Investment Act of 1998 to establish a Personal Reemployment Accounts grant program to assist Americans in returning to work; to the Committee on Education and the Workforce.

By Mr. NADLER (for himself, Mr. BERMAN, Ms. CORRINE BROWN of Florida, Mr. BROWN of Ohio, Mr. DAVIS of Florida, Ms. DELAURO, Mr. FARR, Mr. FRANK of Massachusetts, Mr. HONDA, Mrs. JONES of Ohio, Mr. KENNEDY of Rhode Island, Mr. LANTOS, Ms. LOFGREN, Mr. LYNCH, Ms. MCCOLLUM, Mr. MCDERMOTT, Mrs. MALONEY, Ms. MILLENDER-MCDONALD, Ms. NORTON, Mr. OLVER, Mr. OWENS, Mr. RANGEL, Mr. RODRIGUEZ, Mr. SABO, Mr. SANDERS, Ms. SCHAKOWSKY, Mr. STARK, Mr. TIERNEY, Mr. WEINER, and Ms. WOOLSEY):

H.R. 445. A bill to authorize the Secretary of Housing and Urban Development to make grants to States to supplement State assistance for the preservation of affordable housing for low-income families; to the Committee on Financial Services.

By Mr. DEFAZIO:

H.R. 446. A bill to establish an Emergency Malpractice Liability Insurance Commission; to the Committee on Energy and Commerce.

By Mr. DEFAZIO:

H.R. 447. A bill to establish an Office of Health Care Competition within the Department of Health and Human Services to administer the National Practitioner Data Base and to collect and make available to the public more information on medical malpractice insurance under that Data Base; to the Committee on Energy and Commerce.

By Mr. DEFAZIO (for himself and Ms. NORTON):

H.R. 448. A bill to modify the antitrust exemption applicable to the business of insurance; to the Committee on the Judiciary.

By Ms. DUNN (for herself, Mrs. WILSON of New Mexico, Mr. NETHERCUTT, Mr. DICKS, Mr. HASTINGS of Washington, Mr. BAIRD, Mr. MCDERMOTT, and Mr. INSLEE):

H.R. 449. A bill to amend title XXI of the Social Security Act to permit the use of unexpended allotments under the State children's health care program for an additional fiscal year, and for other purposes; to the Committee on Energy and Commerce.

By Ms. DUNN (for herself and Mr. NEAL of Massachusetts):

H.R. 450. A bill to amend the Internal Revenue Code of 1986 to provide incentives to small businesses to provide health insurance to their employees; to the Committee on Ways and Means.

By Mr. FOLEY:

H.R. 451. A bill to amend the Internal Revenue Code of 1986 to modify the at-risk rules for publicly traded nonrecourse debt; to the Committee on Ways and Means.

By Mr. FRELINGHUYSEN (for himself, Mr. HOLT, Mr. SAXTON, Mr. FERGUSON, Mr. SMITH of New Jersey, Mr. PASCRELL, Mr. LOBIONDO, Mr. PALLONE, Mr. ANDREWS, Mr. PAYNE, Mr. MENENDEZ, Mr. ROTHMAN, and Mr. GARRETT of New Jersey):

H.R. 452. A bill to direct the Director of the Federal Emergency Management Agency to designate New Jersey Task Force 1 as part of the National Urban Search and Rescue System; to the Committee on Transportation and Infrastructure.

By Mr. GILLMOR (for himself, Mr. NEY, Mr. BEREUTER, and Mrs. JONES of Ohio):

H.R. 453. A bill to amend the Federal Deposit Insurance Act with respect to municipal deposits; to the Committee on Financial Services.

By Mr. GRAVES:

H.R. 454. A bill to amend the Internal Revenue Code of 1986 to provide to employers a tax credit for compensation paid during the period employees are performing service as members of the Ready Reserve or the National Guard; to the Committee on Ways and Means.

By Mr. GREEN of Wisconsin (for himself and Mr. RYAN of Wisconsin):

H.R. 455. A bill to require the Secretary of Agriculture to use the Department of Agriculture's preferred Option 1B as the price structure for Class I fluid milk under Federal milk marketing orders, to provide emergency market loss payments to dairy producers for any calendar year quarter in which the national average price for Class III milk under Federal milk marketing orders is less than a target price of \$11.50 per hundredweight, and for other purposes; to the Committee on Agriculture.

By Mr. GREEN of Wisconsin:

H.R. 456. A bill to amend title 18 of the United States Code to provide life imprisonment for repeat offenders who commit sex

offenses against children; to the Committee on the Judiciary.

By Mr. GREEN of Wisconsin (for himself, Mr. KENNEDY of Minnesota, Mr. NETHERCUTT, Mr. BAKER, Mr. MCHUGH, and Mr. POMEROY):

H.R. 457. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income gain on the sale of a family farming business to a family member; to the Committee on Ways and Means.

By Mr. HAYWORTH (for himself and Mr. GRIJALVA):

H.R. 458. A bill to provide for the use and distribution of certain funds awarded to the Gila River Pima-Maricopa Indian Community, and for other purposes; to the Committee on Resources.

By Mr. HAYWORTH (for himself, Mr. CRANE, Mr. CANNON, Mr. CARTER, Mr. ISSA, Mr. WAMP, Mr. WILSON of South Carolina, Mr. PITTS, Mr. SENSENBRENNER, Mr. SOUDER, Mr. GOODE, Mr. MILLER of Florida, and Mr. SHAYS):

H.R. 459. A bill to amend the Internal Revenue Code of 1986 to provide economic stimulus; to the Committee on Ways and Means.

By Mr. HAYWORTH (for himself, Mr. UDALL of Colorado, Mr. MCINNIS, Mr. RENZI, Mr. UDALL of New Mexico, Mrs. WILSON of New Mexico, Mr. KOLBE, and Mr. TANCREDO):

H.R. 460. A bill to establish Institutes to conduct research on the prevention of, and restoration from, wildfires in forest and woodland ecosystems of the interior West; to the Committee on Resources, and in addition to the Committee on Agriculture, 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. HILL (for himself, Mrs. NORTHUP, and Mr. SOUDER):

H.R. 461. A bill to amend the National Trails System Act to extend the Lewis and Clark National Historic Trail; to the Committee on Resources.

By Mr. ISAKSON:

H.R. 462. A bill to amend the Internal Revenue Code of 1986 to temporarily exclude long-term capital gain from the gross income of individuals; to the Committee on Ways and Means.

By Mrs. JOHNSON of Connecticut (for herself, Mr. MATSUI, Mr. CAMP, and Mr. CARDIN):

H.R. 463. A bill to amend the Internal Revenue Code of 1986 to permanently extend the research credit, to increase the rates of the alternative incremental credit, and to provide an alternative simplified credit for qualified research expenses; to the Committee on Ways and Means.

By Mr. KELLER (for himself, Mr. BOEHNER, and Mr. CASTLE):

H.R. 464. A bill to provide relief to teachers, administrators, and related services providers from an excessive paperwork burden, and to reduce time spent by teachers on non-instructional activities, as required under the Individuals with Disabilities Education Act; to the Committee on Education and the Workforce.

By Mr. KING of Iowa (for himself, Mr. POMEROY, Mr. SHIMKUS, Mr. SIMPSON, Mr. REHBERG, Mr. WELLER, Mr. LAHOOD, Mr. KENNEDY of Minnesota, Mr. LATHAM, Mr. MORAN of Kansas, Mr. BEREUTER, Mr. GRAVES, Mrs. EMERSON, Mr. BLUNT, and Mr. JOHNSON of Illinois):

H.R. 465. A bill to amend the Internal Revenue Code of 1986 to allow allocation of small ethanol producer credit to patrons of cooperative, and for other purposes; to the Committee on Ways and Means.

By Mr. KING of New York (for himself, Mr. QUINN, Mr. WALSH, Mrs. KELLY, Mr. CUNNINGHAM, Mr. ALLEN, Mr. KENNEDY of Rhode Island, Mr. PASTOR, Mr. LATOURETTE, Mr. MEEHAN, Mr. MCHUGH, Mr. PALLONE, Ms. ROSLEHTINEN, Mr. SAXTON, Mr. WEINER, Mr. LINCOLN DIAZ-BALART of Florida, Mr. ACKERMAN, Mr. WOLF, Mr. ISRAEL, Mr. CLAY, Mrs. MALONEY, Mr. LYNCH, Mr. SANDLIN, Mr. ENGEL, Mrs. BIGGERT, Mr. ANDREWS, Mr. DEAL of Georgia, Mrs. CAPITO, Mr. INSLEE, Mr. PAYNE, and Mr. HOLT):

H.R. 466. 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; to the Committee on Government Reform.

By Mrs. LOWEY (for herself, Ms. LEE, and Ms. DELAURO):

H.R. 467. A bill to amend the Federal Food, Drug, and Cosmetic Act to require that foods containing spices, flavoring, or coloring derived from meat, poultry, other animal products (including insects), or known allergens bear labeling stating that fact and their names; to the Committee on Energy and Commerce.

By Mrs. LOWEY (for herself, Mr. BROWN of Ohio, Mr. CROWLEY, Ms. DELAURO, Mr. KILDEE, and Mr. MCDERMOTT):

H.R. 468. A bill to amend the Federal Food, Drug, and Cosmetic Act relating to freshness dates on food; to the Committee on Energy and Commerce.

By Mrs. LOWEY (for herself, Mr. ENGEL, and Mrs. KELLY):

H.R. 469. A bill to provide an enhanced penalty for threatening to kill, injure, or intimidate an individual, or to cause property damage, by means of fire or an explosive on school property; to the Committee on the Judiciary.

By Mrs. LOWEY (for herself, Mr. CONYERS, Mr. CROWLEY, Mr. FROST, Ms. LEE, Mr. PALLONE, Mr. PAYNE, Ms. WATSON, Ms. WOOLSEY, Mr. WYNN, and Mr. FARR):

H.R. 470. A bill to amend title II of the Social Security Act to repeal the 7-year restriction on eligibility for widow's and widower's insurance benefits based on disability; to the Committee on Ways and Means.

By Mrs. LOWEY (for herself, Mr. CONYERS, Mr. CROWLEY, Mr. FROST, Ms. LEE, Mr. PALLONE, Mr. PAYNE, Ms. WATSON, Ms. WOOLSEY, Mr. WYNN, and Mr. FARR):

H.R. 471. A bill to amend title II of the Social Security Act to eliminate the two-year waiting period for divorced spouse's benefits following the divorce; to the Committee on Ways and Means.

By Mrs. LOWEY (for herself, Mr. CONYERS, Mr. CROWLEY, Mr. FROST, Ms. LEE, Mr. PALLONE, Mr. PAYNE, Ms. WATSON, Ms. WOOLSEY, Mr. WYNN, and Mr. FARR):

H.R. 472. A bill to amend title II of the Social Security Act to provide for full benefits for disabled widows and widowers without regard to age; to the Committee on Ways and Means.

By Mrs. LOWEY (for herself, Mr. ABERCROMBIE, Ms. BALDWIN, Mr. CONYERS, Mr. CROWLEY, Ms. DELAURO, Mr. FILLNER, Mr. FROST, Mr. HASTINGS of Florida, Mr. KUCINICH, Mr. MCDERMOTT, Ms. NORTON, Mr. OBERSTAR, Mr. PAYNE, Mr. SANDERS, Ms. SCHAKOWSKY, Mr. SCOTT of Virginia, Ms. WOOLSEY, Ms. BERKLEY, Ms. MILLENDER-MCDONALD, and Mr. FARR):

H.R. 473. A bill to amend title II of the Social Security Act to credit prospectively in-

dividuals serving as caregivers of dependent relatives with deemed wages for up to five years of such service; to the Committee on Ways and Means.

By Mrs. LOWEY (for herself, Mr. CONYERS, Mr. CROWLEY, Mr. FROST, Ms. LEE, Mr. PALLONE, Mr. PAYNE, Ms. WATSON, Ms. WOOLSEY, Mr. WYNN, and Mr. FARR):

H.R. 474. A bill to amend title II of the Social Security Act to provide for increases in widow's and widower's insurance benefits by reason of delayed retirement; to the Committee on Ways and Means.

By Mrs. LOWEY (for herself, Mr. ABERCROMBIE, Mr. CROWLEY, Mr. FERGUSON, Mr. FRELINGHUYSEN, Mr. FROST, Mr. HINCHEY, Mr. HOLT, Ms. KAPTUR, Mr. LANTOS, Mr. NADLER, Mr. PALLONE, Ms. SCHAKOWSKY, Mr. SERRANO, Mr. SHAYS, Mr. SHERMAN, Mr. SMITH of Washington, Mr. ROTHMAN, Mr. STARK, and Mr. WEINER):

H.R. 475. A bill to reestablish the Office of Noise Abatement and Control in the Environmental Protection Agency, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, 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 Mrs. LOWEY (for herself, Mr. ANDREWS, Mr. BROWN of Ohio, Mrs. CAPITO, Mr. CAPUANO, Mr. ENGEL, Mr. FILLNER, Mr. FOLEY, Mr. FOSSELLA, Mr. GILLMOR, Mr. HINCHEY, Mr. HOLDEN, Ms. KAPTUR, Mr. KILDEE, Ms. LOFGREN, Mr. MARKEY, Mr. MCGOVERN, Mr. NEAL of Massachusetts, Mr. OBERSTAR, Mr. OLVER, Mr. PAUL, Mr. ROTHMAN, Mr. RUSH, and Mr. STRICKLAND):

H.R. 476. A bill to provide that service of the members of the organization known as the United States Cadet Nurse Corps during World War II constituted active military service for purposes of laws administered by the Secretary of Veterans Affairs; to the Committee on Veterans Affairs, and in addition to the Committee on Armed Services, 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. MCDERMOTT:

H.R. 477. A bill to extend Federal recognition to the Duwamish Tribe, and for other purposes; to the Committee on Resources.

By Mr. MCINNIS (for himself, Mr. POMEROY, Mr. HAYWORTH, Mr. HULSHOF, Mr. HERGER, Mrs. CUBIN, Mr. HEFLEY, Mr. BEAUPREZ, Mrs. MUSGRAVE, Ms. DEGETTE, Mr. TANCREDI, and Mr. PETERSON of Pennsylvania):

H.R. 478. A bill to amend the Internal Revenue Code of 1986 to expand the rules for involuntary conversions of livestock sold on account of weather-related conditions; to the Committee on Ways and Means.

By Mr. McNULTY:

H.R. 479. A bill to amend title 10, United States Code, to authorize Army arsenals to undertake to fulfill orders or contracts for articles or services in advance of the receipt of payment under certain circumstances; to the Committee on Armed Services.

By Mr. McNULTY:

H.R. 480. A bill to redesignate the facility of the United States Postal Service located at 747 Broadway in Albany, New York, as the "United States Postal Service Henry Johnson Annex"; to the Committee on Government Reform.

By Mr. McNULTY:

H.R. 481. A bill to amend title 49, United States Code, to grant the State of New York

authority to allow tandem trailers to use Interstate Route 787 between the New York State Thruway and Church Street in Albany, New York; to the Committee on Transportation and Infrastructure.

By Mr. MILLER of Florida:

H.R. 482. A bill to authorize the Secretary of Agriculture to sell or exchange certain land in the State of Florida, and for other purposes; to the Committee on Agriculture.

By Mr. MORAN of Kansas (for himself, Mrs. CUBIN, Mr. OSBORNE, Mr. REHBERG, and Mrs. MUSGRAVE):

H.R. 483. A bill to amend the Internal Revenue Code of 1986 to provide involuntary conversion tax relief for producers forced to sell livestock due to weather-related conditions or Federal land management agency policy or action, and for other purposes; to the Committee on Ways and Means.

By Mr. OSE (for himself, Mr. HOUGHTON, Mr. CASTLE, and Mr. LEACH):

H.R. 484. A bill to make certain amendments to the Homeland Security Act of 2002; to the Committee on Homeland Security (Select), and in addition to the Committees on Energy and Commerce, Science, and Government Reform, 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. PALLONE:

H.R. 485. A bill to provide for a Federal program to stabilize medical malpractice insurance premiums; to the Committee on Energy and Commerce.

By Mr. VITTER:

H.R. 486. A bill to require the Food and Drug Administration to establish restrictions regarding the qualifications of physicians to prescribe the abortion drug commonly known as RU-486; to the Committee on Energy and Commerce.

By Mr. PAUL (for himself, Mr. DEFAZIO, and Mr. FRANK of Massachusetts):

H.R. 487. A bill to repeal the Military Selective Service Act; to the Committee on Armed Services.

By Mr. PAUL (for himself, Mr. GOODE, Mrs. MUSGRAVE, and Mr. DUNCAN):

H.R. 488. A bill to limit the issuance of student and diversity immigrant visas to aliens who are nationals of Saudi Arabia, countries that support terrorism, or countries not cooperating fully with United States antiterrorism efforts; to the Committee on the Judiciary.

By Mr. PAUL:

H.R. 489. A bill to amend title II of the Social Security Act and the Internal Revenue Code of 1986 to provide prospectively that wages earned, and self-employment income derived, by individuals who are not citizens or nationals of the United States shall not be credited for coverage under the old-age, survivors, and disability insurance program under such title, and to provide the President with authority to enter into agreements with other nations taking into account such limitation on crediting of wages and self-employment income; to the Committee on Ways and Means.

By Mr. PETRI (for himself, Mr. GEORGE MILLER of California, Mr. OTTER, Mr. DOYLE, Mr. DICKS, Mr. ANDREWS, Mr. MCDERMOTT, Mr. FRANK of Massachusetts, Mr. SMITH of Washington, Mr. WILSON of South Carolina, Mrs. MALONEY, Mr. GREENWOOD, Mr. WALSH, Mr. LATOURETTE, Mr. BOSWELL, Mr. HONDA, Mr. GREEN of Texas, Mr. TIERNEY, Mr. BACA, Mr. INSLEE, Mrs. DAVIS of California, Mr. PALLONE, Ms. BORDALLO, Mr. WAXMAN, and Ms. NORTON):

H.R. 490. A bill to improve access to printed instructional materials used by blind or

other persons with print disabilities in elementary and secondary schools, and for other purposes; to the Committee on Education and the Workforce.

By Mr. PICKERING (for himself, Mr. ROSS, Mr. GOODE, Mr. EVERETT, Mr. TURNER of Texas, Mr. WICKER, Mr. CRAMER, and Mr. ALEXANDER):

H.R. 491. A bill to amend the Tariff Act of 1930 to clarify the adjustments to be made in determining export price and constructed export price; to the Committee on Ways and Means.

By Mr. PLATTS:

H.R. 492. A bill to amend the Internal Revenue Code of 1986 to increase the standard mileage rate for charitable purposes to the standard mileage rate established by the Secretary of the Treasury for business purposes; to the Committee on Ways and Means.

By Mr. PLATTS:

H.R. 493. A bill to repeal the sunset on the increased assistance pursuant to the dependent care tax credit provisions of the Economic Growth and Tax Relief Reconciliation Act of 2001 and to make the credit refundable; to the Committee on Ways and Means.

By Mr. PLATTS:

H.R. 494. A bill to amend the Internal Revenue Code of 1986 to allow a full deduction for meals and lodging in connection with medical care; to the Committee on Ways and Means.

By Mr. RENZI (for himself, Mr. HAYWORTH, Mr. PASTOR, Mr. GRIJALVA, and Mr. KOLBE):

H.R. 495. A bill to approve the settlement of the water rights claims of the Zuni Indian Tribe in Apache County, Arizona, and for other purposes; to the Committee on Resources.

By Mr. SAXTON (for himself, Mr. ABERCROMBIE, Mr. AKIN, Mr. ANDREWS, Mrs. CUBIN, Ms. DUNN, Mr. ENGLISH, Mr. FERGUSON, Mr. FOSSELLA, Mrs. JOHNSON of Connecticut, Mr. KOLBE, Mr. LUCAS of Kentucky, Mr. PAUL, Mr. ROHRABACHER, Mr. SHAYS, and Mr. WILSON of South Carolina):

H.R. 496. A bill to amend the Internal Revenue Code of 1986 to allow individuals to defer recognition of reinvested capital gains distributions from regulated investment companies; to the Committee on Ways and Means.

By Mr. SENSENBRENNER (for himself and Mr. SMITH of Michigan):

H.R. 497. A bill to amend the Internal Revenue Code of 1986 to suspend all motor fuel taxes for six months, and to permanently repeal the 4.3-cent per gallon increases in motor fuel taxes enacted in 1993; to the Committee on Ways and Means.

By Mr. SENSENBRENNER:

H.R. 498. A bill to amend the Internal Revenue Code of 1986 to allow employees of county and local governments and of schools to maintain medical savings accounts; to the Committee on Ways and Means.

By Mr. SMITH of New Jersey:

H.R. 499. A bill to amend the Internal Revenue Code of 1986 to allow a refundable credit against income tax for tuition expenses incurred for each qualifying child of the taxpayer in attending public or private elementary or secondary school; to the Committee on Ways and Means.

By Mr. STUPAK:

H.R. 500. A bill to amend title XVIII of the Social Security Act to provide for a permanent increase in payment amounts under the Medicare Program for home health services furnished in rural areas; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, 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. TANCREDO (for himself and Ms. LORETTA SANCHEZ of California):

H.R. 501. A bill to establish a student loan forgiveness program for nurses; to the Committee on Education and the Workforce.

By Mr. TANCREDO (for himself, Mr. DEAL of Georgia, Mr. DUNCAN, Mr. NORWOOD, Mr. SCHROCK, Mr. BARTLETT of Maryland, Mr. SMITH of Texas, Mr. WELDON of Florida, Mr. ROHRABACHER, Mr. AKIN, Mr. GOODE, Mr. KING of Iowa, and Mr. MILLER of Florida):

H.R. 502. A bill to require identification that may be used in obtaining Federal public benefits to meet restrictions ensuring that it is secure and verifiable; to the Committee on Government Reform, and in addition to the Committees on the Judiciary, and House Administration, 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. THORNBERRY (for himself, Mr. STENHOLM, Mr. BONILLA, Mr. TURNER of Texas, Mr. COMBEST, Mr. SULLIVAN, Mr. SMITH of Texas, and Mrs. CUBIN):

H.R. 503. A bill to amend the Internal Revenue Code of 1986 to allow a credit for the production of oil and gas from domestic marginal wells and to extend the credit for alternative fuels; to the Committee on Ways and Means.

By Mr. UDALL of Colorado:

H.R. 504. A bill to provide for the reclamation of abandoned hardrock mines, and for other purposes; to the Committee on Resources, and in addition to the Committee on Transportation and Infrastructure, 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. UDALL of New Mexico:

H.R. 505. A bill to establish the Northern Rio Grande National Heritage Area in the State of New Mexico, and for other purposes; to the Committee on Resources.

By Mr. UDALL of New Mexico:

H.R. 506. A bill to provide for the protection of archaeological sites in the Galisteo Basin in New Mexico, and for other purposes; to the Committee on Resources.

By Mr. UDALL of New Mexico:

H.R. 507. A bill to declare that the United States holds certain public domain lands in trust for the Pueblos of San Ildefonso and Santa Clara; to the Committee on Resources.

By Mr. WICKER:

H.R. 508. A bill to provide that, in establishing wage schedules for certain prevailing rate employees with respect to whom the Government is currently experiencing recruitment and retention problems, rates of pay for comparable positions in the nearest, most similar wage area shall be taken into account; to the Committee on Government Reform.

By Mr. PLATTS:

H.J. Res. 16. A joint resolution proposing an amendment to the Constitution of the United States to limit the number of consecutive terms that a Member of Congress may serve; to the Committee on the Judiciary.

By Mr. KIND (for himself, Mr. BEREUTER, Mr. BERMAN, and Mr. LANTOS):

H. Con. Res. 22. Concurrent resolution honoring Czech Republic President Vaclav Havel; to the Committee on International Relations.

By Mr. KNOLLENBERG (for himself, Mr. MANZULLO, Mr. DOOLEY of California, Mr. JEFFERSON, Mr. BLUNT,

Mrs. BIGGERT, Mr. BOEHNER, Mr. BRADY of Texas, Mr. BURR, Mr. BURTON of Indiana, Mr. CAMP, Mr. CRANE, Mr. DAVIS of Florida, Mr. DEMINT, Mr. DREIER, Ms. DUNN, Mr. EHLERS, Mr. FLAKE, Mr. FRELINGHUYSEN, Mr. GILLMOR, Mr. HERGER, Mr. HOEKSTRA, Mr. ISAKSON, Mr. ISSA, Mrs. JOHNSON of Connecticut, Mr. KENNEDY of Minnesota, Mr. KIND, Mr. KIRK, Mr. KOLBE, Mr. LATOURETTE, Mr. LEACH, Mr. LEWIS of Kentucky, Mr. LUCAS of Kentucky, Mr. MCCOTTER, Mr. PAUL, Mr. PENCE, Mr. PLATTS, Ms. PRYCE of Ohio, Mr. RAMSTAD, Mr. ROGERS of Michigan, Mr. WICKER, Mr. SHAYS, Mr. SMITH of Michigan, Mr. TIBERI, Mr. TOWNS, Mr. UPTON, Mr. HOBSON, Mr. HOUGHTON, Mr. BOSWELL, Mr. PETRI, Mr. BASS, and Mr. GARY G. MILLER of California):

H. Con. Res. 23. Concurrent resolution urging the President to request the United States International Trade Commission to take certain actions with respect to the temporary safeguards on imports of certain steel products, and for other purposes; to the Committee on Ways and Means.

By Mr. BURR:

H. Con. Res. 24. Concurrent resolution expressing the sense of the Congress with respect to the election of Libya to the chairmanship of 59th session of the United Nations Commission on Human Rights in Geneva, Switzerland; to the Committee on International Relations.

By Mr. GREEN of Wisconsin:

H. Con. Res. 25. Concurrent resolution expressing the sense of the Congress that Social Security reform measures should not force State and local government employees into Social Security coverage; to the Committee on Ways and Means.

By Ms. MCCOLLUM (for herself, Mr. ABERCROMBIE, Mr. ALLEN, Ms. BERKLEY, Mr. BROWN of Ohio, Mr. CAPUANO, Ms. CARSON of Indiana, Mr. CROWLEY, Mr. DEFAZIO, Ms. DELAURO, Mr. DICKS, Mr. DOGGETT, Mr. ETHERIDGE, Mr. EVANS, Mr. GILCHREST, Ms. NORTON, Ms. KAPTUR, Mr. KENNEDY of Rhode Island, Mr. KING of New York, Mr. LANTOS, Ms. LEE, Mr. MARKEY, Mr. MCDERMOTT, Mr. McNULTY, Mr. MEEHAN, Mr. MORAN of Virginia, Mr. OBERSTAR, Mr. OLVER, Mr. PALLONE, Mr. RAHALL, Ms. ROYBAL-ALLARD, Ms. LORETTA SANCHEZ of California, Mr. SMITH of New Jersey, Mr. TIERNEY, Mrs. JONES of Ohio, Ms. WATSON, Mr. WAXMAN, and Mr. WEINER):

H. Con. Res. 26. Concurrent resolution condemning the punishment of execution by stoning as a gross violation of human rights, and for other purposes; to the Committee on International Relations.

By Mr. BLUMENAUER (for himself, Mr. WU, Mr. WALDEN of Oregon, Mr. DEFAZIO, and Ms. HOOLEY of Oregon):

H. Res. 41. A resolution congratulating the University of Portland women's soccer team for winning the 2002 NCAA Division I national championship; to the Committee on Education and the Workforce.

By Mr. GREEN of Wisconsin (for himself, Ms. HOOLEY of Oregon, and Mr. KLECZKA):

H. Res. 42. A resolution expressing the sense of the House of Representatives that a postage stamp should be issued honoring American farm women; to the Committee on Government Reform.

By Mr. GREEN of Wisconsin (for himself, Mr. MEEHAN, Mr. SHAYS, Mr. DOGGETT, Mr. CAPUANO, Mr. PETRI, Mr. FRANK of Massachusetts, and Mr. BERMAN):

H. Res. 43. A resolution directing the Clerk of the House of Representatives to post on the official public Internet site of the House of Representatives all lobbying registrations and reports filed with the Clerk under the Lobbying Disclosure Act of 1995; to the Committee on the Judiciary.

By Mr. HAYES:

H. Res. 44. A resolution honoring the service and sacrifice of the United States Armed Forces military working dog teams for the part they have played in the Nation's military history; to the Committee on Armed Services.

By Mr. JONES of North Carolina (for himself, Mr. BAKER, Mr. BARTLETT of Maryland, Mr. BURR, Ms. WATSON, Mr. EVANS, Mrs. JONES of Ohio, Mr. TAYLOR of Mississippi, Ms. CORRINE BROWN of Florida, Mr. KLINE, Mr. MURTHA, Mr. SIMMONS, Mr. ISRAEL, Mr. ANDREWS, Mr. TURNER of Texas, Mr. WHITFIELD, Mr. DEUTSCH, Mrs. MILLER of Michigan, Mr. PETERSON of Pennsylvania, Mr. MENENDEZ, Mr. BEAUPREZ, Mr. WEXLER, Mr. ISSA, Mr. OWENS, Mr. WOLF, Mr. ENGEL, and Mr. McNULTY):

H. Res. 45. A resolution expressing the sense of the House of Representatives that a commemorative postage stamp should be issued in remembrance of the victims of the peacekeeping mission in Beirut, Lebanon, from 1982 to 1984; to the Committee on Government Reform.

By Mr. NADLER (for himself, Mr. WEINER, Mrs. MALONEY, Mr. SERRANO, Mr. FILNER, Ms. LOFGREN, Ms. NORTON, Ms. SLAUGHTER, Mr. TOWNS, Mr. LEACH, Mr. LANTOS, Mr. OBERSTAR, Mr. CROWLEY, Mr. OWENS, and Mr. HINCHEY):

H. Res. 46. A resolution honoring the life of Al Hirschfeld and his legacy; to the Committee on Government Reform.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. COLE:

H.R. 509. A bill for the relief of Lindita Idrizi Heath; to the Committee on the Judiciary.

By Mr. PLATTS:

H.R. 510. A bill for the relief of certain aliens who were aboard the Golden Venture; 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. 13: Mr. PLATTS, Mr. DEMINT, Mr. HOLT, Mr. MCHUGH, Mr. LANGEVIN, Mr. MATSUI, Mrs. MALONEY, Mr. FRANK of Massachusetts, Mr. SNYDER, Mr. SERRANO, Mr. CLYBURN, Mr. UPTON, Mr. BECERRA, Mr. OWENS, Mr. PETRI, Mr. BEREUTER, Mr. DOYLE, Mr. GORDON, Mr. QUINN, Mr. ENGEL, Ms. SLAUGHTER, Mr. LATOURETTE, Mr. ACKERMAN, Mr. GRIJALVA, Mr. UDALL of Colorado, Mr. BERMAN, Mr. MCINTYRE, and Mr. BELL.

H.R. 14: Mr. UPTON, Mr. MCINTYRE, Mrs. MILLER of Michigan, Mr. PLATTS, and Mr. SENSENBRENNER.

H.R. 24: Ms. CARSON of Indiana, Mr. CONYERS, Mr. GRIJALVA, and Ms. CORRINE BROWN of Florida.

H.R. 107: Mr. BARTON of Texas and Mr. ANDREWS.

H.R. 108: Mr. RADANOVICH and Mrs. CUBIN.

H.R. 110: Mr. RYAN of Wisconsin.

H.R. 111: Mr. LAHOOD, Mr. BISHOP of Utah, Mr. WELDON of Pennsylvania, Mr. BERRY, Mr. MICHAUD, Mr. BURR and Ms. MCCARTHY of Missouri.

H.R. 115: Mr. BAKER.

H.R. 120: Mr. TANCREDO, Mr. PAUL, Mr. KING of Iowa, Mrs. MYRICK, Mr. SENSENBRENNER, and Ms. HART.

H.R. 133: Mrs. KELLY.

H.R. 156: Mr. HOLDEN, Mr. TAYLOR of Mississippi, Mr. BROWN of South Carolina, Mr. PLATTS, and Mr. WALSH.

H.R. 157: Mr. LIPINSKI.

H.R. 161: Mr. RYAN of Ohio, Mr. LATOURETTE, Mrs. JONES of Ohio, Mr. NEY, Mr. BROWN of Ohio, Mr. TIBERI, Mr. KUCINICH, Mr. HOBSON, Mr. TURNER of Ohio, Ms. KAPTUR, Mr. CHABOT, Mr. OXLEY, Mr. REGULA, Mr. STRICKLAND, Mr. BOEHNER, Ms. PRYCE of Ohio, and Mr. GILLMOR.

H.R. 167: Mr. TERRY.

H.R. 172: Mr. PAYNE, Mr. MURPHY, Mr. RANGEL, Mr. DELAHUNT, Mr. PLATTS, and Mr. ACKERMAN.

H.R. 193: Mr. GOODE and Mr. WELDON of Florida.

H.R. 203: Mr. WALSH.

H.R. 207: Ms. NORTON.

H.R. 208: Mr. TOWNS, Mr. ACKERMAN, Mr. GRIJALVA, Mr. BAIRD, Ms. GINNY BROWN-WAITE of Florida, and Mr. LANTOS.

H.R. 235: Mr. DOOLITTLE, Mr. WICKER, Mrs. MYRICK, Mr. CALVERT, Mr. GARY G. MILLER of California, Mr. ISTOOK, Mr. TIBERI, and Mr. DUNCAN.

H.R. 254: Mr. KOLBE.

H.R. 282: Mr. DEMINT, Mr. UPTON, Mr. PITTS, Mrs. MYRICK, Mr. SENSENBRENNER, Mr. NORWOOD, Mr. PAUL, Mr. KING of Iowa, Ms. HART, Mr. WHITFIELD, Mr. SMITH of Michigan, and Mr. BEAUPREZ.

H.R. 284: Mr. KANJORSKI, Mr. DUNCAN, Mr. MURTHA, Mr. PITTS, and Mr. SIMPSON.

H.R. 290: Mr. ANDREWS.

H.R. 295: Mr. HOLDEN.

H.R. 296: Mr. HOLDEN.

H.R. 302: Mr. LIPINSKI.

H.R. 307: Mr. COSTELLO, Mr. NETHERCUTT, Mr. ETHERIDGE, and Mr. BISHOP of Georgia.

H.R. 312: Mr. JANKLOW.

H.R. 342: Mr. GREEN of Texas, Mr. SOUDER, Mrs. MALONEY, Mr. LIPINSKI, and Mr. BEREUTER.

H.R. 361: Mr. TERRY, Mr. BEREUTER, Mr. WOLF, Mr. BOUCHER, Mr. DEMINT, Mr. BOSWELL, Ms. CARSON of Indiana, Mr. ETHERIDGE, Mr. HEFLEY, Mr. MILLER of Florida, Mr. BAIRD, and Mr. SOUDER.

H.R. 368: Mrs. MCCARTHY of New York and Mr. BISHOP of New York.

H.R. 373: Mr. FROST and Ms. CARSON of Indiana.

H.R. 383: Mr. KANJORSKI, Mr. LEWIS of California, Mr. DOOLITTLE, Mr. LATOURETTE, Mr. ENGLISH, Mr. SHAYS, Mr. BARTLETT of Maryland, Mr. HOLDEN, Ms. BALDWIN, Mr. SHERMAN, Mrs. JONES of Ohio, Mr. DREIER, and Mr. ISSA.

H.R. 412: Mr. OSE, Mr. GREEN of Wisconsin, Mr. McNULTY, and Mr. WAXMAN.



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Senate

The Senate met at 12:02 p.m. and was called to order by the President pro tempore (Mr. STEVENS).

The PRESIDENT pro tempore. We will be led in prayer today by the guest Chaplain, the Very Reverend Nathan D. Baxter, Dean of the Washington National Cathedral.

PRAYER

The guest Chaplain offered the following prayer:

Let us pray.

Blessed Lord, I commend to Your grace and wisdom this day the Members of this Senate and all who support their labors. I ask that You deepen their passion for the fragile treasure of democracy. As they engage the difficult work of legislating, grant them always to be guided by a love for our great Nation and a respect for its diverse people. Finally, we ask that You grant that the fruits of their labors in this and every session, begun and ended in You, may assist the people of this great land to build lives of mutual respect, well-being and service, so that poverty of body and mind and spirit may be made extinct among us, even in our time. We offer these prayers in the Name of God from whom all blessings flow. Amen.

The PRESIDENT pro tempore. May I ask that the distinguished minority leader lead us in reciting the pledge to our flag.

PLEDGE OF ALLEGIANCE

The Honorable TOM DASCHLE, a Senator from the State of South Dakota, 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, today there will be a period of morning business until 4 p.m. At this time, I ask unanimous consent that the time be divided as follows:

The time until 1 o'clock under the control of the Democratic leader or his designee; the time from 1 to 1:30 under the control of the Republican leader or his designee; 1:30 to 2 o'clock under the control of the Democratic leader or his designee; 2 o'clock to 3 o'clock under Republican control.

The PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Mr. FRIST. During today's session, the Senate is expected to complete the short-term continuing resolution which was received from the House. I am not aware of any requests for a rollcall vote on that resolution, and therefore we would hope to pass the 1-week extension by unanimous consent. In addition, there are a couple of nominations that are expected to receive committee action shortly. I would expect the full Senate to act on those nominations expeditiously following the committee's reporting of those nominations. This afternoon, we will alert all Members as to the expected schedule for any rollcall votes.

MORNING BUSINESS

MEASURES PLACED ON THE CALENDAR—S. 224, S. 225, AND S. 228

Mr. FRIST. Mr. President, there are three bills at the desk that are due for their second readings. I ask unanimous consent that the three bills now be read for the second time, and I ask unanimous consent that there be an objection, en bloc, to any further action on these bills following the readings.

The PRESIDING OFFICER (Mr. HAGEL). Without objection, it is so ordered.

The clerk will now read the titles of the bills for the second time.

The assistant legislative clerk read as follows:

A bill (S. 224) to amend the Fair Labor Standards Act of 1938 to provide for an increase in the minimum wage.

A bill (S. 225) to provide for emergency unemployment compensation.

A bill (S. 228) to amend title 18, United States Code, to limit the misuse of social security numbers, to establish criminal penalties for such misuse, and for other purposes.

The PRESIDING OFFICER. Objection to further proceedings being heard, the bills will now be placed on the calendar.

Mr. FRIST. Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

The distinguished minority leader.

STATE OF THE UNION ADDRESS

Mr. DASCHLE. Mr. President, I wanted to come to the floor this morning to talk a little bit more about the State of the Union Message we heard last night from the President of the United States. We all had occasion to respond to members of the media last night, but I do think it is important, as we contemplate his message and as we react to it, that, at least to a certain extent, we do so in an official capacity here on the Senate floor.

The President came to Congress to deliver his annual State of the Union Message in fulfilling his constitutional obligation to report to Congress and the American people on where our Nation is and the direction in which we are headed.

The reason our Founders included that obligation is they recognized that democracy requires discussion. So I want to take a moment today to add my thoughts to that discussion.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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In many instances, the President's words were powerful, and there are many areas where I see room for enthusiastic agreement.

For example, his call, last night, for a renewed commitment to address the international pandemic on AIDS was welcome. I can say, without equivocation, that our caucus, and I believe Democrats in the Congress in its entirety, will be supportive of the efforts made by the President and this administration to address the international AIDS crisis more effectively.

Let me also say I was pleased that the President made the announcement he did with regard to the Federal commitment to alternative fuels.

I wish he had gone further, frankly, but a recognition of the importance of continuing the development through research of hydrogen fuels is a welcome bit of news. As we have progressed over the course of the last couple of years, the alternative fuels market, the need for the continued development of alternative fuels, is important to the Presiding Officer, to myself, and to many others who recognize that we will never rid ourselves of dependency upon foreign sources until we make a more complete commitment to the development of alternative fuels.

So the President's willingness to do that, his prioritization of that question, is one that was received in a very enthusiastic way, I am sure, on both sides of the aisle.

There are other areas, however, where the President's words seemed out of step with his actions and, frankly, out of touch with his proposals.

Today, and in the days ahead, the real test of the President's words is not whether they sound good but whether they lead to action and whether that action leads to progress.

Today, the triple threat of war, terrorism, and recession is combining to make Americans unsure about their future and unclear about the course our Nation is taking.

On the economy, it is almost impossible to believe, but just 2 years after the longest economic expansion in history, today we have more than 2 million jobs lost in 2 years; the worst job creation record of any administration in 60 years; the first back-to-back years of job loss in 50 years; middle-class income is down for the first time in 10 years; the highest unemployment rate in 8 years; the highest poverty rate in 8 years; and a Federal budget more than half a trillion dollars in debt.

In fact, as the budget is about to be produced for the coming fiscal year, we are told we will see the biggest indebtedness that we have seen now in more than 10 years. We started out 2 years ago with the projection of \$5.5 trillion in surplus. We are now told because of the President's tax cuts and, in part, because of the recession and the potential for war, our projected deficit over the course of the next 10 years will be \$1.7 trillion, \$1.7 trillion deficit from a

\$5.5 trillion surplus just 2 years ago. That represents nearly a \$7 trillion swing in a mere 24 months—\$7 trillion from surplus to deficit in 24 months.

The economic plan the administration passed in 2001 has, unfortunately, been an abject failure. Yet, last night, the President seemed to be asking for more of the same. Before this ditch gets dug any deeper, the President must explain why he thinks this time the results will be any different than the last time.

Mr. President, I have expressed on the floor in past speeches my concern for his plan and how serious a concern we have for the ramifications of that plan. The President started by calling his plan "stimulus." I have noticed in recent months or weeks that he has chosen not to use that word, and I think for good reason. There is very little stimulus in the President's proposal. In fact, by their own recognition and acknowledgement, only 5 percent of the budget in the proposal made by the President in his \$674 billion tax reduction plan is stimulative this year. Ninety-five percent of what the President is proposing takes place next year and the year after—5 percent. That 5 percent is expected to raise 190,000 jobs. Ironically, 190,000 jobs is exactly the number of jobs lost in November and December of last year. So while we have lost 2.3 million jobs, the President is proposing that we enact an economic plan that produces 190,000 jobs this year. So we ought to be clear about that.

There is very little stimulative value in what the President has proposed. Let me say I could understand that if there were some merit to the proposals themselves. But the problem we have with the proposals themselves is they are not broad based. Last night, the President noted there would be some who would benefit by up to \$1,200 and, certainly, in some cases, because of his advocacy of the child tax credit, that would be the case. But there are thousands and thousands of people who are not able, because they don't have children, to benefit from the tax plan as the President proposed. In fact, in his plan, \$20 billion in the first year goes to 226,000 people whose income exceeds \$1 million; \$15 billion goes to the 92 million Americans whose incomes are no greater than \$50,000. So there is an extraordinary disparity between those who would benefit at the very top and those who benefit in a much more marginal way with incomes of \$50,000 or less.

What troubles me the most about the fairness question is not the income disparity, but the notion that we could be sending people to war, that we could actually be asking people to give their lives in pursuit of a war with Iraq at the very time we turn around and tell those with incomes of more than \$1 million they are going to get an \$89,000 tax break. It would be hard—in fact, impossible—for me to accept 10 or 15 or 20 years from now, as the question is

asked: So what did you do? What was your sacrifice in the war on Iraq?—the only answer being, in the case of those making more than a million dollars: I got an \$89,000 tax break. So the fairness question has economic, as well as very real and personal implications that are troubling to many of us.

Perhaps the third and final of all of the many concerns we have with regard to this particular plan is the recklessness. As I said, we are going from a \$5.5 trillion surplus to a \$2 trillion deficit in 2 years. But that doesn't tell the whole story. States are now experiencing deficits that, in total, exceed \$100 billion. Economists have now proposed analyses that would suggest, in addition to the \$100 billion, the tax plan proposed by the President would exacerbate that debt by at least \$4 billion to \$6 billion more. So, ironically, at the very time we are cutting taxes at the Federal level, the President is turning around and requiring Governors to increase taxes at the local and State levels. It just doesn't make sense.

It is reckless as well in the recognition that we are going to be borrowing every dollar in resources that we turn around and give out in the form of tax cuts. Every dollar in those tax cuts comes directly from the Social Security and Medicare trust funds. We have no other resources to send out.

Finally, I simply say, as we consider this recklessness, as we consider our priorities, there is no possible way that we can fight a war in Iraq, that we can dedicate ourselves to the priorities the President articulated in his address last night—which I will turn to in a moment—there is no way we can help the States with the tremendous fiscal crisis they are now facing—a crisis, we are told, that is the worst in 50 years—and turn around and provide a \$1.7 trillion additional tax cut this year.

There is growing concern, as we consider the ramifications of what the President is proposing, that we can cause even more serious damage to the economy were we to take the proposals of the President and enact them as they have been sent to us. It is essential that we go back to the drawing board, essential that we live up to the economic principles that mainstream economists tell us are essential if we are going to do this right. They tell us whatever stimulus we pass ought to be immediate, ought to be time limited, and, indeed, that is what Democrats have proposed—a limited, immediate stimulus that will take effect this year, not in the outyears; that it be fiscally responsible; that we not exacerbate overall indebtedness by \$1.7 trillion; that if anything we limit what exposure there is budgetarily to no more than \$100 billion to \$150 billion—1.5 percent GDP. Our Democratic plan will do that.

A third point they tell us is we ought to be broad based in our approach, provide assistance to where it can do the most good, spur consumption. We do

that with the \$300 rebate, \$1,200 for families with children; the business tax cuts we advocate for accelerated appreciation, for expensing of equipment, and for reducing the cost of health care for employees, in addition to providing the unemployment compensation to the millions of Americans who have not been provided those benefits in recent weeks.

We have done some analysis of families who were in the gallery last night with the First Lady, people who were invited to come because, according to the President, they benefited from the plans the President articulated.

As we calculate those specific benefits, we find, ironically, that they actually do better under the Democratic plan than under the President's plan. The Becks, for example, the senior citizens he cited, get a 43 percent larger benefit under the Democratic plan than they do under the President's plan.

I start with that. I wish the President would have devoted more time to the economy, more time to the concerns that many of us have raised about his proposal, more time to how we are going to address the deficit and how we are going to deal with spurring the economy to bring down that deficit than he did last night. But I stand ready to work with him.

I think it is critical we work together. I am hopeful we can find meaningful bipartisan consensus, and I hope we do it sooner rather than later.

There are reports that some of our colleagues would prefer to wait until April or May before we take up economic stimulus. I think that would be a lost opportunity and a real mistake if, indeed, we want to get this economy back on track at the earliest possible date.

Last night, the President also indicated in his comments that education remained important, but what surprised me about his assertion that it is important is that last night, in a 1-hour speech, education got just one line. The President said we had passed "historic education reform, which now must be carried out in every school and every classroom so that every child in America can read and learn and succeed in life."

Speaking of education reform and other measures passed over the last 2 years, he said:

Some might call this a good record. I call it a good start.

The President is right, it is a good start but only a start. Right now, unfortunately, it appears to be a false start because the President has refused to adequately fund his own education reforms. The Bush administration has proposed the smallest education budget in 7 years despite continued record enrollments in America's public schools, despite new testing requirements and other mandates in new law, despite the worst State budget crises in 50 years—crises that are forcing many States to cut education budgets—despite a looming teacher shortage crisis, despite

growing problems with overcrowded and obsolete school buildings, despite the fact that higher education is slipping farther and farther out of reach for more families, despite the critical importance of education to the social and economic health of America's future—despite all the rhetoric, the Bush administration is proposing an education budget that underfunds his own education reforms by more than \$7 billion.

This, again, begs the question: How in the world, if the President can propose \$1.7 trillion, can he explain underfunding his own education reforms by \$7 billion?

Last night, the President spoke eloquently about the environment. He asked us to pass an initiative he calls "Healthy Forests." Healthy forests is a euphemism for logging without limits to many. It opens more than 20 million acres of national forests to logging and thinning. It allows those projects to avoid environmental laws, public comment, or judicial review. Democrats want a balanced approach to forest management.

The President also talked about a proposal he calls "Clear Skies," another euphemism. Clear Skies is actually weaker than the current Clean Air Act. It delays reductions in air pollution and makes it harder for States to limit pollution.

Again, the President is using all the right rhetoric but clinging to all the wrong policies. When he calls something "Healthy Forests" and it is not, when he calls something "Clear Skies" and it will not, the credibility gap widens.

The President last night also promised a prescription drug benefit under Medicare. What he proposed last night is a prescription drug plan that comes at the expense of Medicare. It is not, as the President said last night, the same as the health care choices that Members of Congress get. Members of Congress get a prescription drug program and benefit regardless of the plan they choose.

Under the President's Medicare privatization plan, seniors can only get drug coverage if they drop out of traditional Medicare and join an HMO. The President omitted this crucial detail last night.

Of all the decisions facing this President, none has more profound consequences than the launching of a war against any country. We all know, in the case of Iraq, that Saddam Hussein is not a man to be trusted. We all know that North Korea has nuclear weapons and is the world's biggest proliferator, and we face three very serious threats. We face the threat that Iraq could acquire and deploy weapons of mass destruction. We face the threat of North Korea, a country that already has nuclear weapons and is threatening to develop more. And we face the threat of additional terrorist attacks, including the horrific prospect of an attack with weapons of mass destruction. We have

to prioritize how we confront these threats, and the President needs to explain why he is approaching each one in the way he is.

My concern is the President has not adequately laid out to the American people or to the international community why our top priority, in light of the other ones, ought to be war with Iraq, and how we can ensure that if we go to a war with Iraq, we will not jeopardize our other priorities, including defending ourselves against terrorist attacks at home.

The President needs to lay out as clearly and as compellingly as he is able what imminent threat Iraq poses for the United States and what we will do as a nation to ensure international cooperation and international support if war becomes an inevitability.

I look forward to hearing more from Secretary Powell next Wednesday, February 5, but if the President has information about what he will share with the United Nations and others on February 5, I ask that he share it with us now. If there is information that has been withheld from Congress, if he has not provided the same information to us that he intends to share with them, I ask that he do so immediately. Certainly, we have every right to know. For us to know now would help us clarify the confusion and the lack of certainty about the threat posed by Iraq which the President addressed last night.

There were also a number of things the President did not mention, which I think needed to be mentioned: Racial reconciliation, hate crimes, diversity in education, equal opportunity. Amazing. There was not one word about these issues, in spite of the fact that a hate crime occurs every 3½ minutes in this country; in spite of the fact that the Supreme Court may be dealing with the issue of diversity in education and equal opportunity in the very near future and the administration has chosen to oppose it; in spite of the fact that we are troubled by our inability to deal with these issues in a meaningful way legislatively in the weeks and months ahead without the direct involvement and leadership on the part of the administration.

The President did not address veterans and health care, and veterans' health in particular. There are 164,000 veterans who may be forced off the rolls because of new criteria involving their eligibility. That, too, could have been addressed and should have been addressed if indeed it was the priority the President maintains.

One million workers were left out of unemployment insurance and the President did not mention that as well. The President did not mention agriculture, did not mention the rural crisis we face, and the tremendous attrition we find in small communities across this country. He did not talk about the issues involving agriculture and the extraordinary challenges farmers and ranchers are facing as we recognize the extraordinary effect that

the drought and other natural disasters have had in recent years.

The President was right when he said this country has many challenges. He was right to say we cannot ignore them and that we should not pass them on to future generations. To prevent that from happening, we need to work together. We need to make sure what is promised is done. Only then will we be able to reduce America's anxiety and truly strengthen our Union.

I yield the floor.

The PRESIDING OFFICER. The assistant minority leader.

Mr. REID. Mr. President, I certainly publicly acknowledge the statement made by our leader. I approve of the statement, as does our Democratic Caucus, and would simply say we look forward to working on a bipartisan basis with the President. There are a lot of things we need to do, but this is a democracy and we have to act accordingly. So I look forward to working with the President on all of these issues about which the Democratic leader spoke.

TITLE IX

Mr. REID. The time is now mine, and I want to talk about something that is real important to me, important to the State of Nevada, and the country. I do not think it would be a stretch to say this administration does not have a good record on protecting civil rights. Republicans say they are for diversity, but they are fighting against policies that promote diversity. Embarrassed and on the defensive following recent events that focused attention on the Republican Party's position on civil rights, the President and other prominent Republicans professed a new willingness to support efforts to expand opportunities for all Americans.

Unfortunately, they have not taken any action to suggest that they have a sincere change of heart. In fact, to the contrary, the President has recently opposed affirmative action policies that open the doors of higher education to a generation of talented and motivated minority students, and he does not oppose affirmative action that gets people in some of our best schools because they are children of alumni, that some students get into because of their athletic ability, and a lot of other issues that were not brought up in the brief the President filed with the Court.

The President has to fully fund education programs, including those targeting minority and low income students. The President has nominated and continues to nominate judicial candidates who have expressed and demonstrated hostilities to civil rights enforcement and has placed opponents of civil rights in positions of power.

Now comes the disturbing news that this administration is on the brink of attacking title IX, programs that have made America better, stronger, and fairer by enabling millions of young

women the same educational opportunities as young men. We cannot—I personally will not—let the administration do that. We cannot let this administration even think about dismantling title IX, taking away opportunities from American women, and undoing the progress we have made over the last 30 years.

Title IX of the education amendments of 1972 was the landmark legislation that prohibits sex discrimination in federally funded educational athletic programs.

In my career, as in the career of the Presiding Officer, I have had the opportunity to meet some very outstanding people. One of the people I met was a woman by the name of Molly Yard. Molly Yard was five foot two, from Pennsylvania, a graduate of Swarthmore, born in China to missionary parents. She came back to the United States when she was age 13. Having participated in athletics in China, when she came back to the United States there were no programs for girls. She always felt less of a person than she could have been for not having the ability to participate in athletics. For this woman, who later in life became the president of the National Organization of Women and was heavily involved in all kinds of activities, the one issue of utmost importance to her was title IX and having young women involved in athletics.

I met Molly Yard. I met her when she was an older woman. She was still very dynamic. Even though, after I met her, she had a stroke and was physically infirm, she was still very enthusiastic about having worked for title IX and young women, girls, participating in athletics.

EVAN BAYH, who is presently the Senator from Indiana, should be proud of his father for many achievements. All of us who know Birch Bayh, a former Senator from the State of Indiana, know what a fine man he is and what a great legislative record he accumulated while in Congress, but EVAN should be most impressed with his father for being the sponsor of title IX. In 1972, it was Birch Bayh who wrote and introduced these amendments that made title IX what it is today.

I will focus my remarks primarily on equal opportunity in athletics, not the whole statute.

As a sports fan, I love athletics. As a young boy, my dream was to be a professional baseball player, but I was not good enough. So I am a Senator instead. As an avid sports fan, I wake up in the morning and the first thing I do is read the sports page. I do it because there is always good news on the sports page. People may not always be happy with the outcome of athletic events, but there is always something good happening on the sports page; somebody won this or won that.

I enjoy very much going out to our university campuses in Nevada. I live in the southern part of the State and go to UNLV most of the time to watch

girls athletics. I love to watch softball. I don't know how many people watch college level or high school level girls softball, but it is so exciting. I hope I don't offend JIM BUNNING, but it is more exciting than baseball. It is quick and fast.

I have had the opportunity to watch some great athletes play softball. Lori Harrigan pitched and won games in two successive Olympics. I recently had a thrilling experience with a young lady named Nicole Truax, an intern from the University of Nevada at Las Vegas, a pitcher on one of their softball teams. I love to talk to Nicole. When she was 12 years old, her father could no longer catch her ball. She threw the ball so hard that her dad could not catch it.

That is what girls athletics is all about. I went to a UNLV girls basketball game recently and I went into the locker room afterwards and talked to them about title IX, about the reason they can participate in athletics, because of a law we passed in Congress.

On the high school level, I recently visited Gorman High School and watched Gorman High School play. The main reason I went was one of my friend's two girls play. They are both athletes, Danielle and Jackie Bates. They run track and play basketball.

I recently visited with and helped present some awards to the Green Valley High School golf team. This golf team set a national record for consecutive victories. On October 1 of last year they broke the record of 128 straight duel match wins by completing another unbeaten season, extending the streak to 133 over 11 years. Girls playing golf; they won the State championship last year by 70 streaks. That is what girls do in athletics.

Before title IX, it was rare to see girls and young women playing sports. Even if they wanted to play and were tall, they could not play in organized competitions because high schools and universities did not have women's teams. When I was in high school, my wife, who I am sure was more athletic than I, could only be a cheerleader. She could not play basketball. Of course, she is only 5 feet tall. There are a lot of 5-foot tall basketball players in women's sports. In those days, a young lady could only become a cheerleader; there were no other athletic competitions for her.

My oldest child is a daughter. Title IX was just coming into being. Programs were very sparse when she was in school and she did not participate in athletics. All my four boys participated. There were programs all over for them.

Thanks to title IX, women today have a much broader range of athletic and educational opportunities at all schools in Nevada and all over America. It has helped to dramatically increase participation in sports among female students. Since the implementation of title IX, there has been an already tenfold participation in high

school sports for girls. Now, there are 3 million girls participating in athletics. At the college level, the number is 150,000 athletes. This shows if you build it, they will come. Girls and young women have a high level of interest in sports and have embraced the opportunity to participate.

This dramatic increase in women participating in athletics has taken place even though women athletes still do not get equal treatment or equal funding that boys and men get. At schools in cities and towns and communities across the country, the boys who play sports are worshipped as heroes and get fancy uniforms, sometimes two or three seats for each player, new training facilities, and the best practice fields and games and an expensive travel budget.

I am sure women, before title IX, would have welcomed a chance to play on any school team, even if it meant wearing an old worn-out uniform, playing at less convenient times. But for girls it is not enough just to play. They deserve equal treatment. That is the law. Despite the inequality and unfairness, girls and young women participate in record numbers.

Remarkably, some critics of title IX trot out old stereotypes, claiming that women are not interested in sports. That is simply not true. The statistics show otherwise. The participation rate of girls in high school athletic programs since 1992 has increased 800 percent. There are five times as many women in college athletics.

We all know young men are actively pursuing opportunities to play sports. They see Michael Jordan and they want to be just like Michael, to jump to new heights. Girls also admire women who are successful in athletics, such as a Mia Hamm or a Julie Foudy, who played on our World Cup championship team, or Sheila Leslie, who plays basketball, or Gail Devers, who can run faster than most men in the world. That is whom they admire. And even though there are the Greg Madduxes and Steve Youngs men admire and respect, there are women athletes whom young women aspire to be like, such as Tasha Schwikert from Las Vegas, still in high school, a gymnast who is ranked No. 1 in the country and fifth in the world. It inspires other young ladies. They see Serena and Venus Williams shining on the court and ask, Why not me?

Last summer, the Secretary of Education announced the appointment of a panel to study title IX. It would have been great if he called for a review of how better to enforce the law, but he did not. Although no one in the administration dares to criticize title IX, and Secretary Paige praised it, they are poised to gut it. American girls and young women must be thinking that with friends like these, who claim to follow the law and like the law but are acting to undermine it, who needs enemies.

This week, the President's Commission on Opportunity in Athletics is

holding its final meeting and will soon make recommendations that threaten the achievements American society has made because of title IX. It would be better entitled the President's Commission to Prevent Opportunity in Athletics.

I am deeply concerned about the stealth attack on women. If the President agrees with recommendations of this Commission—which, by the way, is heavily weighed by very large schools with great big football programs—he can make revolutionary changes. Even though Congress and the courts and the American people and women and men have consistently supported title IX, he could do this, but it would be wrong.

Yesterday, new data released by the Women's Sports Foundation found that the proposed changes being made by the President's Commission could result in a loss of as many as 931,000 opportunities for girls to participate in high school sports each year. Is this bad or wrong? Of course.

What are some of the facts about title IX? What is it and what is it not? No. 1, opponents of title IX claim they are in favor of title IX but not as policies. They certainly do not want to jeopardize men's athletics. No. 2, in reality, nothing in the law or policy requires schools to set aside a certain mandatory number of slots for athletics. In fact, every court that heard this argument has said title IX does not require quotas.

No. 3, then, means title IX is not a quota system. Although one way a school can comply with the law is by ensuring the percentage of male and female students is about equal—the race of men and women in the student body is not the only way you can do it—there are many other ways.

For example, schools can comply with title IX simply by showing it is trying to expand opportunities for female athletes or that it has accommodated interests of female students at the school, whatever the number of opportunities it provides. One proposal apparently being reviewed allows colleges and universities to limit the number of scholarships awarded to female athletes. Regardless of how many women are enrolled, a school would be allowed to limit women to just 43 percent of college scholarships. Why? On average, women comprise 53 percent of the student body's division 1 colleges at the top level of competition, but they are only 41 percent of the athletes.

For most Americans title IX is synonymous with our efforts to provide girls and women an equal opportunity to participate in sports, but title IX addresses a whole range of important programs and issues related to education. In fact, only a small fraction of the title IX complaints received by the Department of Education's Office for Civil Rights are related to athletics. Maybe that is too bad, but it is a fact.

Title IX also has helped to provide women with equal access to higher edu-

cation. Years ago, many universities excluded or severely restricted women from admission to certain programs. Now, however, the percentages of women enrolled in American law schools and medical schools are approximately the same as for men.

Unfortunately, according to reports recently issued both by the National Women's Law Center and the National Coalition for Women and Girls in Education young women continue to be subject to persistent gender segregation and discriminatory counseling in high school vocational and technical education programs at American high schools. They are often steered toward programs like cosmetology, health aide preparation, and child care training all of which lead to lower paying jobs while male students congregate in programs leading to higher paying careers in technology and the trades. This has significant negative implications for women's employment prospects and earning power.

We need to vigorously defend and enforce title IX in all of the areas it covers, so that we can sustain and expand upon the progress we have made. We need not to weaken the programs but to strengthen them.

We need to recognize the importance of title IX in opening educational opportunities for women in math, science, engineering and technology and examine the underrepresentation of female students at both the secondary and post-secondary levels in traditionally male areas of study such as physical science, engineering and technology programs, and the barriers that women continue to face in these programs.

I am concerned that if the President takes steps to deny girls and young women equal opportunity in athletics some will see that as a message that it is also okay to chip away at other laws and programs that protect women and promote fairness.

We need effective title IX enforcement—not weakening—to ensure women have the same opportunities as men to participate in science and technology programs and classes.

While we should be happy with all the progress we have made providing girls and women with opportunities previously denied them, we must continue our efforts to promote gender equality because the job is not complete.

Programs that have proven so effective in helping girls and women are under assault from critics who would like to turn the clock back.

We cannot allow these challenges to succeed—and we will not.

The girls and women playing sports now, their "soccer Moms" and "basketball Dads" will not tolerate a reversal of title IX—and neither will those of us in Congress who advocate equal opportunity for women.

We must continue to encourage participation in sports and provide girls and women the same opportunities

that boys and men have traditionally had. Athletic training and competition have the same benefits for females as for males: teaching them not only how to score goals but also how to set goals—and work hard to achieve them, promoting cooperation and teamwork, developing leadership skills, and instilling self-confidence.

Mr. President, I have had the opportunity to serve in the Senate with two great athletes, two Hall of Fame athletes. One is Bill Bradley, who until recently was a Senator from New Jersey. What a fine man he is. A lot of his greatness was as a result of his athletic abilities.

Senator JIM BUNNING from Kentucky, with whom I have had the pleasure to serve and get to know, is a member of the Baseball Hall of Fame, as Senator Bradley is of the Basketball Hall of Fame. JIM BUNNING is here for a lot of different reasons, however most notably, this man, as he went through his baseball career, developed this tremendous confidence. Anyone who knows JIM BUNNING knows of his tremendous self-confidence. That came as a result of his athletic prowess, ability, and hard work. That is what athletics is all about, and it works for women as it does for men.

At a time when far too many American youth lead sedentary lifestyles and are obese, we must support programs that lead to improved fitness and health. Adolescent female athletes are more likely than non-athletes to develop a positive body image and less likely to become pregnant. They also are at less risk for diseases and health problems that afflict women like osteoporosis or breast cancer.

In addition, sports provide a safe and health alternative to drugs, alcohol, and tobacco, and to anti-social behavior. Students who participate in these programs feel a greater connection to school, have an additional incentive to attend classes and keep their grades up so they can maintain their eligibility.

I am disappointed, if not surprised, that some critics would like to halt this progress. They are making misleading and unfair criticisms of title IX. We are watching what this commission does this week in Washington.

So while we remain vigilant against attacks on title IX, we must also push for its continued implementation and enforcement, and the only changes we will allow will be changes for the better.

Often, we hear that girls and women are the beneficiaries of title IX. I'm sure they are. But I think it is more accurate to say that we all benefit from this important civil rights legislation. Certainly, American society as a whole is better when women—who after all make up more than half of our population—are provided a fair and equal opportunity to develop their full potential.

ORDER OF PROCEDURE

Mr. GREGG. Mr. President, I ask unanimous consent that the time between 1:30 and 2 be under the control of Senator HOLLINGS; the time between 2 and 3 be under the control of the majority leader or his designee; the time from 3 to 3:15 be under the control of Senator HARKIN; the time between 3:15 and 3:30 be under the control of Senator CORZINE; the time between 3:30 and 4 to be under the control of the majority leader or his designee.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. 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. FRIST. 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. FRIST. Mr. President, I understand we have the next 30 minutes on our side in morning business.

The PRESIDING OFFICER. The majority leader is correct.

REFLECTING ON THE PRESIDENT'S STATE OF THE UNION ADDRESS

Mr. FRIST. Mr. President, I rise to very briefly comment on the President's message last night and to initiate my own reflection, which I hope to have the opportunity to continue over the next several days and weeks as we respond to the vision that he painted for us in a very eloquent, very direct, and very focused way last night.

Last night, the President said we will not deny or ignore or pass along today's problems to future leaders and future generations. He said we will confront them head on, we will confront them directly, we will do it with clarity, and we will do it with courage.

He is right. We have much to do. And our success in this body very much depends on our own focus and our own clarity and our own courage.

Let me begin with health care—specifically, this whole issue of Medicare, strengthening and improving Medicare and prescription drugs.

Last night, the President made it clear that if seniors and individuals with disabilities are satisfied, if they like and are pleased with the Medicare coverage they have today—the way the Medicare system works for them today—that they will, in this vision that he paints, have the option of not changing anything, for keeping it just the way it is. Remember, about two out of three of our seniors and individuals with disabilities today do have some prescription drug coverage. Many of those individuals may say: I don't want to change anything.

He also made it clear—and this is what is exciting to me as a physician and as one who has taken care of thou-

sands of Medicare patients—that seniors and individuals with disabilities should have another option, another alternative. That is best understood by saying they will have an opportunity to choose from among a menu of options, much like BILL FRIST does as a Senator or Senator KIT BOND from Missouri does or Senator HAGEL or others.

We hear from the other side of forcing people into HMOs. Let's make it very clear that the option the President began to spell out last night—that I believe in heartily—is that we should give seniors the same options we have to choose from among a variety of plans, not just HMOs, as the other side of the aisle comes back to because they know HMOs are demonized today, but an option of coordinated plans which include prescription drugs.

Nine million Federal employees have this option for a type of care that we all consider very good, that does allow us to choose our own doctors, if you choose such a plan. And those are the sort of options that will be made for seniors. It works for us. It works for 9 million employees. It works for our staffs. So don't seniors deserve the same opportunities?

It is going to take real courage for anyone to tell Americans they should not have the same options that we have, which is the President's proposal: to give those same opportunities to seniors and individuals with disabilities.

Opponents of choice in health care for seniors are saying the President's plan forces individuals to give up their doctors, their family doctors, or forces them to use a particular physician. Indeed, if a senior so chooses to go that route, maybe for larger benefits, higher prescription drug coverage, that may be one route to going in, but that is not what we necessarily have to do. We have that broader choice. To say that people are going to be forced into plans where they have to give up their physicians, that is not what happens to 9 million Federal employees unless that is what they choose to do. I am in the same program, and I choose my own doctor.

What we are hearing is a lot of the same old, tired rhetoric. And it really comes down to scare tactics. When we last talked about Medicare, improving Medicare, in the Senate, this word, "Mediscare," became popularized because that is what people saw, that is what the rhetoric resulted in.

Indeed, some people are using these "Mediscare" tactics to frighten seniors and to create anxiety and insecurity. It is time for us to pull together, in a bipartisan way, to elevate the discussion well above that.

The pursuit of these scare tactics results in nothing but fear and anxiety. Our seniors simply deserve better.

The President talked about the Federal employees' health care program as one model. Under that model, there is a strong public-private partnership where you get the very best out of the

private models combined with the very best oversight and, yes, regulation in terms of the Government model, and you marry the two of those together in a way that you can best—in a coordinated way—take care of prevention, diagnosis, and treatment of seniors and individuals with disabilities.

Many of those plans, as I implied earlier, have an unlimited choice of physicians. In my particular plan, that I chose in the Federal Employees Health Benefits Program, I can go to any physician I would like. So to say it takes away choice is, to me, not being entirely honest with what is being proposed.

To do the right thing for our seniors and individuals with disabilities is going to take a lot of the focus and the clarity that the President spoke about last night in his address. It is going to take a lot of courage in this body to focus on the policy itself—on the policy itself—and not on the politics and the “Mediscare” tactics, to really get down to the substance of the issue itself. Politics and policy each have their time and their place, but when we are talking about the health care for 40 million Americans now and in the future—in essence, all Americans—we really do need to put politics aside. Politics has no place when we are talking about the health of Americans.

My first priority—from medical school, internship, residency, fellowship, and in the practice of medicine—has been to improve access to the best, most affordable health care. As majority leader, in working with the Republican caucus and the Democratic caucus, I want to continue that lifelong commitment to improved access.

It is clear the current Medicare system, the 2003 system, has not kept up with the advances that have been made in preventive health care—in terms of prescription drugs, in terms of chronic care management—because the system has become too rigid.

We are essentially operating with a system designed in 1965, which has been slow to change because the system worked well through the late 1960s, 1970s, and even into the early 1980s. However, we have now gotten to a point where the current Medicare system is limiting choice, where our seniors don't even have a choice of prescription drugs. Prescription drugs has become equally powerful to the operating rooms, where I spent my career using the surgeon's knife.

A survey this month by the AMA tells us that nearly half, 50 percent, of all physicians today are considering either reducing their Medicare patients—the number of patients they will see—or they are leaving the Medicare Program. Why? Because of reduced Medicare reimbursement year after year—a 5-percent reduction last year and another 5 percent this year, they see continued reimbursement below their cost, and they simply cannot stay in business.

The President mentioned medical liability insurance last night. I think it

is important to address it head on because we are reaching a threshold where we are about to see catastrophe. It comes down to frivolous lawsuits. Can we tolerate the lawsuits when the escalation and number of lawsuits, and the money entailed, takes money away from health care and drives people from the practice of medicine to the point that we are having trauma centers close down—most notably in Nevada last year. And 6 weeks ago, we saw the doctors in West Virginia—it hurts me to even think about going on strike in terms of what physicians are doing. When you cannot stay in business, physicians really have no choice. We saw what happened in West Virginia.

The President said frivolous lawsuits have not cured one patient. He is exactly right. I can tell you what will cure patients, and that is changing our medical liability system so doctors can afford to heal, so they can be allowed to heal.

Again, as a doctor, I will fight for the right of any patient to sue and receive fair and just compensation if they have been a legitimate victim of a medical malpractice incident or an error. That is critical and that is right. What is not right, and what I will continue to fight against, is the reduction of access to good health care because doctors and hospitals can no longer afford to continue doing what they do best—diagnose, treat, and heal, provide care—because of these skyrocketing costs that are associated with frivolous, illegitimate lawsuits.

It comes down to the fact that family doctors are having a hard time staying in business and keeping the doors open; trauma units are shutting down; pregnant women in rural America are having a hard time finding an obstetrician because they are having to leave that particular area because of the exorbitant rates they are forced to pay, not because they are bad doctors but because of these skyrocketing lawsuits. It is going to take laser-like focus to fix this, and I agree with the President that we have no option but to fix it now.

The President introduced many positive policies last night. I want to comment on one that means a great deal to me that I think we will be able to address in this body early in the session, and that is the international pandemic of the HIV/AIDS virus. What the President said last night was truly historic, truly unprecedented in the history of the world, addressing head on a problem that has killed 23 million people in the last 20 years—a virus nobody knew anything about in 1981 and that, in the best of all worlds, will kill, for every one person in the last 20, two in the next 20, or almost 45 million people. I cannot begin to say how important this is and how impressed I am that the President is taking bold action, demonstrating bold leadership, by making the United States of America a courier of medical care, of education, and

thereby making the United States of America a courier for international hope, in the sense that it is addressing what is destroying a nation, a continent, and now spreading throughout the world.

I also commend the President for his commitment to the protection of all Americans from this whole threat of bioterrorism. The threat is real and these biological agents are in the hands of our enemy. These agents are deadly. When you talk about anthrax and Ebola, which the President mentioned last night, and you talk about plague, you are talking about agents that are more powerful than nuclear weapons. These weapons of mass destruction—now in the hands of terrorists—are more powerful than nuclear weapons. A biological agent is a tiny microorganism that can be transported in a little vial in your pocket, unlike most nuclear weapons. They are cheap, they are easily transportable, and they are more deadly than nuclear weapons.

My closing point is on this particular facet of weapons of mass destruction. We know our enemies—I speak now of Saddam Hussein and his henchmen—have in their possession quantities that serve no purpose but that of weapons of mass murder. Saddam Hussein, we know, is a serial killer. He has used chemical weapons—they are not biological weapons. There are chemical, biological, and nuclear weapons. Chemical weapons are similar to biological but a little bit different. Saddam Hussein has used chemical weapons and, in 1 day, killed 5,000 of his own people, and 10,000 people in addition to those who were injured, and tens of thousands between 1983 and 1988 were killed by these chemical weapons. We know he has these weapons; we know he harbors terrorists. Why in the world would a rational person believe he would hesitate to help others terrorize the United States or Europe or Asia or Israel, wherever anyone has an agenda of hate?

Some question the wisdom of a preemptive attack against Saddam. It is akin to being against preventive health care, against these deadly microorganisms which are used as weapons of mass destruction, for which there is no cure. We have no cure or vaccine. The Ebola virus kills, and we have no vaccine right now. We have no treatment for the Ebola virus today. It was overlooked, but the President introduced a \$6 billion program last night to best protect us from these biological agents, which we know other countries have developed in the past as offensive weapons of mass destruction.

I look forward to Secretary Powell's presentation at the United Nations next week, as this President continues to use every diplomatic means to force Saddam Hussein to fulfill his responsibilities to the world community. I am proud this Congress voted overwhelmingly to endorse the ability of our President to do whatever is necessary to protect America, including force, if

it is necessary, and we pray that it doesn't come to that.

Our President has shown courage. He has shown clarity. He has shown focus in his efforts to rid the world of terrorists and others who are threats to freedom. I hope all of us in this body show the same courage, clarity, and focus. The health of our Nation depends on it. I yield the floor.

The PRESIDING OFFICER (Mr. SUNUNU). The Senator from Missouri is recognized.

Mr. BOND. Mr. President, I appreciate the thoughtful discussion our majority leader has given on health issues, on combating AIDS, and on the need to prepare vaccines and protection against the biological weapons that terrorists may use. It was a very important part of the President's speech last night, and certainly there is no one more qualified in this body, or elsewhere, than the distinguished majority leader, the Senator from Tennessee, to speak about these matters.

Following on the State of the Union Message, some commentators were saying today they wish the President had spoken more about the economy. He did speak about the economy. He made it clear that his goal is to see that every American who wants a job and needs a job can find one, and he proposed tax relief to make sure that the money is there for small businesses to expand and grow and hire more people.

Money for working families, for child care and health deductions on their tax returns, and putting a thousand dollars in the pocket of every American family is going to make the economy move.

IRAQ

Mr. BOND. Mr. President, the news has been focusing, and much of the discussion in this Chamber has been on, the threat that Iraq poses. I have listened to some of my colleagues today on the question of what to do about Iraq. Over and over, there is this clarion call for more time: more time for inspectors to do their work; more time to enlist more allies; more time for Saddam Hussein to comply.

With all due respect, I ask them: How much is enough? We have already been at this for 12 years, 12 years since the end of the Persian Gulf war. Do we need 12 more years? One more year?

I would like to flip the question on my colleagues and ask: How much time do we have? Every minute we wait, Saddam Hussein's efforts to acquire weapons of mass destruction and to share them continue. Every minute we wait, the surviving al-Qaida terrorists plot their next attack. We fear it may be a weapon of mass destruction, particularly chemical and biological attack.

Sooner or later, either here or somewhere else in the world, we will run out of time. We ran out of time in New York, Pennsylvania, and the Pentagon on September 11. Brave sailors on the USS *Cole* ran out of time. Our two em-

bassies in Africa ran out of time in 1998. Over 200 innocent victims, mostly Australians, ran out of time in a Bali, Indonesia, nightclub.

How many more attacks must we absorb before we realize that time is not on our side? Where will the next attack be? Will it be against a soft target? Certainly the soft targets are the ones the terrorists say they want to attack. Will it be St. Louis, Kansas City, San Francisco, New York, or someplace in New Hampshire or someplace in South Carolina?

What will it be the next time? More airplanes flown into buildings? Probably not. Truck bombs against sports stadiums? Suicide bombers in crowds? More likely a toxin released in a subway or a skyscraper or at a large public event.

Right now there are people who are sworn enemies of this Nation plotting the next attack. We know their intentions and, unfortunately, we know their capabilities. What we do not know is their next method of attack, although they have a track record of intentional unpredictability.

Will they get their next weapon from Iraq? After 12 years of cat and mouse or rope-a-dope—whatever one wants to call it—we want to call Saddam Hussein's strategy of delay and deception unacceptable.

We cannot wait much longer. We already know too well the true nature of the Saddam Hussein regime in Iraq. He has failed to live up to his obligations under the 1991 cease-fire after the gulf war. Still, some friends on the other side of the aisle plead for more time. I cannot understand why anyone would plead for more time for Saddam Hussein, a man who has been in clear breach of U.N. obligations since 1992.

Specifically, Iraq has been in material breach of U.N. Resolution 687 which was passed in the spring of 1991. That resolution called upon Iraq to "unconditionally accept" the destruction, removal or rendering harmless "under international supervision" of all "chemical and biological weapons and all stocks of agents and all related subsystems and components of all research, development, support and manufacturing facilities."

Some may be unable to understand that Iraq has been in material breach of the U.N. obligation since 1991. Sadly, this is nothing new. This latest round under U.N. Resolution 1441 was Saddam's last chance to get back into compliance.

Dr. Hans Blix reported to the U.N. Security Council on Monday that in large part, Saddam Hussein has failed to get back into compliance. Even the Washington Post editorialized that it is an "indisputable truth" that "Iraq is in material breach" of 1441. If Iraq is not complying, then it must be lying.

Iraq has not only failed to disarm, it has worked to obstruct and evade international supervision. There are reports Saddam Hussein has tried to infiltrate the U.N. teams; that Iraq has

threatened its scientists with death if they cooperate with U.N. inspectors; that Iraqi security agents have posed as scientists to thwart the inspectors' work. Clearly, Iraq is in violation of 1441 for having failed to comprehensively account for missing weapons of mass destruction.

Secretary Colin Powell had it right when he said it makes no sense for the inspectors to stumble around in the dark looking for evidence of non-compliance. It is instead Saddam Hussein's legal obligation to turn the lights on and turn over the goods.

In addition, Saddam Hussein continues to violate U.N. resolutions by firing at coalition aircraft. He refused U.N. inspectors' request for aerial surveillance, and yet some still plead for more time.

We have drawn so many lines in the sand that we are running out of desert, we are running out of sand in which to draw lines.

The American people will not forgive us if another attack comes when we dither with procedures and process in the corridors of the United Nations. What do we say to the victims then? What words of comfort could we possibly give to widows or children who have lost their parents? Can we say: I am sorry, but we had to enlist the support of the French before we could act? What solace would that provide a family mourning a loved one lost forever?

What about our military troops ordered into harm's way? Every moment of delay allows Saddam Hussein to ready himself for battle, and the more ready he is will quickly translate into higher casualties among U.S. and allied forces.

Time, regrettably, is not on our side. We know what we have to know to act. Indeed, I believe we would be failing our sworn obligation to defend this Nation if we fail to act in light of all we know about the threats we face in Iraq.

For all of my colleagues who are still asking for more time, I plead with them to read the key findings about Iraqi weapons of mass destruction efforts taken directly from the CIA's unclassified Web site. It was reported there last fall.

We know from U.S. and British intelligence reports that have been made public that since 1991, Iraq has repeatedly been caught redhanded lying about the extent of its missile and weapons of mass destruction programs.

With the defection of Saddam's son-in-law, Hussein al-Kamel, in 1991, as head of the Iraq WMD program, he revealed the extent of the continued illegal operations in the face of sanctions and prohibitions. Baghdad illegally retained proscribed al-Hussein missiles and launchers. It constructed a new test engine for the development of missiles capable of threatening much of the region. And it pursued illegal programs to procure materials for illegal development of longer-range missiles. We know that if Iraq acquires sufficient weapons grade material, it could

make a nuclear weapon within a year and, as the President said last night, from the British Government we know that Baghdad has sought significant quantities of uranium from Africa, despite having no active civil program that could require it.

Iraq has recalled specialists to work on its nuclear programs. All key aspects of Iraq's biological warfare program are still active, and most elements are larger and more advanced than before the gulf war. Iraq has begun renewed production of chemical warfare. Iraq has mobile laboratories for military use, corroborating reports about the mobile production of biological weapons. Dr. Blix has corroborated much of U.S. and British intelligence citing unresolved disarmament issues and complaining Iraq's cooperation is not active and should not be a game of catch-as-catch-can.

Mr. President, clearly, Iraq is in material breach of its international obligations, and that should serve as a sufficient trigger for forced disarmament by the international community led by the U.S. and its willing allies at the appropriate time.

After 12 years of consistent evasion, I cannot foresee any circumstance in which the Iraqi regime would now change its stripes. Deception is a reflex of Saddam Hussein's government, and it will persist until the regime is gone.

Iraq has had 12 years worth of opportunity to avoid war. And at every turn, it has chosen a course of action that is delivering us again toward hostilities.

I believe that at this point, the only way truly to disarm Iraq is by force.

If France does not want to go along, obviously, that is no excuse for inaction. Multilateralism should not stall us. We took oaths as Members of this body to defend this Nation against all enemies, foreign and domestic, not on the condition that the United Nations and France agree.

President Bush is well within his duty and obligation to defend this Nation by the use of force against Iraq at any time now. The Risks before this Nation and the world demand that he be ready and willing to use military force, with or without universal international support.

This is a moment of truth for our longtime allies of France and Germany. By their action or inaction, will they strengthen or weaken the international laws that protect all our nations and citizens?

Obviously, it is better to have international support than to not have it. But as Colin Powell said, multilateralism should never be an excuse for inaction.

When I took the oath as a U.S. Senator, I did not swear to defend this Nation against all enemies foreign and domestic—only if the United Nations voted its approval.

I note the remarks of the senior Senator from Delaware yesterday who lamented that never in his career had he heard such disapproval from so many of our allies.

I too am saddened by this situation. I genuinely wish it were not so.

But I disagree with my colleague in assuming that the root cause of our disagreement lies in a faulty U.S. position.

Why is it that so many of my colleagues prefer the judgment of our European allies to that of our own best experts and analysts?

I think there is very little in the historical track record of many of our old European allies that inspires confidence in their ability to identify and deal with threats.

In particular, I find little in France's history to envy with regard to identifying and standing up to threats.

Frankly, I would be worried about our course of action if the French were on board in full. They have a great interest in oil. Thirty percent of the oil out of Iraq goes to a French oil company. That is not grounds to trust them.

It reminds me of when one of my hometown newspapers, the St. Louis Post-Dispatch, editorialized in favor of something I had done. I immediately told my staff that I must have taken an incorrect position on the issue.

I have often found during my career that the right thing is often in direct opposition to the professional stone-throwers and nay-sayers.

But in all seriousness, in contrast to many of my colleagues on the other side of the aisle, I believe the root cause of the disagreement between some of our old European allies and the United States lies within more within the realm of political and naked economic interests than with matters of national security.

The irony of the current situation is that American unilateralism may be the last best hope of old Europe, the Middle East and the United Nations—as it has been so many times over the last few decades.

Our President is on the right course. It is not the easy path. But it is the right one. And he deserves the support of this body and the American people.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from South Carolina is recognized.

THE DEFICIT

Mr. HOLLINGS. Mr. President, last evening, the distinguished President said we were not going to pass on our problems to the next generation. There has to be a time of sobriety. We have to get off of this deficit binge and get to reality. The best way I know to really bring it to the attention of my colleagues is to go right back to President Bush coming into office. Everyone agrees and says, oh, the Clinton era started the recession, and so it did. But in February of 2001, right after the President had taken office, at the end of that month he acted like instead of a recession it was an economic boom. He talked of \$5.6 trillion in surplus, and

he outlined a budget of some \$2.6 trillion for Social Security. He was going to protect Social Security. He had another \$2 trillion for tax cuts, domestic and defense spending, and in the year before last, he went on to say we should prepare for the unexpected. His budget set aside \$1 trillion over 10 years for additional needs. That is one trillion additional reasons everyone can feel comfortable supporting the budget.

I ask unanimous consent that a pertinent portion of the President's address be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

My budget has funded a responsible increase in our ongoing operations. It has funded our nation's important priorities. It has protected Social Security and Medicare. And our surpluses are big enough that there is still money left over.

Many of you have talked about the need to pay down our national debt. I listened, and I agree. (Applause.) We owe it to our children and grandchildren to act now, and I hope you will join me to pay down \$2 trillion in debt during the next 10 years. (Applause.) At the end of those 10 years, we will have paid down all the debt that is available to retire. (Applause.) That is more debt, repaid more quickly than has ever been repaid by any nation at any time in history. (Applause.)

We should also prepare for the unexpected, for the uncertainties of the future. We should approach our Nation's budget as any prudent family would, with a contingency fund for emergencies or additional spending needs. For example, after a strategic review, we may need to increase defense spending. We may need to increase spending for our farmers or additional money to reform Medicare. And so, my budget sets aside almost a trillion dollars over 10 years for additional needs. That is one trillion reasons you can feel comfortable supporting this budget. (Applause.)

Mr. HOLLINGS. On September 6, 2001—I will never forget it—Mitch Daniels, the director of the Office of Management and Budget, said we were going to have a surplus at that time because we had passed the tax cut and we had actually passed the stimulus.

This is the Senator who forced the vote to have the stimulus in March of that year, because we were thinking of a \$100 billion stimulus, 1 percent of the GDP. What happened instead? They cut it back. They did not give it to the wage earners, to the payroll taxpayers, but they gave it to all the rich and they cut it back some 40-some-billion dollars and it did not work. It was passed in June, along with the tax cut.

By September 6, just before September 11, Mitch Daniels came in and he projected at that particular time a surplus of \$158 billion. Three weeks later we ended up with a deficit of \$143 billion, a swing of some \$300 billion.

They go into the litany now of the recession, which they never wanted to recognize except in debate, and corruption and, of course, the war. They never want to pay for the war. The President says when we have war, we are going to run deficits.

Getting right to the point, I asked the Congressional Budget Office to estimate the cost of September 11th at

that particular fiscal year 2001 and they said \$34 billion, not the \$300 billion swing from a \$158 billion surplus to a \$143 billion deficit.

The President had set up his contingency of \$1 trillion and talked about his tax cuts in the same breath. So we had voodoo II. I will never forget under President Reagan, Vice President Bush, the President's father, had called that voodoo.

I went to a budget meeting last evening with the new Budget Committee, and I heard our distinguished chairman, the Senator from Oklahoma, mention growth, growth. So they got into the buzz word "growth." Let me say what it grows. It grows deficits. It grows debt. In 200 years of history, the cost of all the wars from the Revolution right on up to World War I, World War II, Korea, and Vietnam, we never reached a trillion dollar debt. With only the cost of the gulf war, with the Saudis paying for most of it, we hardly paid the cost of the war. Yet with this growth that we are going to hear about, we are talking about \$6.3 trillion in deficits. We grew into horrendous debt and horrendous interest

costs as a result of voodoo, and now we have voodoo II.

Mr. President, I ask unanimous consent to have this chart printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TAXES TO PAY FOR WAR

War	Individual increases	Corporate increases
Civil War	0-10%	Dividends.
World War I	13-77%	1-12%.
World War II	79-94%	20-40%.
Korean War	82-91%	38-52%.
Vietnam	70-77%	48-52.5%.
Afghan, Iraq and Terrorism Wars ...	Tax cut	Tax cut.

Mr. HOLLINGS. Early last year, the President said the deficit was going to be small and short-lived. Those were his exact words. I ask unanimous consent to have those remarks printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Once we have funded our national security and our homeland security, the final great priority of my budget is economic security

for the American people. (Applause.) To achieve these great national objectives—to win the war, protect the homeland, and revitalize our economy—our budget will run a deficit that will be small and short-term, so long as Congress restrains spending and acts in a fiscally responsible manner. (Applause.) We have clear priorities and we must act at home with the same purpose and resolve we have shown overseas: We'll prevail in the war, and we will defeat this recession. (Applause.)

Americans who have lost their jobs need our help and I support extending unemployment benefits and direct assistance for health care coverage. (Applause.) Yet, American workers want more than unemployment checks—they want a steady paycheck. (Applause.) When America works, America prospers, so my economic security plan can be summed up in one work: jobs. (Applause.)

Mr. HOLLINGS. We have been going up, up and away. These are small and short-lived. They can understand the chart better upside down, but here is the actual fact. I ask unanimous consent that a copy of this particular chart be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

HOLLINGS' BUDGET REALITIES

Pres. and year	U.S. Budget (outlays) (in billions)	Borrowed trust funds (billions)	Unified deficit with trust funds (in billions)	Actual deficit without trust funds (in billions)	National debt (billions)	Annual increases in spending for interest (billions)
Truman:						
1947	34.5	-9.9	4.0	+13.9	257.1	
1948	29.8	6.7	11.8	+5.1	252.0	
1949	38.8	1.2	0.6	-0.6	252.6	
1950	42.6	1.2	-3.1	-4.3	256.9	
1951	45.5	4.5	6.1	+1.6	255.3	
1952	67.7	2.3	-1.5	-3.8	259.1	
Eisenhower:						
1953	76.1	0.4	-6.5	-6.9	266.0	
1954	70.9	3.6	-1.2	-4.8	270.8	
1955	68.4	0.6	-3.0	-3.6	274.4	
1956	70.6	2.2	3.9	+1.7	272.7	
1957	76.6	3.0	3.4	+0.4	272.3	
1958	82.4	4.6	-2.8	-7.4	279.7	
1959	92.1	-5.0	-12.8	-7.8	287.5	
1960	92.2	3.3	0.3	-3.0	290.5	
Kennedy:						
1961	97.7	-1.2	-3.3	-2.1	292.6	
1962	106.8	3.2	-7.1	-10.3	302.9	9.1
Johnson:						
1963	111.3	2.6	-4.8	-7.4	310.3	9.9
1964	118.5	-1.1	-5.9	-5.8	316.1	10.7
1965	118.2	4.8	-1.4	-6.2	322.3	11.3
1966	134.5	2.5	-3.7	-6.2	328.5	12.0
1967	157.5	3.3	-8.6	-11.9	340.4	13.4
1968	178.1	3.1	-25.2	-28.3	368.7	14.6
Nixon:						
1969	183.6	0.3	3.2	+2.9	365.8	16.6
1970	195.6	12.3	-2.8	-15.1	380.9	19.3
1971	210.2	4.3	-23.0	-27.3	408.2	21.0
1972	230.7	4.3	-23.4	-27.7	435.9	21.8
1973	245.7	15.5	-14.9	-30.4	466.3	24.2
1974	269.4	11.5	-6.1	-17.6	483.9	29.3
Ford:						
1975	332.3	4.8	-53.2	-58.0	541.9	32.7
1976	371.8	13.4	-73.7	-87.1	629.0	37.1
Carter:						
1977	409.2	23.7	-53.7	-77.4	706.4	41.9
1978	458.7	11.0	-59.2	-70.2	776.6	48.7
1979	504.0	12.2	-40.7	-52.9	829.5	59.9
1980	590.9	5.8	-73.8	-79.6	909.1	74.8
Reagan:						
1981	678.2	6.7	-79.0	-85.7	994.8	95.5
1982	745.8	14.5	-128.0	-142.5	1,137.3	117.2
1983	808.4	26.6	-207.8	-234.4	1,371.7	128.7
1984	851.9	7.6	-185.4	-193.0	1,564.7	153.9
1985	946.4	40.5	-212.3	-252.8	1,817.5	178.9
1986	990.5	81.9	-221.2	-303.1	2,120.6	190.3
1987	1,004.1	75.7	-149.8	-225.5	2,346.1	195.3
1988	1,064.5	100.0	-155.2	-255.2	2,601.3	214.1
Bush:						
1989	1,143.7	114.2	-152.5	-266.7	2,868.3	240.9
1990	1,253.2	117.4	-221.2	-338.6	3,206.6	264.7
1991	1,324.4	122.5	-269.4	-391.9	3,598.5	285.5
1992	1,381.7	113.2	-290.4	-403.6	4,002.1	292.3
Clinton:						
1993	1,409.5	94.2	-255.1	-349.3	4,351.4	292.5
1994	1,461.9	89.0	-203.3	-292.3	4,643.7	296.3
1995	1,515.8	113.3	-164.0	-277.3	4,921.0	323.4
1996	1,560.6	153.4	-107.5	-260.9	5,181.9	344.0
1997	1,601.3	165.8	-22.0	-187.8	5,369.7	355.8
1998	1,652.6	178.2	69.2	-109.0	5,478.7	363.8
1999	1,703.0	251.8	124.4	-127.4	5,606.1	353.5

HOLLINGS' BUDGET REALITIES—Continued

Pres. and year	U.S. Budget (outlays) (in billions)	Borrowed trust funds (billions)	Unified deficit with trust funds (in billions)	Actual deficit without trust funds (in billions)	National debt (billions)	Annual increases in spending for interest (billions)
2000	1,789.0	258.9	236.2	-22.7	5,628.8	362.0
Bush:						
2001	1,863.9	270.5	127.1	-143.4	5,772.2	359.5
2002	2,011.8	270.1	-158.5	-428.6	6,200.8	332.5

Note.—Historical Tables, Budget of the US Government FY 1998; Beginning in 1962, CBO's The Budget and Economic Outlook: Fiscal Years 2003–2012, January 23, 2002.

Mr. HOLLINGS. Mr. President, we have run down all of these so-called deficits and interest costs from President Truman on through President Bush. You can find that the deficits now of Presidents Truman, Eisenhower, Kennedy, Johnson, Nixon, Ford, for 6 presidents and almost—in almost 30 years, the cost of World War II, the cost of Korea, and the cost of Vietnam, cumulative, add them all up, those deficits are \$358 billion. Guess what we added up—we ended up with this past September? The end of the fiscal year, September 30, little less than 4 months ago, we ended up with a deficit of \$426 billion. They had estimated at that particular time it was going to be \$173 billion. That was a swing of some \$283 billion.

So when they say they are not going to pass on the costs, and let's not get bogged down in all of these figures around here, we are telling the American GI we are going to war and we hope you do not get killed. But if you are lucky enough not to get killed, come on home because we are going to give you the bill for the war. Have my colleagues ever heard of such a thing?

I want to remind everybody of last year, we tried our best to be fiscally responsible, and I commend our leader for withholding the budget. They said we could not pass one. Why didn't we pass one? Because we passed out the budget resolution, but if we had called up that budget, they would have put on tax cuts. The distinguished Chair knows it because he was a member of the Budget Committee over on the House side—we would have put on reconciliation and they, with the majority vote, could have passed those tax cuts. That is what we were holding up for. We did not want tax cuts on last year and that is why we held up the budget. Listen to what the former Director of the budget, Mr. David Stockman, said when he saw the disaster, the so-called growth, how are we going to grow out of it; all you do is just cut all your revenues.

Call up one of the Governors now with deficits—and they are trying to make it up—and say: Cut the taxes. They would be run out of the State capital. I cannot understand it. I cannot run at home unless I promise to pay the bill; I cannot run for the Senate unless I promise not to pay the bill. It is the darndest nonsense I have ever engaged in. We were trying to cancel the tax cuts. But what did David Stockman say about the Reagan tax cuts?

On page 342 in "The Triumph of Politics":

The President had no choice but to repeal or substantially dilute the tax cut. That would have gone far toward restoring the stability of the strongest capitalist economy in the world. Ronald Reagan chose to be not a leader but a politician. His obstinacy was destined to keep America's economy hostage to the errors of his advisers for a long, long time.

Voodoo 1, long, long time. We had to get President Clinton in to raise taxes, get the best 8 years of an economy, and now we are going to have not only Voodoo 2 in 2001, but now for 2003 we are going to pass, for next year, another tax cut. It is a foregone conclusion, now that the Republicans have a majority of the Senate as well as a majority of the House.

I commend everyone to read "The Triumph of Politics" and see what the Director of the Budget thought about that particular tax cut.

I ask unanimous consent to have printed in the RECORD the article in this morning's Washington Post: 2004 Budget Likely to Show Record Deficits; OMB Chief Projects Annual Shortfalls of More Than \$300 Billion for 2003–2004.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

2004 BUDGET LIKELY TO SHOW RECORD DEFICITS

OMB CHIEF PROJECTS ANNUAL SHORTFALLS OF MORE THAN \$300 BILLION FOR 2003, 2004

(By Jonathan Weisman and Mike Allen)

The White House is likely to project record budget deficits next week when President Bush releases a 2004 budget that will include large tax cuts as well as big boosts in spending on homeland defense, Medicare and the military.

In a series of telephone interviews yesterday, White House Office of Management and Budget Director Mitchell E. Daniels, Jr. said the deficits for 2003 and 2004 would approach 3 percent of the economy, or more than \$300 billion a year. That would surpass the 1992 record deficit of \$290 billion, even before the cost of a possible war with Iraq is factored in. It would also be nearly triple the \$109 billion deficit for 2003 that was forecast by the White House six months ago.

"We're about to disappear into the deepest of red ink," said Sen. John D. Rockefeller IV (D-W.VA.).

Still, expressed as a percentage of the gross domestic product, Daniels said, a \$300 billion deficit is manageable and could be reversed easily if Congress and the president make it a priority. "If what the nation should care about most is getting back to balance, it's no great trick to do it," Daniels said. "We can do it in a year or two. All we'd have to do is limit spending growth to inflation and undertake no new initiatives."

That contention was echoed by Treasury secretary nominee John W. Snow at his confirmation hearing yesterday, when he said:

"There is some level of deficits that is troublesome, that begins to tilt the financial markets. We're not there yet. We're a long way from there."

Nevertheless, the numbers appeared to put to rest any prospect of a return to surpluses this decade. Two years ago, the White House and the Congressional Budget Office forecast a surplus of \$5.6 trillion this decade. In July, the OMB projected a deficit of \$109 billion in 2003, declining to \$48 billion in 2004 before surpluses return. Now, Daniels said he expects the 2004 deficit to be close to his 2003 estimate.

Daniels said the White House will no longer issue 10-year budget projections. "Those numbers would be, in my view, worse than a wasted effort," he said.

The CBO in August projected deficits of \$145 billion in 2003 and \$111 billion in 2004. The CBO will update those projections today with a relatively optimistic 2003 deficit of between \$165 billion and \$175 billion, according to Senate Republican aides. The CBO will likely project a 2004 deficit of about \$130 billion.

But unlike the White House projections, those figures do not include a new round of tax cuts or the increases in spending for defense, homeland security and Medicare that Bush will be seeking in his new budget.

Daniels said the 2004 budget would propose more than \$40 billion more for homeland security, between a 7 percent and 8 percent increase over last year. Military spending would jump between 4 percent and 5 percent under the plan. Spending on the rest of the government would rise between 3 percent and 4 percent, Daniels said.

A senior administration official said Bush will also seek about \$400 billion over 10 years to overhaul Medicare and add a prescription drug benefit for some seniors.

(Mrs. DOLE assumed the Chair.)

Mr. HOLLINGS. What we are headed for is deficits of \$500 billion—if you have got just \$426 billion and you are already \$167 billion. Let me include the debt to the penny. I want everyone to understand. Do not give me all of this off budget, on budget, unified budget. Just find out how much you spend and how much you pay, and we can find out the shortfall or the deficit.

We are already in a shortfall this year, a little less than 4 months, the public debt to the penny as of the 27th, the most recent. I looked for one this morning, \$167 billion. I ask unanimous consent to have this printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE DEBT TO THE PENNY

	Amount
Current: 1/27/2003	\$6,395,237,394,489.82
Current Month:	
1–24–2003	6,392,119,196,353.47
1–23–2003	6,389,561,622,961.91
1–22–2003	6,389,894,461,722.18

THE DEBT TO THE PENNY—Continued

	Amount
1-21-2003	6,387,841,175,651.97
1-17-2003	6,388,587,973,011.41
1-16-2003	6,384,824,540,523.90
1-15-2003	6,386,957,326,682.31
1-14-2003	6,383,462,572,294.58
1-13-2003	6,380,582,269,971.85
1-10-2003	6,382,620,048,983.48
1-9-2003	6,381,926,712,367.35
1-8-2003	6,383,281,068,493.19
1-7-2003	6,387,381,983,103.35
1-6-2003	6,383,514,236,076.15
1-3-2003	6,382,650,489,675.40
1-2-2003	6,389,356,141,156.55
Prior Months:	
12-31-2002	6,405,707,456,847.53
11-29-2002	6,343,460,146,781.79
10-31-2002	6,282,527,974,378.50
Prior Fiscal Years:	
9-30-2002	6,228,235,965,597.16
9-28-2001	5,807,463,412,200.06
9-29-2000	5,674,178,209,886.86
9-30-1999	5,656,270,901,615.43
9-30-1998	5,526,193,008,897.62
9-30-1997	5,413,146,011,397.34
9-30-1996	5,224,810,939,135.73
9-29-1995	4,973,982,900,709.39
9-30-1994	4,692,749,910,013.32
9-30-1993	4,411,488,883,139.38
9-30-1992	4,064,620,655,521.66
9-30-1991	3,665,303,351,697.03
9-28-1990	3,233,313,451,777.25
9-29-1989	2,857,430,960,187.32
9-30-1988	2,602,337,712,041.16
9-30-1987	2,350,276,890,953.00

Source: Bureau of the Public Debt.

Mr. HOLLINGS. There you are. We are in a heck of a fix and somewhat similar, if you please, to the situation we had with President Clinton.

I will never forget because I was active member and a former chairman of the Budget Committee. We had a \$403.6 billion deficit in 1992. That is the big reason our distinguished President lost reelection and lost to that little Governor down there in Arkansas. The President was running \$403.6 billion deficits. And they said: Yes, you did wonderfully well in the gulf war. But heavens above, you have to get someone to get ahold of it.

We brought the Governor up who balanced budgets. And what did the Governor do? Right after his nomination, in Little Rock, he invited a group of the best financial minds down to Little Rock, sat them all down, including Alan Greenspan, the head of the Federal Reserve, and said: I have won now, but what is for the good of the country, what are we going to do?

Greenspan told him: Mr. President, you not only are going to have to cut spending, you are going to have to increase taxes.

President Clinton went around the room and asked: Do you all agree with that, we have to increase taxes? They said, to a man: That is what we need to do. We need to cut down these deficits, cut down this debt, and keep up the long-term interest rates because we are not investing in the stock market with these horrendous interest costs, almost \$1 billion a day—and it is still almost \$1 billion a day.

The first thing the Government does at 8 o'clock in the morning is go down to the bank and borrow \$1 billion and add it to the debt—every Saturday morning, every Sunday morning, and every Christmas morning. We have got the debt going up, up, and away. But the President says: Don't worry about debt. It is a time of war.

I cannot agree with him on that. What happens, in time of war, is we believe in sacrifice, not just for those who are facing battle. I went back to the Civil War. I remember they chastised my friend Senator LOTT, and they all hail the party of Lincoln. I have heard that now, that chat on the weekend shows—the party of Lincoln. Where is Abraham when we need him now? President Lincoln taxed dividends to pay for the war. Go back and look at the record. He taxed dividends.

President Bush, instead of inviting Alan Greenspan, invited Charles Schwab. He said: Eliminate the tax on dividends. And we call it a stimulus. Come on, who is kidding whom around here? When are we going to sober up and understand the American people? If you are in the war, we want to sacrifice and we want to at least pay for the war.

In World War I, we went up to 77 percent of personal income tax for the highest tax bracket; World War II, up to 94 percent; the Korean war, 91 percent; Vietnam, 77 percent. We are at 38.6 percent right now.

Instead, in the Afghan, Iraq, and terrorism wars we say: Let's cut taxes. We are not going to pay for it.

When we are running a \$6.3 trillion debt and, according to the morning paper—you can interpret what Mitch Daniels says—we will be running a \$500 billion deficit this year, who wants to bet? Tell them HOLLINGS is here. September 30 will come around, and we will add it up, and I will bet your boots if we get all these things for homeland security, for AIDS, for health care, prescription drugs, and everything else of that kind, and put in this tax cut, we will have a \$500 billion deficit. And they say: Don't worry about it.

Worse, they try to sell the dividend tax cut. It is wrong. You tax the income of the corporation, and you tax the individual when he gets his dividends.

I remember my distinguished friend from Texas, Phil Gramm. He stood over there when we were increasing taxes under President Clinton in 1993 and could not get a single Republican vote. And Senator Gramm looked at me and said: You are increasing taxes on Social Security; they will be hunting you Democrats down like dogs in the street.

You ought to look at the record. Now we pay taxes in order to get the Social Security trust fund, and then when I receive the Social Security benefit, I pay taxes—double tax on Social Security. Nobody mentions the Social Security tax. They all mention dividends and all the other things for the rich. And they are trying to say the economy is recovering when the economy is declining. You can't go along with this kind of tax cut here. We tried our best to stop it, and we will do our best here when we show that you have taxed like this before.

I have introduced a value-added tax of 1 percent. I would like to have 2 per-

cent, but I didn't want to argue about the amount. I want to start a value-added tax to pay for the war. It takes the IRS one year to really administer and set it into collection. During that year's time, it could have no effect whatsoever on the economy. They say by the next year we will have recovered. That is what they are telling us. So they can't give me that argument that the value added tax will weaken economy this year if it is passed.

But I have a 1-percent VAT for the payment for the war—not for increased spending, not for tax cuts or anything else, but a tax to pay for the war.

They say their economic initiative is going to be stimulative. Let me get right to the point. You are not going to stimulate anything with the Democratic or the Republican initiative. President Bush wants a \$674 billion tax cut, plus the interest costs of \$300 billion, plus extending and making permanent the tax cut they passed in 2001. All of this adds up to \$4 trillion. I am looking at it the way my market friends look at it. They say: Heavens above, this fellow is going to take \$5 trillion out of the economy in the next several years; I am not going to invest. And we are going to war, and we are not paying for the war. We are looking at \$500 billion deficits, or more.

I don't know any better way to stultify this economy and make sure it doesn't recover. I never heard of such things. This is the worst I have ever seen.

Why do I say it is not going to be a stimulus? If you just run \$426 billion, that is \$35 billion a month. That is the deficit for just last year. And then October, November, December, January—you are already up to \$167 billion in deficits. That is \$40 billion a month. We are spending \$40 billion a month, and the President's stimulus plan of \$110 billion is, let's say, \$10 billion a month. The Democrats', Senator DASCHLE's stimulus plan, is \$143 billion, or \$12 billion a month. I don't think \$10 billion or \$12 billion a month more is going to stimulate this economy. You know that, and I know that. But it is buying the vote and making the mistakes—the Democrats are—even calling either one a stimulus.

There is not going to be any stimulus. It is just throwing away fiscal responsibility, running up the debt, and running up the interest costs. I have many quotes right here with respect to where we are as a result of it.

Let me show just exactly where we are now. For a stimulus, we are going to have one, whether we like it or not. If you listen to the President and you listen to us Democrats, we will agree with him on homeland security, we will agree with him on defense, we will agree with him on health care. It is just a matter of whatever it is. If you pay for defense, \$20 billion; if you pay for health care, another \$40 billion; if you pay for the first responders, if you pay for port security, if you pay for rail security, if you pay for homeland

security, you add another \$20 billion or \$30 billion. If we pay the States money—and we should—that is another \$20 billion or \$30 billion.

That is another \$120 or \$130 billion stimulus we are going to be putting into the pipeline. We are going to be putting that out this year as a stimulus without a tax cut. With the Democrats or the Republicans, we are still going to be paying out \$40 billion or \$50 billion a month that we cannot account for—we cannot pay for.

That is stimulus enough. That would send a message, we are not going to run \$500 billion deficits, because for that amount we could pay for the blooming homeland security and the war and prescription drugs and AIDS in Africa and all of those things we heard about last night. Fine business. Let's go to it. But let's not fool the American people and say this is going to stimulate or kick-start things. Every-

body has the buzz words that pollsters and consultants give them: Kick-start, and growth, and stimulate. They just throw out the words, and we have thrown the economy into a decline.

Let me show just how bad off we are. It came to my attention that the Maastricht Treaty says: In order to be a member of the European Union, the budget deficits have to be held to 3 percent of the GDP, and the gross federal debt to GDP ratio has to be held to 60 percent, in order to assure avoidance of excessive borrowing of members. That is exactly the point. They can see what fiscal responsibility is. They are not going to invest.

You have that fellow who runs around saying deficits don't matter because the Europeans will come over here and supplant the market and they will buy. No, no, they are not going to buy. When the Europeans see this, that you have 3 percent of the GDP and you

have to reduce the gross federal debt to the GDP ratio to 60 percent—we have computed it here. Turn to page 17. We can't put the entire record in here. This is the Budget and Economic Outlook for Fiscal Year 2004 to 2013, just issued this morning by the Congressional Budget Office. You will find on page 17 that the debt, the gross Federal debt, is \$6,620 trillion for 2003. And the gross domestic product is \$10,756 trillion. So the debt as a percent of the GDP is 61.5 percent, and that exceeds the 60 percent requirement.

We can't even join. These smart rascals around here are criticizing the Europeans. We can't even get into the European Union, fiscally, as this article says.

I ask unanimous consent to have this article printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TABLE 1-4.—CBO'S PROJECTIONS OF FEDERAL DEBT UNDER ITS ADJUSTED BASELINE
(In billions of dollars)

	Actual 2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Debt held by the public at the beginning of the year	3,320	3,540	3,766	3,927	4,013	4,045	4,034	3,983	3,894	3,766	3,501	3,062
Changes to debt held by the public:												
Surplus (-) or deficit	158	199	145	73	16	-26	-65	-103	-140	-277	-451	-508
Other means of financing	63	27	16	13	16	15	14	14	13	12	12	11
Total	220	226	161	86	32	-11	-51	-90	-127	-265	-440	-497
Debt held by the public at the end of the year	3,540	3,766	3,927	4,013	4,045	4,034	3,983	3,894	3,766	3,501	3,062	2,565
Debt held by government accounts:												
Social Security	1,329	1,489	1,664	1,858	2,070	2,302	2,552	2,820	3,106	3,409	3,727	4,057
Other government accounts ¹	1,329	1,364	1,447	1,546	1,660	1,780	1,907	2,038	2,174	2,315	2,463	2,615
Total	2,658	2,854	3,112	3,404	3,730	4,082	4,459	4,858	5,280	5,724	6,190	6,671
Gross federal debt	6,198	6,620	7,039	7,417	7,776	8,116	8,442	8,752	9,046	9,225	9,251	9,236
Debt subject to limit ²	6,161	6,598	7,017	7,395	7,753	8,094	8,419	8,729	9,023	9,201	9,227	9,212
Memorandum: Debt held by the public at the end of the year as a percentage of GDP	34.3	35.0	34.7	33.6	32.2	30.4	28.5	26.5	24.3	21.5	18.0	14.4

¹ Mainly the Civil Service Retirement, Military Retirement, Medicare, Unemployment Insurance, and Airport and Airway Trust Funds.
² Differs from gross federal debt primarily because it excludes most debt issued by agencies other than the Treasury. The current debt limit is \$6,400 billion.
 Note.—These projections incorporate the assumption that discretionary budget authority totals \$751 billion for 2003 and grows with inflation thereafter.
 Source: Congressional Budget Office.

Mr. HOLLINGS. We would be subject to a \$20 billion to \$50 billion fine right quickly.

We need to rebuild the economy. They will invest. We will get jobs.

I ask unanimous consent to have printed in the RECORD an article in this week's Business Week, on page 50.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Business Week, Feb. 3, 2003]

(By Pete Engardio, Aaron Bernstein, and Manjeet Kripalani)

THE NEW GLOBAL JOB SHIFT

The sense of resignation inside Bank of America (BAC) is clear from the e-mail dispatch. "The handwriting is on the wall," writes a veteran information-technology specialist who says he has been warned not to talk to the press. Three years ago, the Charlotte (N.C.)-based bank needed IT talent so badly it had to outbid rivals. But last fall, his entire 15-engineer team was told their jobs "wouldn't last through September." In the past year, BofA has slashed 3,700 of its 25,000 tech and back-office jobs. An additional 1,000 will go by March.

Corporate downsizings, of course, are part of the ebb and flow of business. These layoffs, though, aren't just happening because demand has dried up. Ex-BofA managers and

contractors say one-third of those jobs are headed to India, where work that costs \$100 an hour in the U.S. gets done for \$20. Many former BofA workers are returning to college to learn new software skills. Some are getting real estate licenses. BofA acknowledges it will outsource up to 1,100 jobs to Indian companies this year, but it insists not all India-bound jobs are leading to layoffs.

Cut to India. In dazzling new technology parks rising on the dusty outskirts of the major cities, no one's talking about job losses. Inside Infosys Technologies Ltd.'s (INFY) impeccably landscaped 22-hectare campus in Bangalore, 250 engineers develop IT applications for BofA. Elsewhere, Infosys staffers process home loans for Greenpoint Mortgage of Novato, Calif. Near Bangalore's airport, at the offices of Wipro Ltd. (WIT), five radiologists interpret 30 CT scans a day for Massachusetts General Hospital. Not far away, 26-year-old engineer Dharin Shah talks excitedly about his \$10,000-a-year job designing third-generation mobile-phone chips, as sun pours through a skylight at the Texas Instrument Inc., (TXN) research center. Five years ago, an engineer like Shah would have made a beeline for Silicon Valley. Now, he says, "the sky is the limit here."

About 1,600 km north, on an old flour mill site outside New Delhi, all four floors of Wipro Spectramind Ltd.'s sandstone-and-glass building are buzzing at midnight with

2,500 young college-educated men and women. They are processing claims for a major U.S. insurance company and providing help-desk support for a big U.S. Internet service provider—all at a cost up to 60 percent lower than in the U.S. Seven Wipro Spectramind staff with PhDs in molecular biology sift through scientific research for Western pharmaceutical companies. Behind glass-framed doors, Wipro voice coaches drill staff on how to speak American English. U.S. customers like a familiar accent on the other end of the line.

Cut again to Manila, Shanghai, Budapest, or San José, Costa Rica. These cities—and dozens more across the developing world—have become the new back offices for Corporate America, Japan Inc., and Europe GmbH. Never heard of Balazs Zimay? He's a Budapest architect—and just might help design your future dream house. The name SGV & Co., probably means nothing to you. But this Manila firm's accountants may crunch the numbers the next time Ernst & Young International audits your company. Even Bulgaria, Romania, and South Africa, which have a lot of educated people but remain economic backwaters, are tapping the global market for services.

It's globalization's next wave—and one of the biggest trends reshaping the global economy. The first wave started two decades ago with the exodus of jobs making shoes, cheap electronics, and toys to developing countries. After that, simple service work, like

processing credit-card receipts, and mind-numbing digital toil, like writing software code, began fleeing high-cost countries.

Now, all kinds of knowledge work can be done almost anywhere. "You will see an explosion of work going overseas," says Forrester Research Inc., analyst John C. McCarthy. He goes so far as to predict at least 3.3 million white-collar jobs and \$136 billion in wages will shift from the U.S. to low-cost countries by 2015. Europe is joining the trend, too. British banks like HSBC Securities Inc. (HBC) have huge back offices in China and India; French companies are using call centers in Mauritius; and German multinationals from Siemens (SI) to roller-bearings maker INA-Schaeffler are hiring in Russia, the Baltics, and Eastern Europe.

The driving forces are digitization, the internet, and high-speed data networks that girdle the globe. These days, tasks such as drawing up detailed architectural blueprints, slicing and dicing a company's financial disclosures, or designing a revolutionary micro-processor can easily be performed overseas. That's why Intel Inc. (INTC) and Texas Instruments Inc. are furiously hiring Indian and Chinese engineers, many with graduate degrees, to design chip circuits. Dutch consumer-electronics giant Philips (PHG) has shifted research and development on most televisions, cell phones, and audio products to Shanghai. In a recent PowerPoint presentation, Microsoft Corp. (MSFT) Senior vice-President Brian Valentine—the No. 2 exec in the company's Windows unit—urged managers to "pick something to move offshore today." In India, said the briefing, you can get "quality work at 50% to 60% of the cost. That's two heads for the price of one."

Even Wall Street jobs paying \$80,000 and up are getting easier to transfer. Brokerages like Lehman Brothers Inc. (LEH) and Bear, Sterns & Co. (BSC), for example, are starting to sue Indian financial analysts for number-crunching work. "A basic business tenet is that things go to the areas where there is the best cost of production," says Ann Livermore, head of services at Hewlett-Packard Co. (HPQ), which has 3,300 software engineers in India. "Now you're going to see the same trends in services that happened in manufacturing."

The rise of globally integrated knowledge economy is a blessing for developing nations. What is means for the U.S. skilled labor force is less clear. At the least, many white-collar workers may be headed for a tough readjustment. The unprecedented hiring binge in Asia, Eastern Europe, and Latin America comes at a time when companies from Wall Street to Silicon Valley are downsizing at home. In Silicon Valley, employment in the IT sector is down by 30% since early 2001, according to the nonprofit group Joint Venture Silicon Valley.

Should the West panic? It's too early to tell. Obviously, the bursting of the tech bubble and Wall Street's woes are chiefly behind the layoffs. Also, any impact of offshore hiring is hard to measure, since so far a tiny portion of U.S. white-collar work has jumped overseas. For security and practical reasons, corporations are likely to keep crucial R&D and the bulk of back-office operations close to home. Many jobs can't go anywhere because they require fact-to-face contact with customers. Americans will continue to deliver medical care, negotiate deals, audit local companies, and wage legal battles. Talented, innovative people will adjust as they always have.

Indeed, a case can be made that the U.S. will see a net gain from this shift—as with previous globalization waves. In the 1990s, Corporate America had to import hundreds of thousands of immigrants to ease engineering shortages. Now, by sending routine serv-

ice and engineering tasks to nations with a surplus of educated workers, the U.S. labor force and capital can be redeployed to higher-value industries and cutting-edge R&D. "Silicon Valley doesn't need to have all the tech development in the world," says Doug Henton, president of Collaborative Economics in Mountview, Calif. "We need very good-paying jobs. Any R&D that is routine can probably go." Silicon Valley types already talk about the next wave of U.S. innovation coming from the fusion of software, nanotech, and life sciences.

Globalization should also keep services prices in check, just as it did with clothes, appliances, and home tools when manufacturing went offshore. Companies will be able to keep shaving overhead costs and improving efficiency. "Our comparative advantage may shift to other fields," says City University of New York economist Robert E. Lipsey, a trade specialist. "And if productivity is high, then the U.S. will maintain a high standard of living." By spurring economic development in nations such as India, meanwhile, U.S. companies will have bigger foreign markets for their goods and services.

For companies adept at managing a global workforce, the benefits can be huge. Sure, entrusting administration and R&D to far-flung foreigners sounds risky, but Corporate America already has become comfortable hiring outside companies to handle everything from product design and tech support to employee benefits. Letting such work cross national boundaries isn't a radical leap. Now, American Express (AXP), Dell Computer (DELL), Eastman Kodak (EK), and other companies can offer round-the-clock customer care while keeping costs in check. What's more, immigrant Asian engineers in the U.S. labs of TI, IBM (IBM), and Intel for decades have played a big, hidden role in American tech breakthroughs. The difference now is that Indian and Chinese engineers are managing R&D teams in their home countries. General Electric Co. (GE), for example, employs some 6,000 scientists and engineers in 10 foreign countries. GE Medical Services integrates magnet, flat-panel, and diagnostic imaging technologies from labs in China, Israel, Hungary, France, and India in everything from its new X-ray devices to \$1 million CT scanners. "The real advantage is that we can tap the world's best talent," says GE medical Global Supply Chain Vice-President Dee Miller.

That's the good side of the coming realignment. There are hazards as well. During previous go-global drives, many companies ended up repatriating manufacturing and design work because they felt they were losing control of core businesses or found them too hard to coordinate. In a recent Gartner Inc. survey of 900 big U.S. companies that outsource IT work offshore, a majority complained of difficulty communicating and meeting deadlines. As a result, predicts Gartner Inc. Research Director Frances Karamouzis, many newcomers will stumble in the first few years as they begin using offshore service workers.

A thornier question: What happens if all those displaced white-collar workers can't find greener pastures? Sure, tech specialists, payroll administrators, and Wall Street analysts will land new jobs. But will they be able to make the same money as before? It's possible that lower salaries for skilled work will outweigh the gains in corporate efficiency. "If foreign countries specialize in high-skilled areas where we have an advantage, we could be worse off," says Harvard University economist Robert Z. Lawrence, a prominent free-trade advocate. "I still have faith that globalization will make us better off, but it's no more than faith."

If the worries prove valid, that could reshape the globalization debate. Until now,

the adverse impact of free trade has been confined largely to blue-collar workers. But if more politically powerful middle-class Americans take a hit as white-collar jobs move offshore, opposition to free trade could broaden.

When it comes to developing nations, however, it's hard to see a downside. Especially for those countries loaded with college grads who speak Western languages, outsourced white-collar work will likely contribute to economic development even more than new factories making sneakers or mobile phones. By 2008 in India, IT work and other service exports will generate \$57 billion in revenues, employ 4 million people, and account for 7 percent of gross domestic product, predicts a joint study by McKinsey & Co. and Nasscom, an Indian software association.

What makes this trend so viable is the explosion of college graduates in low-wage nations. In the Philippines, a country of 75 million that churns out 380,000 college grads each year, there's an oversupply of accountants trained in U.S. accounting standards. India already has a staggering 520,000 IT engineers, with starting salaries of around \$5,000. U.S. schools produce only 35,000 mechanical engineers a year; China graduates twice as many. "There is a tremendous pool of well-trained people in China," says Johan A. van Splunter, Philips' Asia chief executive.

William H. Gates III, for one, is dipping into that pool. Although Microsoft started later than many rivals, it is moving quickly to catch up. In November, Chairman Gates announced his company will invest \$400 million in India over the next three years. That's on top of the \$750 million it's spending over three years on R&D and outsourcing in China. At the company's Beijing research lab, one-third of the 180 programmers have PhDs from U.S. universities. The group helped develop the "digital ink" that makes handwriting show up on Microsoft's new tablet PCs and submitted four scientific papers on computer graphics at last year's prestigious Siggraph conference in San Antonio. Hyderabad, India, meanwhile, is key to Microsoft's push into business software.

This is no sweatshop work. Just two years out of college, Gaurav Daga, 22, is India project manager for software that lets programs running on Unix-based computers interact smoothly with Windows applications. Daga's \$11,000 salary is a princely sum in a nation with a per capita annual income of \$500, where a two-bedroom flat goes for \$125 a month. Microsoft is adding 10 Indians a month to its 150-engineer center and indirectly employs hundreds more at IT contractors. "It's definitely a cultural change to use foreign workers," says Sivaramakichenane Somasegar, Microsoft's vice-president for Windows engineering. "But if I can save a dollar, hallelujah."

Corporations are letting foreign operations handle internal finances as well. Procter & Gamble Co.'s (PG) 650 Manila employees, most of whom have business and finance degrees, help prepare P&G's tax returns around the world. "All the processing can be done here, with just final submission done to local tax authorities" in the U.S. and other countries, says Arun Khanna, P&G's Manila-based Asia accounting director.

Virtually every sector of the financial industry is undergoing a similar revolution. Processing insurance claims, selling stocks, and analyzing companies can all be done in Asia for one-third to half of the cost in the U.S. or Europe. Wall Street investment banks and brokerages, under mounting pressure to offer independent research to investors, are buying equity analysis, industry reports, and summaries of financial disclosures from outfits such as Smart Analyst Inc. and

OfficeTiger that employ financial analysts in India. By mining databases over the Web, offshore staff can scrutinize an individual's credit history, access corporate public financial disclosures, and troll oceans of economic statistics. "Everybody these days is drawing on the same electronic reservoir of data," says Ravi Aron, who teaches management at the Wharton School at the University of Pennsylvania.

Architectural work is going global, too. Fluor Corp. (FLR) of Aliso Viejo, Calif., employs 1,200 engineers and draftsmen in the Philippines, Poland, and India to turn layouts of giant industrial facilities into detailed specs and blueprints. For a multibillion-dollar petrochemical plant Fluor is designing in Saudi Arabia, a job requiring 50,000 separate construction plans, 200 young Filipino engineers earning less than \$3,000 a year collaborate in real time with elite U.S. and British engineers making up to \$90,000 via Web portals. The principal Filipino engineer on plumbing design, 35-year-old Art Aycardo, pulls down \$1,100 a month—enough to buy a Mitsubishi Lancer, send his three children to private school, and take his wife on a recent U.S. trip. Fluor CEO Alan Boeckmann makes no apologies. At a recent meeting in Houston, employees asked point-blank why he is sending high-paying jobs to Manila. His response: The Manila operation knocks up to 15 percent off Fluor's project prices. "We have developed this into a core competitive advantage," Boeckmann says.

It's not just a game for big players: San Francisco architect David N. Marlatt farms out work on Southern California homes selling for \$300,000 to \$1 million. He fires off two-dimensional layouts to architect Zimay's PC in Budapest. Two days later, Marlatt gets back blueprints and 3-D computer models that he delivers to the contractor. Zimay charges \$18 an hour, vs. the up to \$65 Marlatt would pay in America. "In the U.S., it is hard to find people to do this modeling," Zimay says. "But in Hungary, there are too many architects."

So far, white-collar globalization probably hasn't made a measurable dent in U.S. salaries. Still, it would be a mistake to dismiss the trend. Consider America's 10 million-strong IT workforce. In 2000, senior software engineers were offered up to \$130,000 a year, says Matt Milano, New York sales manager for placement firm Atlantic Partners. The same job now pays up to \$100,000. Entry-level computer help-desk staffers would fetch about \$55,000 then. Now they get as little as \$35,000. "Several times a day, clients tell me they are sending this work off shore," says Milano. Companies that used to pay such IT service providers as IBM, Accenture (ACN), and Electronic Data Service (EDS) \$200 a hour now pay as little as \$70, says Vinnie Mirchandani, CEO of IT outsourcing consultant Jetstream Group. One reason, besides the tech crash itself, is that Indian providers like Wipro, Infosys, and Tata charge as little as \$20. That's why Accenture and EDS, which had few staff in India three years ago, will have a few thousand each by next year.

Outsourcing experts say the big job migration has just begun. "This trend is just starting to crystallize now because every chief information officer's top agenda item is to cut budget," says Gartners Karamouzis. Globalization trailblazers, such as GE, AmEx, and Citibank (C), has spent a decade going through the learning curve and now are ramping up fast. More cautious companies—insurers, utilities, and the like—are entering the fray. Karamouzis expects 40 percent of America's top 1,000 companies will at least have no overseas pilot project under way within two years. The really big offshore push won't be until 2010 or so, she predicts, when global white-collar sourcing practices are standardized.

If big layoffs result at home, corporations and Washington may have to brace for a backlash. Already, New Jersey legislators are pushing a bill that would block the state from outsourcing public jobs overseas. At Boeing Co. (BA), an anxious union is trying to ward off more job shifts to the aircraft maker's new 350-person R&D center in Moscow (page 42).

The truth is, the rise of the global knowledge industry is so recent that most economists haven't begun to fathom the implications. For developing nations, the big beneficiaries will be those offering the speediest and cheapest telecom links, investor-friendly policies, and ample college grads. In the West, it's far less clear who will be the big winners and losers. But we'll soon find out.

Mr. HOLLINGS. "Is your job next?" I have been at this 36 going on 37 years now. We said we were going to create so many jobs when we had NAFTA. We have lost exactly 57,100 jobs in textiles alone in the State of South Carolina since NAFTA—57,100.

We have lost 2 million jobs since President Bush took office. He said: My economic plan last year is encapsulated in one word—jobs. So he got fast track. Everybody, as this article shows, headed to China. Not just the smokestack jobs, but the service jobs. Not just the service jobs, but the high-tech jobs.

What we need to do, like President Nixon, is take those States where we have a deficit in the balance of trade and put in a 10-percent import surcharge. I was here when we did it. We went around with Senator Mansfield to explain it to all the heads of state—nine countries in Europe—that is what we ought to do: We ought to hold up on this Eximbank financing the building of your plants. Because if you did get the economy going, it is not going in America, instead it is creating jobs in downtown Shanghai.

Right to the point, we ought to enforce 301. We ought to do away with that Bermuda thing. I am talking fast because my time has reached the endpoint here. But right to the point here, we have to start rebuilding a competitive trade policy, on the one hand, and get ahold of ourselves like the Governors and the mayors, and start paying the bill and cut out this nonsense about tax cuts stimulating.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SMITH). Without objection, it is so ordered.

NATIONAL SECURITY AND OUR ECONOMY

Mr. MCCONNELL. Mr. President, the President of the United States stated that America faces decisive days for our economic and national security needs. He has called for strong steps

and unity to make America stronger and prosperous.

From this call, will America get the leadership from its elected officials or will it, instead, get just partisan rancor? We all hope for the former but begin to suspect the latter.

No one can imagine the awesome responsibility and burden of protecting the lives of millions of Americans and defending the free world. With such a daunting challenge as protecting American lives, I have deferred to the judgment of the President, whether a Democrat or a Republican.

On September 11, 2001, that challenge became immeasurably greater. An unimaginable act of evil changed the world of today, tomorrow, and for decades ahead. Yet only the President seems to have taken to heart that the matrix of terror has multiplied.

The options and choices and avenues for a terrorist to strike at America are almost beyond human comprehension. The President must not only comprehend these new terrorist risks to America, but he also must defend against them. Of all terrorist threats to America and the world, is any greater than the terrorists of al-Qaida employing the modern, destructive weapons of Saddam Hussein?

If outlaw regimes and suicide terrorists conspire, entire cities—entire cities—not just buildings are at risk and millions, rather than thousands, of lives could be lost.

The time when America could sleep and let outlaw regimes fester is over. But before the President can prevent this murderous alliance, many in this Chamber say they need proof. They do not demand proof that a ruthless terrorist-supporting despot has disarmed, as required by the U.N. over a decade ago. Instead, they demand proof from our President that Iraq is still armed.

The proof is in, and the President has provided more. U.N. and U.S. intelligence report that for a dozen years Iraq has had materials to produce 26,000 liters of anthrax, 38,000 liters of botulism, 500 tons of sarin, mustard and VX nerve gas, and 30,000 munitions capable of delivering chemical agents.

He has used these weapons of mass destruction against his own people. And the U.N. says there is no proof that Iraq has rid itself of these chemical and biological weapons. Yet we are told the President must show proof.

Iraqi defectors tell of mobile biological labs, but we need more proof, they say. U-2 surveillance planes over Iraq are blocked, but the critics say more proof is needed.

Iraqi security officers intimidate and threaten the lives and families of cooperative scientists, but the critics say more proof is needed.

In the past, such demands for more proof, in the face of overwhelming evidence, have been fully answered with such notable events as the invasion of Poland in 1939 and the attack on Pearl Harbor in 1941. The price of that proof was measured in millions of lives.

What price of proof will America pay before we act? The President says the price will be a day of horror like none we have ever known.

As the President does everything to prevent that day, too many see the U.N. inspections as a game of hide and seek rather than life and death, which is the issue that it is. So that is really what is before us with regard to Iraq.

With regard to economic growth, economic security for working Americans and hope for those unemployed will not come from growing the Government but only from growing the economy. To get the economy growing—to create a job for every man and woman seeking employment—the President has proposed broad tax relief for 92 million taxpayers at an average of \$1,100 each.

The President's plan will increase the reward Americans receive for working, producing, saving, and investing—everything that is part of a growing economy. Small businesses, married couples, families with children, and retirees will all be the individual beneficiaries. But the biggest winner will be the U.S. economy. For 40 years, every tax relief proposal saw its opponents try to divide and conquer taxpayers with claims of “tax breaks for the rich.” And again this year is no different.

What specific part of the President's plan do they object to? Do they want to penalize marriage for a few more years? Do they think parents with kids should wait longer for the \$1,000-per-child tax credit? Should the tax rate reductions be delayed along with the incentives to grow the economy? Some of our colleagues across the aisle supported these changes last year, but it seems there is always some reason now is the wrong time for tax relief. In fact, I cannot remember when there was a right time for tax relief, listening to our colleagues on the other side of the aisle. So it is always the wrong time. It is always no, maybe later, or it is, yes, but not now for you, or you, or you.

We hear a lot of talk about the stock market. But it sounds as if we are talking about the weather. Everybody talks about it and complains but no one wants to do anything about it. The President does something about it by ending double taxation of dividends. His plan will get the stock market growing again, but we have no Democratic plan for the stock market, other than to complain. If the President's opponents would show the same determination to grow the economy as they do in growing the Government—as we saw here on the floor of the Senate just over the last couple of weeks with amendments offered and, thankfully, defeated, that would have added in excess of \$300 billion to the deficit—America would be in fine shape. Over the last 2 weeks, as I just indicated, our friends on the other side of the aisle forced votes on new spending that would have paid for almost half of the President's tax cut. Other spending add-ons that were offered, but not

voted on, probably doubled that amount. The President's opponents have called for a \$300 tax rebate for individuals and up to two children. So much for no child left behind.

Now, if we had a budget surplus and the economy was humming along, fine, I would support a broad rebate. But today we need to get the economy going again; we need to prime the pump, not splash limited resources around in a manner that does nothing to grow the economy.

When it comes to our national and economic security, the world changed on 9/11 and, more than anyone else, the President has realized this. His determination to stamp out the outlaw regime of Saddam Hussein is the President's realization that the threat to national security today is far greater than it was prior to 9/11. For national security, we need to do more than we have done before. His determination to enact an economic growth package is based on the President's understanding that the impact to our economy from the 9/11 attack was far greater than anyone imagined.

For economic security, we need to do more than we have done before. He knows we need to do more, and the American people know it, too. The only question is when will this Congress figure out that the world has changed and catch up?

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. 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.

STATE OF THE UNION ADDRESS

Mr. WARNER. Mr. President, I was privileged to be present last night at the President's State of the Union Address. Earlier today, I said the State of the Union Address was delivered magnificently, in a way that I think touched the hearts and souls of millions of Americans. Certainly this heart and soul was deeply touched. I was very proud for the manner in which the President delivered that message—with sincerity, calmness, and confidence. It happened to be my 25th State of the Union Message. For a quarter of a century I have been privileged to represent the great State of Virginia and be a part of this institution. I have never been more proud of any President at any time than I was of George Bush last night.

I want to address those very clear remarks with regard to the state of the world and, most specifically, the leadership that our Nation has given in the worldwide fight against terrorism. We are committed, and committed until the end, and the end is nowhere in sight. We made great progress. The

President detailed that progress. We have much more progress to make. I am very pleased over the creation of the Department of Homeland Security. I have been a strong supporter of that from the beginning. I remember, before the White House staff decided we should move in that direction, I was among those, with many others in the Chamber, who advocated that we move in the direction to create a separate Department. We have done that. We have selected a fine Secretary and two of his first deputies to take up the heavy responsibilities. It is my hope that we will give it strong support in this Chamber, that we will give it strong financial support in terms of appropriations.

We must guard against a competitive battle between the Department of Homeland Security and the Department of Defense, because homeland security begins on the far-flung battlefields of the world. Today, it is Afghanistan and Indonesia; it is all across the world. And to the extent that we can defeat the efforts of any one, two, three, or four groups of individuals who, through the mechanism of terrorism wish to bring harm against the United States, let us hope we can do that in the far-flung lands of the world. That is homeland defense. That is the principal responsibility of the Department of Defense, with our troops in forward projection. They are to deter, first and foremost, to stop, discourage before it starts, any attack against the United States; but should that attack occur, then engage.

We have seen the heroism of the men and women of our Armed Forces, together with the Armed Forces of other nations in Afghanistan. While that operation is by no means complete—and certainly in the last few days we witnessed another outbreak of hostilities—we are making steady progress.

As we approach our budgetary responsibilities of the Department of Defense, and now the new Department of Homeland Security, we don't want to see a competition and a push-pull. Each is deserving of our full and strongest measure of attention and, eventually, authorizations and appropriations. I hope to take a strong lead in that effort.

Returning to the remarks of our great President last night, he outlined the steps we have taken thus far with regard to the enormity of the threats posed by Iraq, most particularly under the leadership of Saddam Hussein, and recited what we have done. The President did not have to come to the Congress of the United States, but he did come to the Congress, and he received an overwhelming vote of approval—77 colleagues, I among them as one of the coauthors of the resolution—77 strong votes.

He has now indicated further steps he is taking, working with the community of nations in the world—the United Nations and other nations such as Great

Britain, Great Britain having taken a strong leadership role. He will be meeting with the Prime Minister of Great Britain in the coming days, talking regularly with heads of state in government worldwide in an effort to strengthen the already strong coalition of those nations willing, if force is necessary, to use force, to join us in support.

The President has always said war is the last option. He reiterated that last night. Quite clearly, the steps he is taking, this weekend with heads of state in government, by sending our distinguished Secretary of State Colin Powell to the United Nations to, once again, undertake the persuasion, which he has brilliantly displayed to date, are required among various nations in the course that is right and the course that is just and the course that will preserve the integrity of the United Nations as an organization.

Saddam Hussein has thumbed his nose at that organization for 12 years, defied all the resolutions, even kicked the inspectors out, inspectors who were there pursuant to resolutions of the Security Council. That is a sad and distressing record, and we would not be where we are today with the world focusing on this situation, with the United Nations Security Council meeting, acting, and passing Resolution 1441, which is good and tough, had it not been for the leadership of our President working with Prime Minister Tony Blair and other heads of state in government.

We owe our leaders a great debt because there may be a legitimate discussion about certain aspects of the policy on Iraq—and I welcome that debate; I think it strengthens our resolve—but there can be no dispute that Saddam Hussein possesses these weapons of mass destruction, has used them in the past, and today he is in absolute defiance of Resolution 1441.

An impartial observer, Hans Blix, charged with the mission of conducting the inspections under the resolution has now reported to the United Nations and reported to the whole world about the continuous noncompliance, lack of cooperation by Saddam Hussein.

Let me read a part of the Blix report. In Mr. Blix's words:

Iraq appears not to have come to a genuine acceptance, not even today, of the disarmament that was demanded of it and which it needs to carry out to win the confidence of the world and live in peace.

Saddam Hussein has the power this afternoon, tomorrow, as he had for the 2 months of the inspections, to comply with Resolution 1441 and avoid even the threat, much less the actuality, of the use of force. But he has been defiant day after day, night after night, and I commend Mr. Blix and his organization for doing their best and for putting forward to the United Nations and the Security Council and, indeed, the whole world a very frank and candid report.

Again, our President continues to work within the framework of nations

seeking a course referred to as diplomacy to try to avoid the use of force, to try to have compliance with the security resolution.

For 12 years, he has defied the United Nations, and subsequent to Resolution 1441 we have had these 2 months or so of inspections. Again, I commend you, Mr. President, for the calmness, for the confidence, and for the wisdom to continue on the course that you established, on the course that 77 of the colleagues in this Chamber strongly backed, but at the same time, Mr. President, reminding Saddam Hussein and reminding the world that diplomacy can be no stronger than the resolve of the nations to enforce it, and that resolve is there.

In the words of the President, let there be no doubt, he will not let the security interests of this Nation or those of our principal allies and friends be put in peril by Saddam Hussein and his inventory of weapons of mass destruction if diplomacy fails.

No timetable was established. Again, step by step he is proceeding through a process that is very important.

I draw a contrast to what happened in 1991. Again, I was privileged to be the coauthor of that resolution. At the time, I was, with Senator DOLE, one of the floor managers on this side of that historic debate. Mind you, we had some 500,000 men and women of the United States in position in the gulf region. We had a coalition of at least 12 nations with combatant troops that were going to join. This Chamber had its historic debate and, by a mere margin of five votes, was the resolution approved. Action was taken, and, very quickly and properly, the Members of this Chamber rallied behind the President and rallied behind the troops.

We have troops today and will have troops tomorrow, as they did yesterday and the day before, leaving their families, leaving their homes, leaving their military assignments in the United States, individually and as units, and being forward deployed. Those forward deployments are essential because they back up the resolve of those trying to settle this matter diplomatically through a group of nations. Were it not for those deployments and the announcement by Great Britain and, indeed, some others to contribute forces, a lot of the rhetoric, a lot of the effort would simply not send a message to Saddam Hussein.

I wish to commend our President. I notice there has recently been a statement to the effect that some of our colleagues might believe we should at this time, which surprises me—we want to stand solidly behind our President at this time as he continues his work with the heads of state in government; as our Secretary of State once again goes to the United Nations, we want to stand solidly behind him. But yet our colleague, Mr. KENNEDY, issued a release yesterday which said:

Much has changed in the many months since Congress debated war with Iraq.

I think the inspectors have diligently worked hard. Some could say progress is being made. But stop to think of the progress that would have been made had Saddam Hussein just complied with Resolution 1441 and shown the inspectors where his arsenal was located, such that it could be verified, such that it could be audited and eventually destroyed. If we are to undertake debate, whether it is today or tomorrow, as indicated by my distinguished friend and colleague who serves on the Armed Services Committee, the first question I put is: Is the debate timely in terms of the steps our President committed to take, and has taken, this week and next week? Is the time of such a debate helpful to our President?

Second, he says much has changed. Is there any indication Saddam Hussein has done one thing to comply with the most recent Resolution 1441, much less the resolutions of the 12 previous years? As an individual Senator, I have worked and attended almost all the briefings on this subject. I have participated in most of the debates. I have not seen a Senator bring to the forefront clear and convincing evidence that Saddam Hussein has done anything to comply with the terms of Resolution 1441. If anything, he has taken steps to thwart the efforts of the inspectors, to impede them.

This type of inspection regime is not new. It was implemented in South Africa successfully. It was implemented in the Ukraine successfully. So there is a track record with the United Nations that is well known in the field of diplomacy and among the nations of the world, but that does not have any parallel to what Saddam Hussein has steadfastly refused to do. He has not budged an inch to comply with the current Security Council resolutions.

That would be the second question I pose to Mr. KENNEDY or other colleagues were they to come to the Chamber. Is it timely? Show me what Saddam Hussein has done to merit this further consideration, either by debate or otherwise in this Chamber.

Time is not on our side. I am not suggesting I can set a timetable. Under the Constitution, that is the prerogative of the President of the United States, in accordance with those provisions which say that the executive branch shall negotiate. The executive branch sets the foreign policy of this country. We have the right to disagree, but they set the foreign policy. And the President did that last night.

It is clear to me that every day that goes by, Saddam Hussein has the ability to take these weapons of mass destruction, which nobody disagrees he has—Hans Blix pointed it out clearly—and proliferate them around the world, and not necessarily by truckloads. A very small vial, one, two, or three dozen, can be distributed into the hands of a terrorist network. Those vials can make their way back and do untold harm to free citizens in the world. He has ability to disperse tons

of anthrax. Two envelopes directed at this very Senate Chamber, which were never opened, resulted in tragic loss of life by postal workers and others. That was just two little envelopes, not vials, not tons, which he possesses.

These are the threats that concern me. Time is not on our side. It is on Saddam Hussein's side. So I welcome the debate, if it is to come, and I hope those questions which I have posed today can be answered.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

TAX CUTS ARE NOT THE PROBLEM

Mr. BENNETT. Mr. President, throughout the day today there has been a lot of discussion of the President's State of the Union Message. I was interested in the comment that was in the press this morning that said the President gave two speeches.

The first one has been virtually forgotten. The first one was on our domestic issues, on our economy, on what we need to do to deal with some of our problems at home. I think the Senator from Virginia has appropriately and properly addressed the question of the second speech which had to do with Iraq, but since much of the rhetoric we have heard today has had to do with the deficit and attacks on the President's first speech, I will take a few minutes to go back to that first speech, that forgotten speech, the first half of the President's statement on the state of the Union, and talk about some economic impact of what would happen if we were to do what the President wanted us to do.

From the rhetoric we have heard today, all of our problems stem from one thing and one thing only, and that is the tax cut that passed very strongly in this Chamber and in the other body when the Presidency of George W. Bush began. If we had only not passed that tax cut, we would not have a deficit. If we had only not passed that tax cut, we would have enough money to fund everything. If we had only not passed that tax cut, somehow Medicare would be taken care of as far as the eye can see and Social Security would be secure forever. Everything stems from that terrible tax cut.

I remind us once again of a few fairly basic, fundamental truths.

We can choose, at least for a time, what level of expenditures we will have in the Federal Government. We can get carried away with our ability to make pledges for expenditures, and we can set the level wherever we want. We cannot choose, by legislative fiat, the level of revenue that will come to pay for that level of expenditure, because the level of revenue goes up and down as the economy prospers or falters.

I have seen examples of countries in Africa that laid out a budget of expenditures that was absolutely marvelous in all of the benefits that would come from their government spending on

this and that and the other thing. Anything that anybody wanted, the government promised to take care of them. But they discovered the fundamental truth I have just stated: They could set the level of expenditures pretty much where they wanted, but with their economy not producing any money their level of taxation came nowhere near the level of expenditure. We must ask ourselves, what is going to happen to the economy if the proposal that the President's tax cut be repealed should pass? That question was put to Alan Greenspan, the chairman of the Federal Reserve Board, and he answered in a way that requires a little careful attention, because some people picked up on his answer and said: Aha, Greenspan has said there will be no economic impact if the tax cuts are repealed.

This is what he actually said—I do not have his exact words to quote, but in effect he said the markets have already assumed the tax cut will stay and indeed will be made permanent. Therefore, there is no further stimulus to come out of these tax cuts.

So everybody says the tax cuts were not stimulative. However, he went on to say—and this paragraph they do not quote—if they were now repealed, the markets would react negatively. Having made the assumption that they will be permanent, the market would react negatively and the economy would be hurt.

I raise that bit of history because I ask this rhetorical question: If the market has already assumed the tax cuts and acted favorably and positively to that assumption, what would happen if those tax cuts were not repealed, as some people in this Chamber charge, but were produced more rapidly, accelerated, rather than repealed? I think the market would respond positively. Say our first assumption that says they are going to remain permanent is not only proven valid by this but we will have the permanence come more rapidly than we thought.

If the markets as a whole respond positively, if the economy as a whole responds positively, what does that do to tax revenue? It increases tax revenue so we can begin to have enough dollars to deal with the challenges of the expenditure side.

I am a member of the Appropriations Committee. I remember attending the conference on the final appropriations bill—not this year because this year we did not get one until the new Congress convened; we did not have a final conference at the end of the last Congress. It was the final conference the year before where Senator STEVENS came in and said this is the number that we have all agreed on for total appropriations and expenditures. It was substantially higher than the number where we began. He laid it on the table and said: This is the number. Even though it is significantly higher than we thought we would have and expenditures more than we thought, this is

where we will be. Mr. OBEY, the ranking member on the House side, said that number is not high enough.

The number was a very significant increase over the previous year, substantially more than the growth in the population, substantially more than any inflation, but that became the number. We finally passed it this way in order to get out, and then we started the next year.

At that period, Democrats were in charge of this Chamber and the spending went up significantly from that number. That is the new baseline. We have seen in this Congress attempts made to take that baseline even higher.

The most significant thing the President had to say about our long-term economic health in last night's speech had nothing to do with the tax proposals. The most significant thing he had to say is: My budget will hold the spending increase to 4 percent. If we can hold the spending increase to 4 percent after years of 7 percent and 9 percent, one on top of the other, to establish a very high baseline for further increases, it will be something of a miracle. But it will be far more important than all of the other rhetoric we have heard on the tax side. If we can't get the spending under control, we cannot under any circumstances raise the taxes to cover it. That is a fundamental truth that we should remember over and over again.

In concluding, I repeat something I have said here many times, but I have discovered in the Senate there is no such thing as reputation. Everything is said as if it is brand new. But it is a fundamental truth we should understand over and over again. Money does not come from the budget. Money does not come from legislation. Money comes into the Government from the productivity of the American economy. If we can make the economy strong, if we can make the economy grow, we will have the tax dollars that we need to pay for our expenditures. If we ignore the health of the economy and then get carried away with our desire to increase our expenditures, we will end up in fulfillment of the dire predictions we are hearing. That is not what the President is proposing, but what some of his opponents are proposing. I think the President was responsible in his first speech last night on the domestic economy. We ought to pay attention and act accordingly.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

TERRORISM

Mr. GREGG. Mr. President, I rise to continue the discussion which was obviously laid forth last night in definitively strong terms by the President of the United States on the issue of our national defense and how we address the terrorism and the linkage between terrorism and the Iraqi situation. The

response to the President has been interesting. From some of my colleagues on the other side of the aisle, and others, it has been said that the President is too bellicose. In fact, I understand today that Senator KENNEDY will bring forth a resolution which will essentially say that. Certainly we have heard from Members of the self-proclaimed peace movement, that is the case.

However, the President made a strong statement of facts that we as a nation are at risk. It is ironic that the Members who may subscribe to this self-proclaimed peace movement which might better be defined as an appeasement movement, that they appear to ignore the fact we are already at war. Approximately 3,000 people died in New York; hundreds died here in Washington; over 100 died on a plane in Pennsylvania; men were killed on a ship, the USS *Cole*, a U.S. military ship, in Yemen; Americans were killed at two embassies in Africa. We are at war.

The representation that we should not fight that war with all our resources and all our capabilities is, I believe, inappropriate.

How do you link Iraq into this war? If this were a period of the 19th century or even large portions of the 20th century, you would not worry about Iraq. You probably would not even worry about al-Qaida. They would be, in the case of Iraq, a government of a petty despot; in the case of al-Qaida, a group of Iraqi murderers. The difference today is that this petty despot and these petty murderers have in their possession or may gain the possession of weapons which can kill not hundreds but can kill tens of thousands of people, weapons which would be used, undoubtedly, against Americans. They intend America harm.

They have shown that in their attacks to date where Americans have died. The President, as our Commander in Chief and the leader of our Nation and the leader of the free world, is unquestionably correct in pursuing the individuals who possess those weapons and who might use them or the individuals who might seek those weapons and use them across the globe.

There is absolutely no question but that Iraq possesses weapons of mass destruction, biological and chemical, and that it has an intention to obtain nuclear weapons. There is also virtually no question, at least among anyone willing to look at the facts, that Iraq is in communication with our enemies in al-Qaida.

The idea we should subjugate our national security to others is also one that I find inherently difficult to defend. Paris was not attacked. Berlin was not attacked. New York City was attacked. It is our national security, America's national security, that is at risk.

The President has made it abundantly clear that his purpose is to defend the homeland. He has every

right—in fact, he has every obligation—to do that and to accomplish it. I believe he has laid out a case that, year in and year out, the Iraqi Government, led by a despot of inordinate inhumanity, who has killed thousands, who has used weapons of mass destruction, who has used gas on his own people, who has tortured, raped, and murdered his opposition—that that Government represents an imminent threat to us as a nation and to our allies. Until that Government disarms, it remains such a threat.

We have sought to disarm Iraq for 12 years through a process of inspections guided by the United Nations resolutions. At every turn, Iraq has essentially gamed the process and has retained its capacity to kill while denying that it has such capacity.

At every turn, it has obfuscated and attempted to subvert the efforts of the inspectors, denying them access, just in the most recent weeks, to legitimate needs that they have as inspectors, of overflights, of access to the scientists who produce the weapons of mass destruction, of accurate accounting of where the weapons are that we know are in existence, where the anthrax is, where the VX gas is, where the delivery systems are for those weapons.

There was another period in history when we confronted a time such as this, and that was in the late 1930s to the run-up to World War II. During that period, once again people of good intention said: Give Adolf Hitler a chance. Give him the benefit of the doubt. Appease him. Try to work with him. Neville Chamberlain, in his famous flight to Munich, attempted to accomplish that.

But with people such as Adolf Hitler, with people such as Saddam Hussein, you do not reason in a Western, rational way; you do not reach accommodations, because their purpose is not to accommodate; their purpose is to use their power aggressively and in a manner which will harm the people we consider our allies, and which may harm ourselves, our Nation.

So it is naive of us to presume we are going to succeed here if we follow such a course. We should look to history to confirm that naivete. The President has outlined a definitive purpose for our Nation and for the world. It is that we protect the rights of free nations to defend themselves from despots who have weapons of mass destruction and terrorists who would use such weapons to kill thousands of innocent people. We have that right. His words that “the liberty we prize is not America's gift to the world but is God's gift to humanity” ring with incredible accuracy and truth. We, as a nation have an obligation to protect that liberty.

Hopefully, working with the United Nations, we will be able to develop the coalitions necessary to accomplish that. It would still be appropriate to do it in a peaceful way. But that is not our call. We do not have the offense on that issue. Saddam Hussein's govern-

ment has the offense on that issue. If they wish to proceed in a peaceful way to disarm, that course is sitting there for them. But they have shown no inclination to do that. In fact, just the opposite has been the course they have decided to pursue—one of obfuscation, one of deceit, one of continued commitment to possess and potentially use these weapons which kill thousands of people, innocent people, weapons which they have used in the past.

When the President calls our Nation together and asks us as a society to join to protect ourselves and to protect the liberty which God has gifted to humanity, I believe we have an obligation to follow and to respect that call. This Congress has voted twice, once under President Clinton and once under President Bush, to empower the President to use the necessary force, to take the necessary action to protect our Nation and to protect the liberty of the world. This President has stepped up to that charge. If he had failed to step up to that charge, he would not be doing his job as Commander in Chief and as President. I believe this Congress has an equal obligation to step up to that charge.

I hope as we move down this road, we will move united and recognize that this is a time when it falls on all of us to support the defense of freedom and liberty as defined by the President in his extraordinary speech last night.

Madam President, I reserve the remainder of our time, yield the floor, and make a point of order that a quorum is not present.

The PRESIDING OFFICER (Ms. MURKOWSKI). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CORZINE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE STATE OF THE UNION SPEECH

Mr. CORZINE. Madam President, I will speak a little bit on part of the main topic the President talked about last night, where we heard President Bush eloquently address America's challenging agenda—an agenda of war and peace, of health care, and the American economy.

In fact, as it relates to the economy, he said our first goal is clear, that we must have an economy that grows fast enough to employ every man and woman who seeks a job. He suggested that we work to have a prosperity that is broadly shared. I am certain his rhetoric resonated well with the American people. It sounds good.

Today, I want to talk not about the rhetoric of the President's address but of the reality of the policies that have both been implemented and the purposes and possibilities of the policies he has laid on the table, which he suggests would turn our economy around and meet those lofty objectives.

Let me be clear in my own view. There is a huge gap between the rhetoric and the reality of the President's economic stewardship and certainly with respect to the policies and proposals laid on the table. Let me begin by saying I am glad the President seems to finally recognize that our economy has problems. You will recall that the Vice President, only 2 weeks ago, was arguing at the National Press Club and at the Chamber of Commerce that the President's economic policies were succeeding.

In this particular case, we will take the President's analysis because I think there is a need to get job growth and economic momentum back into our economy. I am afraid he really doesn't appreciate the depth of the problems we have in our overall economy and the compelling need to take effective and strong action now.

Since March 2001, 2.4 million Americans have lost their private sector jobs. That is a lot of folks. The unemployment rate stands at 6 percent, which is the highest it has been in 8 years. Mortgage foreclosures are at record highs. The stock market has declined dramatically in the past 2 years, losing about \$5 trillion in value—a significant amount of value. Consumer confidence has been seriously undermined. In fact, yesterday we had an announcement that the consumer confidence level is at its lowest in 9 years. By the way, that is lower than in the 2 months that followed September 11. Demand has declined to such an extent in American business that businesses are operating at about 75 percent of operating capacity—well below the mid-1980s, which is on average. We have had 2 years of declining business investment. Our current account deficit is exploding—it is at record highs—and our Federal deficit is growing, with little improvement in sight for years.

I think all of us know that as recently as 2 years ago, we were talking about projections of a \$5.5 trillion surplus for America. Today, projections over the next decade have us anywhere from \$2.5 trillion to \$3 trillion in deficits. I think we have some serious issues today. CBO announced they project a \$200 billion deficit for this current fiscal year, and that is before tax cuts and any changes; and those estimates are based on our activities in the Middle East and a war on Iraq.

I could go on. But, in short, we have serious economic problems and we need a serious and effective economic stimulus program, something that will really deal with the soaring rhetoric the President talked about to make sure every man and woman who seeks a job can have one and make sure prosperity is broadly shared in the American economy.

I don't think the prescriptions on the table do the job, frankly. I will try to talk about it in specifics. In many ways, I think some of the President's suggestions are actually antigrowth. The President's rhetoric would lead

one to think his plan would provide a stimulus. But the reality is very different. Look at some of the facts. Only \$36 billion of the plan's \$675 billion in total tax cuts would kick in this year. By the way, that \$675 billion—if you add the interest, it would be \$950 billion in the decade, and if you take the acceleration of the tax cuts that the President also has proposed, the cost to the Federal Treasury would be about \$1.5 trillion—a relatively serious amount of money.

The \$36 billion the President is targeting for fiscal year 2003 is a mere drop in the bucket. It is not even half of 1 percent of GDP. I do not read anywhere or hear in broad discussions from the Congress that this is going to do much of anything with regard to stimulating growth today and creating jobs today. The right and the left—it is almost universal—talk about growth packages as opposed to stimulus packages because it is such an insignificant amount of input into the current economy.

In fact, the President's plan, in my view, actually could do real harm in the short run. Its proposed dividend exclusion will encourage corporations to do something that is negative with regard to growing the economy. It will shift cash off the corporate balance sheet, away from investments, away from employment into dividend payments. It may be nice for the people who receive it, the very narrow segment of folks who actually will receive dividend payments, but it reduces the capacity of business to do anything.

Taking cash off the balance sheet is the opposite of what we want to be doing if we are trying to stimulate the economy. Accelerated depreciation puts cash on the balance sheets. It lets business retain value of cash. It is hard for me to understand why anyone thinks that is a stimulus program. In fact, as I suggest, it may actually be antigrowth.

We cannot spend a dollar twice, so for each dollar distributed as dividends, companies will have one less dollar to invest in plant and equipment, one less dollar to plow into research and development, one less dollar to hire or retain personnel. The end result will be lower investment and fewer jobs in the short run.

By the way, it takes a long time for those dividends to work their way back into the job growth and economic expansion that all of us would like to see.

Another point I believe is very important within the context of the view that this proposal is antigrowth, the President's plan does absolutely nothing to help our State and local governments which are suffering severe fiscal crises throughout our country. The estimates are that it is a cumulative \$90 billion deficit for States. That is before the local governments. That is much larger than that \$36 billion we are going to put into the economy.

Back home, our State governments are raising taxes and cutting services

\$90 billion while we are putting \$36 billion into the economy. I do not see how that relates to stimulating growth, and it fits pretty clearly into a commonsensical analysis to say we are not on the right track to get this economy moving again.

New York City, New Jersey's neighbor, is having to raise property taxes 18 percent. In my State, property taxes have been raised 7 percent. Everywhere I go across the country, State and local governments are raising property taxes to offset those very actions we are trying to take to stimulate the economy in Washington.

I do not understand why we are not thinking about this in a more holistic and comprehensive approach. These cuts in services and rises in taxes are going to create more economic problems and lead to almost an antigrowth policy if we implement it as it now stands. The Federal Government needs to be a partner in this process.

By the way, in the long run, there are even more serious problems if there is no help to the States. Dividend exclusion is actually going to create an investment instrument that will compete with how State and local governments borrow in the tax-exempt market. It is going to increase the borrowing costs, that is at the same time we are laying down new mandates with regard to homeland security and education—Leave No Child Behind—where we are underfunding the mandates we promised we would bring to bear, and I think we are putting our State and local communities in a financial vise that is actually going to offset a lot of what we are trying to accomplish in Washington, regardless of how one feels about specific elements of the program.

All these reasons—the very small amount of stimulus for 2003, its incentives to take cash off the balance sheets, which is incomprehensible, in my view, and its failure to help States—make this plan one that is failed on arrival, even if it is not dead on arrival, and I certainly believe it is misguided. Again, the President's rhetoric sounds good. We are all for making sure every man and woman has a job, but I think the reality of the program is substantially different and should be evaluated accordingly.

Let's take a look at another part of the rhetoric of the speech last night: The claim that somehow this plan would benefit ordinary middle-class families and create a broad-based prosperity. I feel strongly that it is not particularly an effective macroeconomic stimulus program, but I think there is a big gap in rhetoric and reality with regard to where the money goes.

We talk about averages as opposed to means. There is a general agreement among economists that people with low or moderate incomes are more likely to spend; they have a higher propensity of consumption for tax cuts than people with higher incomes. This is a matter of general economic policy.

Any stimulus plan ought to focus—if you are really trying to stimulate the economy—largely on tax cuts for middle- and lower-income families. The Bush plan does exactly the opposite. Over the next 10 years, those with annual incomes of more than \$1 million will get a tax break worth almost \$90,000 a year. That is \$900,000 over 10 years. Yet some middle-class families with incomes—by the way, middle class in New Jersey might very well fall into this category—\$75,000 to \$100,000 would get only about 2 percent of that tax break, about \$1,800 annually or \$18,000 over the 10 years. Consider people making between \$30,000 and \$40,000, which is closer to the \$27,000 median income for the U.S. as a whole, and that would be \$350 from the Bush plan.

We are looking at different segments of income earners and seeing what this actually means, and that is about four-tenths of 1 percent of the benefits going to \$1 million earners. It certainly does not jibe with trying to put the stimulus into the pockets of people who will turn around and spend it to stimulate the economy.

This is a hard sell. Consider the 25 million taxpayers who reported adjusted gross income of less than \$10,000. These are people worrying how they are going to put food on the table. They are 20 percent of all taxpayers, if you consider payroll taxes. What will they get? They will get a grand total of \$5 a year. Let's review: \$90,000 a year for people over \$1 million, \$1,800 for those with incomes of between \$75,000 and \$100,000, \$350 for those with incomes between \$30,000 and \$40,000, and \$5 a year for 20 percent of taxpayers below \$10,000 adjusted gross income. I don't know, it does not sound to me we are going to put money in the hands of people who will spend it.

This is not class warfare, it is how we are going to get an effective, efficient stimulus program; how do we get this turned around so the economy is growing. Businesses are taking inventories off the shelf and restarting their businesses to restimulate those inventory growths. We need to go back to the principle of the President, which is we want to promote prosperity for all Americans, and to do that, we ought to make sure that a program works.

I am not against people doing well in our economy. As a matter of fact, we made more millionaires in the 1990s with an entirely different proposal with regard to taxes and structure with regard to taxes than at any time in the history of America. Rising tides do lift all boats, and I think it is important that when we are thinking about our tax policy, we talk about how do we grow the total economy.

I think this program is focused in an upside down way completely ignoring payroll taxes, State, local, sales and property taxes, and the distribution of all of those taxes together on all these individuals, and we are getting too much of it going in one particular area.

The next type of Presidential rhetoric I want to address is in the admin-

istration's claim that the President's plan benefits seniors. The reality is very different. There are 37 million seniors. I think most people would agree with that number. Yet only about one-fourth of them, less than 10 million, receive dividends, according to the President. So 75 percent, or 27 million, of America's seniors will get absolutely nothing from the President's dividend exclusion.

Moreover, only a small fraction of the wealthiest seniors would enjoy most of the benefits. Nearly 40 percent of the dividend tax cut for seniors would flow to those filers with incomes exceeding \$200,000. That may be a high concentration of seniors in a lot of States, but I do not know too many seniors in New Jersey, 65 years and older, who have \$200,000 incomes.

That is a mere 2.5 percent of the tax returns filed by senior citizens. They get 40 percent of that so-called 10 million seniors benefiting from the dividend exclusion. It is less than 500,000 of the 37 million seniors that we are talking about. It can be cut and sliced in other ways, but we are talking about a very narrow segment of seniors in America getting the benefit from the dividend exclusion.

It is great rhetoric to claim that seniors will benefit, but the reality is it is a very small number relative to those who are doing well and have a great deal of wealth.

More fundamentally, the truth is this plan will dramatically increase Federal deficits in the long term, and the problem with that is, how are we going to continue to sustain our Social Security programs and our Medicare programs if we are running serious deficits and they are going to explode as the baby boomers retire in the outyears. So if one wants to put all of these programs together, as we talk about seniors, I think we have a real gap between the rhetoric and the reality of who is going to benefit and how this is going to benefit our economy.

I have some other examples with regard to small business. With most of the numbers we hear talked about, the rhetoric does not match the reality. I think there are a whole series of flaws with regard to that. I would love to see us go back on a bipartisan basis and talk about an immediate, temporary and substantial stimulus program more fairly distributed across the breadth of America, as suggested in the President's opening remarks last night as he talked about the economy. I think we could all benefit.

If there is growth in the economy, our deficits will be reduced. We will have greater resources to take care of the needs in this Nation. It is hard to understand, at a time when we are talking about going to war, when we are trying to ask people to sacrifice, that we have such an economic program so focused on those already doing well and doing so little to stimulate the economy. If one reviews almost all of the economic literature and com-

mentary, a lot of it from business, they will find many of the views are that this program has grave weaknesses as far as the stimulus program and needs to be rethought. I hope we can stand back, work together, make a serious effort to come together to produce an effective, efficient, bang-for-your-buck stimulus program, and get on with meeting those high-minded objectives that were part of the rhetoric.

The quality of life for millions of Americans depends on our success and being able to come up with that integrated, cooperative, and bipartisan approach. There are a number of great ideas on the table. I hope we can sit down and work together to make that happen.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Madam President, it is my understanding I have until 4 o'clock to speak. Therefore, if I need a unanimous consent request for that I will pro- pose it at this time. If I do not, I will simply proceed.

The PRESIDING OFFICER. The Senator has the right until 4 o'clock.

THE STATE OF THE UNION

Mr. KYL. Madam President, I will speak about the President's proposals articulated last night in his State of the Union speech to ensure job creation and economic growth for the United States for the benefit of all American families, and for our future.

I note with interest some of the comments my colleagues have uttered. I will respond to some of those before I get into what the President said last night.

I noted that the Senator from New Jersey and other colleagues have been very quick to criticize the President, but I have heard absolutely no proposals emanating from that side of the aisle that offer an alternative to what the President has proposed. There is an old phrase that you cannot beat something with nothing, and I think that is true here. If they have a better plan, then I would like to see it. If they understand better than President Bush and his economic advisers how to ensure and sustain long-term growth in this economy, how to provide more jobs for American families, how to better protect the investments of our senior citizens and the like, then let us see those proposals.

It is easy to stand on the sidelines and criticize, but it is not as easy to present good, solid information and be willing to defend it. I am ready to defend what the President has proposed, and I would like to see those who have been critical come up with some ideas of their own rather than rhetoric.

Most of the people who have been critical of the President, especially if they are Members of the Senate, begin that criticism by noting the President's proposal, in their view, will increase the deficit and they regard this

as a most serious sin. Virtually every one of these critics voted last week for \$502 billion more in new spending for the fiscal year 2003 by virtue of supporting amendments that were offered to the fiscal year 2003 omnibus appropriations bill. They cannot have it both ways. They cannot argue on the one hand they are very concerned about deficits, about not having a balanced budget, and on the other hand vote over and over again last week to increase spending above what the President has proposed, above what the Appropriations Committee has proposed on the floor, by over a half of a trillion dollars in 1 year. Compound that spending over time and, of course, the growth is exponential.

The bottom line is the critics of the President's plan, A, need to come up with a plan of their own if they are going to be credible and, B, if they are going to be credible about concern over the deficit then they should recant the votes they cast last week over and over again for over half of a trillion dollars in new spending above what the appropriations bill called for and that we all supported.

Let's look at the specific criticisms they make. I note that almost all of them say the President needed to pay more attention to the needs of States. This is a curious argument. It is true that almost all States are suffering from lack of finances to serve the needs of the people of the States. That is true in my State as it is in other States.

There are a lot of reasons for that. First of all, the Federal Government imposes some unfunded mandates. That is not fair or right. The Federal Government should make up for those, but that does not explain the whole problem. The problem of State and local governments is essentially the same problem the U.S. Government faces: Namely, the economy is not as robust as it should be, as we would like it to be, as we hoped it would be. Therefore, it is producing less in the way of tax revenues.

In the case of the United States Government, we can relatively easily go into debt. States cannot do that. As the distinguished Presiding Officer knows from her experience in State government, you have to pay as you go in State government. So they are hurting because the economy is not as strong. People are not making as much money, and the States are not collecting as much in tax revenues as they had projected. So they are in a deficit situation.

What do we do about that? What is the Federal Government expected to do about it? Should the Federal Government tax American citizens even more, bring the money back to Washington and then write 50 checks to the States and send it back? How would that help the people who have just had the Federal Government take their tax dollars, then write a check back to the States? I do not see the logic of that.

States can raise their own taxes. If raising taxes is the answer, they all

have the capability of raising taxes much more quickly than the Federal Government does, and of collecting that tax revenue because they can do it in sales taxes so that the effect is immediate. They do not need to wait for a whole year for income tax collections, which is the Federal Government's means of financing to catch up with revenue needs.

I found it interesting that the Senator from New Jersey said the President's plan ignored sales taxes and property taxes. Rightly so. Those are taxes traditionally left to the States to fund needs of State governments—not the Federal Government. Woe be to the Senate and the House of Representatives if we begin collecting sales taxes and property taxes as a means of financing the Federal Government. Woe be to us. That is not right.

States and local governments can raise those taxes if they want. The reality is most of them are not going to do it. They understand, as most of us understand, that taxing people more does not make them better off. It does not help to collect taxes at the State and local level and provide benefits to the very same people who paid the taxes.

What does make sense? What has always made sense in the past? If the economy grows, it will create jobs, it will produce more wealth for American families and, at the same time, more tax collections to the governmental entities that collect taxes.

The Federal Government's problems are primarily a result of a sluggish economy. It was pointed out yesterday in the confirmation of the President's nominee for Treasury Secretary that just a 1-percent difference in growth in our economy from 3 percent to 4 percent means—I hope this figure is correct—\$8 trillion over a 10-year period. That is a lot of money. It illustrates the fact that very small measures of growth differential can mean a great deal in tax collections for both the Federal Government and the State government.

If we can encourage economic growth on a sustained, long-term basis, we will not have to worry about balancing budgets or about deficits or the financial straits our States are in. A healthy economy not only helps families but it also helps the State and local governments and the Federal Government collect the necessary tax revenues to provide services.

Therefore, when critics—such as Governors—say the President ignored the States, I guess I put the challenge back to them: Do you think the Federal Government should raise taxes from your citizens so you can give it back to them? If so, why don't you raise the taxes?

Tax increases are not the answer. Almost all would agree that a robust economy is the answer. How do we get to a robust economy? The Senator from New Jersey is correct that there is not that much economic stimulus in

this current fiscal year in the President's proposal. He identified about \$34 billion worth. I cannot contest that figure. It may well be correct; I don't know. In any event, it was \$34 billion more than the Democrats proposed because they did not pass a budget for fiscal year 2003, provided no tax relief for fiscal year 2003, provided no way to stimulate the economy, provide economic growth or job creation.

It was the Democratic Party that was in control of this body last year. I guess it could be fair to say that \$34 billion is not enough, but it certainly beats what the Democratic leadership was able to produce last year, which was exactly nothing.

Is the answer a stimulus? It is hubris in the first degree to suggest that the Congress—in fact, the Government—can really affect a multitrillion-dollar economy very much in a rapid way by the policies we institute here. We can do far more to help the economy, as Alan Greenspan has said, by curbing our appetite to spend taxpayer money than almost anything else we do. Yet my Democratic friends last week were willing to spend over half a trillion more than the appropriations bill provided and that the President had requested. I don't think they are in a very good position to argue about the proper prescription here for economic growth.

The reality is the best way to promote economic growth is to reduce the tax burden of American businesses, small businesses, and American families. That is what President Bush has attempted to do in the proposal he has made. Does he pretend that in 1 year we can turn everything around? No. As he said last night, if the tax relief we passed a year and a half ago, which was phased in over time, is good in 5 years, 6 years, 7 years, why is it not even better to make it effective now? If my friends on the other side of the aisle are so concerned about doing something now to stimulate the economy, then I challenge them, let's make the tax reductions we passed a year and a half ago, that were phased in over a 10-year period of time, effective now. That would do a lot of good. It goes up and down the entire spectrum of American taxpayers, from those who are the wealthiest all the way down to those who are the least wealthy.

Interestingly enough, those small businesses that create most of the jobs in this country—and we are very interested in job creation—would benefit significantly because they are organized under our laws to pay taxes at individual tax rates. For the most part, their tax rate is higher than the corporate tax rate. So the small businesses we are trying to encourage are paying a higher rate of taxes than the big corporations. I ask, is that fair? Is it a way to stimulate job creation, given they provide more of the jobs in the country than the large corporations?

Let's look at the President's program in more detail. Some on the other side

of the aisle have been very critical of the dividend section of the President's proposal, the part that says it is fair to tax dividends once when the corporation makes the profit but it is not fair to turn around and tax the dividends a second time when they are paid to the shareholder. It is a matter of basic equity and fairness and makes common sense.

But there are some who say, for some reason or other, that is not a good idea. One of the arguments is that eliminating the double taxation of dividends gives money to shareholders. As my friend from New Jersey said a moment ago, that may be nice for the folks who receive it—meaning the deduction for dividends paid by corporations—but does it do much to help the economy?

Let's break that into two parts. It is nice for the people who receive those dividends. Now, over half of the adults in America are investors in equities. Half of Americans are stockholders. A large number of those will receive a benefit by not having their dividends taxed when the corporations pay the dividends to them.

The President's object is not to provide for consumer spending. It is not to increase consumer spending. That is not the problem with our economy now, but to increase capital formation, which is the problem. For confirmation of that, the White House has provided some information comparing personal consumption expenditures with private investment. The top line, which is personal expenditures, is going up from \$6 trillion to \$7 trillion in just over a 3-year period. Consumer spending is not the problem. The problem is this squiggly line down here, capital formation, gross private investment. Gross private investment has actually decreased from just after the year 2000, from \$1.8 trillion to currently \$1.6 trillion. The problem is the need to enhance investment, not to deal with personal spending.

The dividends being taxed today are not going into reinvestment, into business. But the President's proposal is to encourage this reinvestment by eliminating the double taxation of dividends. This attracts billions of dollars of new investment to the economy since increasing the aftertax returns to capital will make new investments sufficiently profitable to be undertaken. Reducing the tax on dividends should raise share prices by many times the amount of additional annual dividend payments. The more real earnings a company has, the more willing the managers are to pay dividends and the more the share prices increase—prosperity for everyone.

Moreover, what is lost on some critics: To eliminate double taxation, this harmonizes tax treatment of debt and equity. We have been too favorable to debt creation in the corporations, so some major corporations have gone into bankruptcy because they created so much debt. As soon as we had a downturn in the economy, they could

not handle the repayment of all that debt. We ought to promote less debt capitalization of businesses and more equity capital.

Harmonizing the tax treatment of debt and equity removes the current tax preference for financing business expansions with debt. Debt is more risky because, while dividends can be reduced or eliminated during difficult economic times, companies that finance with debt must continue to pay the interest regardless of the economy. That is what leads to the bankruptcies.

In addition, eliminating this double taxation of dividends will encourage better corporate behavior. We certainly understand the need for that, given some of the shenanigans that occurred during the last few years. Companies that pay dividends must have real cash earnings rather than possibly doctored paper earnings—which was the case with some corporations over the last few years.

It will help create new jobs. The main beneficiaries of the increased investment activity will be the workers who are employed to use the additional capital and the consumers who get to enjoy the cheaper products and services that it makes possible.

I mentioned that it is simply unfair to tax the same income twice. We sometimes forget that basic argument when we are talking about all the good reasons to eliminate the double taxation of dividends, but in practice I think we all appreciate that double taxation of dividends means that even an investor of modest means is paying a higher tax rate on dividends that wealthy taxpayers pay on their income.

What about this distribution of benefits? Roughly 35 million American households receive dividend income that is taxable, and will directly benefit under the President's plan. So this is not something that just benefits a few—35 million American households receive dividend income that is taxable and will directly benefit as a result of the President's plan.

Almost half of all savings from the dividend exclusion under the President's plan would go to taxpayers 65 years and older. The average tax savings for the 9.8 million seniors receiving dividends would be \$936. To the argument that this dividend savings only goes to a very few, the point here is that the average will be almost \$1,000 per senior receiving the tax break on the dividends.

It seems to me it is very difficult to argue that eliminating this double taxation of dividends is bad for seniors, bad for shareholders, or bad for the economy.

Let's talk about the other aspect of the plan, though, the major piece of the plan that the President spoke to last night and that is the benefit of accelerating the marginal rate reductions.

What do we mean here? We are talking about the income taxes that we

pay. Depending upon which bracket you are in, you pay a higher percentage of your income in taxes. We decided a year and a half ago to reduce those rates but we couldn't get the votes to reduce them all immediately, so we phased them in over time. We phased those reductions in over a 10-year period of time.

Last night the President said, look, if it was a good idea to reduce the tax rate 6, 7, 8 years from now, why isn't it an even better idea to do it right now?

I ask that question of my colleagues who oppose this. Why is it not a better idea to do it right now?

Some of them might say that will cost the Federal Treasury money. My response to that is, Why did you vote for an additional \$502 billion in spending? That also takes money out of the Federal Treasury.

Let's just talk about this marginal rate reduction in terms of economic growth potential. This is where the economic growth really occurs, because reducing marginal tax rates provides an ongoing incentive for all taxpayers to work harder and longer, which is what creates the increased economic activity that we seek. It also creates additional income which can be taxed, so Government ends up making more money in the long run. Most importantly, it allows taxpayers to keep more of their own money, which they can use to invest or spend or save as they choose.

When we talk about savings, we are really talking about investing. So regardless of how this money is used, it will benefit economic growth. If you save it, you put it in a bank and the bank immediately turns that money around, loaning it to others, and that will put the money to use creating more jobs. If you spend it, it is going to eventually find its way back into the capital market and help create jobs. Of course if you invest it, that is the most efficient way of all to provide capitalization to companies to hire new people and produce new things.

I spoke before about small businesses and the benefit of the President's tax plan for small businesses. Reducing the top rate primarily helps these small businesses. The current top individual rate is 38.6 percent. That is the rate at which most small businesses are charged. The top corporate rate is 35 percent. So the small businesses are paying over 3.5 percent more in their income tax rate than the big corporation. Accelerating these rate reductions to the year 2003 will harmonize the small business income tax rate with the corporate rate. That is fair. It is equitable. It is the right thing to do, and it will stimulate economic investment and job creation because, as I said before, it is small businesses that create most of the jobs.

The small businesses would receive about 79 percent, which represents over \$10 billion, of the \$13.3 billion in tax relief that comes from accelerating the reduction of the top bracket to 35 percent in the year 2003, as opposed to the

year 2006. That is why the President said let's bring that reduction forward 3 years and provide this benefit immediately.

There is another benefit for small business that has not been talked about much. The President's proposal would increase from \$25,000 to \$75,000 the amount that small businesses may expense each year, that is to say that they can write off in their income taxes. There is broad bipartisan agreement that allowing small businesses to expense a larger amount of their investment in equipment will provide a strong incentive for small business to expand. As I said, these are the businesses that provide most of the new jobs in our country.

Let me conclude by talking about this class warfare. The previous speaker said he didn't want to talk about class warfare but immediately got into the same argument about who benefits. He also acknowledged something that is very true. John Kennedy is famous for saying, back in 1963 when he was proposing a capital gains tax reduction and people pointed out that there were not very many people who had capital gains, President Kennedy said:

But a rising tide lifts all boats.

If some taxpayers benefit, in the long run all taxpayers benefit. That is an acknowledged principle of economics.

One ought not be asking why do you get a \$3,000 benefit from President Bush's tax proposal and I only get a \$1,500 benefit? But rather, they should say, I am glad I got the \$1,500 benefit and I am glad you got the \$3,000 benefit, because for all of it is going to make the economy healthier and in the long run it will make us all wealthier. That is the attitude, fortunately, most Americans have.

According to the IRS data from 2000, the top 5 percent of tax filers paid more than 50 percent of all income taxes, and the top half of all tax filers were responsible for nearly all of our taxes, 96 percent.

Who ends up paying a higher percentage or lower percentage after all of the Bush tax plan is put into effect? It turns out that the wealthier people end up paying an even higher percentage of taxes and the people in the lower brackets pay an even smaller percentage of taxes. So it does not help the wealthy at the expense of the poor. In fact, if you want to just measure it by that measure, the wealthy pay even more of the taxes than they do today.

If your income is over \$200,000, you are going to be paying 45.4 percent of all of the Federal income taxes. Currently, they pay 44.8 percent. So that is an increase in the amount of taxes that are going to be paid by people who make \$200,000 or more. If you are making above \$100,000 and less than \$200,000, you are going to be paying 27.9 percent of all Federal income taxes. Currently, you pay 27.6 percent—an increase.

Under the Bush plan, families with incomes of over \$100,000 would end up paying 73 percent of all Federal income taxes.

By the way, it takes 3.8 million low-income taxpayers off the tax rolls completely, the Bush plan does. So it is not even an effective rebuttal to say it benefits the rich at the expense of the poor.

I have gone through all the different arguments. We talked about where is the alternative. We talked about the benefits to the States. We talked about the benefits to families. I haven't even talked here about the child tax credit or the marriage penalty elimination. All of these features of the Bush plan are designed in one way or another to help different parts of our economy, different types of families in America, so at the end of the day everybody benefits.

It is possible to pick out one little segment of the tax cuts proposed by the President and say that does not benefit everybody. Of course. If you don't have any children, the child tax credit isn't going to help you. But for those families with children, it is going to help a lot. Same thing if you are two single people; ending the marriage penalty might not help you. If you are a married couple, you might get the benefit of that. But you put it all together and end up with a mosaic that provides not only help to all Americans but an economic long-term growth package that can sustain the kind of living we want in this country, while providing the kind of revenues to State and local governments as well as the Federal Government.

That is the philosophy of the Bush tax plan. It is a good philosophy, and I look forward to a robust debate with my colleagues who may disagree with portions of that plan. It is a very defensible plan, and I am proud to support what the President has proposed here.

I hope we will have plenty of opportunity to debate this in the near future so we can enact all of the President's proposal as soon as we possibly can for the benefit of the American economy but, more importantly, all American families.

EXTENSION OF MORNING BUSINESS

Mr. KYL. Madam President, I ask unanimous consent that morning business be extended until 6 p.m., with the time equally divided between the two leaders or their designees.

Mr. REID. Reserving the right to object, Madam President.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Madam President, I understand the leader wants to go out at around 6 o'clock tonight. As far as the Democratic time is concerned, I would like 25 minutes allotted to Senator BYRD, who wishes to speak now, but during the remainder of the time, without any specific designation as to when it starts, I would ask unanimous consent that 20 minutes of our time be given to Senator KENNEDY, 7½ minutes to Senator SCHUMER, and 7½ minutes to Senator FEINSTEIN.

The PRESIDING OFFICER. Does the Senator modify his request?

Mr. KYL. I revise my unanimous consent request to incorporate what Senator REID has just requested.

The PRESIDING OFFICER. Is there objection to the modified request?

Without objection, it is so ordered.

Mr. KYL. I thank the Chair.

Mr. REID. I appreciate the courtesy of my friend from Arizona.

Mr. BYRD. Madam President, has the able Senator from Arizona relinquished the floor?

Mr. KYL. I have indeed.

Mr. BYRD. I thank the Senator.

The PRESIDING OFFICER (Mr. CORNYN). The Senator from West Virginia.

IRAQ

Mr. BYRD. Mr. President, President Bush last night warned the American people to brace for war with Iraq. In his State of the Union Address, he vowed that if Saddam Hussein does not disarm, the United States will "lead a coalition" to disarm him.

Although the President stopped short of a declaration of war, his message was clear: In his view, Saddam Hussein constitutes an imminent danger to peace and security in the world, and the United States is prepared to wage war, with or without the support of the United Nations, to remove him from power. The chain of events that President Bush set into motion last year when he inducted Iraq into what he called the "axis of evil" appears on the verge of spilling over into battle and bloodshed.

The President's remarks come amid a firestorm of protest from some of our closest allies in Europe and the Middle East over the apparent willingness of the United States to ride roughshod over the United Nations and dictate to the rest of the world the terms of Iraq's disarmament. The President in his State of the Union speech once again made clear that Iraq will be dealt with on his timetable, at his hands, according to his agenda.

Mr. President, I am fully cognizant of the danger presented by the possibility of chemical, biological, or nuclear weapons in the hands of a ruthless dictator like Saddam Hussein. I am fully cognizant of, and frustrated by, the fact that Iraq has consistently flouted the United Nations mandates to disarm, and has apparently shown only token cooperation with the current inspection regime. Iraq has much to answer for, and the President is correct in demanding that Iraq respond to the United Nations.

What concerns me greatly, however, is that this President appears to place himself above the international mandates of the United Nations. He has turned a deaf ear to the concerns of other nations and has vowed that the United States will lead an assault on Iraq regardless of the judgment of the United Nations. President Bush has

made the overthrow of Saddam Hussein a personal crusade, and in his zeal to pursue his goal, he has failed to make the case to the American people out there and to our allies abroad that the United Nations is dragging its feet, that war is the only option left, and that war cannot wait.

The President in his address alluded to tantalizing evidence that Saddam Hussein is in collusion with al-Qaida and that Iraq possesses weapons of mass destruction which it is hiding from the United Nations weapons inspectors. But the President has yet to present that evidence to the public or to demonstrate why it constitutes an immediate cause for war. If the evidence is as compelling as the President indicates it will be, surely the member states of the United Nations will close ranks behind the United States and demand the forcible disarmament of Iraq.

The President also set what appears to be a new deadline for the United Nations. On February 5, he said, the United States will ask the U.N. Security Council to convene to hear evidence of Iraq's illegal weapons programs and its links to terrorist groups. I look forward to learning the details of that meeting. I wonder why the President is holding back for another week if he has such information today, and perhaps has had it for some time. I am confident that the U.N. weapons inspectors would welcome such evidence, not next week but today, so that they could do their jobs more effectively. I wonder why the Senate has not been given this evidence. I wonder why the American people, who are being asked to send their sons and daughters, mothers and fathers, brothers and sisters into the battle zone, have not been made privy to this important evidence.

Perhaps the answer lies in the followup comment by the President, when he said: "We will consult, but let there be no misunderstanding. If Saddam Hussein does not fully disarm for the safety of our people, and for the peace of the world, we will lead a coalition to disarm him." Despite all his comments to the contrary, it appears that the President has predetermined that war with Iraq is the only recourse left.

If war is the answer, the support of the international community is essential. I believe that it would be a grave mistake for the United States to preempt the work of the United Nations weapons inspectors and initiate an invasion of Iraq without first seeking the express support of the Security Council. The United States is already seen by many as an aggressor in the Middle East. Speculation is rife in Europe that the United States is pressing to invade Iraq to give the U.S. control of the Iraqi oil fields. America's reputation in the court of world opinion is in tatters.

Unfortunately, the President's State of the Union speech did little to allay the worries of the American people or the international community. The President signaled to the world that

America is ready for war with Iraq, but he did not explain why Iraq suddenly presents such "a serious and mounting threat" to our country, our friends, and our allies that war is the only option. How is it that the threat from Iraq is more serious than the threat from North Korea? How is it that the threat from Iraq appears to have eclipsed the threat from al-Qaida to our own country and the threat from other terrorist organizations?

Nor did the President attempt to prepare the American people for the possible consequences of war with Iraq—the terrible toll on the lives of innocent Iraqis, the potential for hundreds or thousands of battlefield casualties of American service men and women, the sharply increased threat of terrorist attacks on America and its allies. The President promised that the overthrow of Saddam Hussein would liberate the people of Iraq, but he made no mention of what the American people could expect from a postwar Iraq. The President made no mention of the burden the United States would have to bear to ensure that a postwar Iraq did not devolve into chaos.

In his State of the Union Address last year, the President declared a global war on terror, and he called on all nations of the world to come together to combat the curse of terrorism. In his speech last night, the global war on terror got remarkably short shrift. "We are working closely with other nations," the President said. "We have the terrorists on the run."

Unfortunately, having terrorists on the run means that terrorists have escaped our dragnet and, according to intelligence assessments, are actively plotting new attacks on the United States and its allies. We still do not know the fate of Osama bin Laden. We may have him on the run, but we also fear that he continues to pose a real and imminent threat to the United States. And unlike Saddam Hussein, Osama bin Laden has demonstrated his willingness to attack American citizens at home and American interests abroad.

But instead of rallying the international community to the continued need to cooperate in fighting global terrorism, the President's policies and the President's rhetoric are polarizing the world.

Mr. President, I believe the Senate has a duty to speak to the issue of war with Iraq, and I believe that the United States has a duty under international law to work within the structure of the United Nations charter. If we indict Saddam Hussein on the grounds that he has failed to disarm in accordance with the United Nations resolutions, how then can we turn around and act against him without United Nations support? What signal does the United States send to the world regarding respect for international law? The United Nations is acting responsibly. Iraq, if not fully cooperating, is at least straitjacketed. America's allies are

calling on us to give the inspectors time to do their work. This is not the time for precipitous action on the part of the United States.

For these reasons, I am today introducing a resolution urging that the U.N. weapons inspectors be given sufficient time to complete their work and calling for the President to seek a United Nations resolution specifically authorizing the use of force before initiating any offensive military operation against Iraq.

Now, it may come to be that war is the only way to subdue the malevolence of Saddam Hussein. But that is not a decision for the United States to make unilaterally. President Bush, in November, galvanized the United Nations to act on the issue of Iraq. For that, the President is to be commended. Now he must follow through on his pledge to work with the United Nations. The United Nations has demonstrated in the past 2 months that it is willing to act responsibly and vigorously in addressing the issue of Iraq's disarmament. No one could accuse chief weapons inspector Hans Blix of sugar-coating his interim report to the U.N. Security Council on January 27. He made clear that Iraq is not adequately cooperating on matters of substance. He made clear his frustration with Iraq. But he did not slam the door on the possibility of disarming Iraq without resorting to war.

As long as that door remains open even a crack, as long as Iraq is not actively threatening its neighbors or the United States, as long as the United Nations can maintain a stranglehold on Saddam Hussein's ambitions, I believe that we have a duty to the American people to strive to find an alternative to war. If war it must be, then it should be a coordinated undertaking authorized by Congress and sanctioned by the member states of the United Nations—not a preemptive strike initiated by the President of the United States.

Mr. President, the consequences of war are incalculable. Before we take such a momentous step, before we place the lives of American military personnel and innocent civilians in harm's way, we should stop to reflect on the possible consequences, and we should redouble our efforts to find a peaceful solution to the disarmament of Iraq. If war is the only recourse, it must be a war endorsed and fully supported by the United Nations.

Mr. President, if it must be war, we may be lucky. I hope we will be. But we may not be lucky. I think of the words of Croesus, when he said to Cyrus the Great of Persia:

There is a wheel on which the affairs of men revolve and its movement forbids the same man to be always fortunate.

Mr. President, I shall have more to say as the days come and go on this matter that is so vital to the American people and to their futures and to the futures of our children and grandchildren and their children.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I believe I have time.

The PRESIDING OFFICER. The Senator has 20 minutes.

Mr. KENNEDY. I thank the Chair.

Mr. President, I thank my friend from West Virginia for his eloquence once again this afternoon. When the history of our time is written, there will be many important chapters on the contributions the Senator from West Virginia has made, certainly for his State, but I also think there will be an important chapter that will be written about his contributions to our Constitution as the principal guardian of the Constitution in the Senate. He has done this on so many occasions. I have admired him so much for that effort and the extraordinary insight he has brought to all of us as a student of history.

All of us will remember very clearly the debates which were led by the Senator from West Virginia some 3 months ago on the issues of war and peace, and now once again, as we are coming to the most significant time, and that is the decision-making that will be made at the United Nations about whether we will continue with a course of inspections and whether we will try and galvanize the world community behind a common purpose, or whether we will go it alone. The Senator reminds us of the dangers of going it alone, of the unforeseen challenges we will be facing, and draws attention to the importance that this is a matter that is debated and discussed in the Senate; that the people in West Virginia, like the people in my own State, are eager to have more knowledge, more awareness, more understanding as to exactly where we are going and the circumstances of that commitment.

I thank the Senator from West Virginia so much for the thoughtful resolution which I am proud to cosponsor and for the comment he has made, which is that we will be back here again to talk about this issue of war and peace.

As he has said on many occasions, there is no vote that is more important than a Senator's vote on war and peace. There is no issue more important that we address in the Senate. The Senator reminds us of that very solemn obligation and responsibility we have on that issue and has, in his resolution, found ways of giving expression to the concerns of many of our fellow citizens.

I again thank him for all of the work he has done. I urge him to continue to lead this body to a better understanding of exactly what policy we are undertaking, what the risks are, and the challenges we face with the real prospects of a war which may be initiated by the United States, in which the United States may be effectively going it alone with perhaps one or two of our allies. I thank him so much for his attention and focus on this issue.

Mr. BYRD. Mr. President, will the distinguished Senator yield?

Mr. KENNEDY. I will be glad to yield.

Mr. BYRD. Mr. President, I thank the very able Senator for his thoughtful and gracious remarks. I thank him also for his cosponsorship of the sense-of-the-Senate resolution which I have just submitted. I thank him for his contributions to that resolution.

It is my understanding he will be submitting a resolution. We have discussed that as well, and I hope he will add my name to his resolution. He can be sure that, the Lord willing, I will be speaking on this matter from time to time, and I know that he will join me, as I hope others in this Senate will join us. I think it is time for the American people to hear more from the Senate. I do not think they have heard enough from the Senate on this matter that is so vital to them, to their loved ones, to their fortunes, and to their futures.

As far as the Lord enables me to do so, I intend to have more to say on this subject. I thank the Senator. I know he will have more to say. Again, I thank him for his remarks and for his cosponsorship of the resolution.

Mr. KENNEDY. Mr. President, may I be reminded when I have 3 minutes remaining.

The PRESIDING OFFICER. The Chair will so inform the Senator.

Mr. KENNEDY. Mr. President, last October 16, President Bush signed Public Law 107-243 which authorized the President to use military force, if necessary, to defend our country.

I voted against that resolution and war with Iraq because I was not persuaded that Iraq posed an imminent threat to our national security and because of my belief that war with Iraq, especially without broad international support, would undermine our ability to meet the gravest threat to our national security—terrorism against the United States by al-Qaida and other terrorist groups.

Circumstances have changed significantly since Congress approved that resolution last October. In the months that have passed, events have only strengthened my belief that this is the wrong war at the wrong time.

In those 3 months, al-Qaida has escalated its campaign of terror. North Korea has revived its nuclear weapons program. And United Nations inspectors are now on the ground in Iraq.

There is no doubt that Saddam Hussein is a brutal dictator. He invaded Kuwait. He oppresses the Iraqi people. He murders his opponents. He has gassed his own people. He has defied the world community.

So I commend President Bush for going to the United Nations and for working with our allies to put inspectors on the ground again in Iraq. The inspectors are making progress. Rather than commit American troops to war with Iraq at this time, we should give the inspectors our full support and assistance, including our best intel-

ligence information, to strengthen their disarmament efforts.

There are many other questions that must be answered before we go to war:

Will war increase the chances of injury and harm to American citizens if Saddam Hussein, with his back pressed against the wall, decides to use chemical or biological weapons? What will a postwar Iraq look like? Who will govern? How long will our troops need to stay? How many will need to stay?

What will be the impact on the war against terrorism? Will we be increasing support for al-Qaida?

What will be the impact of our allies in the region? Will stability be undermined?

How will our Nation be able to manage three foreign policy crises at the same time—the war against terrorism, the crisis with North Korea, and now war with Iraq?

When Congress voted on this issue in October, the President had not yet decided to go to war. The President said war was the last resort. He said we would work with the international community to obtain Iraq's disarmament. Clearly, we have not reached that last resort. Inspectors are on the ground in Iraq, and the international community wants the inspections to continue; yet, the President is poised to pull the trigger of war.

I am delighted to work with Senator BYRD on this issue, and I am a cosponsor of his resolution. We share the goal of ensuring that war will be the last resort; that if we do have to go to war in Iraq, it will be with the support of Congress, the American people, and the international community.

In light of the changed circumstances since the previous votes by Congress, I am submitting another resolution supporting the inspection process and requiring the President to obtain approval from the Congress before committing American troops to war.

This decision may well be one of the most important that any of us will make.

So much has happened since Congress voted to authorize force last October. On November 8, the United Nations Security Council unanimously approved a resolution that demanded unprecedented access to suspected weapons sites in Iraq. The passage of this resolution demonstrated the resolve of the international community to disarm Saddam, and was soon followed by the arrival of several hundred weapons inspectors in Iraq.

On January 27, the inspectors submitted a report to the Security Council about Iraq's cooperation with weapons inspections. Chief weapons inspector Hans Blix stated that Iraq has so far cooperated "rather well" but that additional cooperation is necessary. The director general of the International Atomic Energy Agency said inspectors "have found no evidence that Iraq has revived its nuclear weapons program since the elimination of the program in the 1990s" and that inspectors "should

be able within the next few months to provide credible assurances that Iraq has no nuclear weapons program."

The U.N. report demonstrated that the inspection process is working. The inspectors are building their case, and Saddam Hussein is feeling the pressure of the international community. Nothing in the report suggests that war now is the only option to disarm Saddam. Clearly, the inspections should continue.

It is wrong for the administration to beat the drums of war. There is time for thoughtful deliberation about whether war now is the right priority for our Nation and we in Congress have a responsibility to the Constitution and the American people to act again on this all-important issue of war or peace.

The administration has totally failed to make the case that Saddam Hussein is an imminent threat to our security. No evidence, no proof, no "smoking gun," no intelligence has ever been released to suggest we must launch a preemptive strike in order to defend America from an unprovoked attack. Instead of making its case, the administration simply says, "Trust us. We know more than you do."

Many experts believe that Iraq—especially without provocation—does not represent an imminent threat to our security. In fact, it may well be just the opposite. On October 7, CIA Director George Tenet released an unclassified assessment in a letter to the Senate Select Committee on Intelligence that suggested Iraq would only be a threat if the United States attacked it first.

The letter said, "the probability of [Saddam Hussein] initiating an attack [on the United States] would be low." It also said, "should Saddam Hussein conclude that a U.S.-led attack could no longer be deterred, he probably would become much less constrained in adopting terrorist actions. Such terrorism might involve . . . [chemical and biological weapons]."

In spite of U.S. assertions that we have secret evidence of Iraq's WMD program, we have been transferring this information at a painfully slow pace. It is only this month, that we finally began to hand over "significant intelligence." The administration promises the release of new information and all of us hope that it will be more convincing than what has been made available so far.

Secretary Powell will go to the Security Council to share intelligence on Iraq's weapons of mass destruction program on February 5. But if the United States has significant intelligence, we should share it with the U.N. inspectors today. We should not wait a further week. If our goal is disarmament, we should do everything possible to assist the inspectors.

The disarmament of Saddam Hussein is essential. But the administration has not made a persuasive case that the threat from Iraq is so immediate

that it justifies resort to war now when the inspections process is obviously making progress. Clearly, we have not reached the last resort.

Our Nation faces another threat that is much more immediate: the possibility of new al-Qaida terrorist attacks. A unilateral invasion of Iraq would not advance our war against terrorism—it would undermine it. Our highest national priority is to wage the unfinished war against al-Qaida and wage it effectively.

In the last 4 months there have been deadly new al-Qaida attacks worldwide, which have slaughtered hundreds. A French tanker was attacked in Yemen, a nightclub bombed in Indonesia, a hotel destroyed in Kenya, missionaries murdered in Yemen. The frequency and ferocity of these attacks is increasing. It is only a matter of time before they strike America again.

The administration would like us to believe that Saddam Hussein is public enemy No. 1, ignoring the fact that Osama bin Laden is still at large. Chilling new evidence has arisen suggests that he is planning new attacks.

At home, we still remain vulnerable. Last October, a Council of Foreign Relations task force chaired by former Senators Gary Hart and Warren Rudman warned that "America remains dangerously unprepared to prevent and respond to a catastrophic attack on U.S. soil."

Another Task Force representative told a Senate Judiciary Subcommittee that "a war with Iraq . . . elevates the risk in the near term of an attack on the United States . . . [and] will likely consume virtually all the nation's attention and command the bulk of the available resources, leaving little left over to address our many domestic vulnerabilities."

For some time, the administration engaged in a complicated spin job to convince the American people that Saddam Hussein and Osama bin Laden are co-conspirators. According to this view, waging war on Iraq is part of the war against terrorism. Last September, our Secretary of Defense went so far as to claim publicly that he had "bulletproof confirmation" of links between Iraq and al-Qaida.

But the administration has never presented any of this "bulletproof" evidence. Most regional experts believe it is highly unlikely that fundamentalist al-Qaida leaders would ever find much common cause with the secular dictator Saddam Hussein. Last October, CIA Director George Tenet even conceded that the administration's understanding of the al-Qaida Iraq link was "evolving" and based on "sources of varying reliability." The administration claimed again this week that they have new evidence of those ties, but so far we have only seen a rehash of old allegations and unreliable anecdotes.

As the administration emphasizes the threat from Iraq, it gives less attention to other countries that pose an even more immediate threat to our security.

The greatest proliferation threat comes not from Iraq, but North Korea. North Korea is much more likely and capable to develop, use and sell these weapons. But unlike Iraq, North Korea probably already has nuclear weapons. Unlike Iraq, North Korea has no nuclear inspectors on the ground to verify disarmament.

North Korea has a long and well-documented history of selling its military technology, especially ballistic missiles, to whoever will pay the highest price. Desperate and strapped for cash, it is the country most likely to sell or transfer weapons of mass destruction to terrorists or nations that support terrorism.

In its single-minded focus on Iraq, administration officials at first refused to acknowledge that a nuclear crisis even existed. Only very recently has the Administration begun to devote the attention this crisis deserves.

Nevertheless, the administration continues to focus on Iraq. They are now suggesting an easy war, with few casualties. But our military leaders, especially those with significant combat experience are skeptical. On December 18, a press report said that the commandant of the Marine Corps is concerned that civilian leaders in the Pentagon are underestimating the risks of war, and that military chiefs have challenged the optimistic view that Saddam Hussein's government will collapse soon after a military campaign begins.

In December, we heard dire new forecasts about what war with Iraq would actually be like. U.S. intelligence officials warned that Saddam Hussein may pursue a "scorched earth" policy if the war goes badly. They said that Hussein may try to destroy Iraq's oil fields, power plants and food facilities.

In the Armed Services Committee, we heard testimony from General Hoar and others about the dangers to our troops of urban guerilla warfare.

War will be a disaster not just for the soldiers who suffer and die, but for the vast numbers of innocent civilians who will be affected. In December, the media reprinted a confidential U.N. planning document predicting a humanitarian crisis in the wake of war with Iraq. U.N. officials also predicted a halt to Iraqi oil production, serious degradation of Iraqi transportation, sanitation and power facilities, and the "outbreak of diseases in epidemic if not pandemic proportions." The document also predicted a flow of up to 900,000 refugees.

War will not be as easy as the administration would like us to believe. It may well turn into the first great humanitarian catastrophe of the 21st century.

The PRESIDING OFFICER. The Senator has 3 minutes remaining.

Mr. KENNEDY. The debate giving the President authority to use force against Iraq occurred over 3 months ago. Since then, circumstances have changed so significantly that Congress

must consider the issue of war and peace again.

The administration is also not adequately considering the massive political commitment that will be required to Iraq's long-term reconstruction. If we wage this war without allies, the United States will assume a massive and lonely responsibility to rebuild Iraq, preserve its territorial integrity and prevent chaos. Going to war alone will impose massive new responsibilities that could extend for years, if not decades.

The Senate debated giving the President authority to use force against Iraq over three months ago. Since then, circumstances have changed so significantly that Congress must consider the issue of war and peace again.

Since our debate last fall, we have finally implemented, with our allies, an active process to verify Iraq's disarmament. That process is working and should be allowed to continue. We must help this process along and give persuasive intelligence information to U.N. weapons inspectors.

It is possible that the inspections process will fail or that new evidence will be uncovered about the threat from Saddam Hussein. But under the current conditions, I continue to believe that this is the wrong war at the wrong time.

If we rush to pull the trigger against Iraq, we will invite catastrophe and condemnation. America, which has long been a beacon of freedom for people around the world, will turn into a symbol of brute force and aggression. The world may come to see us as a dangerous rogue state, needing to be contained and deterred. This is not the America that Abraham Lincoln called "the last, best hope of mankind." War now would be alien to our values, contrary to our interests, and must not be waged.

Mr. McCAIN. I ask that I be recognized for up to 20 minutes.

Mrs. FEINSTEIN. I ask for a point of clarification. I was waiting in the queue. I have no objection to the Senator from Arizona going first. I ask unanimous consent that directly following Senator McCAIN, I be granted a privilege of the floor for 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Arizona.

Mr. McCAIN. Mr. President, over 3 months ago, I worked with Senators LIEBERMAN, WARNER, and BAYH to manage the resolution authorizing the use of military force against Iraq on the floor of the Senate. Over the course of 8 days, we held a thorough, comprehensive, and honorable debate that allowed all sides to express their views quite thoroughly. Seventy-seven Senators then voted to authorize the President to use our Armed Forces to "defend the national security of the United States against the continuing threat posed by Iraq" and "enforce all relevant United Nations Security Council resolutions regarding Iraq."

The resolution, which now has the force of law, was entitled the "Authorization for Use of Military Force Against Iraq Resolution of 2002." One provision stated, "Consistent with . . . the War Powers Resolution, the Congress declares that this section is intended to constitute specific statutory authorization within the meaning of section 5(b) of the War Powers Resolution." Congress has spoken, and its message could not be clearer.

The Senator from Massachusetts spoke repeatedly and at length over the course of the Congressional debate on Iraq. He spoke eloquently and passionately, in the great tradition of the Senate. At the end of the day, his views did not prevail, but he made an important contribution to the debate.

That debate is over. After a months-long period in which the Bush administration went to the Security Council—as the Senator called for last fall, secured a new Council resolution demanding Iraqi compliance with its disarmament obligations—as the Senator called for last fall, and pursued patient diplomacy while educating the American public about the threat Iraq poses to our interests—as the Senator called for last fall, I agree with him that "much has changed in the many months since Congress last debated war with Iraq."

What has changed is that the Administration has pursued the careful diplomacy the Senator had urged on it and has refrained from using force unilaterally against Iraq. The President has worked to make the case for Iraqi disarmament to America and the world. The administration was able to unite the Security Council behind our demand that Iraq disarm or be disarmed. And the administration has worked diligently to assemble a coalition that will stand with us in the event military action is necessary.

Iraq has provided more evidence of its intentions, and its defiance, by its failure to provide anything resembling an honest declaration of its arsenal of banned weaponry, and its failure to cooperate substantively with the U.N. inspectors, as Hans Blix has stated. By its own actions, Iraq has placed itself before the world in material breach of the Security Council resolution the Senator from Massachusetts demanded the administration seek, and honor, in the congressional debate last fall. I agree with the Senator, much has changed.

As the President said last night, "The dictator of Iraq is not disarming. To the contrary, he is deceiving." The price of his deception, if allowed to continue unchecked, could have catastrophic consequences for the United States which none of us, no matter how we voted on the Iraq resolution, could ever countenance.

The Senator from Massachusetts apparently believes we should revoke the President's authority as Commander in Chief to order our Armed Forces to defend American national security

against the threat posed by Iraq, as enshrined in the Constitution and authorized in law by Congress, unless and until there is clear evidence of an imminent Iraqi threat of attack on the United States. But in the world we live in, there is no such thing as knowledge of imminence of attack. Had we known what was to happen to our country you September 11, 2001, there is no American leader who would not have acted to prevent it.

Every one of us in this body had contemplated what could have happened had the September 11 terrorists employed weapons of mass destruction. We cannot abide a world in which outlaw regimes deeply hostile to American are free to develop weapons which, in the hands of dictators and terrorists, would be used against us. As long as those dictators reign, and as long as terrorists plot to strike us, the threat can be understood to be imminent, because we don't know when the next attack will happen—and as long as we don't act we can say with certainty that there will be another attack.

Speaking of the nexus between rogue states with deadly arsenals and the terrorists with whom they conspire, the President said, "If this threat is permitted to fully and suddenly emerge, all actions, all words, and all recriminations would come too late. Restringing in the sanity and restraint of Saddam Hussein is not a strategy, and it is not an option."

While I respect my colleague's differences with the administration and with a substantial majority of the Congress on the matter of Iraq, I believe the case for action to disarm Saddam Hussein has only become more compelling since Congress debated the authorization to use force against Iraq last fall.

When I heard earlier today—as the word gets out around here—that the Senator from Massachusetts might come to the floor and propose another resolution to be debated, I must say I was of two minds. I thought this would be another marvelous opportunity to debate this amendment, this entire situation, because in the intervening months, as I have stated, Saddam Hussein has proven he is not in compliance not only with the Security Council resolutions but going all the way back to 1991 when he was required, according to Security Council Resolution 687, to comply within 15 days and has not. He has violated some 12 or 13 Security Council resolutions. I thought this would be a great opportunity because there is no doubt in my mind we would prevail again if a vote were held.

I also, on the other side of the coin, believe if we start a debate all over again that lasts for another week or 2 weeks, or whatever it is, surely we would be plowing the same ground. But also, would we be sending a signal that the American people are not united? Would the outcome of the vote be basically the same? Would Senator LIEBERMAN or Senator BAYH decide to

vote against the resolution that they so fervently and eloquently supported on the floor of the Senate? I don't think so.

Another thing about this terrible and difficult decision the President may have to make—which is the most difficult that any President of the United States is faced with, the dispatch of young Americans into harm's way—the President knows full well that even though we will win an overwhelming victory, young Americans will lose their lives.

I believe that conflict will be short. I believe that in 1991 when I debated this same situation where we contemplated previously the subject of military action against Iraq, colleagues on the other side of the aisle, including Senators who will speak and have spoken in opposition, said: It will be another Vietnam; the body bags will be coming back; we should not do this; this is terrible; let's delay; let's give peace a chance.

The conflict was short. We freed the nation of Kuwait, and for a period of time we had peace in the Middle East without significant threats to the United States national security. Now we have to finish the job, perhaps.

I say two things. One, I regret and grieve the loss of any American lives that might occur as a result of this military action. But our interests are threatened, as the President said last night.

I also want to say a word about post-Saddam Iraq, since that has been referred to continuously by those who oppose any military action under any circumstances.

The people of Iraq are subjected to one of the most brutal, repressive, God-awful regimes in the world today. Last week's New York Times told stories of warehouses where people were hung from hooks, of rape, of torture, of murder. Claire Shipman did an interview with one of Saddam Hussein's previous mistresses. He derived some kind of pleasure watching films of people being tortured.

These are bad people, a bad regime that has killed and oppressed its own people; a complete and total police state. Where are the advocates for human rights?

I promise you there are many of us, at the time of the fall of Saddam Hussein, who will devote American effort and treasure to the construction of a democratic, freely elected, free society in Iraq, and give those people a chance to enjoy the human rights that it is our fundamental belief is the endowment of all men and women.

As far as the expense is concerned, I am sure any new Iraqi Government could cover those expenses. But shouldn't we give those people an opportunity to enjoy their God-given rights rather than continue under the dictatorship of this brutal, mad dictator? He is the only one I know of who has used weapons of mass destruction on his own citizens.

Yes, I will admit, if he wasn't constructing these weapons of mass destruction, and his relentless pursuit of them, we probably wouldn't do anything about it. But this is an interesting nexus of our national interests and our national values. Our values are that all men and women are created with certain inalienable rights. Our interests are threatened by the certain knowledge that, sooner or later, Saddam Hussein would acquire these weapons and use them. There has been no evidence that would indicate the contrary.

I sort of regret we are coming to the floor to begin a debate that may last for some days, whether the Senator from Massachusetts withdraws his resolution or not. I hope not. I hope the Senator from Massachusetts will recognize that time was over 3 months ago, and the process moved on, a process of constant consultation with the American people, and with the United Nations Security Council, and a speech that I think was remarkably eloquent last night to the American people by the President of the United States.

But I want to say I believe some time from now we will be pleased as Americans that we placed this responsibility in the hands of the President of the United States; that he acted with maturity; that he acted with great and sound judgment, and the world some time from now will be a far better place—not only for Americans but also for Iraqi citizens.

I yield the remainder of my time and I yield the floor.

THE PRESIDING OFFICER (Ms. COLLINS) The Senator from California.

Mrs. FEINSTEIN. Madam President, I thank the distinguished Senator from Arizona for his comments. He certainly is one who does know about war, and I believe he also believes that war should be a last resort.

I also thank the distinguished Senators from West Virginia and from Massachusetts for introducing this legislation which I have decided to be a cosponsor. Because of my support for the resolution which gave the President authorization for use of force, I felt I probably should come to the floor and explain my rationale for supporting the resolution offered by the Senator from West Virginia.

Essentially, Hans Blix's report Monday to the Security Council made it clear that, although there has been progress, Iraq is not fully living up to its obligations, nor is it fully cooperating. Then the President, in last night's State of the Union Message, made clear, I think, some outstanding questions.

The first question is: What has Iraq done with 500 tons of Sarin, mustard gas precursor chemicals, and VX nerve agents? That tonnage is missing. It has not been declared. It has not been revealed or has not been found.

The second question is: What has really happened to the 8,500 liters of anthrax which Iraq has stated it uni-

laterally destroyed in the summer of 1991? But it cannot document that.

And third, what of the 650 kilograms of bacterial growth media? Those are critical items.

These are key and serious issues the answers to which clearly provide the evidence as to whether Iraq possesses chemical and biological weapons.

The fourth item is the U-2 plane. The United Nations, as we all know, has access to a U-2 plane to gather intelligence. However, Iraq has refused to provide it safe overflight. This remains another issue of major non-cooperation.

So the administration is correct in saying that Iraq needs to be immediately forthcoming and immediately cooperative with the inspectors. These issues need to be resolved. These are mega issues from anyone's point of view.

As long as the inspectors believe there is sufficient access and as long as Iraq has said, specifically Tariq Aziz, that Iraq will even offer greater cooperation, I would say there ought to be a period of time where Iraq provides to the world and to the inspectors, the answers to these questions. I think it is vital.

If Iraq is found to pose an imminent threat to the United States, then clearly we have to take action—with others I hope, if we can. But right now that is not the case. If, indeed, after consultations with the Security Council, the administration has clear evidence that Iraq is continuing an illegal program to produce chemical and biological weapons, or nuclear weapons, or possesses these weapons, the time has really come to make it public.

What the President did, in my view, was present very clearly, not only to the Congress of the United States but to the entire world, significant questions that need to be immediately addressed. Iraq must, in fact, step up to the plate.

The reason I believe this resolution—which essentially asks for time for inspections to continue, essentially urges a second vote at the Security Council—is right is because I believe this situation must stand on its own. The degree of threat and the degree of violation must be separately evaluated. But it is also part of a much bigger scenario and I want to spend time discussing that scenario here today.

I believe America's national security policy stands at a crossroads. I believe in the wake of 9/11, last year was fundamental in terms of the administration's articulation of what constitutes, to my mind, a brand new approach to foreign policy by the United States. Within about 8 months last year, the administration put out three separate documents. One of them was the National Security Strategy. The second was the Nuclear Posture Review. The third was the Doctrine of Preemption as represented in the President's speech at West Point.

Although individually each may appear innocuous, taken together these

documents are revolutionary. They posit a world in which the exercise of U.S. military power is the central organizing principle for international affairs in this new century. These documents, in fact, put forward a litany of ways in which the United States will make military activism and adventurism the basic tool for pursuing national security.

First, the National Security Strategy quite pointedly moves the United States away from the concept of deterrence and, to a great extent, substitutes preemption in its place.

Secondly, the administration's Nuclear Posture Review is extraordinarily provocative and dangerous. It blurs the line between the use of conventional and nuclear weapons. It suggests that certain events might compel the United States to use nuclear weapons first, even against non-nuclear states. And it calls for the development of a new generation of United States nuclear warheads, including "mini-nukes."

As was well documented in the press last year, the Review also discusses contingencies in which nuclear weapons might be used, including—and I quote—"a North Korean attack on South Korea or a military confrontation over the status of Taiwan" in which our adversaries do not necessarily use nuclear weapons first.

The Review also addresses contingencies in which the United States might use nuclear weapons not in retaliation to a nuclear strike on the United States but to destroy enemy stocks of chemical or biological arms.

Karl Rove was specifically asked that question on television on Sunday, and he did not answer the question.

This Review also states that in setting requirements for nuclear strike capabilities, distinctions can be made among immediate, potential or unexpected contingencies, and that North Korea, Iraq, Iran, Syria and Libya are among the countries that could be involved in these immediate, potential or unexpected contingencies.

That is what makes what is being suggested here in Iraq—if you look at it, in its total expression—so troubling.

The fact of the matter is that several of the nations cited in the Nuclear Posture Review's contingencies lack nuclear weapons. Using nuclear weapons against them would be constitute first use. Under the Nuclear Nonproliferation Treaty, the United States has agreed not to use nuclear weapons against a non-nuclear state unless that country attacks the United States "in alliance with a nuclear weapons state."

And finally, the doctrine of Preemption—which we may be seeing for the time with Iraq—asserts a unilateral right for the United States to preempt a threat against our Nation's security.

The doctrine says:

[T]he United States can no longer solely rely on a reactive posture as we have in the past. . . . We cannot let our enemies strike first.

Further on:

The greater the threat, the greater the risk of inaction—and the more compelling the case for taking anticipatory action to defend ourselves.

Taken at face value, this means the United States holds for itself the right to strike against another sovereign nation—wage war, if you will—even in the absence of a clear and present danger, an immediate threat or provocative action, but based solely on the perception of a sufficient threat.

I deeply believe the administration's course in these areas stands in contrast to the successful bipartisan tradition of supporting a world ordered by law, with capable international institutions and reciprocal restraints on action.

But the administration's emphasis on unilateral action, its dismissal of international law, treaties, and institutions, and its apparent focus on the military, especially as documented in the National Security Strategy, the doctrine of Preemption and the Nuclear Posture Review, have created widespread resentment in the international community.

I believe that these documents are the clearest statements in writing of the administration's long-term intentions, and I find them questionable and seriously disturbing.

I must also tell you that Secretary Powell essentially said to me: Well, the Nuclear Posture Review really isn't operative. But, nonetheless, that is a doctrine that was released. It is serious in its ramifications. And the way this relates to Iraq is Iraq may be the first test case. If there are chemical and biological weapons—and there very well might be—does this then justify the use of a nuclear weapon to destroy them? The Nuclear Posture Review puts this on the table as an option. I think we need to know.

So I ask these questions because I think they must be asked. And this is as good a time as any.

If we are going to depend on the might of the sword to right wrongs, and in so doing risk committing our own wrongs, how are we better off?

Coalitions, alliances, treaties, peacekeepers, inspection regimes—all can and have been successful instruments in deterring adversaries, safeguarding American lives and U.S. security interests, and in resolving disputes, conflicts, and crises.

So, Madam President, I remind this body that since World War II, there has been strong bipartisan support of a United States which has embraced international cooperation, not out of vulnerability or weakness but from a position of strength.

House Joint Resolution 114, which I supported, and which authorizes the use of force against Iraq, specifically calls for a Presidential determination, that—and I quote—"reliance by the United States on further diplomatic or other peaceful means alone either will not adequately protect the national security of the United States against the

continuing threat posed by Iraq or is not likely to lead to enforcement of all relevant United Nations Security Council resolutions regarding Iraq."

That finding, that determination, required by our resolution—for which 77 of us voted—has not yet been made. The evidence has not yet been laid out. The conclusions have not yet been drawn.

What happened to the missing anthrax, the missing botulinum toxin, the missing VX nerve agent, the missing precursor chemicals, has not yet been determined. So that is why I come to the floor to say that it is critical that Iraq fully cooperate. It is critical that the inspectors be allowed to continue.

If Iraq does not come clean, if Iraq does not submit the documentation as to the disposition of these chemicals and biological agents, then a legitimate conclusion can be drawn. But the reason I believe arms inspections must be given a chance to succeed and must continue is that I believe Iraq is just one small part of a larger sea-change in U.S. national security policy. It is a small part of the doctrine of Preemption, in which we move against a perceived or real threat. It is a small part of the Nuclear Posture Review, which says the United States would countenance the use of nuclear weapons against hard and deeply buried targets or biological or chemical weapons.

So I believe that restraint is the proper course. It means that diplomacy is a prudent course, and it means that if international law—if international bodies are to have any relevance in this new millennium—then the Security Council itself must respond.

It is my deep belief that in the long run a foreign policy oriented toward cooperation and consultation will prove to be a more effective guarantor of U.S. national security than one of unilateral impulse and confrontation.

Let us remember that we are currently engaged in a war on terror. It is a war that, if we are to win it, will require the cooperation of our friends and allies.

There is no doubt in my mind that if the United States acts precipitously against Iraq, Taliban and al-Qaida fighters in the hinterland of Afghanistan are gathering today and are prepared to strike against our forces there and against the government of Hamid Karzai.

And let us recall that beyond Iraq, there are a host of other challenges—the situation in the Middle East, the nuclear crisis on the Korean peninsula—that require international cooperation and action. So I am deeply concerned that if we are not careful in our approach to Iraq, if we do not present a just case, if we do not build an international coalition, we may well precipitate the very events we are trying to prevent. For example, a preemptive unilateral attack against a Muslim nation may well create a divide between the United States and the Muslim world so deep and so wide that it

will bring with it negative consequences for decades, and unforeseen ones.

I deeply believe that if Iraq is in possession of weapons of mass destruction, it poses a real threat to the entire international community; and there is no doubt, as the President pointed out, that Saddam Hussein is an evil dictator.

But at this point I believe it would be a tremendous mistake for the United States to unilaterally attack Iraq, and I urge the administration to go slow, let the inspectors do their work, and build that international coalition. War should be a last resort, not a foregone conclusion.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

A FORMER PRESIDENT'S SPEECH ON IRAQ

Mr. STEVENS. Madam President, I wish to read from a speech of a President of the United States. In order that there be no question about its source, I ask unanimous consent that at the end of my remarks the speech in full be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. STEVENS. Madam President, I intend to read excerpts of the speech. It is too long to read completely in the time allotted to me. I hope my friends on both sides of the aisle will listen to it because when I heard of this speech in the first instance, I was very impressed by it. I think the Senate should be reminded of it. I will start off with this paragraph, and it is not the first, but I will call attention to it. The President said:

I have just received a very fine briefing from our military leadership on the status of our forces in the Persian Gulf. Before I left the Pentagon, I wanted to talk to you and all those whom you represent, the men and women of our military.

The President was speaking to the force of generals of the United States.

You, your friends, and your colleagues are on the frontlines of this crisis in Iraq. I want you and I want the American people to hear directly from me what is at stake for America in the Persian Gulf; what we are doing to protect the peace, the security, the freedom we cherish; why we have taken the position we have taken.

I will now move down in the speech.

This is a time of tremendous promise for America. The superpower confrontation has ended on every continent; democracy is securing for more and more people the basic freedoms we Americans have come to take for granted. Bit by bit, the information age is chipping away at the barriers, economic, political, and social, that once kept people locked in and freedom and prosperity locked out.

But for all our promise, all our opportunity, people in this room know very well that this is not a time free from peril, especially as a result of reckless acts of outlaw nations and an unholy axis of terrorists, drug traffickers, and organized international

criminals. We have to defend our future from these predators of the 21st century. They feed on the free flow of information and technology. They actually take advantage of the freer movement of people, information, and ideas. And they will be all the more lethal if we allow them to build arsenals of nuclear, chemical, and biological weapons and the missiles to deliver them. We simply cannot allow that to happen.

There is no more clear example of this threat than Saddam Hussein's Iraq. His regime threatens the safety of his people, the stability of his region, and the security of all the rest of us.

I want the American people to understand, first, the past: How did this crisis come about? And I want them to understand what we must do to protect the national interests and, indeed, the interest of all freedom-loving people in the world.

Remember, as a condition of the cease-fire after the Gulf war, the United Nations demanded—not the United States, the United Nations—and Saddam Hussein agreed to declare within 15 days—this is way back in 1991—within 15 days his nuclear, chemical, and biological weapons and the missiles to deliver them, to make a total declaration. That's what he promised to do.

The United Nations set up a special commission of highly trained international experts, called UNSCOM, to make sure that Iraq made good on that commitment. We had every good reason to insist that Iraq disarm. Saddam had built up a terrible arsenal, and he used it, not once but many times. In a decade-long war with Iran, he used chemical weapons against combatants, against civilians, against a foreign adversary, and even against his own people. During the Gulf war, Saddam launched Scuds against Saudi Arabia, Israel, and Bahrain.

Now, instead of playing by the very rules he agreed to at the end of the Gulf war, Saddam has spent the better part of the past decade trying to cheat on this solemn commitment. Consider just some of the facts. Iraq repeatedly made false declarations about weapons that it had left in its possession after the Gulf war. When UNSCOM would then uncover evidence that gave lie to those declarations, Iraq would simply amend the records. For example, Iraq revised its nuclear declarations 4 times within just 14 months, and it has submitted 6 different biological warfare declarations, each of which has been rejected by UNSCOM.

In 1995, Hussein Kamel, Saddam's son-in-law and the chief organizer of Iraq's weapons of mass destruction program, defected to Jordan. He revealed that Iraq was continuing to conceal weapons and missiles and the capacity to build many more. Then and only then did Iraq admit to developing numbers of weapons in significant quantities and weapons stocks. Previously, it had vehemently denied the very thing it just simply admitted once Saddam Hussein's son-in-law defected to Jordan and told the truth.

Now, listen to this. What did it admit? It admitted, among other things, an offensive biological warfare capability, notably 5,000 gallons of botulinum, which causes botulism; 2,000 gallons of anthrax; 25 biological-filled Scud warheads; and 157 aerial bombs. And I might say, UNSCOM inspectors believe that Iraq had actually greatly understated its production. As if we needed further confirmation, you all know what happened to his son-in-law when he made the untimely decision to go back to Iraq.

He was killed, Madam President.

Next, throughout this entire process, Iraq agents have undermined and undercut UNSCOM. They've harassed the inspectors, lied to them, disabled monitoring cameras,

literally spirited evidence out of the back doors of suspect facilities as inspectors walked through the front door, and our people were there observing it and have the pictures to prove it.

Despite Iraq's deceptions, UNSCOM has, nevertheless, done a remarkable job. Its inspectors, the eyes and ears of the civilized world, have uncovered and destroyed more weapons of mass destruction capacity than was destroyed during the Gulf war. This includes nearly 40,000 chemical weapons, more than 100,000 gallons of chemical weapons agents, 48 operational missiles, 30 warheads specifically fitted for chemical and biological weapons, and a massive biological weapons facility at Al Hakam equipped to produce anthrax and other deadly agents. . . .

That is all we want. And if we can find a diplomatic way to do what has to be done, to do what he promised to do at the end of the Gulf war, to do what should have been done within 15 days—within 15 days of the agreement at the end of the Gulf war—if we can find a diplomatic way to do that, that is by far our preference. But to be a genuine solution and not simply one that glosses over the remaining problem, a diplomatic solution must include or meet a clear, immutable, reasonable, simple standard: Iraq must agree, and soon, to free, full, unfettered access to these sites, anywhere in the country. There can be no dilution or diminishment of the integrity of the inspection system that UNSCOM has put in place.

Now, those terms are nothing more or less than the essence of what he agreed to at the end of the Gulf war. The Security Council many times since has reiterated this standard. If he accepts them, force will not be necessary. If he refuses or continues to evade his obligation through more tactics of delay and deception, he, and he alone, will be to blame for the consequences.

I ask all of you to remember the record here: what he promised to do within 15 days at the end of the Gulf war, what he repeatedly refused to do, what we found out in '95, what the inspectors have done against all odds.

We have no business agreeing to any resolution of this that does not include free, unfettered access to the remaining sites by people who have integrity and proven competence in the inspection business. That should be our standard. That's what UNSCOM has done, and that's why I have been fighting for it so hard. That's why the United States should insist upon it.

Now, let's imagine the future. What if he fails to comply and we fail to act, or we take some ambiguous third route which gives him more opportunities to develop this program of weapons of mass destruction and continue to press for the release of sanctions and continue to ignore the solemn commitments that he made? Well, he will conclude that the international community has lost its will. He will then conclude he can go right on and do more to rebuild an arsenal of devastating destruction. And some day, some way, I guarantee you, he'll use the arsenal. And I think every one of you who has really worked on this for any length of time believes that, too. . . .

If Saddam rejects peace and we have to use force, our purpose is clear: We want to seriously diminish the threat posed by Iraq's weapons of mass destruction program. We want to seriously reduce his capacity to threaten his neighbors. I am quite confident from the briefing I have just received from our military leaders that we can achieve the objectives and secure our vital strategic interests.

Let me be clear: A military operation cannot destroy all the weapons of mass destruction capacity. But it can and will leave him

significantly worse off than he is now in terms of the ability to threaten the world with these weapons or to attack his neighbors. And he will know that the international community continues to have the will to act if and when he threatens again.

Following any strike, we will carefully monitor Iraq's activities with all the means at our disposal. If he seeks to rebuild his weapons of mass destruction, we will be prepared to strike him again. The economic sanctions will remain in place until Saddam complies fully with all U.N. resolutions. . . .

Now, let me say to all of you here, as all of you know, the weightiest decision any President ever has to make is to send our troops into harm's way. And force can never be the first answer. But sometimes it's the only answer.

You are the best prepared, best equipped, best trained fighting force in the world. And should it prove necessary for me to exercise the option of force, your commanders will do everything they can to protect the safety of all the men and women under their command. No military action, however, is risk-free. I know that the people we may call upon in uniform are ready. The American people have to be ready as well.

Dealing with Saddam Hussein requires constant vigilance. We have seen that constant vigilance pays off, but it requires constant vigilance. Since the Gulf war we have pushed back every time Saddam has posed a threat. When Baghdad plotted to assassinate former President Bush, we struck hard at Iraq's intelligence headquarters. When Saddam threatened another invasion by massing his troops in Kuwait, along the Kuwaiti border in 1994, we immediately deployed our troops, our ships, our planes, and Saddam backed down. When Saddam forcefully occupied Irbil in northern Iraq, we broadened our control over Iraq's skies by extending the no-fly zone.

But there is no better example, again I say, than the U.N. weapons inspections system itself. Yes, he has tried to thwart it in every conceivable way. But the discipline, determination, the year-in, year-out effort of these weapons inspectors is doing the job. And we seek to finish the job.

Let there be no doubt, we are prepared to act. But Saddam Hussein could end this crisis tomorrow, simply by letting the weapons inspectors complete their mission. He made a solemn commitment to the international community to do that and to give up his weapons of mass destruction a long time ago, now. One way or the other, we are determined to see that he makes good on his own promise. . . .

That is the future I ask you all to imagine. That is the future I ask our allies to imagine. If we look at the past and imagine that future, we will act as one together. And we still have, God willing, a chance to find a diplomatic resolution to this and, if not, God willing, a chance to do the right thing for our children and grandchildren.

Thank you very much.

That speech was made by President Clinton on February 17, 1998. I find it very strange that my friends on the other side of the aisle—and they are my friends—are attacking President Bush for having made statements weaker than these statements.

If one reads this statement in full, the President of the United States, then speaking to the generals who command all our forces, told them to be ready. He had just had the briefing. He had the briefing that convinced him in 1998 that he might have to act as President to take military action against Saddam Hussein.

Five years later, another President is saying the same thing, and he is attacked. We never attacked President Clinton. We never doubted his sincerity. But now my friends—and they are my friends—are saying that this President does not know what he is doing. I believe the President knows what he is doing, and I think he made a masterful statement last night of the position in which the United States finds itself. It is not different from the position President Clinton was in in 1998. Should he be in this position now? Should we have done something in the interim? The answer is simply yes. We should have done something years ago—gone to the U.N. and said: If you are going to have any meaning in the world at all, you must insist that Saddam Hussein obey the mandates you have issued.

I come from a State that has a great many of our military planes, and I talk to our military pilots wherever I travel in the world. One thing is clear: Our pilots, our Air Force pilots have been enforcing the no-fly zones since 1991. They have been flying every day in harm's way. They have been shot at nearly every week. We retaliated, retaliated, retaliated, but young men and women are up there tonight flying planes over portions of Iraq, at the insistence of the United Nations that we prevent Saddam Hussein from having any aircraft in those zones in the north and south. We are following their request. We are carrying out that operation at our expense and with our pilots, with our planes, and we have been doing it now since 1991.

How long will this continue? How long do we have to fly to prevent Saddam Hussein from having weapons in the air that are really minuscule compared to what is on the ground—weapons of mass destruction, that President Clinton described adequately and succinctly and honorably in 1998.

Madam President, I think it is high time we came together. I am sincerely disappointed that we do not have a uniform force here, that we do not have a uniform force right here on the floor of the Senate saying: Mr. President, we understand that you—as did President Clinton—have in front of you a horrendous decision to make. When do we have to go in and destroy these weapons?

How many weapons has he created since 1998? How much more difficult will it be to find those weapons than it would have been in 1998? I say in all sincerity, as one who has watched over the Defense Department's appropriations now since 1981, either I or my friend from Hawaii, the two of us jointly have done that job. We have been to this part of the world of the Persian Gulf many times.

This is an awesome problem that faces the President of the United States. We should help him, not challenge his decision and what he is doing. He is asking the world to come together to demand that Saddam Hussein

do what he agreed to do in 1991, as President Clinton repeatedly said in his statement, and as our President, President Bush, has said before the U.N. in a masterful statement he made when he went before the U.N.

The time is now for us to come together and realize we are approaching decision time. I served in combat in World War II, and many of us know the awesome days we went through then. They were nothing compared to what this world will be if Saddam Hussein ever uses those weapons of mass destruction. I think we have changed our way of life. We have changed our lifestyles. We have already been affected by his collusion with the al-Qaida force, and those people who are part of that terrible force.

President Clinton called it the unholy axis. President Bush called it the evil axis and has been criticized for saying so. President Clinton said we have to defend our future from these predators of the 21st century, and I say things are worse today than they were in 1998.

I am one of those who gets these intelligence briefings. I have told my wife when I come home after those briefings I find it hard to think about the work I have to do other than just think about these terrible intelligence reports. This is not a simple world we live in, but it is a world in which I believe the freedom-loving people look to us for leadership. I say, thank God we have a leader who means what he says, and I am willing to follow him when he says it is necessary to use force if that day ever comes.

I yield the floor.

EXHIBIT 1

Thank you very much, Mr. Vice President, for your remarks and your leadership. Thank you, Secretary Cohen, for the superb job you have done here at the Pentagon and on this most recent, very difficult problem. Thank you, General Shelton, for being the right person at the right time. Thank you, General Ralston, and the members of the Joint Chiefs, General Zinni, Secretary Albright, Secretary Slater, DCI Tenet, Mr. Bowles, Mr. Berger, Senator Robb, thank you for being here, and Congressman Skelton, thank you very much, and for your years of service to America and your passionate patriotism, both of you, and to the members of our Armed Forces and others who work here to protect our national security.

I have just received a very fine briefing from our military leadership on the status of our forces in the Persian Gulf. Before I left the Pentagon I wanted to talk to you and all those whom you represent, the men and women of our military. You, your friends, and your colleagues are on the frontlines of this crisis in Iraq. I want you and I want the American people to hear directly from me what is at stake for America in the Persian Gulf; what we are doing to protect the peace, the security, the freedom we cherish; why we have taken the position we have taken.

I was thinking, as I sat up here on the platform, of the slogan that the First Lady gave me for her project on the millennium, which was: Remembering the past and imagining the future. Now, for that project, that means preserving the Star-Spangled Banner and the Declaration of Independence and the Constitution and the Bill of Rights, and it means

making an unprecedented commitment to medical research and to get the best of the new technology. But that's not a bad slogan for us when we deal with more sober, more difficult, more dangerous matters.

Those who have questioned the United States in this moment, I would argue, are living only in the moment. They have neither remembered the past nor imagined the future. So, first, let's just take a step back and consider why meeting the threat posed by Saddam Hussein is important to our security in the new era we are entering.

This is a time of tremendous promise for America. The superpower confrontation has ended on every continent; democracy is securing for more and more people the basic freedoms we Americans have come to take for granted. Bit by bit, the information age is chipping away at the barriers, economic, political, and social, that once kept people locked in and freedom and prosperity locked out.

But for all our promise, all our opportunity, people in this room know very well that this is not a time free from peril, especially as a result of reckless acts of outlaw nations and an unholy axis of terrorists, drug traffickers, and organized international criminals. We have to defend our future from these predators of the 21st century. They feed on the free flow of information and technology. They actually take advantage of the freer movement of people, information, and ideas. And they will be all the more lethal if we allow them to build arsenals of nuclear, chemical, and biological weapons and the missiles to deliver them. We simply cannot allow that to happen.

There is no more clear example of this threat than Saddam Hussein's Iraq. His regime threatens the safety of his people, the stability of his region, and the security of all the rest of us.

I want the American people to understand, first, the past: How did this crisis come about? And I want them to understand what we must do to protect the national interest and, indeed, the interest of all freedom-loving people in the world.

Remember, as a condition of the cease-fire after the Gulf war, the United Nations demanded—not the United States, the United Nations demanded—and Saddam Hussein agreed to declare within 15 days—this is way back in 1991—within 15 days his nuclear, chemical, and biological weapons and the missiles to deliver them, to make a total declaration. That's what he promised to do.

The United Nations set up a special commission of highly trained international experts, called UNSCOM, to make sure that Iraq made good on that commitment. We had every good reason to insist that Iraq disarm. Saddam had built up a terrible arsenal, and he had used it, not once but many times. In a decade-long war with Iran, he used chemical weapons against combatants, against civilians, against a foreign adversary, and even against his own people. And during the Gulf war, Saddam launched Scuds against Saudi Arabia, Israel, and Bahrain.

Now, instead of playing by the very rules he agreed to at the end of the Gulf war, Saddam has spent the better part of the past decade trying to cheat on this solemn commitment. Consider just some of the facts. Iraq repeatedly made false declarations about the weapons that it had left in its possession after the Gulf war. When UNSCOM would then uncover evidence that gave lie to those declarations, Iraq would simply amend the reports. For example, Iraq revised its nuclear declarations 4 times with just 14 months, and it has submitted six different biological warfare declarations, each of which has been rejected by UNSCOM.

In 1995, Hussein Kamel, Saddam's son-in-law and the chief organizer of Iraq's weapons

of mass destruction program, defected to Jordan. He revealed that Iraq was continuing to conceal weapons and missiles and the capacity to build many more. Then and only then did Iraq admit to developing numbers of weapons in significant quantities and weapons stocks. Previously it had vehemently denied the very thing it just simply admitted once Saddam Hussein's son-in-law defected to Jordan and told the truth.

Now, listen to this. What did it admit? It admitted, among other things, an offensive biological warfare capability, notably 5,000 gallons of botulinum, which causes botulism; 2,000 gallons of anthrax; 25 biological-filled Scud warheads; and 157 aerial bombs. And I might say, UNSCOM inspectors believe that Iraq has actually greatly understated its production. As if we needed further confirmation, you all know what happened to his son-in-law when he made the untimely decision to go back to Iraq.

Next, throughout this entire process, Iraqi agents have undermined and undercut UNSCOM. They've harassed the inspectors, lied to them, disabled monitoring cameras, literally spirited evidence out of the back doors of suspect facilities as inspectors walked through the front door, and our people were there observing it and have the pictures to prove it.

Despite Iraq's deceptions UNSCOM has, nevertheless, done a remarkable job. Its inspectors, the eyes and ears of the civilized world, have uncovered and destroyed more weapons of mass destruction capacity than was destroyed during the Gulf war. This includes nearly 40,000 chemical weapons, more than 100,000 gallons of chemical weapons agents, 48 operational missiles, 30 warheads specifically fitted for chemical biological weapons, and a massive biological weapons facility at Al Hakam equipped to produce anthrax and other deadly agents.

Over the past few months, as they have come closer and closer to rooting out Iraq's remaining nuclear capacity, Saddam has undertaken yet another gambit to thwart their ambition by imposing debilitating conditions on the inspectors and declaring key sites which have still not been inspected off limits, including, I might add, one palace in Baghdad more than 2,600 acres large. By comparison—when you hear all this business about “Presidential sites reflect our sovereignty; why do you want to come into a residence?”—the White House complex is 18 acres, so you'll have some feel for this. One of these Presidential sites is about the size of Washington, DC. That's about—how many acres did you tell me it was—40,000 acres. We're not talking about a few rooms here with delicate personal matters involved.

It is obvious that there is an attempt here, based on the whole history of this operation since 1991, to protect whatever remains of his capacity to produce weapons of mass destruction, the missiles to deliver them, and the feedstocks necessary to produce them. The UNSCOM inspectors believe that Iraq still has stockpiles of chemical and biological munitions, a small force of Scud-type missiles, and the capacity to restart quickly its production program and build many, many more weapons.

Now, against that background, let us remember the past, here. It is against that background that we have repeatedly and unambiguously made clear our preference for a diplomatic solution. The inspection system works. The inspection system has worked in the face of lies, stonewalling, obstacle after obstacle after obstacle. The people who have done that work deserve the thanks of civilized people throughout the world. It has worked.

That is all we want. And if we can find a diplomatic way to do what has to be done, to

do what he promised to do at the end of the Gulf War, to do what should have been done within 15 days—within 15 days of the agreement at the end of the Gulf war—if we can find a diplomatic way to do that, that is by far our preference. But to be a genuine solution and not simply one that glosses over the remaining problem, a diplomatic solution must include or meet a clear, immutable, reasonable, simple standard: Iraq must agree, and soon, to free, full, unfettered access to these sites, anywhere in the country. There can be no dilution or diminishment of the integrity of the inspection system that UNSCOM has put in place.

Now, those terms are nothing more or less than the essence of what he agreed to at the end of the Gulf war. The Security Council many times since has reiterated this standard. If he accepts them, force will not be necessary. If he refuses or continues to evade his obligation through more tactics of delay and deception, he, and he alone, will be to blame for the consequences.

I ask all of you to remember the record here: what he promised to do within 15 days of the end of the Gulf war, what he repeatedly refused to do, what we found out in '95, what the inspectors have done against all odds.

We have no business agreeing to any resolution of this that does not include free, unfettered access to the remaining sites by people who have integrity and proven competence in the inspection business. That should be our standard. That's what UNSCOM has done, and that's why I have been fighting for it so hard. That's why the United States should insist upon it.

Now let's imagine the future. What if he fails to comply and we fail to act, or we take some ambiguous third route which gives him yet more opportunities to develop this program of weapons of mass destruction and continue to press for the release of the sanctions and continue to ignore the solemn commitments that he made? Well, he will conclude that the international community has lost its will. He will then conclude that he can go right on and do more to rebuild an arsenal of devastating destruction. And some day, some way, I guarantee you, he'll use the arsenal. And I think every one of you who has really worked on this for any length of time believes that, too.

Now, we have spent several weeks building up our forces in the Gulf and building a coalition of like-minded nations. Our force posture would not be possible without the support of Saudi Arabia, of Kuwait, Bahrain, the GCC States, and Turkey. Other friends and allies have agreed to provide forces, bases, or logistical support, including the United Kingdom, Germany, Spain and Portugal, Denmark and The Netherlands, Hungary and Poland and the Czech Republic, Argentina, Iceland, Australia, New Zealand, and our friends and neighbors in Canada. That list is growing, not because anyone wants military action but because there are people in this world who believe the United Nations resolution should mean something, because they understand what UNSCOM has achieved, because they remember the past, and because they can imagine what the future will be, depending on what we do now.

If Saddam rejects peace and we have to use force, our purpose is clear: We want to seriously diminish the threat posed by Iraq's weapons of mass destruction program. We want to seriously reduce his capacity to threaten his neighbors. I am quite confident from the briefing I have just received from our military leaders that we can achieve the objectives and secure our vital strategic interests.

Let me be clear: A military operation cannot destroy all the weapons of mass destruction capacity. But it can and will leave him

significantly worse off than he is now in terms of the ability to threaten the world with these weapons or to attack his neighbors. And he will know that the international community continues to have will to act if and when he threatens again.

Following any strike, we will carefully monitor Iraq's activities with all the means at our disposal. If he seeks to rebuild his weapons of mass destruction we will be prepared to strike him again. The economic sanctions will remain in place until Saddam complies fully with all U.N. resolution.

Consider this: Already these sanctions have denied him \$110 billion. Imagine how much stronger his armed forces would be today, how many more weapons of mass destruction operations he would have hidden around the country if he had been able to spend even a small fraction of that amount for a military rebuilding.

We will continue to enforce a no-fly zone from the southern suburbs of Baghdad to the Kuwait border and in northern Iraq, making it more difficult for Iraq to walk over Kuwait again and threaten the Kurds in the north.

Now, let me say to all of you here, as all of you know, the weightiest decision any President ever has to make is to send our troops into harm's way. And force can never be the first answer. But sometimes it's the only answer.

You are the best prepared, best equipped, best trained fighting force in the world. And should it prove necessary for me to exercise the option of force, you commanders will do everything they can to protect the safety of all the men and women under their command. No military action, however, is risk-free. I know that the people we may call upon in uniform are ready. The American people have to be ready as well.

Dealing with Saddam Hussein requires constant vigilance. We have seen that constant vigilance pays off, but it requires constant vigilance. Since the Gulf war we have pushed back every time Saddam has posed a threat. When Baghdad plotted to assassinate former President Bush, we struck hard at Iraq's intelligence headquarters. When Saddam threatened another invasion by massing his troops in Kuwait, along the Kuwaiti border in 1994, we immediately deployed our troops, our ships, our planes, and Saddam backed down. When Saddam forcefully occupied Irbil in northern Iraq, we broadened our control over Iraq's skies by extending the no-fly zone.

But there is no better example, again I say, than the U.N. weapons inspections system itself. Yes, he has tried to thwart it in every conceivable way. But the discipline, determination, the year-in, year-out effort of these weapons inspectors is doing the job. And we seek to finish the job.

Let there be no doubt, we are prepared to act. But Saddam Hussein could end this crisis tomorrow, simply by letting the weapons inspectors complete their mission. He made a solemn commitment to the international community to do that and to give up his weapons of mass destruction a long time ago, now. One way or the other, we are determined to see that he makes good on his own promise.

Saddam Hussein's Iraq reminds us of what we learned in the 20th century and warns us of what we must know about the 21st. In this century we learned through harsh experience that the only answer to aggression and illegal behavior is firmness, determination, and, when necessary, action. In the next century, the community of nations may see more and more the very kind of threat Iraq poses now: a rogue state with weapons of mass destruction, ready to use them or provide them to terrorists, drug traffickers, or organized

criminals, who travel the world among us unnoticed.

If we fail to respond today, Saddam and all those who would follow in his footsteps will be emboldened tomorrow by the knowledge that they can act with impunity, even in the face of a clear message from the United Nations Security Council and clear evidence of a weapons of mass destruction program. But if we act as one, we can safeguard our interests and send a clear message to every would-be tyrant and terrorist that the international community does have the wisdom and the will and the way to protect peace and security in a new era.

That is the future I ask you all to imagine. That is the future I ask our allies to imagine. If we look at the past and imagine that future, we will act as one together. And we still have, God willing, a chance to find a diplomatic resolution to this and, if not, God willing, a chance to do the right thing for our children and grandchildren.

Thank you very much.

Note: The President spoke at 12:37 p.m. in the auditorium. In his remarks, he referred to President Saddam Hussein of Iraq.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. I commend our distinguished senior colleague from Alaska. He speaks with a corporate memory dating back to when at age 17 he went into World War II and, as he said, flew those combat missions.

I am proud of what the President has shown by way of leadership, and I said the other night, yes, I feel I know most of the facts but he may know a few more, and I repose trust in his judgment and his team to make the right decision. I wish to associate myself with the remarks of my distinguished colleague.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Madam President, Senator STEVENS is the senior Republican in terms of time—I am sure many people do not know it, but I am second—and I want to say I am very proud that he has said what he said.

Many people speak all the time. The Senator from Alaska speaks when it is important. He does not come to the Chamber and engage himself in rhetoric. He is too busy doing tough work. He understands this issue.

Truly, many of the Democrats ought to be ashamed of themselves. We try to support Presidents. We would have supported President Bill Clinton if he had done what he was talking about in that statement the Senator read. I do not think there is any doubt about it. We would not have questioned whether he had the right security briefing and whether he knew what he was doing.

Our President has been warning us, he has been going back to the table, letting the inspectors go in again, coming to the American people, going to the U.N., and nothing happens. As a matter of fact, I believe it is correct, when the Senator cites the date that President Clinton gave that speech, I do not believe anything of a positive nature has happened in Iraq at the hands of Saddam Hussein since that time. It has gotten worse, if anything. He has not ameliorated or made any-

thing better, to my knowledge, and look what it was like on the date the Senator read in his statement.

I commend the Senator, and I do believe the resolution introduced today ought not deter anyone from what we are doing. It ought not change minds in this Senate which voted overwhelmingly in support of our President. I thank the Senator for what he has said.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. BROWNBACK. Madam President, I am delighted to join my colleagues in talking about the situation in Iraq and what the President has said and what some of our colleagues on the other side of the aisle are saying, that we need to wait, and wait longer.

I will make a few simple points. I have served on the Middle East subcommittee since I have been in the Senate. I have chaired it for a good portion of the time. I have worked on the issue of Iraq since 1996. I have worked with the Iraqi opposition. I have held hearings on this topic. We have had meetings with the then UNSCOM inspectors. We have really worked the full gamut of what is taking place in Iraq. My colleagues on the other side want to wait longer. We have waited 12 years. How much longer do we need to wait?

They want to allow the weapons inspectors to work longer. We had them in there for a number of years and then Saddam Hussein threw them out. They have only been back for a short period of time. I remind my colleagues that we were not finding anything when the weapons inspectors were there prior to 1998. We did not find anything until we had some high level defections on the part of the Iraqis. That is when we started finding things.

Iraq is a country the size of California. It has a dedicated leader who is seeking to thwart the will of the international community to disarm. He is trying to hide items that may be the size of a 5-gallon bucket. He is manufacturing biological weapons and moving them on mobile units the size of a van. He is trying to hide them in a place the size of California, and there are only 120 inspectors in Iraq, as the President suggested last night, in some sort of scavenger hunt. The idea was not that we would go into Iraq and have to find these items. It was that Iraq would step forward and disarm and say we agree, we are going to disarm. That was what they were supposed to do, come forward and disarm. Instead, we have this hide-and-seek that Saddam continues. It is what he did when we had weapons inspectors in Iraq previously. It is what he continues to do now.

What happens if we wait? Let's say we agree we are going to wait. Maybe we will find something, maybe not. What if we do find something else? Is that going to be enough for us to move forward and say we need to completely disarm Saddam Hussein? I think we are

left with a similar set of circumstances-plus, if we do not do anything.

Let's say we do not do anything, we let this go on for another couple of years because there is not an impetus now to really move. Saddam has biological and chemical weapons. He has terrorists on his soil. At any time, he can easily start distributing the chemical and biological weapons to terrorists, who know no bounds. I could easily see us in 2 years with a special committee of the Senate, holding hearings as to how did these biological weapons come in from Iraq, that were distributed to terrorists, to be used against U.S. citizens. I think it is a clear possibility that it would occur.

Nobody wants to go to war. None of us want to do that. That is an absolute last option. We have been working for 12 years with economic sanctions. We have been working for 12 years with no-fly zones. We have been working with the Iraqi opposition. We have been doing everything we can, and yet now we are at this point in time where he has terrorists and weapons of mass destruction together on his soil, and more people are saying, wait.

Wait for what? So they can distribute them further? So that he can attack us?

I realize we all have difficulty with moving forward to a war situation. We do not want to do that. We want to respond if somebody comes at us. The problem with this new war on terrorism is that the terrorists, when they attack, attack civilian targets. They want to try and kill as many people as possible. By our waiting, we actually invite them to come forward.

Some might suggest if we act, we are going to further foment difficulty in the region of the United States. I point out that even prior to September 11, we had 10 years where there were attacks on the United States, on our people, in foreign places by these terrorist groups. We had two embassies in Africa that were attacked by terrorist groups. We had the USS *Cole* attacked by terrorist groups. We had Khobar Towers. They have attacked us for a period of 10 years.

People are saying, show restraint or else they will act more. We have seen it for 10 years, showing restraint. Then we had September 11, and we responded aggressively in Afghanistan. That was a fully appropriate way to respond. If we wait for the terrorists, they will continue to come at us. If we sit and wait, it does not mean they will stop. They will not stop. They have not stopped in the past. They are going to continue to come at the United States because they do not believe in what we believe. They are attacking our sets of values by attacking our civilians, our civilian population.

No one wants to go to war. That is the last thing anyone wants. In this situation, not to move forward is to invite more catastrophic events to happen to our citizenry and to citizens around the world.

Remember, terrorists go at soft targets. They go at the twin towers. They do not go at military targets. They did go at the Pentagon, but they went at Bali most recently. They will continue to go at civilian targets. They will go at the soft targets. If they have biological and chemical weapons, they will kill that many more people if we fail to act.

I was raised in Kansas. On Saturday night, we would watch "Gunsmoke." That was a great show and a favorite of mine. At the end of every "Gunsmoke" episode, Matt Dillon walks out on Main Street and the bad guy walks out on Main Street. They face off. The bad guy pulls the gun, Matt shoots, and the other guy goes down. That is the way every show ended: Nice, clean, good versus evil. Evil at the last minute is allowed to walk away. He could walk away or he is going down. He never does. He pulls his gun, and Matt Dillon always shoots him down.

There is a sense of honor that we always let the other side, the bad side, go first. You get to pull the trigger because you always have a chance to walk away. What if we do that with terrorists? We have a sense of honor that we should let the other side go first. If you let terrorists go first, they do not walk out on Main Street of Dodge City and face Matt Dillon. They go around the back alleys. They are looking for people who are sleeping. They are looking for families. They are not looking for someone who is armed. They are looking for soft targets to hit, kill, and destroy. That is what they will continue to do.

Now, taking the other side of the argument, what if we do move? What if Saddam Hussein is moved out of power, as has been the stated policy of the United States since 1998 with the Iraq Liberation Act which President Bill Clinton signed into law? What if Saddam Hussein is removed from power by a coalition of the willing—it will be an international coalition—what takes place then?

We have a group of people, Iraqi opposition and others, who have been working on a democratic Iraq with opportunities for all people, for human rights, for people to be able to vote and to express their desires for that country. We have a country that sits on 10 percent of the world oil supplies and an ability to rebuild itself, an educated population that is willing to change. They want to change now. Iraqi opposition is united. We are hearing from people inside of Iraq who want to see a change. People inside the Iraq Government, inside the Iraq military, want to get out and into a different situation.

Look at the seeds of change sown within Iraq and that region, if you have coming forward a democracy, with human rights, with religious freedom, with freedom for women, with people able to vote and participate and a marketplace that allows people to participate. Look at the future for the people there in that region, in that

country, if that is what takes place. There is a substantial positive benefit.

It all is with risk. It all has risk. Whether you choose to act or whether you choose not to act, they both have risk. After looking at this matter for some period of time, the option of not acting has far more risk—little, if any, upside potential—than the choice of acting. And the choice of acting has a downside potential. But it has substantial upside potential, and it does not have the downside that not acting has.

Clearly, the President and his Cabinet and the people have thought this through. It is an extraordinarily difficult choice. Saddam Hussein still has the choice. He can still choose today to disarm and to engage in the international communities and comply with the 12 U.N. resolutions that have followed in the 12 years since he invaded Kuwait.

I point out, we need to remember: Saddam Hussein has attacked two adjacent countries. He has used chemical weapons against his own people and against the Iranians. He has used these weapons in the past. He has threatened to attack, and has attacked, his neighbors in the past. This is not a good man. He is not good for the world. He is certainly not good for the region. He does not get better with time, nor does the situation get better with time. The obligations only get worse.

For all these reasons, I applaud what the President has done. I applaud that he came to the Congress in the first place asking for a resolution. He got it. He got broad bipartisan support. I applaud that he went to the United Nations and got a resolution with broad international support. He has done the things we have asked. And now he is coming forward and saying: Look, Saddam Hussein, the time is running out. Either act now or actions will be taken.

The President has done most of the things we have asked him to do. He has tried to engage the world and get an international coalition. A number of other countries will join. We should back the administration at this point and not try to do more second-guessing or buying of time for Saddam Hussein to develop more weaponry, to develop more terrorist networks to supply and provide the things the terrorist networks want to be able to threaten and to kill our people.

For all these reasons, I hope we will not back a resolution calling for allowing of more time and, instead, support the administration's efforts as they move forward, trying to find a peaceful solution but, if not, forcing Saddam Hussein to choose whether he is going to hold on to his weapons of mass destruction or whether he is going to hold on to power. It is a difficult choice the President has to make and we have to make. We have looked at this pretty thoroughly.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ALEXANDER). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FRIST. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COLEMAN). Without objection, it is so ordered.

MORNING BUSINESS

Mr. FRIST. Mr. President, I ask unanimous consent that there be a period for morning business with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF SECRETARY GORDON ENGLAND

Ms. COLLINS. Mr. President, I rise tonight in strong support for the nomination of Secretary Gordon England to be the first Deputy Secretary of Homeland Security. I thank the majority leader, in cooperation with the Democratic leader, for promptly scheduling the Senate's consideration of this very important nomination.

President Bush nominated Secretary England on January 7. The Governmental Affairs Committee, which I am privileged to chair, held a hearing on his nomination last Friday, and today, I am pleased to report, the committee unanimously voted to discharge the nominee from consideration. The committee thoroughly considered the nomination at a hearing on Friday. In addition, Secretary England responded to extensive prehearing questions about a wide variety of issues.

I have no doubt, based on my review of the record, and my conducting of the hearing, that Secretary England is extraordinarily well qualified for this position. In fact, it is difficult for me to think of two more qualified Americans than Tom Ridge and Gordon England to head up this vital new Department.

Secretary England currently serves as Secretary of the Navy. As a member of the Senate Armed Services Committee, I have gotten to know him well in that capacity. I have enormous regard for his ability. He has held that position since May of 2001.

Prior to becoming our Secretary of the Navy, Gordon England had an impressive portfolio of management experience. He served as executive vice president of General Dynamics Corporation, and he previously served in various executive positions at a number of General Dynamics divisions. His experience in both the public and the private sectors will provide him with exactly the experience and expertise needed to oversee the merger of some 22 agencies and 170,000 Federal employees that will be transferred into this new Department.

As preparation for being Deputy Secretary of Homeland Security, it would be difficult to beat a tour as Secretary of the Navy. The Department of the

Navy has a budget of over \$100 billion. It consists of 372,000 active duty and 90,000 Reserve sailors, 172,000 active duty and 40,000 Reserve marines.

In addition, as Secretary of the Navy, Gordon England has overseen a civilian workforce of nearly 190,000 employees. That number, I note, exceeds the number in the workforce of the new Department. We often talk about what a management challenge it is going to be to the leaders of this new Department to oversee 170,000 civilian employees. As Secretary of the Navy, Gordon England has overseen a civilian workforce that exceeds that number, not to mention the sailors and marines under his jurisdiction.

Secretary England's extensive experience in managing large, complex operations in both the public and private sectors will serve him well in his new position. I have been very fortunate to have had the pleasure of working with him when he was Secretary of the Navy, and I look forward to continuing our partnership in his new capacity.

I urge my colleagues to support confirmation of this important nomination. The new Department of Homeland Security opened its doors officially last Friday, and it is critical that we get the top management positions filled as quickly as possible.

Mr. President, I do hope this nominee will be approved unanimously.

I yield the floor.

Mr. FRIST. Mr. President, I rise today to draw attention to an alarming issue—the growing number of premature births. According to data released by the National Center for Health Statistics, the percentage of babies born prematurely—birth at less than 37 completed weeks of gestation—has risen to nearly 12 percent, the highest level ever reported in the United States. In 2001 alone, more than 476,000 babies were born prematurely in the U.S. Unfortunately, in my own State of Tennessee, 14 percent of births are preterm. There cannot be a clearer wake-up call for us.

Today, the March of Dimes is launching a national, five-year prematurity awareness, education, and research effort aimed at preventing prematurity, the leading cause of infant death in the first month of life. I cannot imagine a better organization to take on this serious problem. Over its 63-year history, the March of Dimes has conducted two highly successful national campaigns—the first focused on preventing polio and the second involved educating the public and health providers on the role of folic acid in preventing neural tube defects. My friend, former Health and Human Services Secretary, Dr. Louis Sullivan, is the honorary chair of this campaign, and I salute him for his continued commitment to the public's health.

I'm pleased to be able to salute and encourage this new campaign which holds the promise of significantly reducing the incidence of premature birth throughout the country. Babies

born prematurely are more likely to face serious multiple health problems following delivery: a tragedy for families but one which may be preventable.

Since coming to the Senate, I have focused on disparities in healthcare quality and access. Prematurity is one of the clearest indices of this problem. Rates of preterm birth vary significantly by race and ethnicity. In 2001, rates for black women were highest among all racial and ethnic subgroups—17.5 percent for black as compared to 11 percent for white Americans. We simply do not know why these numbers vary so dramatically. But without further research, our public policy options are limited.

Our great health research institutions also have an important role. I have fought for the five-year doubling of NIH's budget. With this significant increase in funding, the National Institute for Child Health and Human Development and the National Center on Minority Health and Health Disparities can expand research in this area.

I ask all of my colleagues to join me today in congratulating the March of Dimes on its launch of this new national campaign to target the rising rate of premature births.

ERRONEOUS TIME MAGAZINE REPORT

Mr. REID. Mr. President, last week in recognition of Dr. Martin Luther King's birthday, I spoke about the importance of continuing his legacy and working to ensure that the civil rights of all Americans are protected. I discussed my concerns that some of the current administration's policies jeopardize the gains our Nation has made.

In prefacing my remarks last week, I criticized President Bush, based on a disturbing report that recently appeared in Time magazine declaring that this administration had reinstated the tradition of delivering a floral wreath to the Confederate Memorial at Arlington National Cemetery.

The information I referenced in my speech was inaccurate, as Time magazine has subsequently issued a correction clarifying that the wreath practice was not initiated by President Bush, but in fact had been done by previous administrations. I, therefore, apologize to President Bush, as my remarks regarding the floral arrangement were inaccurate.

I do think this exercise should be discontinued by President Bush, regardless of the past history of the practice.

LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. In the last Congress Senator KENNEDY and I introduced the Local Law Enforcement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred November 4, 2001 in Hendersonville, N.C. A man shot into the home of a Hispanic family. The assailant, Gene Autry Williams, 60, was heard to yell racial slurs at the family before shooting at them in their home. Williams was charged with assault for pointing and discharging a firearm, and for ethnic intimidation.

I believe that government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

CORPORATE WHISTLEBLOWER PROTECTIONS IN THE SARBANES-OXLEY ACT

Mr. LEAHY. Mr. President, I rise to note an important victory in the fight to protect whistleblowers and to praise my good friend Senator CHUCK GRASSLEY for his leadership in this fight.

The Washington Post reported yesterday that the Department of Labor has reversed its view on how it will interpret an important provision of the Sarbanes-Oxley Act on corporate misconduct. The provision we enacted provides a Federal law protecting corporate whistleblowers from retaliation for the first time. The law was designed to protect people like Sherron Watkins from Enron, who was recently named one of Time magazine's "People of the Year," from retaliation when they report fraud to Federal investigators, regulators, or to any Member of Congress. The law was intentionally written to sweep broadly, protecting any employee of a publicly traded company who took such reasonable action to try to protect investors and the market.

The reason that Senator GRASSLEY and I know so much about the legislative intent behind this provision is that we crafted it together last year in the Judiciary Committee and worked to make it part of the Sarbanes-Oxley Act on the Senate floor. We had both seen enough cases where corporate employees who possessed the courage to stand up and 'do the right thing' found out the hard way that there is a severe penalty for breaking the 'corporate code of silence.' Indeed, in the Enron case itself we discovered an e-mail from outside counsel that noted that the Texas Supreme Court had twice refused to find a legal protection for corporate whistleblowers and that implicitly gave Enron the go ahead to fire Ms. Watkins for reporting accounting irregularities.

Senator GRASSLEY has always been a leader in protecting the rights of whistleblowers, and I was proud to work with him in the area of corporate reform to craft such a groundbreaking law.

Unfortunately, from the very day that President Bush signed the Sar-

banes-Oxley Act into law, Senator GRASSLEY and I had to fight the administration to make sure that the law would not be gutted. On the same night that the law was signed, the White House issued an interpretation that incorrectly and narrowly interpreted our provision. Specifically, the White House stated that corporate whistleblower's disclosure to Congress would not be protected unless the whistleblower made the report to a congressional committee already conducting an authorized investigation. This interpretation was at odds with the legislative intent and the clear statutory language of the Act, which protected reasonable reports of fraud to "any Member of Congress."

Senator GRASSLEY and I had good reason to write the law with such broad coverage. Most corporate whistleblowers do not know the ins and outs of the jurisdiction of Congress's various committees, nor should they be expected to. Simply picking up the phone and calling your local Senator or Representative to report a case of securities fraud should be protected. In addition, by definition most "whistleblowers" are reporting fraud that is not widely known. They are blowing the whistle. Thus, their revelations do not come as part of already commenced investigations. They may lead to such investigations as well as contribute to them. The White House interpretation would have excluded among the most important revelations of corporate fraud made to Congress.

The administration's interpretation was reinforced the next day when the White House spokesman repeated that there were limits on the types of disclosures to Congress that would be protected. Finally, in addition to these White House interpretations, former Solicitor of Labor Eugene Scalia filed a troubling brief that adopted this narrow interpretation not only in the context of the Sarbanes-Oxley Act, but regarding the environmental whistleblower provisions, as well.

That is where Senator GRASSLEY stepped in. As he has done so many times before, under both Republican and Democratic administrations, he went to bat for the rights of the lone whistleblower against the huge bureaucracy. Once again, through his perseverance, he has proven that you can fight not only city hall but the executive branch of the Federal Government.

Working together, we wrote a series of letters to the administration protesting their narrow interpretations and making the legal case that they were at odds with the legislative intent and clear language of the provision that we wrote. Each and every time that the administration responded by stonewalling or giving half answers, Senator GRASSLEY was there to protect the law we had worked so hard to write.

Finally, on January 24, 2003, almost a half year after our first letter, the administration gave in. In a letter from

the new Acting Solicitor of Labor to Senator GRASSLEY and to me he stated, "It is the Department's view that under Sarbanes-Oxley, complaints to individual Members of Congress are protected, even if such Member is not conducting an ongoing Committee investigation within the jurisdiction of a particular Congressional committee. . ." The letter promised that new rules and regulations effectuating this policy change would follow.

I am quite sure that when those regulations come out that Senator GRASSLEY will once again be paying close attention, as will I. Where the integrity of our financial markets and our Government are concerned, we can do no less. I look forward to working with Senator GRASSLEY to protect the rights of whistleblowers in the 108th Congress, as we did in the 107th Congress. It is an honor and a privilege to work with Senator GRASSLEY on these important matters.

I ask unanimous consent that the letters I have referenced above and the Washington Post story, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, DC, July 31, 2002.

Hon. GEORGE W. BUSH,
President of the United States, The White House, Washington, DC.

DEAR MR. PRESIDENT: As coauthors of the recent corporate whistleblower provision in the Corporate and Criminal Fraud Accountability Act, section 806 of the Sarbanes-Oxley Act, we are writing to express our shared concern about interpretive statements made by the White House staff only hours after you signed the Act into law.

According to media reports, the White House views this bipartisan provision, which was approved unanimously both by the Judiciary Committee and the full Senate, as protecting employees only if they report fraud to Congress "in the course of an investigation." This narrow interpretation is at odds with the plain language of the statute and risks chilling corporate whistleblowers who wish to report securities fraud to Members of Congress.

The provision in question, codified at 18 U.S.C. §1514A, states that it applies to disclosures of fraud whenever "the information or assistance is provided to or the investigation is conducted by . . . any Member of Congress or any committee of Congress." (emphasis added). By its plain terms, there is no limitation either to ongoing investigations of Congress or to matters within the jurisdiction of any Congressional Committee.

The reason for this is obvious. Few whistleblowers know, nor should they be expected to know, the jurisdiction of the various Committees of Congress or the matters currently under investigation. The most common situation, and one that the recent Administration's statement excludes from protection, is a citizen reporting misconduct to his or her own Representative or Senator, regardless of their committee assignments. Such disclosures are clearly covered by the terms of the statute.

We request that you review and reconsider the Administration's interpretation of section 806 of the Sarbanes-Oxley Act. It embodies a flawed interpretation of the clearly

worded statute and threatens to create unnecessary confusion and to discourage whistleblowers such as Sherron Watkins and Coleen Rowley from reporting corporate fraud to Congress.

Sincerely,

PATRICK LEAHY,
Chairman.
CHARLES E. GRASSLEY,
U.S. Senator.

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, DC, August 1, 2002.

Hon. ALBERTO R. GONZALES,
Counsel to the President, The White House,
Washington, DC.

DEAR MR. GONZALES: We appreciate your letter received today seeking to clarify the President's statement regarding the corporate whistleblower provisions in the Corporate and Criminal Fraud Accountability Act, section 806 of the Sarbanes-Oxley Act.

While the President's earlier statement was: "Given that the legislative purpose of Section 1514A of title 18 of the U.S. Code, enacted by section 806 of the Act, is to protect against company retaliation for lawful cooperation with investigations and not to define the scope of investigative authority or to grant new investigative authority, the executive branch shall construe section 1514(a)(1)(B) as referring to investigations authorized by the rules of the Senate or the House of Representatives and conducted for a proper legislative purpose."

Your letter now clarifies that contrary to the sweeping language above, "the President's statement provides guidance to the executive branch in construing the provision only on a single, very narrow point. . . ." (Emphasis added). That narrow point being what is defined as an "investigation" for purpose of the Act, and not all of section 1514(a)(1)(B), which you agree applies to more than merely investigations.

To ensure there is no confusion on this matter, and in light of seemingly broader interpretations provided by Whitehouse spokespersons, please respond to the following scenario.

An employee who works at a publicly traded company provides information to a Member of Congress (and assume for this question the Member is not a chairman or ranking member of a Committee and is not a member of a Committee with jurisdiction) regarding a violation as enumerated under Section 1514A(a)(1) of the Act. Finally, assume that there is no investigation being conducted by the Member at the time the information is provided. Do you believe that employee is or is not afforded the protections of Section 1514A?

There is no question in our minds that the Congressional intent (and the clear language of the statute) is that the answer to the above scenario is yes—the employee is protected, whether there is an investigation pending or not. Our desire is to protect the well-intentioned employee who contacts his elected representatives (or any representative for that matter) and not require that employee to consult the Congressional Directory and Congressional Record prior to making his call to determine whether he/she will be afforded the whistleblower protections of the Act.

The statute reflects this intent, protecting the actions of an employee of a publicly traded company: "(1) to provide information, cause information to be provided, or otherwise assist in an investigation regarding any conduct which the employee reasonably believes constitutes a violation of section 1341, 1343, 1344, or 1348, any rule or regulation of the Securities and Exchange Commission, or any provision of Federal law relating to

fraud against shareholders, when the information or assistance is provided to or the investigation is conducted by. . . (B) any Member of Congress or any committee of Congress; . . ."

Section 1514A(a)(1). Emphasis added.

Thank you for your time and assistance. We look forward to your response.

Cordially yours,

PATRICK J. LEAHY,
Chairman.
CHARLES E. GRASSLEY,
Ranking Member, Subcommittee on Crime and Drugs.

U.S. SENATE,
Washington, DC, January 15, 2003.

Hon. GEORGE W. BUSH,
President of the United States of America, The White House, Washington, DC.

DEAR PRESIDENT BUSH: I am writing in response to a letter of December 20, 2002, that the White House sent in response to Senator Grassley's and my joint letters of August 1 and October 31 expressing concerns regarding the Administration's enforcement of the corporate whistleblower provisions that we included in the Sarbanes-Oxley Act. I am dismayed at the Administration's overly narrow interpretation of these important whistleblower protection provisions in the corporate accountability legislation.

While I appreciate your response, it does little to clear the ambiguity created by the prior statements by the Administration, as set forth in our letters. It leaves potential whistleblowers like Sherron Watkins of Enron (who recently shared the honor of being selected Time Magazine's "Person of the Year" with two other whistleblowers) to guess at whether or not they can be fired for reporting an allegation of corporate fraud to their Representatives or Senators in Congress.

The unwillingness to clarify this matter is puzzling to me. After having confused the matter with a series of misleading and contradictory statements, the White House cannot simply state the scope of 18 U.S.C. §1514A "will ultimately be addressed by the courts." The ambiguity caused by the Administrations's own statements has now been allowed to persist for almost half a year, and it threatens effective enforcement of these important corporate reforms. In fact, White House spokesperson Ari Fleisher further fueled this ambiguity on July 31, 2002 by stating:

"What the action taken last night [the interpretive statement] does is say that it's up to Congress to determine, through its own rules and procedures, whether to grant individual members of Congress investigative powers that would trigger the statute.

"Nothing in the statute or the signing statement prevents Congress from granting that authority to whoever it chooses. This is a congressional issue, and a congressional decision.

"If Congress wants to allow individual members of the Congress, individual senators, individual House members, whether in the majority or the minority, no matter who they are, to conduct investigations, then that individual, if somebody was a whistleblower to that individual, the whistleblower would have all protections. If Congress decides that the only way to have an investigation is through the committee-authorized process, then the whistleblower will go through that committee. So this is a congressional matter and a congressional determination."

Thus, Mr. Fleisher's public statements on behalf of the White House leave the impression that the White House would require some type of additional Congressional rule-

making before affording the statute its full affect. Aside from being legally incorrect (an act of Congress passed nearly unanimously and signed into law by the President of the United States requires no further action to be fully enforced), such statements create a real risk. Corporate whistleblowers will be chilled from making reports of fraud unless they are assured that the law protects them from retaliation. It is incumbent upon the Administration to clear up the ambiguity which it has helped to create from an unambiguous statute.

Nor am I persuaded that, as you write, it would not be "appropriate" for the White House to provide a legal interpretation to a Member of Congress regarding a statute that the Administration is entrusted to enforce. The Executive Branch, unlike the courts, provides such interpretive guidance on a frequent basis both to Congress and to its own employees. In fact, when questions are not posed as policy-based hypotheticals, as Senator Grassley and I took pains to do in our letters, the Administration often refuses to answer because the questions do relate to a real, pending case. If the Executive Branch will not discuss policy on a theoretical basis, and refuses to discuss its actions on specific cases, then what remains?

Indeed, it would be nearly impossible to conduct effective oversight or to craft legislation designed to cure problems in the current law without a constructive dialogue between the Executive Branch and the Congress on precisely such issues. Understanding the Executive Branch's current interpretation of the law is particularly important in matters involving corporate reform. Our financial markets depend upon the confidence of the American people that our markets will be effectively policed, and creating uncertainty about the scope of important corporate reforms can destabilize such markets.

For these reasons, I urge you to answer all the questions posed in Senator Grassley's and my previous letters. Specifically, I request that you state definitively whether or not you believe that 18 U.S.C. §1514A protects a report of fraud or securities law violations by an employee of a publicly traded company to "any" member of Congress and whether the Department of Labor and the Department of Justice have been instructed not to take any contrary position in future litigation.

Thank you for your prompt response in this matter.

Sincerely,

PATRICK LEAHY,
U.S. Senator.

U.S. DEPARTMENT OF LABOR,
OFFICE OF THE SOLICITOR,
Washington, DC, January 24, 2003.

Hon. CHARLES E. GRASSLEY,
U.S. Senate,
Washington, DC.

Hon. PATRICK J. LEAHY,
U.S. Senate,
Washington, DC.

DEAR SENATORS GRASSLEY AND LEAHY: It was a pleasure meeting with your staff on January 7, 2003, to discuss issues relating to the implementation of the whistleblower provisions of the Sarbanes-Oxley Act of 2002. The President and Secretary Chao, who has responsibility to investigate and adjudicate allegations of retaliation under this law, share your view that these provisions are crucial to the federal government's efforts to combat corporate corruption.

In connection with the Department of Labor's implementation of the whistleblower protections of the Sarbanes-Oxley Act, I have reviewed a series of letters you exchanged with the Counsel to the President concerning the President's signing statement. In his December 20, 2002 letter, the

Counsel to the President explained that “the President’s statement took no position on whether there is whistleblower protection for employees who lawfully report wrongdoing to individual Members of Congress, nor did it address whether whistleblower protection would be limited to those instances where there was an ongoing investigation or the disclosure related to a matter within the jurisdiction of a particular Congressional committee.” The letter also indicated that representatives of the Department would be discussing the issues with your staff.

It is the Department’s view that under Sarbanes-Oxley, complaints to individual Members of Congress are protected, even if such Member is not conducting an ongoing Committee investigation within the jurisdiction of a particular Congressional committee, provided that the complaint relates to conduct that the employee reasonably believes to be a violation of one of the enumerated laws or regulations. The Department currently is finalizing the draft of an Interim Final Rule and accompanying Preamble implementing the whistleblower provisions of the Sarbanes-Oxley Act. Although it would be inappropriate for me to provide you our draft text at this time, the Department’s current intention is to clarify in the published document our view that complaints to “any Member of Congress or any committee of Congress” are covered by the whistleblower provisions of the Sarbanes-Oxley Act.

Thank you for your interest in this important matter.

Sincerely,

HOWARD M. RADZELY,
Acting Solicitor.

[From the Washington Post, Jan. 28, 2003]
LABOR DEPT. SHIFTS WHISTLE-BLOWER VIEW
UNDER ACT, WORKERS PROTECTED WHEN
EXPOSING WRONGDOING TO LAWMAKERS
(By Christopher Lee)

The Labor Department has changed its interpretation of a new corporate whistleblower law, a move that will afford workers who report wrongdoing to Congress greater protection against retaliation, two senators said yesterday.

In a letter Friday to Sens. Charles E. Grassley (R-Iowa) and Patrick J. Leahy (D-Vt.), Acting Solicitor Howard M. Radzely reversed the department’s contention that only whistle-blower contacts with a “duly authorized” investigative committee of Congress were protected, not those with just any lawmaker. That initial department reading of the Sarbanes-Oxley Act, a corporate accountability law enacted last summer, conflicted with what the two senators said they intended when they wrote the whistle-blower protections into the bill.

“It is the department’s view that . . . complaints to individual members of Congress are protected, even if such member is not conducting an ongoing committee investigation,” Radzely wrote.

Grassley said the reversal would “make it easier for corporate whistle-blowers to be protected when they speak out on wrongdoing in the boardroom.”

“It’s a big victory,” said Blythe McCormack, a spokeswoman for Leahy.

Grassley and Leahy have sent several letters to White House officials seeking assurances that the Bush administration understood the intent of the law. In September, then-Labor Department solicitor Eugene Scalia filed a friend-of-the-court brief with an administrative review board seeking to overturn a \$200,000 punitive damages award won by Assistant U.S. Attorney Gregory C. Sasse of Ohio in a whistle-blower case against the Justice Department.

Scalia, who resigned his post this month to return to private practice, had argued that

Sasse did not enjoy whistle-blower protection in his contacts with Rep. Dennis J. Kucinich (D-Ohio), who was looking into reports of toxic materials on federally owned land near the Cleveland airport. Only contacts with investigative panel members are protected, Scalia wrote.

Scalia also urged that a federal prosecutor could not sue the Justice Department over workplace disagreements involving priorities in government litigation.

Sasse, who still has his job, said his supervisors downgraded his performance reviews, did not grant him training opportunities and removed him from some cases in retaliation for his contacts with Kucinich. An administrative law judge ruled that the Justice Department had retaliated against Sasse and found that his contacts with Kucinich were protected.

The Justice Department appealed to the administrative review board, which has not yet ruled on the case.

Whistle-blower advocates said Scalia was attempting to use the case, which concerns whistle-blower provisions in environmental protection laws, to establish a precedent that would undermine whistle-blowers in cases against corporations.

Jeff Ruch, executive director of Public Employees for Environmental Responsibility, a group that defends federal workers on environmental issues, said a central question of the Sasse case—whether federal prosecutors can be whistle-blowers—remains unresolved.

A Labor Department spokeswoman declined to comment on the case because it is in litigation.

Steven Bell, Sasse’s attorney, said the department’s reversal helps his client. “The Labor Department is acknowledging that the substance of the brief it filed is legally inaccurate,” he said.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS RULES OF PROCEDURE

Mr. INHOFE. Mr. President, in accordance with the rule XXVI (2) of the Senate, I ask unanimous consent that the rules of the Committee on Environment and Public Works, adopted by the committee today, January 29, 2003, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS RULES OF PROCEDURE

Rule 1. Committee meetings in general

(a) Regular Meeting Days: For purposes of complying with paragraph 3 of Senate Rule XXVI, the regular meeting day of the committee is the first and third Thursday of each month at 10:00 A.M. If there is no business before the committee, the regular meeting shall be omitted.

(b) Additional Meetings: The chair may call additional meetings, after consulting with the ranking minority member. Subcommittee chairs may call meetings, with the concurrence of the chair, after consulting with the ranking minority members of the subcommittee and the committee.

(c) Presiding Officer:

(1) The chair shall preside at all meetings of the committee. If the chair is not present, the ranking majority member shall preside.

(2) Subcommittee chairs shall preside at all meetings of their subcommittees. If the subcommittee chair is not present, the ranking majority member of the subcommittee shall preside.

(3) Notwithstanding the rule prescribed by paragraphs (1) and (2), any member of the committee may preside at a hearing.

(d) Open Meetings: Meetings of the committee and subcommittees, including hearings and business meetings, are open to the public. A portion of a meeting may be closed to the public if the committee determines by roll call vote of a majority of the members present that the matters to be discussed or the testimony to be taken

(1) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(2) relate solely to matters of committee staff personnel or internal staff management or procedure; or

(3) constitute any other grounds for closure under paragraph 5(b) of Senate Rule XXVI.

(e) Broadcasting:

(1) Public meetings of the committee or a subcommittee may be televised, broadcast, or recorded by a member of the Senate press gallery or an employee of the Senate.

(2) Any member of the Senate Press Gallery or employee of the Senate wishing to televise, broadcast, or record a committee meeting must notify the staff director or the staff director’s designee by 5:00 p.m. the day before the meeting.

(3) During public meetings, any person using a camera, microphone, or other electronic equipment may not position or use the equipment in a way that interferes with the seating, vision, or hearing of committee members or staff on the dais, or with the orderly process of the meeting.

Rule 2. Quorums

(a) Business Meetings: At committee business meetings, and for the purpose of approving the issuance of a subpoena or approving a committee resolution, six members, at least two of whom are members of the minority party, constitute a quorum, except as provided in subsection (d).

(b) Subcommittee Meetings: At subcommittee business meetings, a majority of the subcommittee members, at least one of whom is a member of the minority party, constitutes a quorum for conducting business.

(c) Continuing Quorum: Once a quorum as prescribed in subsections (a) and (b) has been established, the committee or subcommittee may continue to conduct business.

(d) Reporting: No measure or matter may be reported to the Senate by the committee unless a majority of committee members cast votes in person.

(e) Hearings: One member constitutes a quorum for conducting a hearing.

Rule 3. Hearings

(a) Announcements: Before the committee or a subcommittee holds a hearing, the chair of the committee or subcommittee shall make a public announcement and provide notice to members of the date, place, time, and subject matter of the hearing. The announcement and notice shall be issued at least one week in advance of the hearing, unless the chair of the committee or subcommittee, with the concurrence of the ranking minority member of the committee or subcommittee, determines that there is good cause to provide a shorter period, in which event the announcement and notice shall be issued at least twenty-four hours in advance of the hearing.

(b) Statements of Witnesses:

(1) A witness who is scheduled to testify at a hearing of the committee or a subcommittee shall file 100 copies of the written testimony at least 48 hours before the hearing. If a witness fails to comply with this requirement, the presiding officer may preclude the witness’ testimony. This rule may be waived for field hearings, except for witnesses from the Federal Government.

(2) Any witness planning to use at a hearing any exhibit such as a chart, graph, diagram, photo, map, slide, or model must submit one identical copy of the exhibit (or representation of the exhibit in the case of a model) and 100 copies reduced to letter or legal paper size at least 48 hours before the hearing. Any exhibit described above that is not provided to the committee at least 48 hours prior to the hearing cannot be used for purpose of presenting testimony to the committee and will not be included in the hearing record.

(3) The presiding officer at a hearing may have a witness confine the oral presentation to a summary of the written testimony.

(4) Notwithstanding a request that a document be embargoed, any document that is to be discussed at a hearing, including, but not limited to, those produced by the General Accounting Office, Congressional Budget Office, Congressional Research Service, a Federal agency, an Inspector General, or a non-governmental entity, shall be provided to all members of the committee at least 72 hours before the hearing.

Rule 4. Business meetings: Notice and filing requirements

(a) Notice: The chair of the committee or the subcommittee shall provide notice, the agenda of business to be discussed, and the text of agenda items to members of the committee or subcommittee at least 72 hours before a business meeting. If the 72 hours falls over a weekend, all materials will be provided by close of business on Friday.

(b) Amendments: First-degree amendments must be filed with the chair of the committee or the subcommittee at least 24 hours before a business meeting. After the filing deadline, the chair shall promptly distribute all filed amendments to the members of the committee or subcommittee.

(c) Modifications: The chair of the committee or the subcommittee may modify the notice and filing requirements to meet special circumstances, with the concurrence of the ranking member of the committee or subcommittee.

Rule 5. Business meetings: Voting

(a) Proxy Voting:

(1) Proxy voting is allowed on all measures, amendments, resolutions, or other matters before the committee or a subcommittee.

(2) A member who is unable to attend a business meeting may submit a proxy vote on any matter, in writing, orally, or through personal instructions.

(3) A proxy given in writing is valid until revoked. A proxy given orally or by personal instructions is valid only on the day given.

(b) Subsequent Voting: Members who were not present at a business meeting and were unable to cast their votes by proxy may record their votes later, so long as they do so that same business day and their vote does not change the outcome.

(c) Public Announcement:

(1) Whenever the committee conducts a rollcall vote, the chair shall announce the results of the vote, including a tabulation of the votes cast in favor and the votes cast against the proposition by each member of the committee.

(2) Whenever the committee reports any measure or matter by rollcall vote, the report shall include a tabulation of the votes cast in favor of and the votes cast in opposition to the measure or matter by each member of the committee.

Rule 6. Subcommittees

(a) Regularly Established Subcommittees: The committee has four subcommittees: Transportation and Infrastructure; Clean Air, Climate Change, and Nuclear Safety;

Fisheries, Wildlife, and Water; and Superfund and Waste Management.

(b) Membership: The committee chair, after consulting with the ranking minority member, shall select members of the subcommittees.

Rule 7. Statutory responsibilities and other matters

(a) Environmental Impact Statements: No project or legislation proposed by any executive branch agency may be approved or otherwise acted upon unless the committee has received a final environmental impact statement relative to it, in accordance with section 102(2)(C) of the National Environmental Policy Act, and the written comments of the Administrator of the Environmental Protection Agency, in accordance with section 309 of the Clean Air Act. This rule is not intended to broaden, narrow, or otherwise modify the class of projects or legislative proposals for which environmental impact statements are required under section 102(2)(C).

(b) Project Approvals:

(1) Whenever the committee authorizes a project under Public Law 89-298, the Rivers and Harbors Act of 1965; Public Law 83-566, the Watershed Protection and Flood Prevention Act; or Public Law 86-249, the Public Buildings Act of 1959, as amended; the chairman shall submit for printing in the Congressional Record, and the committee shall publish periodically as a committee print, a report that describes the project and the reasons for its approval, together with any dissenting or individual views.

(2) Proponents of a committee resolution shall submit appropriate evidence in favor of the resolution.

(c) Building Prospectuses:

(1) When the General Services Administration submits a prospectus, pursuant to section 7(a) of the Public Buildings Act of 1959, as amended, for construction (including construction of buildings for lease by the government), alteration and repair, or acquisition, the committee shall act with respect to the prospectus during the same session in which the prospectus is submitted.

A prospectus rejected by majority vote of the committee or not reported to the Senate during the session in which it was submitted shall be returned to the GSA and must then be resubmitted in order to be considered by the committee during the next session of the Congress.

(2) A report of a building project survey submitted by the General Services Administration to the committee under section 11(b) of the Public Buildings Act of 1959, as amended, may not be considered by the committee as being a prospectus subject to approval by committee resolution in accordance with section 7(a) of that Act. A project described in the report may be considered for committee action only if it is submitted as a prospectus in accordance with section 7(a) and is subject to the provisions of paragraph (1) of this rule.

(d) Naming Public Facilities: The committee may not name a building, structure or facility for any living person, except former Presidents or former Vice Presidents of the United States, former Members of Congress over 70 years of age, or former Justices of the United States Supreme Court over 70 years of age.

Rule 8. Amending the Rules

The rules may be added to, modified, amended, or suspended by vote of a majority of committee members at a business meeting if a quorum is present.

SOUTH KOREA AND THE DEMILITARIZED ZONE

Mrs. FEINSTEIN. Mr. President, last December I traveled to South Korea in my capacity as chairman of the Appropriations Subcommittee on Military Construction, as well as a member of the Senate Select Committee on Intelligence. I was able to visit and talk with U.S. troops and inspect facilities. I also toured the DMZ, a chilling legacy of a war many Americans have already forgotten.

My visit could not have been more timely. The combination of saber-rattling in the North and anti-American protests in the South has made Korea front page news once again, as it faces its most complicated, and potentially explosive, crisis since the Korean war, 1950-53.

The Korean peninsula is a land of stunning beauty and startling contrasts. Divided at the end of World War II, following a long occupation by Japan, Korea continues to be one of the few reminders of what the world was like during the cold war.

North Korea is a quasi-Stalinist state which, since its formal creation in 1948, has been run by two men, Kim Il Sung, who died in 1994, and his son, Kim Jong Il. Still almost entirely closed to the Western World, North Korea is a stark and isolated country marked by repression and poverty.

Then, on the other side of the demilitarized zone, DMZ, perhaps the most tense border on Earth, is South Korea, a prosperous, Westernized democratic state. South Korea has been a staunch U.S. ally, and 37,000 U.S. troops have been stationed there for the past 40 years.

Waged from 1950 to 1953, the Korean war ended in a virtual stalemate, with the peninsula still divided. Mr. President, 54,246 American men and women died during that war, and although there are no precise figures for Korean casualties, conservative estimates put the figure at approximately 4 million, the majority of these being civilians.

On my trip to South Korea on the eve of the Presidential elections, I was surprised at the widespread anti-Americanism. Indeed, it was this issue, a growing sense that the United States was an imperial power indifferent to the needs and desires of the Korean people, that led Roh Moo Hyun to victory.

It is difficult to appreciate the situation on the Korean peninsula without a visit to the demilitarized zone. I was taken there in a helicopter by Gen. Leon LaPorte, our four-star general in command, who pointed out North Korean troop concentrations. It is an alarming sight, and in many ways a step back in time.

I then paid a visit to Panmunjum, a small village frozen in time, unchanged for half a century, which straddles the line separating North and South Korea. It was here that the Armistice ending the war was signed.

Seventy percent of the 1.2 million man North Korean army is deployed

along the DMZ, with enough heavy artillery to substantially damage Seoul and inflict casualties by the millions. And there are reports that nerve agents may also be deployed along the DMZ.

Since my visit, the 800,000 forward-deployed North Korean troops have been placed on high alert and are prepared to move instantly.

I believe the blame for precipitating this crisis lies squarely with North Korea, which clearly violated the Agreed Framework by beginning the surreptitious development of nuclear capacity.

North Korea has also expelled all international inspectors and equipment; withdrawn from the Nuclear Non-Proliferation Treaty; restarted its plutonium processing plants; moved thousands of plutonium rods out of locked safe storage back into the nuclear production line; and is enriching uranium for nuclear weapon purposes.

The government of Kim Jong Il has clearly placed its focus, not on feeding its people, but in developing its military, its missiles and its nuclear capability, all in defiance of treaties it has signed.

Yet it also appears that our own handling of events on the Korean peninsula over the past 2 years, as well as our broader foreign policy rhetoric and statements have served, ironically, to fuel North Korea's paranoia and made the situation much more difficult to manage.

Part of the problem has been our reluctance to endorse outgoing President Kim Dae Jung's "Sunshine Policy," a diplomatic and economic effort by the South Korean government to ease tensions with the North. President Kim was awarded the Nobel Peace Prize in 2000 for precisely these initiatives.

This move was perceived as a major humiliation in South Korea, helped set the stage for the rising tide of anti-Americanism, and was seen as a sign by the North that the administration was intent on a policy of isolation and confrontation.

The North Korean situation offers no easy solution. We should keep the door open to the possibility of high level discussion.

This ongoing crisis has also led many to rethink America's military presence on the Korean peninsula. Such periodic reviews are a good idea, but at the same time, I strongly believe that we should not do anything hastily.

And although overshadowed by the crisis, much of my trip to South Korea focused on determining how to best finance the reconfiguration of U.S. military installations in South Korea.

In the past 2 years alone, Congress has appropriated more than \$500 million for military construction in South Korea. Much of this money has gone to improve barracks and to begin to implement a program known as the Korean Land Partnership Plan.

This joint U.S.-Republic of Korea plan is designed to reduce the U.S.

military "footprint" in Korea, while at the same time upgrade facilities for U.S. soldiers. This latter effort is particularly important, seeing that the living and working conditions are among the poorest in the entire U.S. military.

Currently, the 37,000 U.S. troops stationed in South Korea are scattered among 41 troop installations and 54 small camps and support sites. Under the Land Partnership Plan, the number of troop installations would be reduced to 23, a move that I support.

When near the DMZ, I also visited Camp Casey, which is north of Uijongbu and occupied by some 6300 military and 2500 civilians. More than any other site I saw, Camp Casey clearly demonstrated the need for improved living conditions at the soldier barracks. This is an issue that deserves immediate attention in the 108th Congress.

As I mentioned earlier, I believe that the present crisis can be resolved. The United States should be more sensitive to our longstanding ally, South Korea, just as we should ensure that North Korea not be allowed to bully or intimidate its neighbors.

Finally, I believe that my trip could not have been more timely. It has given me a fresh and immediate perspective on a land and a people for which I have great admiration. Since returning to Washington, I have met with both the South Korean National Security Adviser and their Ambassador to the United States.

These talks, as well as those with my Senate colleagues and members of the Bush administration, give me confidence that we will be able to work well with President Roh, and that our bilateral relationship is strong enough to weather any short-term setbacks.

Lastly, I would once again like to thank Ambassador Thomas Hubbard and Gen. Leon LaPorte for all their assistance while I was in South Korea.

CHARLES KRAUTHAMMER'S "AMERICAN UNILATERALISM"

Mr. KYL. Mr. President, In a December 2002 speech delivered by the commentator, Charles Krauthammer, at the Hillsdale College Churchill dinner entitled "American Unilateralism," Mr. Krauthammer superbly articulates the necessity of American action to confront today's challenges in the international arena, most notably Iraq. He makes a compelling case against the two kinds of multilateralist thinking that are common today: that of the liberal internationalists and that of the pragmatic realists.

Liberal internationalists, Krauthammer shows, cling to multilateralism as a shield for their real preference—in this case, inaction. He aptly points out that those most strenuously opposed to U.S. military action in Iraq are also the strongest supporters of requiring U.N. backing. The reason, Krauthammer concludes, is that "they see the

U.N. as a way to stop America in its tracks." The liberal internationalist fails to take into account that there is no logical, or moral, basis for depending upon the member of the U.N. Security Council to confer legitimacy on U.S. actions.

Pragmatic realists, Krauthammer explains, understand the absurdity of the liberal internationalist's arguments, but believe that, nonetheless, the U.S. needs from a practical standpoint, international support to act. They believe that shared decisionmaking will result in good will, improved relations, and greater burdensharing. But, as Krauthammer demonstrates, our experiences in the gulf war prove otherwise.

It is important to note that Krauthammer does not see unilateralism as a first choice. Rather, he advocates taking actions that are in the best interest of the United States, bringing others along if possible. What he wisely cautions against is allowing ourselves "to be held hostage" by the objections of countries that don't have America's interests at heart. He describes unilateralism as "the high road to multilateralism." This may sound paradoxical, but it makes sense. It is American leadership, asserting a firm position and committing to take whatever actions are necessary to see if through, that enables a solid coalition to be built.

Charles Krauthammer's remarks are both timely and insightful as the United States discusses Iraqi non-compliance with members of the U.N. Security Council and contemplates military action in Iraq. I highly recommend them to my colleagues in the Senate.

I ask unanimous consent that Mr. Krauthammer's December 2002 speech be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

AMERICAN UNILATERALISM (By Charles Krauthammer)

American unilateralism has to do with the motives and the methods of American behavior in the world, but any discussion of it has to begin with a discussion of the structure of the international system. The reason that we talk about unilateralism today is that we live in a totally new world. We live in a bipolar world of a sort that has not existed in at least 1500 years.

At the end of the Cold War, the conventional wisdom was that with the demise of the Soviet Empire, the bipolarity of the second half of the 20th century would yield to a multi-polar world. You might recall the school of thought led by historian Paul Kennedy, who said that America was already in decline, suffering from imperial overstretch. There was also the Asian enthusiasm, popularized by James Fallows and others, whose thinking was best captured by the late-1980s witticism: "The United States and Russia decided to hold a Cold War: Who won? Japan."

Well they were wrong, and ironically no one has put it better than Paul Kennedy himself, in a classic recantation emphasizing America's power: "Nothing has ever existed like this disparity of power, nothing. Charlemagne's empire was merely Western

European in its reach. The Roman Empire stretched farther afield, but there was another great empire in Persia and a larger one in China. There is, therefore, no comparison."

We tend not to see or understand the historical uniqueness of this situation. Even at its height, Britain could always be seriously challenged by the next greatest powers. It had a smaller army than the land powers of Europe, and its navy was equaled by the next two navies combined. Today, the American military exceeds in spending the next twenty countries combined. Its Navy, Air Force and space power are unrivaled. Its dominance extends as well to every other aspect of international life—, not only military, but economic, technological, diplomatic, cultural, even linguistic, with a myriad of countries trying to fend off the inexorable march of MTV English.

Ironically, September 11 accentuated and accelerated this unipolarity. It did so in three ways. The first and most obvious was the demonstration it brought forth of American power. In Kosovo, we had seen the first war ever fought and won exclusively from the air, which gave the world a hint of the recent quantum leap in American military power. But it took September 11 for the U.S. to unleash, with concentrated fury, a fuller display of its power in Afghanistan. Being a relatively pacific commercial republic, the U.S. does not go around looking for demonstration wars. This one being thrust upon it, it demonstrated that at a range of 7,000 miles, with but a handful of losses and a sum total of 426 men on the ground, it could destroy, within weeks, a hardened fanatical regime favored by geography and climate in a land-locked country that was already well known as the graveyard of empires. Without September 11, the giant would surely have slept longer. The world would have been aware of America's size and potential, but not its ferocity and full capacities.

Secondly, September 11 demonstrated a new kind of American strength. The center of our economy was struck, aviation was shut down, the government was sent underground and the country was rendered paralyzed and fearful. Yet within days, the markets reopened, the economy began its recovery, the president mobilized the nation and a unified Congress immediately underwrote a huge worldwide war on terror. The Pentagon, with its demolished western façade still smoldering, began planning the war. The illusion of America's invulnerability was shattered, but with the demonstration of its recuperative powers, that sense of invulnerability assumed a new character. It was transmuted from impermeability to resilience—the product of unrivaled human, technological and political reserves.

The third effect of September 11 was the realignment it caused among the great powers. In 1990, our principal ally was NATO. A decade later, the alliance had expanded to include some of the former Warsaw Pact countries. But several major powers remained uncommitted: Russia and China flirted with the idea of an anti-hegemonic alliance, as they called it. Some Russian leaders made ostentatious visits to little outposts of the ex-Soviet Empire like North Korea and Cuba. India and Pakistan sat on the sidelines.

Then came September 11, and the bystanders lined up. Pakistan immediately made a strategic decision to join the American camp. India enlisted with equal alacrity. Russia's Putin, seeing a coincidence of interests with the U.S. in the war on terror and an opportunity to develop a close relation with the one remaining superpower, fell into line. Even China, while remaining more distant, saw a coincidence of interest with the

U.S. in fighting Islamic radicalism, and so has cooperated in the war on terror and has not pressed competition with the U.S. in the Pacific.

This realignment accentuated a remarkable historical anomaly. All of our historical experience with hegemony suggests that it creates a countervailing coalition of weaker powers. Think of Napoleonic France, or of Germany in the 20th century. Nature abhors a vacuum and history abhors hegemony. But in the first decade of post-Cold War unipolarity, not a single great power, arose to challenge America. On the contrary, they all aligned with the U.S. after September 11.

So we bestride the world like a colossus. The question is, how do we act in this new world? What do we do with our position?

Secretary of Defense Rumsfeld gave the classic formulation of unilateralism when he said, regarding Afghanistan—but it applies equally to the war on terror and to other conflicts—that "the mission determines the coalition." This means that we take our friends where we find them, but only in order to help us accomplish our mission. The mission comes first and we define the mission.

This is in contrast with what I believe is a classic case study in multilateralism: the American decision eleven years ago to conclude the Gulf War. As the Iraqi Army was fleeing the first Bush administration had to decide whether its goal in the war was the liberation of Kuwait or the liberation of Iraq. National Security Advisor Brent Scowcroft, who was instrumental in making the decision to stop with Kuwait, has explained that going further would have fractured the coalition, gone against our promises to our allies, and violated the U.N. resolutions under which we had gone to war. "Had we added occupation of Iraq and removal of Saddam Hussein to those objectives," he wrote, "our Arab allies, refusing to countenance an invasion of an Arab colleague, would have deserted us." Therefore we did not act. The coalition defined the mission.

LIBERAL INTERNATIONALISM

There are two schools of committed multilateralists, and it is important to distinguish between them. There are the liberal internationalists who act from principle, and there are the realists who act from pragmatism. The first was seen in the run-up to the congressional debate on the war on Iraq. The main argument from opposition Democrats was that we should wait and hear what the U.N. was saying. Senator Kennedy, in a speech before the vote in Congress, said, "I'm waiting for the final recommendation of the Security Council before I'm going to say how I'm going to vote." Senator Levin, who at the time was the Chairman of the Senate Armed Services Committee, actually suggested giving authority to the President to act in Iraq only upon the approval of the U.N. Security Council.

The liberal internationalist position is a principled position, but it makes no internal sense. It is based on a moral vision of the world, but it is impossible to understand the moral logic by which the approval of the Security Council confers moral legitimacy on this or any other enterprise. How does the blessing of the butchers of Tiananmen Square, who hold the Chinese seat on the Council, lend moral authority to anything, let alone the invasion of another country? On what basis is moral legitimacy lent by the support of the Kremlin, whose central interest in Iraq, as all of us knows, is oil and the \$8 billion that Iraq owes Russia in debt? Or of the French, who did everything that they could to weaken the resolution, then came on board at the last minute because they saw that an Anglo-American train was possibly leaving for Baghdad, and they didn't want to be left at the station?

My point is not to blame the French or the Russians or the Chinese for acting in their own national interest. That's what nations do. My point is to express wonder at Americans who find it unseemly to act in the name of our own national interest, and who cannot see the logical absurdity of granting moral legitimacy to American action only if it earns the prior approval of others which is granted or withheld on the most cynical grounds of self-interest.

PRACTICAL MULTILATERALISM

So much for the moral argument that underlies multilateralism. What are the practical arguments? There is a school of realists who agree that liberal internationalism is nonsense, but who argue plausibly that we need international or allied support, regardless. One of their arguments is that if a power consistency shares rule making with others, it is more likely to get aid and assistance from them.

I have my doubts. The U.S. made an extraordinary effort during the Gulf War to get U.N. support, share decision-making and assemble a coalition. As I have pointed out, it even denied itself the fruits of victory in order to honor coalition goals. Did this diminish anti-Americanism in the region? Did it garner support for subsequent Iraq policy—policy dictated by the original acquiescence to that coalition? The attacks of September 11 were planned during the Clinton administration, an administration that made a fetish of consultation and did its utmost to subordinate American hegemony. Yet resentments were hardly assuaged, because extremist rage against the U.S. is engendered by the very structure of the international system, not by our management of it.

Pragmatic realists value multilateralism in the interest of sharing burdens, on the theory that if you share decision-making, you enlist others in your own hegemonic enterprise. As proponents of this school and argued recently in Foreign Affairs, "Straining relationships now will lead only to a more challenging policy environment later on." This is a pure cost-benefit analysis of multilateralism versus unilateralism.

If the concern about unilateralism is that American assertiveness be judiciously rationed and that one needs to think long-term hardly anybody will disagree. One does not go it alone or dictate terms on every issue. There's no need to. On some issues, such as membership in the World Trade Organization, where the long-term benefit both to the U.S. and to the global interest is demonstrable, one willingly constricts sovereignty. Trade agreements are easy calls, however, free trade being perhaps the only mathematically provable political good. Other agreements require great skepticism. The Kyoto Protocol on climate change, for example, would have had a disastrous effect on the American economy, while doing nothing for the global environment. Increased emissions from China, India and other third-world countries which are exempt from its provisions clearly would have overwhelmed and made up for what-ever American cuts would have occurred. Kyoto was therefore rightly rejected by the Bush administration. It failed on its merits, but it was pushed very hard nonetheless, because the rest of the world supported it.

The same case was made during the Clinton administration for chemical and biological weapons treaties, which they negotiated assiduously under the logic of, "Sure, they're useless or worse, but why not give in, in order to build good will for future needs?" The problem is that appeasing multilateralism does not assuage it; appeasement only legitimizes it. Repeated acquiescence on provisions that America deems injurious reinforces the notion that legitimacy

derives from international consensus. This is not only a moral absurdity. It is injurious to the U.S., because it undermines any future ability of the U.S. to act unilaterally, if necessary.

The key point I want to make about the new unilateralism is that we have to be guided by our own independent judgment, both about our own interests and about global interests. This is true especially on questions of national security, war making, and freedom of action in the deployment of power. America should neither defer nor contract out such decision-making, particularly when the concessions involve permanent structural constrictions, such as those imposed by the International Criminal Court. Should we exercise prudence? Yes. There is no need to act the superpower in East Timor or Bosnia, as there is in Afghanistan or in Iraq. There is no need to act the superpower on steel tariffs, as there is on missile defense.

The prudent exercise of power calls for occasional concessions on non-vital issues, if only to maintain some psychological goodwill. There's no need for gratuitous high-handedness or arrogance. We shouldn't, however, delude ourselves as to what psychological goodwill can buy. Countries will cooperate with us first out of their own self-interest, and second out of the need and desire to cultivate good relations with the world's unipolar power. Warm feelings are a distant third.

After the attack on the USS *Cole*, Yemen did everything it could to stymie the American investigation. It lifted not a finger to suppress terrorism at home, and this was under an American administration that was obsessively multilateralist and accommodating. Yet today, under the most unilateralist American administration in memory, Yemen has decided to assist in the war on terrorism. This was not the result of a sudden attack of Yemeni goodwill, or of a quick re-reading of the Federalist Papers. It was a result of the war in Afghanistan, which concentrated the mind of recalcitrant states on the price of non-cooperation.

Coalitions are not made by superpowers going begging hat in hand; they are made by asserting a position and inviting others to join. What even pragmatic realists fail to understand is that unilateralism is the high road to multilateralism. It was when the first President Bush said that the Iraqi invasion of Kuwait would not stand, and made it clear that he was prepared to act alone if necessary, that he created the Gulf War coalition.

AMERICA'S SPECIAL ROLE

Of course, unilateralism does not mean seeking to act alone. One acts in concert with others when possible. It simply means that one will not allow oneself to be held hostage to others. No one would reject Security Council support for war on Iraq or for any other action. The question is what to do if, at the end of the day, the Security Council or the international community refuses to back us? Do we allow ourselves to be dictated to on issues of vital national interest? The answer has to be "no," not just because we are being willful, but because we have a special role, a special place in the world today, and therefore a special responsibility.

Let me give you an interesting example of specialness that attaches to another nation. During the 1997 negotiations in Oslo over the land mine treaty, when just about the entire Western world was campaigning for a land mine ban, one of the holdouts was Finland. The Finnish prime minister found himself scolded by his Scandinavian neighbors for stubbornly refusing to sign on the ban. Finally, having had enough, he noted tartly that being foursquare in favor of banning

land mines was a "very convenient" pose for those neighbors who "want Finland to be their land mine."

In many parts of the world, a thin line of American GIs is the land mine. The main reason that the U.S. opposed the land mine treaty is that we need them in places like the DMZ in Korea. Sweden and Canada and France do not have to worry about an invasion from North Korea killing thousands of their soldiers. We do. Therefore, as the unipolar power and as the guarantor of peace in places where Swedes do not tread, we need weapons that others do not. Being uniquely situated in the world, we cannot afford the empty platitudes of allies not quite candid enough to admit that they live under the protection of American power. In the end, we have no alternative but to be unilateralist. Multilateralism becomes either an exercise in futility or a cover for inaction.

The futility of it is important to understand. The entire beginning of the unipolar age was a time when this country, led by the Clinton administration, eschewed unilateralism and pursued multilateralism with a vengeance. Indeed, the principal diplomatic activity of the U.S. for eight years was the pursuit of a dizzying array of universal treaties: the comprehensive test ban treaty, the chemical weapons convention, the biological weapons convention, Kyoto and, of course, land mines.

In 1997, the Senate passed a chemical weapons convention that even its proponents admitted was useless and unenforceable. The argument for it was that everyone else had signed it and that failure to ratify would leave us isolated. To which we ought to say: So what? Isolation in the name of a principle, in the name of our own security, in the name of rationality is an honorable position.

Multilateralism is at root a cover for inaction. Ask yourself why those who are so strenuously opposed to taking action against Iraq are also so strenuously in favor of requiring U.N. support. The reason is that they see the U.N. as a way to stop America in its tracks. They know that for ten years the Security Council did nothing about Iraq; indeed, it worked assiduously to weaken sanctions and inspections. It was only when President Bush threatened unilateral action that the U.N. took any action and stirred itself to pass a resolution. The virtue of unilateralism is not just that it allows action. It forces action.

I return to the point I made earlier. The way to build a coalition is to be prepared to act alone. The reason that President Bush has been able and will continue to be able to assemble a coalition on Iraq is that the Turks, the Kuwaitis and others in the region will understand that we are prepared to act alone if necessary. In the end, the real division between unilateralists and multilateralists is not really about partnerships or about means or about methods. It is about ends.

We have never faced a greater threat than we do today, living in a world of weapons of mass destruction of unimaginable power. The divide before us, between unilateralism and multilateralism, is at the end of the day a divide between action and inaction. Now is the time for action, unilaterally if necessary.

HONORING CINDY DWYER ON HER RETIREMENT

Mr. JOHNSON. Mr. President, I rise today to call to attention of all Senators, the retirement of a dedicated public servant and an individual who has given much to the operation of four

Senate offices. Cindy Dwyer, a member of my staff for the past 2½ years, will be ending her career as a staff person in the Senate. As the scheduler in my Washington, DC, Senate office, Cindy has been a model for other dedicated and talented staff members to emulate, and an invaluable asset to everyone who had the honor of working with her. It is with deep regret I announce she will be leaving my office and the Senate in February.

Before coming to Washington, Cindy worked as a kindergarten teacher in Wakonda, SD. In 1975, she began her congressional career in the office of former South Dakota Senator James Abourezk. She worked as a staff assistant in Senator Abourezk's office, and also a part-time employee of the Senate's post office.

After Senator Abourezk's retirement in 1978, Cindy joined the staff of then-Congressman TOM DASCHLE, in his first term as a Member of the House of Representatives serving South Dakota. It was during that time that Cindy began her long and distinguished career as a scheduler for Members of Congress.

Cindy worked as a consultant for several years before rejoining Congressman DASCHLE's staff in 1985. She went on to become Senator DASCHLE's first Senate press secretary when he was elected to the Senate in 1987. She worked for our South Dakota colleague for another 1½ years, before leaving to work for another of our colleagues, Senator J. Robert Kerrey of Nebraska. For 12 years, from 1988–2000, she worked for Senator Kerrey, first on his campaign, and later as a senior member of his staff and a very integral member of the Kerrey team. I have been told that little occurred in Bob Kerrey's office that Cindy wasn't involved with. As one of Senator Kerrey's closest and trusted advisers, she was responsible for helping to execute the very strong record of service that Senator Kerrey delivered for his Nebraska constituents.

While I regretted Senator Kerrey's retirement from the Senate in 2000, his departure turned out to be my good fortune, because it was at that point in time that I had the fortune of working with Cindy. I needed to hire an experienced scheduler, and Cindy Dwyer was that answer. To show Cindy's dedication to the Senate and the Senators with whom she has served, she undertook a herculean effort by working in both offices. For a period of time in 2000, she continued to work with Senator Kerrey, helping to wind down his final few months of Senate service, and began working in my office as my scheduler. Very few staff members could have undertaken the responsibilities that Cindy did, working well beyond a normal workweek, even by Senate standards, to provide service to two Senators.

During her 2½ years of service, Cindy helped to organize the day to day activities of my office and my schedule. The efficiency and organization of my

office is a direct result of her hard work and preparation. She is not only a valuable member of my staff, but a great friend. Her friendly demeanor and willingness to go above and beyond the call of duty have made her a popular figure in my office and throughout the Senate.

Some have suggested that Cindy gets her political roots from her family. Her father, Gene Dwyer, still works as a staff assistant in Senator DASCHLE's Sioux Falls office. Her sister and brother-in-law, Peter and Barbara Stavrianos, have distinguished careers working for Senators McGovern, Abourezk, and DASCHLE.

Cindy will be greatly missed, and Barbara and I wish her the very best on all her future endeavors. It is an honor for me to share Cindy's accomplishments with my colleagues and to publicly commend her outstanding service to my office and the people of South Dakota.

ROWAN ANTON CRAIG

Mr. CRAIG. Mr. President, I rise to let my fellow Senators know of a very happy addition to my family.

On December 22, at 3:05 in the afternoon, my daughter-in-law, Stephanie Craig, with the help of her husband, our son Michael, and our grandson Aidan, gave birth to our newest grandchild, a beautiful baby boy named Rowan Anton Craig. He came in bigger than his older brother at 8 pounds, 9 ounces and 21 inches long.

At 3:15 that same afternoon, my wife Suzanne and I watched our new grandbaby being weighed and measured and swaddled, and we got to hold this bundle of life. What a thrill to be there in the first few minutes of his life.

His middle name, Anton, comes from his great-grandfather on his mother's side of the family. Anton was the patron saint of animals, so we expect to share with him our love of animals, along with many other experiences.

Let me thank my colleagues for your indulgence in letting me share with all of you one of the most unique experiences in my life, a wonderful Christmas present: a new grandchild in our family.

ADDITIONAL STATEMENTS

COL. EDWIN D. STRICKFADEN

• Mr. CRAPO. Mr. President, I rise today to ask the Senate to join me in honoring the retirement of Col. Edwin D. Strickfaden, director of the Idaho State Police. Colonel Strickfaden retired on December 31, 2002, after faithfully serving the citizens of Idaho for 35 years. I join with many Idahoans in recognizing Colonel Strickfaden's career as a sterling example of dedication to public safety and service to others.

Enormous is the debt owed by us to the men and women who work in law enforcement, who, every day put their

lives on the line to defend the rights and liberties we enjoy. Colonel Strickfaden exemplifies the sacrifices made by these exceptional people. He is deserving of our respect and honor as he concludes his distinguished career.

Edwin D. Strickfaden's career with the Idaho State Police began in 1967 at the conclusion of 4 years of service to his country in the U.S. Air Force. He started with the Idaho State Police serving at the King Hill Port-of-Entry facility in King Hill, ID. He was made officer-in-charge of the facility in 1969. A year later, he was again promoted and assigned to the District Two office in Lewiston. In all, Colonel Strickfaden served in six offices of the Idaho State Police throughout Idaho, in three of them as commander. The year's many changes and transfers afforded him vast experience in all aspects of Idaho law enforcement and many opportunities to serve the people of Idaho.

One of many salient moments that defined Mr. Strickfaden's distinguished career is a time when he dove into the icy December waters of the Clearwater River to rescue a woman from a submerged vehicle, an action given special recognition by then-Governor Cecil Andrus. This action typified the courage and dedication he was known for throughout his 35-year career.

The invaluable knowledge and experience that Colonel Strickfaden gained through many years of service became critical in 1998 when he was asked to serve as director of the Department of Law Enforcement. Under Colonel Strickfaden's leadership, the former Department of Law Enforcement and State Police were combined into a single agency. The new Idaho State Police has become an effective organization with numerous successes in the war on drugs and other enforcement issues in Idaho. True to this mission, Idaho has experienced a decline in illegal drug use since Colonel Strickfaden served as director of the Idaho State Police. Without the effective work of the Idaho State Police, our ability to live in a safe and secure environment would be compromised. Colonel Strickfaden's tireless efforts have helped reach the goal of making Idaho a safe and secure environment for all of its residents.

As he enters a new phase of his life, I know my Senate colleagues will join me in thanking Colonel Strickfaden on his distinguished career as an Idaho State Police Officer and wish him every success in his future endeavors.●

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.)

PERIODIC REPORT ON THE NATIONAL EMERGENCY WITH RESPECT TO THE WESTERN BALKANS THAT WAS DECLARED IN EXECUTIVE ORDER 13219—PM 2

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), I transmit herewith a 6-month report prepared by my Administration on the national emergency with respect to the Western Balkans that was declared in Executive Order 13219 of June 26, 2001.

GEORGE W. BUSH,
THE WHITE HOUSE, January 29, 2003.

REPORT ON ARMENIA, AZERBAIJAN, KAZAKHSTAN, MOLDOVA, THE RUSSIAN FEDERATION, TAJIKISTAN, TURKMENISTAN, UKRAINE, AND UZBEKISTAN INDICATING THE CONTINUED COMPLIANCE OF THESE COUNTRIES WITH INTERNATIONAL STANDARDS CONCERNING FREEDOM OF EMIGRATION—PM 3

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Finance:

To the Congress of the United States:

On September 21, 1994, then-President Clinton determined and reported to the Congress that the Russian Federation was not in violation of paragraphs (1), (2), or (3) of subsection 402(a) of the Trade Act of 1974, or paragraphs (1), (2), or (3), of subsection 409(a) of the Act. On June 3, 1997, he also determined and reported to the Congress that Armenia, Azerbaijan, Georgia, Moldova, and Ukraine were not in violation of the same provisions, and made an identical determination on December 5, 1997, with respect to Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan. These actions allowed for the continuation of normal trade relations for these countries and certain other activities without the requirement of an annual waiver.

On June 29, 2000, pursuant to section 302(b) of Public Law 106-200, then-President Clinton determined that title IV of the Trade Act of 1974 should no

longer apply to Kyrgyzstan, and on December 29, 2000, pursuant to section 3002 of Public Law 106-476, he determined that title IV of the Trade Act of 1974 should no longer apply to Georgia.

As required by law, I am submitting an updated report to the Congress that was prepared by my Administration concerning the emigration laws and policies of Armenia, Azerbaijan, Kazakhstan, Moldova, the Russian Federation, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan. The report indicates continued compliance of these countries with international standards concerning freedom of emigration.

GEORGE W. BUSH,
THE WHITE HOUSE, January 29, 2003.

MESSAGE FROM THE HOUSE

At 3:47 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House disagrees to the amendment of the Senate to the joint resolution (H.J. Res. 2) making further continuing appropriations for the fiscal year 2003, and for other purposes, and agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints the following Members as the managers of the conference on the part of the House:

Mr. Young of Florida, Mr. Regula, Mr. Rogers of Kentucky, Mr. Wolf, Mr. Kolbe, Mr. Walsh, Mr. Taylor of North Carolina, Mr. Hobson, Mr. Istook, Mr. Bonilla, Mr. Knollenberg, Mr. Kingston, Mr. Obey, Mr. Murtha, Mr. Dicks, Mr. Sabo, Mr. Mollohan, Ms. Kaptur, Mr. Visclosky, Mrs. Lowey, Mr. Serrano, and Mr. Moran of Virginia.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 224. A bill to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage.

S. 225. A bill to provide for emergency unemployment compensation.

S. 228. A bill to amend title 18, United States Code, to limit the misuse of social security numbers, to establish criminal penalties for such misuse, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 241. A bill to amend the Coastal Zone Management Act.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-766. A communication from Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Do-

mestic Fisheries Division, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Mackerel, Squid and Butterfish Fisheries; Final Specifications for 2003 (0648-AQ15)" January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-767. A communication from Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Domestic Fisheries Division, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Interim 2003 total allowable catch (TAC) amounts for the groundfish fishery of the Bering Sea and Aleutian Islands management area (BSAI)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-768. A communication from the Acting Director, Office of Sustainable Fisheries, Domestic Fisheries Division, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Closure of Fishery for Loligo Squid" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-769. A communication from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species Fisheries; Atlantic Bluefin Tuna (BFT) Quota Transfer and Reopening of the BFT General Category (I.D. 112202D)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-770. A communication from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species (HMS) Fishing Vessels Permits; Charter Boat Operations (RIN0648-AM91)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-771. A communication from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species Fisheries; Atlantic Bluefin Tuna (BFT) General Category Closure (I.D. 121202A)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-772. A communication from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Commercial Shark Management Measures Emergency rule; request for comments; fishing season notification (RIN0648-AQ39)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-773. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety/Security Zone Regulations; New York Marine Inspection Zone and Captain of the Port Zone (CGD01-02-132) (2115-AA97)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-774. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Regu-

lations (Including 2 regulations) [CGD08-02-043] [CGD08-03-001] (2115-AE47) (2003-0003)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-775. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety/Security Zone Regulations; Lower Mississippi River, Above Head of Passes, Mile Marker 88.1 to 90.4, New Orleans, LA (COTP New Orleans 02-022) (2115-AA97)(2003-0005)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-776. 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; Docket No. 2001-NM-290 (2120-AA64)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-777. 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 737-600, 700, 700C, 800, and 900 Series Airplanes; Docket No. 2002-NM-44 (2120-AA64)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-778. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Dornier Model 328-100 and 300 Series Airplanes; Docket No. 2002-NM77 (2120-AA64)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-779. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Hartzell Propeller Inc., Model () HC-(2)Y (-) Propellers; Docket No. 2002-NE-25 (2120-AA64)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-780. 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 DC 9, 10, 20, 30, 40, and 50 Series Airplanes; Docket no. 2001-NM78 (2120-AA64)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-781. 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 757-200 Series Airplanes; Docket no. 2000-NM402 (2120-AA64)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-782. 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; Docket no. 2000-NM-85 (2120-AA64)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-783. 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 10, DC 9 20, DC 9 30,

DC 9 40 and DC 9 50 Series Airplanes; and Model DC 9 81, DC 9 82, DC 9 83, DC 9 87 and MD 88 Airplanes; Docket no. 2002-NM-53 (2120-AA64)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-784. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Univair Corp Models Alon A 2, A2 A, ERCO 415C, 415CD, 415E, and 415G, Forney F1 and F1A and Mooney M10 Airplanes; docket no. 2001-CE-45 (2120-AA64)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-785. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Raytheon Aircraft Company Beech Models 36, A36, A36TC, 58, and 58A Airplanes Doc. no. 2002-CE-07 (2120-AA64)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-786. 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 2000, SAAB SF340A, and SAAB 340B Series Airplanes; docket no. 2002-NM104 (2120-AA64)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-787. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E2 Airspace and Modification of Existing Class E5 Airspace; Ainsworth, NE; Docket no. 02-ACE-8 (2120-AA66)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-788. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revisions of Class E Airspace; Point Hope, AK ; Docket no. 02-AAAL-6 (2120-AA66)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-789. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace, Crisfield, MD; Docket no. 02-AEA-18 (2120-AA66)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-790. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Picture Identification Requirements; Docket no. FAA-2002-11666 (2120-AH76)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-791. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Robinson R-22/R-44 Special Training and Experience Requirements, EXTENSION OF EXPIRATION DATE; Docket no. FAA-2002-13744; SFAR 73-1 (2120-AH94)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-792. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule

entitled "Equivalent Safety Provisions for Fuel Tank System Fault Tolerance Evaluations (SFAR 88); Request for comments; Docket no. FAA-1999-6411 (2120-AH85)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-793. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Noise Certification Standards for Subsonic Jet Airplanes and Subsonic Transport Category Large Airplanes; Request for Comments; Docket no. FAA-2000-7587 (2120-AH03)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-794. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Textron Lycoming Division, AVCO Corporation Fuel Injected Reciprocating Engines; Doc. no. 2000-CE-60 (2120-AA64)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-795. 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. 2002-NM-84 (2120-AA64)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-796. 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 A330 Series Airplanes; Docket No. 2001-NM-396 (2120-AA64)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-797. 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 11, 12, 13, 14, 15, and 15F Airplanes; Model DC9 21 Airplanes; Model DC 9 31, 32, 32 (VC-9C), 32F, 33F, 34, and 34 F Airplanes; Model DC 9 41, Airplanes; Model DC 9 51 Airplanes; Model DC 9 81, DC 9 82, DC 9 83, and DC 9 87 & Model MD 88 Airplanes; Docket no. 99NM-90 (2120-AA64)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-798. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Pratt & Whitney PW4164, 4168, and 4168A Series Turbofan Engines; Docket no. 97-ANE-44 (2120-AA64)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-799. 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 A330 and A340 Series Airplanes; docket no. 2002-NM-67 (2120-AA64)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-800. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Durhamville, NY; Docket No. 02-AEA-10 (2120-AA66)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-801. A communication from the Program Analyst, Federal Aviation Administra-

tion, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Wasilla, AK; Docket. No. 02-AAAL-07 (2120-AA66)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-802. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E5 Airspace; Tampa, FL; Docket No. 02-ASO-25 (2120-AA66)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-803. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "IFR Altitudes: Miscellaneous Amendments; Docket No.30345 (2120-AA63)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-804. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Pennsylvania, New Jersey, Delaware; Docket No. 02-AEA-14 (2120-AA66)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-805. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Wrightstown, NJ; Docket no. 02-AEA-15 (2120-AA66)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-806. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Caruthersville, MO; Docket No. 02-ACE-13 (2120-AA66)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-807. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Air Tractor, INC Model AT 250, 300, 301, 302, 400, 400A, 401, 401A, 402, 402A, 501, 502, and 502A, Airplanes ; Docket No. 2000-CE-60 (2120-AA64)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-808. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Titeflex Corporation, CORRECTION; Docket no. 2000-NE-57 (2120-AA64)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-809. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Gulfstream Aerospace LP Model Astra SPX and 1125 Westwind Astra Series Airplanes; Docket No. 2002-NM-114 (2120-AA64)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-810. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Pilatus Britten-Norman Limited BN-2A and BN2A

MK III Series Airplanes; docket no. 2002-CE-33" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-811. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Aerostar Aircraft Corp Models PA 60-601, 6-IP, 602P, and 700P Airplanes; docket no. 99-CE-86 (2120-AA54)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-812. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Eurocopter France Model AS332C, -L, -L1, SA330F, SA330G, and SA330J Helicopters; docket no. 2001-SW-35 (2120-AA64)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-813. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Bell Helicopter Textron Canada Limited Model 206L, L1, L3, and L4 Helicopters; Docket No. 99-SW-80 (2120-AA64)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-814. 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 CF 645, 50, 80A, 80C, and 80E1 Turbofan Engines; Docket no. 2001-NE-26 (2120-AA64)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-815. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Service Difficulty Reports; DELAY OF EFFECTIVE DATE; Docket no. FAA-2000-7952 (2120-AH91)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-816. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Security Considerations for the flightdeck on Foreign Operated Transport Category Airplanes; CORRECTION; docket no. FAA-2002-12504 (2120-AH70)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-817. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Extension of Compliance Times for Fuel Tank System Safety; Docket no. FAA-1999-6411 (2120-AG62)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-818. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Aging Airplane Safety; Interim Final Rule; Request for Comments; docket No. FAA-1999-5401 (2120-AE42)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-819. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airspace Designation; Incorporation by Reference; Docket no. 29334 (2120-ZZ40)" received on January 21, 2003; to the

Committee on Commerce, Science, and Transportation.

EC-820. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airspeed Indicating System Requirements for Transport Category Airplanes; docket no. FAA-2001-9636 (2120-AH26)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-821. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Noise Certification Standards for Subsonic Jet and Subsonic Transport Category Large Airplanes; CORRECTION; (DOCID: fr10ja03-110 AND fr 10ja03-111—Docket no. FAA-2000-7587) (2120-AH03)" received on January 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC-822. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Information Reporting for Securities Futures Contracts (Notice 2003-8)" received on January 10, 2003; to the Committee on Finance.

EC-823. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates—February 2003 (Rev. Rul. 2003-16)" received on January 23, 2003; to the Committee on Finance.

EC-824. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Revenue Procedure 2003-20—Valuation of Remanufactured Motor Vehicle Parts 'Cores' (Rev. Proc. 2003-20)" received on January 23, 2003; to the Committee on Finance.

EC-825. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Disclosures of return information reflected on returns to officers and employees of the Department of Commerce for certain statistical purposes and related activities (RIN1545-AY52)" received on January 23, 2003; to the Committee on Finance.

EC-826. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Notice 2003-12—Nonaccrual Experience Method of Accounting (Notice 2002-12)" received on January 23, 2003; to the Committee on Finance.

EC-827. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Rev. Rul. 2003-14, SWCA" received on January 23, 2003; to the Committee on Finance.

EC-828. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Rev. Rul. 2003-15, AMA" received on January 23, 2003; to the Committee on Finance.

EC-829. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Certain Financial Transactions Involving Future Delivery of Stock (Rev. Rul. 2003-7, 2003-5)" received on January 23, 2003; to the Committee on Finance.

EC-830. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled

"Section 846 discount factors for 2002 (Revenue Procedure 2003-17)" received on January 23, 2003; to the Committee on Finance.

EC-831. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Section 832 discount factors for 2002 (Rev. Proc. 2003-18)" received on January 23, 2003; to the Committee on Finance.

EC-832. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Relief from Filing form 990 by Certain U.S. Possession Exempt Organizations (Rev. Proc. 2003-21)" received on January 23, 2003; to the Committee on Finance.

EC-833. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Determination of the Effectively Connected Income of Foreign Life Insurance Companies (Rev. Rul. 2003-17)" received on January 23, 2003; to the Committee on Finance.

EC-834. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Statutory Mergers and Consolidations (1545-BA06 Temporary/NPRM) (1545-BB46 FINAL)" received on January 23, 2003; to the Committee on Finance.

EC-835. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicaid Program: External Quality Review of Medicaid Managed Care Organizations (0938-AJ06)" received on January 23, 2003; to the Committee on Finance.

EC-836. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare, Medicaid, and CLIA programs; Laboratory Requirements Relating to Quality Systems and Certain Personnel Qualifications (CMS-2226-F)" received on January 23, 2003; to the Committee on Finance.

EC-837. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare and Medicaid Programs; Hospital Conditions of Participation: Quality Assessment and Performance Improvement (HCFA-3050-F)(0938-AK40)" received on January 23, 2003; to the Committee on Finance.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROBERTS, without amendment:
S. Res. 27. An original resolution authorizing expenditures by the Select Committee on Intelligence.

The following nominations were discharged and confirmed from the Committee on Health, Education, Labor and Pensions pursuant to the order of January 29, 2003:

NOMINATION DISCHARGED

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Harry Robinson, Jr., of Texas, to be a Member of the National Museum Services Board for a term expiring December 6, 2003.

Elizabeth J. Pruet, of Arkansas, to be a Member of the National Museum Services Board for a term expiring December 6, 2004.

Edwin Joseph Rigaud, of Ohio, to be a Member of the National Museum Services Board for a term expiring December 6, 2007.

Dana Gioia, of California, to be Chairperson of the National Endowment for the Arts for a term of four years.

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. JOHNSON (for himself, Mr. HAGEL, Mr. REED, Mr. ENZI, Ms. STABENOW, and Mr. ALLARD):

S. 229. A bill to provide for the merger of the bank and savings association deposit insurance funds, to modernize and improve the safety and fairness of the Federal deposit insurance system, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CORZINE (for himself and Mr. LAUTENBERG):

S. 230. A bill to establish the Crossroads of the American Revolution National Heritage Area in the State of New Jersey, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. FEINGOLD (for himself and Ms. COLLINS):

S. 231. A bill to authorize the use of certain grant funds to establish an information clearinghouse that provides information to increase public access to defibrillation in schools; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CORZINE (for himself and Mr. LAUTENBERG):

S. 232. A bill to direct the Director of the Federal Emergency Management Agency to designate New Jersey Task Force 1 as part of the National Urban Search and Rescue Response System; to the Committee on Environment and Public Works.

By Mr. DODD (for himself and Mr. LIEBERMAN):

S. 233. A bill to direct the Secretary of the Interior to conduct a study of Coltsville in the State of Connecticut for potential inclusion in the National Park System; to the Committee on Energy and Natural Resources.

By Ms. LANDRIEU:

S. 234. A bill to provide that members of the Armed Forces performing services on the Island of Diego Garcia shall be entitled to tax benefits in the same manner as if such services were performed in a combat zone, and for other purposes; to the Committee on Finance.

By Ms. LANDRIEU:

S. 235. A bill to amend the Internal Revenue Code of 1986 to clarify the treatment of dependent care assistance programs sponsored by the Department of Defense for members of the Armed Forces of the United States; to the Committee on Finance.

By Mr. NELSON of Florida (for himself, Mr. CORZINE, Mr. THOMAS, Mrs. FEINSTEIN, and Mr. ENZI):

S. 236. A bill to require background checks of alien flight school applicants without regard to the maximum certificated weight of the aircraft for which they seek training, and to require a report on the effectiveness of the requirement; to the Committee on Commerce, Science, and Transportation.

By Mr. GRAHAM of South Carolina:

S. 237. A bill to amend the Fair Labor Standards Act of 1938 to clarify the exemption from the minimum wage and overtime compensation requirements of that Act for certain construction engineering and design professionals; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED (for himself, Mr. KENNEDY, Mr. COCHRAN, Mr. JEFFORDS, Mr. DASCHLE, Ms. COLLINS, Mr. DODD, Mrs. CLINTON, Mr. SARBANES, Mr. LEVIN, Mr. LEAHY, Mr. HARKIN, Mr. SMITH, Ms. SNOWE, Mr. CORZINE, Ms. LANDRIEU, and Mr. BAUCUS):

S. 238. A bill to reauthorize the Museum and Library Services Act, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. FRIST (for himself, Mr. KENNEDY, Mr. ENZI, Mrs. MURRAY, Mr. ROBERTS, and Mr. GRAHAM of South Carolina):

S. 239. A bill to amend the Public Health Services Act to add requirements regarding trauma care, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. FITZGERALD (for himself, Mr. JOHNSON, Mr. HAGEL, and Mr. HARKIN):

S. 240. A bill to amend the Internal Revenue Code of 1986 to allow allocation of small ethanol producer credit to patrons of cooperative, and for other purposes; to the Committee on Finance.

By Ms. SNOWE (for herself, Mr. KERRY, Mr. MCCAIN, and Mr. HOLLINGS):

S. 241. A bill to amend the Coastal Zone Management Act; read the first time.

By Mr. DOMENICI (for himself and Mr. BENNETT):

S. 242. A bill to amend the Internal Revenue Code of 1986 to provide the same capital gains treatment for art and collectibles as for other investment property and to provide that a deduction equal to fair market value shall be allowed for charitable contributions of literary, musical, artistic, or scholarly compositions created by the donor; to the Committee on Finance.

By Mr. ALLEN (for himself, Mr. JOHNSON, and Mr. CHAFFEE):

S. 243. A bill concerning participation of Taiwan in the World Health Organization; to the Committee on Foreign Relations.

By Mr. ALLEN (for himself and Mr. WARNER):

S. 244. A bill to require the Secretary of the Treasury to redesign \$1 Federal Reserve notes so as to incorporate the preamble to the Constitution of the United States, a list describing the Articles of the Constitution, and a list describing the Amendments to the Constitution, on the reverse of such notes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BROWNBACK (for himself, Ms. LANDRIEU, Mr. VOINOVICH, Mr. SHELBY, Mr. SESSIONS, Mr. SANTORUM, Mr. NICKLES, Mr. KYL, Mr. INHOFE, Mr. HAGEL, Mr. GRASSLEY, Mr. ENZI, Mr. GRAHAM of South Carolina, Mr. FITZGERALD, Mr. ENSIGN, Mr. DEWINE, Mr. CRAIG, Mr. CORNYN, Mr. BUNNING, Mr. BENNETT, Mr. ALLARD, Mr. THOMAS, and Mr. BOND):

S. 245. A bill to amend the Public Health Service Act to prohibit human cloning; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DOMENICI (for himself and Mr. BINGAMAN):

S. 246. A bill to provide that certain Bureau of Land Management land shall be held in trust for the Pueblo of Santa Clara and the Pueblo of San Ildefonso in the State of New Mexico; to the Committee on Energy and Natural Resources.

By Ms. SNOWE (for herself and Mr. BREAUX):

S. 247. A bill to reauthorize the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998, and for other purposes; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. ROBERTS:

S. Res. 27. An original resolution authorizing expenditures by the Select Committee on Intelligence; from the Select Committee on Intelligence; to the Committee on Rules and Administration.

By Mr. BYRD (for himself, Mr. KENNEDY, Mr. BINGAMAN, Mrs. FEINSTEIN, Mr. INOUE, Mr. SARBANES, and Mrs. BOXER):

S. Res. 28. A resolution expressing the sense of the Senate that the United Nations weapons inspectors should be given sufficient time for a thorough assessment of the level of compliance by the Government of Iraq with United Nations Security Council Resolution 1441 (2002) and that the United States should seek a United Nations Security Council resolution specifically authorizing the use of force before initiating any offensive military operations against Iraq; to the Committee on Foreign Relations.

By Mr. CAMPBELL:

S. Res. 29. A resolution demanding the return of the USS Pueblo to the United States Navy; to the Committee on Foreign Relations.

By Mr. GRAHAM of South Carolina:

S. Res. 30. A resolution expressing the sense of the Senate that the President should designate the week beginning September 14, 2003, as "National Historically Black Colleges and Universities Week"; to the Committee on the Judiciary.

By Mr. ROBERTS:

S. Res. 31. A resolution designating the week of September 11 through September 17, 2003, as "National Civic Participation Week"; to the Committee on the Judiciary.

By Mr. KENNEDY (for himself and Mr. BYRD):

S. Res. 32. A resolution expressing the sense of the Senate with respect to the actions the President should take before any use of military force against Iraq without the broad support of the international community; to the Committee on Foreign Relations.

By Mr. STEVENS (for himself, Mr. BYRD, Mr. FRIST, Mr. DASCHLE, Mr. LUGAR, Mr. KENNEDY, Mr. WARNER, Mr. INOUE, Mr. GREGG, Mr. BIDEN, Mr. KYL, Mr. LEAHY, Mr. BROWNBACK, Mr. SARBANES, Mr. ALLEN, Mr. DODD, Mr. KERRY, Mrs. FEINSTEIN, Mr. FEINGOLD, Mr. NELSON of Florida, Mr. CORZINE, and Mr. HAGEL):

S. Res. 33. A resolution expressing the gratitude of the United States Senate for the service of Arthur J. Rynearson, Deputy Legislative Counsel of the United States Senate; considered and agreed to.

By Mrs. CLINTON:

S. Res. 34. A resolution expressing support for the emergency first responders and communities which are the front lines of the Nation's homeland defense; to the Committee on Environment and Public Works.

By Mr. MILLER:

S. Con. Res. 3. A concurrent resolution recognizing, applauding, and supporting the efforts of the Army Aviation Heritage Foundation, a nonprofit organization incorporated in the State of Georgia, to utilize veteran aviators of the Armed Forces and former Army Aviation aircraft to inspire Americans and to ensure that our Nation's military legacy and heritage of service are never forgotten; to the Committee on Armed Services.

ADDITIONAL COSPONSORS

S. 19

At the request of Mr. DASCHLE, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 19, a bill to amend the Internal Revenue Code of 1986 and titles 10 and 38, United States Code, to improve benefits for members of the uniformed services and for veterans, and for other purposes.

S. 52

At the request of Mr. WYDEN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 52, a bill to permanently extend the moratorium enacted by the Internet Tax Freedom Act, and for other purposes.

S. 83

At the request of Mr. DURBIN, the names of the Senator from South Carolina (Mr. HOLLINGS) and the Senator from West Virginia (Mr. ROCKEFELLER) were added as cosponsors of S. 83, a bill to expand aviation capacity in the Chicago area, and for other purposes.

S. 85

At the request of Mr. LUGAR, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 85, a bill to amend the Internal Revenue Code of 1986 to provide for a charitable deduction for contributions of food inventory.

S. 98

At the request of Mr. ALLARD, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. 98, a bill to amend the Bank Holding Company Act of 1956, and the Revised Statutes of the United States, to prohibit financial holding companies and national banks from engaging, directly or indirectly, in real estate brokerage or real estate management activities, and for other purposes.

S. 138

At the request of Mr. ROCKEFELLER, the names of the Senator from Washington (Mrs. MURRAY), the Senator from New Mexico (Mr. BINGAMAN), and the Senator from Maryland (Mr. SARBANES) were added as cosponsors of S. 138, a bill to temporarily increase the Federal medical assistance percentage for the medicaid program.

S. 185

At the request of Mr. LEAHY, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 185, a bill to authorize emergency supplemental assistance to combat the growing humanitarian crisis in sub-Saharan Africa.

S. 225

At the request of Mr. DASCHLE, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 225, a bill to provide for emergency unemployment compensation.

S.J. RES. 4

At the request of Mr. HATCH, the names of the Senator from Georgia (Mr. CHAMBLISS) and the Senator from Alaska (Ms. MURKOWSKI) were added as

cosponsors of S.J. Res. 4, a joint resolution proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States.

S. RES. 25

At the request of Mr. KENNEDY, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of S. Res. 25, a resolution designating January 2003 as "National Mentoring Month".

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORZINE (for himself and Mr. LAUTENBERG):

S. 230. A bill to establish the Crossroads of the American Revolution National Heritage Area in the State of New Jersey, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. CORZINE. Mr. President, today, along with Senator LAUTENBERG, I am introducing legislation, the Crossroads of the American Revolution National Heritage Area Act, to establish the Crossroads of the American Revolution National Heritage Area in the State of New Jersey. I am proud to be joining my New Jersey colleagues, Representatives RODNEY FRELINGHUYSEN and RUSH HOLT, who are introducing this legislation in the House of Representatives, with the support of the entire New Jersey delegation.

This legislation recognizes the critical role that New Jersey played during the American Revolution. In fact, New Jersey was the site of nearly 300 military engagements that helped determine the course of our history as a Nation. Many of these locations, like the site where George Washington made his historic crossing of the Delaware River, are well known and preserved. Others, such as the Monmouth Battlefield State Park in Manalapan and Freehold, and New Bridge Landing in River Edge, are less well known and are threatened by development or in critical need of funding for rehabilitation.

To help preserve New Jersey's Revolutionary War sites, this legislation would establish a Crossroads of the American Revolution National Heritage Area, linking about 250 sites in 15 counties. This designation would authorize \$10 million to assist preservation, recreational and educational efforts by the State, county and local governments as well as private cultural and tourism groups. The program would be managed by the non-profit Crossroads of the American Revolution Association.

Simply put, we are the Nation that we are today because of the critical events that occurred in New Jersey during the American Revolution and the many who died fighting there. By enacting the Crossroads of the American Revolution National Heritage

Area Act of 2002, we will pay tribute to the patriots who fought and died in New Jersey so that we might become a Nation free from tyranny.

In the 107th Congress, I was proud to see the Senate approve this legislation as part of a bipartisan package of heritage area bills. Unfortunately, the bill was not approved in the House of Representatives. I will work even harder in the 108th Congress to see that this important legislation passes both houses and goes to the President's desk for his signature. I hope my colleagues will support this legislation, and 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. 230

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 "Crossroads of the American Revolution National Heritage Area Act of 2003".

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the State of New Jersey was critically important during the American Revolution because of the strategic location of the State between the British armies headquartered in New York City, New York, and the Continental Congress in the city of Philadelphia, Pennsylvania;

(2) General George Washington spent almost half of the period of the American Revolution personally commanding troops of the Continental Army in the State of New Jersey, including 2 severe winters spent in encampments in the area that is now Morristown National Historical Park, a unit of the National Park System;

(3) it was during the 10 crucial days of the American Revolution between December 25, 1776, and January 3, 1777, that General Washington, after retreating across the State of New Jersey from the State of New York to the State of Pennsylvania in the face of total defeat, recrossed the Delaware River on the night of December 25, 1776, and went on to win crucial battles at Trenton and Princeton in the State of New Jersey;

(4) Thomas Paine, who accompanied the troops during the retreat, described the events during those days as "the times that try men's souls";

(5) the sites of 296 military engagements are located in the State of New Jersey, including—

(A) several important battles of the American Revolution that were significant to—

(i) the outcome of the American Revolution; and

(ii) the history of the United States; and

(B) several national historic landmarks, including Washington's Crossing, the Old Trenton Barracks, and Princeton, Monmouth, and Red Bank Battlefields;

(6) additional national historic landmarks in the State of New Jersey include the homes of—

(A) Richard Stockton, Joseph Hewes, John Witherspoon, and Francis Hopkinson, signers of the Declaration of Independence;

(B) Elias Boudinout, President of the Continental Congress; and

(C) William Livingston, patriot and Governor of the State of New Jersey from 1776 to 1790;

(7) portions of the landscapes important to the strategies of the British and Continental

armies, including waterways, mountains, farms, wetlands, villages, and roadways—

(A) retain the integrity of the period of the American Revolution; and

(B) offer outstanding opportunities for conservation, education, and recreation;

(8) the National Register of Historic Places lists 251 buildings and sites in the National Park Service study area for the Crossroads of the American Revolution that are associated with the period of the American Revolution;

(9) civilian populations residing in the State of New Jersey during the American Revolution suffered extreme hardships because of—

(A) the continuous conflict in the State;

(B) foraging armies; and

(C) marauding contingents of loyalist Tories and rebel sympathizers;

(10) because of the important role that the State of New Jersey played in the successful outcome of the American Revolution, there is a Federal interest in developing a regional framework to assist the State of New Jersey, local governments and organizations, and private citizens in—

(A) preserving and protecting cultural, historic, and natural resources of the period; and

(B) bringing recognition to those resources for the educational and recreational benefit of the present and future generations of citizens of the United States; and

(1) the National Park Service has conducted a national heritage area feasibility study in the State of New Jersey that demonstrates that there is a sufficient assemblage of nationally distinctive cultural, historic, and natural resources necessary to establish the Crossroads of the American Revolution National Heritage Area.

(b) PURPOSES.—The purposes of this Act are—

(1) to assist communities, organizations, and citizens in the State of New Jersey in preserving—

(A) the special historic identity of the State; and

(B) the importance of the State to the United States;

(2) to foster a close working relationship among all levels of government, the private sector, and local communities in the State;

(3) to provide for the management, preservation, protection, and interpretation of the cultural, historic, and natural resources of the State for the educational and inspirational benefit of future generations;

(4) to strengthen the value of Morristown National Historical Park as an asset to the State by—

(A) establishing a network of related historic resources, protected landscapes, educational opportunities, and events depicting the landscape of the State of New Jersey during the American Revolution; and

(B) establishing partnerships between Morristown National Historical Park and other public and privately owned resources in the Heritage Area that represent the strategic fulcrum of the American Revolution; and

(5) to authorize Federal financial and technical assistance for the purposes described in paragraphs (1) through (4).

SEC. 3. DEFINITIONS.

In this Act:

(1) ASSOCIATION.—The term “Association” means the Crossroads of the American Revolution Association, Inc., a nonprofit corporation in the State.

(2) HERITAGE AREA.—The term “Heritage Area” means the Crossroads of the American Revolution National Heritage Area established by section 4(a).

(3) MANAGEMENT ENTITY.—The term “management entity” means the management en-

tity for the Heritage Area designated by section 4(d).

(4) MANAGEMENT PLAN.—The term “management plan” means the management plan for the Heritage Area developed under section 5.

(5) MAP.—The term “map” means the map entitled “Crossroads of the American Revolution National Heritage Area”, numbered CRRE/80,000, and dated April 2002.

(6) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(7) STATE.—The term “State” means the State of New Jersey.

SEC. 4. CROSSROADS OF THE AMERICAN REVOLUTION NATIONAL HERITAGE AREA.

(a) ESTABLISHMENT.—There is established in the State the Crossroads of the American Revolution National Heritage Area.

(b) BOUNDARIES.—The Heritage Area shall consist of the land and water within the boundaries of the Heritage Area, as depicted on the map.

(c) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(d) MANAGEMENT ENTITY.—The Association shall be the management entity for the Heritage Area.

SEC. 5. MANAGEMENT PLAN.

(a) IN GENERAL.—Not later than 3 years after the date on which funds are first made available to carry out this Act, the management entity shall submit to the Secretary for approval a management plan for the Heritage Area.

(b) REQUIREMENTS.—The management plan shall—

(1) include comprehensive policies, strategies, and recommendations for conservation, funding, management, and development of the Heritage Area;

(2) take into consideration existing State, county, and local plans;

(3) describe actions that units of local government, private organizations, and individuals have agreed to take to protect the cultural, historic, and natural resources of the Heritage Area;

(4) identify existing and potential sources of funding for the protection, management, and development of the Heritage Area during the first 5 years of implementation of the management plan; and

(5) include—
(A) an inventory of the cultural, educational, historic, natural, recreational, and scenic resources of the Heritage Area relating to the themes of the Heritage Area that should be restored, managed, or developed;

(B) recommendations of policies and strategies for resource management that result in—

(i) application of appropriate land and water management techniques; and

(ii) development of intergovernmental and interagency cooperative agreements to protect the cultural, educational, historic, natural, recreational, and scenic resources of the Heritage Area;

(C) a program of implementation of the management plan that includes for the first 5 years of implementation—

(i) plans for resource protection, restoration, construction; and

(ii) specific commitments for implementation that have been made by the management entity or any government, organization, or individual;

(D) an analysis of and recommendations for ways in which Federal, State, and local programs, including programs of the National Park Service, may be best coordinated to promote the purposes of this Act; and

(E) an interpretive plan for the Heritage Area.

(c) APPROVAL OR DISAPPROVAL OF MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 90 days after the date of receipt of the management plan under subsection (a), the Secretary shall approve or disapprove the management plan.

(2) CRITERIA.—In determining whether to approve the management plan, the Secretary shall consider whether—

(A) the Board of Directors of the management entity is representative of the diverse interests of the Heritage Area, including—

(i) governments;

(ii) natural and historic resource protection organizations;

(iii) educational institutions;

(iv) businesses; and

(v) recreational organizations;

(B) the management entity provided adequate opportunity for public and governmental involvement in the preparation of the management plan, including public hearings;

(C) the resource protection and interpretation strategies in the management plan would adequately protect the cultural, historic, and natural resources of the Heritage Area; and

(D) the Secretary has received adequate assurances from the appropriate State and local officials whose support is needed to ensure the effective implementation of the State and local aspects of the management plan.

(3) ACTION FOLLOWING DISAPPROVAL.—If the Secretary disapproves the management plan under paragraph (1), the Secretary shall—

(A) advise the management entity in writing of the reasons for the disapproval;

(B) make recommendations for revisions to the management plan; and

(C) not later than 60 days after the receipt of any proposed revision of the management plan from the management entity, approve or disapprove the proposed revision.

(d) AMENDMENTS.—

(1) IN GENERAL.—The Secretary shall approve or disapprove each amendment to the management plan that the Secretary determines may make a substantial change to the management plan.

(2) USE OF FUNDS.—Funds made available under this Act shall not be expended by the management entity to implement an amendment described in paragraph (1) until the Secretary approves the amendment.

(e) IMPLEMENTATION.—On completion of the 3-year period described in subsection (a), any funding made available under this Act shall be made available to the management entity only for implementation of the approved management plan.

SEC. 6. AUTHORITIES, DUTIES, AND PROHIBITIONS APPLICABLE TO THE MANAGEMENT ENTITY.

(a) AUTHORITIES.—For purposes of preparing and implementing the management plan, the management entity may use funds made available under this Act to—

(1) make grants to, provide technical assistance to, and enter into cooperative agreements with, the State (including a political subdivision), a nonprofit organization, or any other person;

(2) hire and compensate staff, including individuals with expertise in—

(A) cultural, historic, or natural resource protection; or

(B) heritage programming;

(3) obtain funds or services from any source (including a Federal law or program);

(4) contract for goods or services; and

(5) support any other activity—

(A) that furthers the purposes of the Heritage Area; and

(B) that is consistent with the management plan.

(b) DUTIES.—In addition to developing the management plan, the management entity shall—

(1) assist units of local government, regional planning organizations, and nonprofit organizations in implementing the approved management plan by—

(A) carrying out programs and projects that recognize, protect, and enhance important resource values in the Heritage Area;

(B) establishing and maintaining interpretive exhibits and programs in the Heritage Area;

(C) developing recreational and educational opportunities in the Heritage Area;

(D) increasing public awareness of and appreciation for cultural, historic, and natural resources of the Heritage Area;

(E) protecting and restoring historic sites and buildings that are—

(i) located in the Heritage Area; and

(ii) related to the themes of the Heritage Area;

(F) ensuring that clear, consistent, and appropriate signs identifying points of public access and sites of interest are installed throughout the Heritage Area; and

(G) promoting a wide range of partnerships among governments, organizations, and individuals to further the purposes of the Heritage Area;

(2) in preparing and implementing the management plan, consider the interests of diverse units of government, businesses, organizations, and individuals in the Heritage Area;

(3) conduct public meetings at least semi-annually regarding the development and implementation of the management plan;

(4) for any fiscal year for which Federal funds are received under this Act—

(A) submit to the Secretary a report that describes for the year—

(i) the accomplishments of the management entity;

(ii) the expenses and income of the management entity; and

(iii) each entity to which a grant was made;

(B) make available for audit all information relating to the expenditure of the funds and any matching funds; and

(C) require, for all agreements authorizing expenditures of Federal funds by any entity, that the receiving entity make available for audit all records and other information relating to the expenditure of the funds;

(5) encourage, by appropriate means, economic viability that is consistent with the purposes of the Heritage Area; and

(6) maintain headquarters for the management entity at Morristown National Historical Park and in Mercer County.

(c) PROHIBITION ON THE ACQUISITION OF REAL PROPERTY.—

(1) FEDERAL FUNDS.—The management entity shall not use Federal funds made available under this Act to acquire real property or any interest in real property.

(2) OTHER FUNDS.—Notwithstanding paragraph (1), the management entity may acquire real property or an interest in real property using any other source of funding, including other Federal funding.

SEC. 7. TECHNICAL AND FINANCIAL ASSISTANCE; OTHER FEDERAL AGENCIES.

(a) TECHNICAL AND FINANCIAL ASSISTANCE.—

(1) IN GENERAL.—On the request of the management entity, the Secretary may provide technical and financial assistance to the Heritage Area for the development and implementation of the management plan.

(2) PRIORITY FOR ASSISTANCE.—In providing assistance under paragraph (1), the Secretary shall give priority to actions that assist in—

(A) conserving the significant cultural, historic, natural, and scenic resources of the Heritage Area; and

(B) providing educational, interpretive, and recreational opportunities consistent with the purposes of the Heritage Area.

(3) OPERATIONAL ASSISTANCE.—Subject to the availability of appropriations, the Superintendent of Morristown National Historical Park may, on request, provide to public and private organizations in the Heritage Area, including the management entity, any operational assistance that is appropriate for the purpose of supporting the implementation of the management plan.

(4) PRESERVATION OF HISTORIC PROPERTIES.—To carry out the purposes of this Act, the Secretary may provide assistance to a State or local government or nonprofit organization to provide for the appropriate treatment of—

(A) historic objects; or

(B) structures that are listed or eligible for listing on the National Register of Historic Places.

(5) COOPERATIVE AGREEMENTS.—The Secretary may enter into cooperative agreements with the management entity and other public or private entities to carry out this subsection.

(b) OTHER FEDERAL AGENCIES.—Any Federal agency conducting or supporting an activity that directly affects the Heritage Area shall—

(1) consult with the Secretary and the management entity regarding the activity;

(2)(A) cooperate with the Secretary and the management entity in carrying out the of the Federal agency under this Act; and

(B) to the maximum extent practicable, coordinate the activity with the carrying out of those duties; and

(3) to the maximum extent practicable, conduct the activity to avoid adverse effects on the Heritage Area.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to carry out this Act \$10,000,000, of which not more than \$1,000,000 may be authorized to be appropriated for any fiscal year.

(b) COST-SHARING REQUIREMENT.—The Federal share of the cost of any activity assisted under this Act shall be not more than 50 percent.

SEC. 9. TERMINATION OF AUTHORITY.

The authority of the Secretary to provide assistance under this Act terminates on the date that is 15 years after the date of enactment of this Act.

By Ms. LANDRIEU:

S. 234. A bill to provide that members of the Armed Forces performing services on the Island of Diego Garcia shall be entitled to tax benefits in the same manner as if such services were performed in a combat zone; and for other purposes; to the Committee on Finance.

By Ms. LANDRIEU:

S. 235. A bill to amend the Internal Revenue Code of 1986 to clarify the treatment of dependent care assistance programs sponsored by the Department of Defense for members of the Armed Forces of the United States; to the Committee on Finance.

Ms. LANDRIEU. Mr. President, I rise today to reintroduce two bills that I originally sponsored in the 107th Congress. As our Nation prepares to go to war with Iraq and continues the war against terrorism, my bills will give

additional tax relief to military families. One will give tax relief to a small group of men and women in our armed services stationed on the island of Diego Garcia in the Indian Ocean, supporting the war on terrorism in Afghanistan. The second bill will exclude from gross income child care benefits paid to members of our armed forces. These are small measures, but both will be of great benefit to the men and women serving our country.

Diego Garcia is a British Territory lying seven degrees South Latitude off the coast of India, in the middle of the Indian Ocean. The island is 40 miles around and encompasses an area of 6,720 acres, most of it dominated by a large lagoon. The land mass is actually very small. It is home to a joint British—United States Naval Support Facility, and while there are only a small handful of British Royal Navy personnel on the island, there is a larger, tight-knit team of American Air Force, Navy, Marine Corps and Army personnel there. These men and women serving on Diego Garcia have been supporting B-52 bombing missions and other operations over Afghanistan. They will be called into service in the event of war with Iraq, they served this purpose in the previous Gulf War.

As a Nation, we provide members of our armed forces with a variety of benefits, all of them deserved. They receive hardship duty pay of \$150 per month for serving in austere regions of the World. They get imminent danger pay of \$150 per month as compensation for being in physical danger. One of the most generous benefits for those serving in the war on terrorism is the combat zone tax exclusion. Enlisted members of the armed services do not pay Federal taxes on their compensation for any month of service inside a combat zone. Officers pay tax on any amount of income over the highest salary for enlisted personnel. Both officers and enlisted personnel have to serve one day in the combat zone to get this benefit for the entire month. The exclusion only applies to personnel who receive imminent danger pay.

On Diego Garcia, the pilots and flight crews who fly the missions over Afghanistan are eligible for the combat zone income tax exclusion because they receive imminent danger pay. Many of them are from the 2nd Bomb Wing and the 917th Wing. Both units call Barksdale Air Force Base in Louisiana their home. But the men and women who load the bombers, fuel them, and maintain them are not eligible because they do not enter the combat zone. Barksdale is also their home base. My office was contacted by some of the Barksdale officers who fly the bombing missions about this discrepancy. They asked me to help out their support crews, a gesture of selflessness that I seek to honor today.

I recognize that the support crews may not receive imminent danger pay, but their situation is not too different from Naval personnel performing the

same tasks on ships in the Arabian Sea. Naval support crews receive imminent danger pay and are eligible for the tax exclusion, but they do not enter Afghanistan.

Diego Garcia is a beautiful place, but is a long way from home. The least we could do is treat everyone who has served on the island the same. That is what my bill will do.

My second bill will correct an omission in the Tax Reform Act of 1986. That Act contained a provision consolidating the laws regarding the tax treatment of certain military benefits. The Conference Report to that Act contains a long list of benefits to be excluded from gross income of military personnel. According to the report, this list was to be exhaustive. The problem is that child care benefits are not on that list.

I do not know if this omission was intentional. Perhaps at that time, child care benefits were relatively unknown in the military. The Conference Report gives the Treasury Secretary the authority to expand the list of eligible benefits, but so far no Secretary has chosen to provide any guidance to the Department of Defense as to how these benefits should be treated for tax purposes. While military families are not currently being taxed for child care benefits, the Department of Defense has indicated that it would like Congress to clarify that child care benefits are not subject to tax. My bill will give our military families and the Department of Defense a greater degree of certainty.

I am pleased that my dependent care provision has been included in S. 19, the Veterans and Military Personnel Fairness Act of 2003. The same provision had been included in a similar package in the last Congress. I urge the Finance Committee to consider this package very soon and to include my Diego Garcia bill in the final package.

Throughout our history, in time of war we have worked to make sure that our armed forces have everything they need and we have spared no expense in meeting that need. But the men and women on the ground often have families back at home. We should make sure that we support them as well. I urge my colleagues to support this legislation.

By Mr. NELSON of Florida (for himself, Mr. CORZINE, Mr. THOMAS, Mrs. FEINSTEIN, and Mr. ENZI):

S. 236. A bill to require background checks of alien flight school applicants without regard to the maximum certificated weight of the aircraft for which they seek training, and to require a report on the effectiveness of the requirement; to the Committee on Commerce, Science, and Transportation.

Mr. NELSON of Florida. Mr. President, I rise to re-introduce legislation that would close a serious loophole in the current law regulating background

checks of alien flight school applicants. This legislation was passed by the Senate last session but was not taken up by the House.

It is crucial that we close this loophole in the Aviation and Transportation Security Act that allows foreign flight school applicants to train on small planes without being subjected to a background check.

As we all know, in the wake of the September 11 terrorist attacks, it was discovered that many of the hijackers received flight training in the United States. In addition, Zacarias Moussaoui, the alleged "20th hijacker," was apprehended by investigators in Minnesota after accounts that he was only interested in learning to fly, not land, an airplane.

Section 113 of the Aviation and Transportation Security Act, which was enacted in the 107th Congress, requires background checks of all foreign flight school applicants seeking training to operate aircraft weighing 12,500 pounds or more. While this provision should help ensure that events like the September 11 attacks are not performed by U.S.-trained pilots using hijacked jets in the future, it does nothing to prevent different types of potential attacks against our domestic security.

Last year, the FBI issued a terrorism warning indicating that small planes might be used to carry out suicide attacks. Small aircraft can be used by terrorists to attack nuclear facilities, carry explosives, or deliver biological or chemical agents. For example, if a crop duster filled with a combination of fertilizers and explosives were crashed into a filled sporting event stadium thousands of people could be seriously injured or killed. We cannot allow this to happen. We need to ensure that we are not training terrorists to perform these activities. We cannot allow critical warnings to go unheeded.

My legislation would close the loophole and answer the critical warnings issued by the FBI. At the same time, this amendment would provide an exception to the background check requirement for foreign pilots who already hold a pilot's license or foreign equivalent allowing them to fly large aircraft in and out of the United States. Foreign pilots who have already been approved to land large jets at U.S. airports need not be required to undergo additional background checks.

I am once again joined in this effort to close this dangerous loophole in the Aviation and Transportation Security Act by Senators CORZINE, ENZI, FEINSTEIN, and THOMAS, and I look forward to the Senate's prompt consideration of 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. 236

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

SECTION 1. MODIFICATION OF REQUIREMENTS REGARDING TRAINING TO OPERATE AIRCRAFT.

(a) ALIENS COVERED BY WAITING PERIOD.—Subsection (a) of section 44939(a) of title 49, United States Code, is amended—

(1) by striking "A person subject" and inserting:

"(1) IN GENERAL.—A person subject";

(2) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(3) by striking "any aircraft having a maximum certificated takeoff weight of 12,500 pounds or more" and inserting "an aircraft" in paragraph (1) as redesignated;

(4) by striking "paragraph (1)" in paragraph (1)(B), as redesignated, and inserting "subparagraph (A)"; and

(5) by adding at the end the following:

"(2) EXCEPTION.—The requirements of paragraph (1) shall not apply to an alien who—

"(A) has earned a Federal Aviation Administration type rating in an aircraft; or

"(B) holds a current pilot's license or foreign equivalent commercial pilot's license that permits the person to fly an aircraft with a maximum certificated takeoff weight of more than 12,500 pounds as defined by the International Civil Aviation Organization in Annex 1 to the Convention on International Civil Aviation."

(b) PROCEDURES.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Attorney General shall promulgate regulations to implement section 44939 of title 49, United States Code.

(2) USE OF OVERSEAS FACILITIES.—In order to implement the amendments made to section 44939 of title 49, United States Code, by this section, United States Embassies and Consulates that have fingerprinting capability shall provide fingerprinting services to aliens covered by that section if the Attorney General requires their fingerprinting in the administration of that section, and transmit the fingerprints to the Department of Justice and any other appropriate agency. The Attorney General shall cooperate with the Secretary of State to carry out this paragraph.

(c) EFFECTIVE DATE.—Not later than 120 days after the date of enactment of this Act, the Attorney General shall promulgate regulations to implement the amendments made by this section. The Attorney General may not interrupt or prevent the training of any person described in section 44939(a)(1) of title 49, United States Code, who commenced training on aircraft with a maximum certificated takeoff weight of 12,500 pounds or less before, or within 120 days after, the date of enactment of this Act unless the Attorney General determines that the person represents a risk to aviation or national security.

(d) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation and the Attorney General shall jointly submit to the Committee on Commerce, Science, and Transportation of the Senate and to the Committee on Transportation and Infrastructure of the House of Representatives, a report on the effectiveness of the activities carried out under section 44939 of title 49, United States Code, in reducing risks to aviation and national security.

By Mr. REED (for himself, Mr. KENNEDY, Mr. COCHRAN, Mr. JEFFORDS, Mr. DASCHLE, Ms. COLLINS, Mr. DODD, Mrs. CLINTON, Mr. SARBANES, Mr. LEVIN,

Mr. LEAHY, Mr. HARKIN, Mr. SMITH, Ms. SNOWE, Mr. CORZINE, Ms. LANDRIEU, and Mr. BAUCUS):

S. 238. A bill to reauthorize the Museum and Library Services Act, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, today I rise to introduce that Museum and Library Services Act of 2003. I am pleased to be joined by Senators KENNEDY, COCHRAN, COLLINS, SNOWE, SMITH, DASCHLE, JEFFORDS, DODD, HARKIN, CLINTON, SARBANES, LEVIN, LEAHY, CORZINE, LANDRIEU, and BAUCUS in introducing this legislature to strengthen museum and library services.

The Federal Government has a long history of supporting our Nation's libraries and museums, providing direct aid to public libraries since the adoption of the Library Services and Construction Act, LSCA, in 1956 and funding to museums since the enactment of the Museum Services Act in 1976. As a result of this support, our lives and culture have been enriched.

My predecessor, Senator Claiborne Pell, was instrumental in the creation of the Museum Services Act, as well as the development and enactment of the Museum and Library Services Act in 1996. This law reauthorized Federal library and museum programs under a newly created independent Federal agency called the Institute for Museum and Library Services, IMLS.

I am proud to continue Senator Pell's tradition of supporting libraries and museums by introducing this legislation to day to extend the authorization of museum and library services through fiscal year 2009 and to make several important modifications to current law.

The bill ensures that library activities are coordinated with the school library program I authored, which is now part of the No Child Left Behind Act of 2001. It establishes a Museum and Library Services Board to advise the Director of IMLS, and it authorizes IMLS to issue a National Award for Library Service as well as a National Award for Museum Service. The bill also ensures that a portion of administrative funds is used to analyze annually the impact of museum and library services to identify needs and trends of services provided under museum and library programs. Our bill also establishes a reservation of 1.75 percent of funds for museum services for Native Americans, a similar reservation is currently provided for library services under the Library Services and Technology subtitle. Lastly, the bill updates the uses of funds for library and museum programs and increases the authorization under the Library Services and Technology Act, LSTA, from \$150 million to \$350 million and the Museum Services Act from \$28.7 million to \$65 million.

I want to specifically highlight one other provision in the legislation. The Museum and Library Services Act of

2003 doubles the minimum State allotment under the LSTA to \$680,000.

The minimum State allotment has remained flat at \$340,000 since 1971, hampering the literacy and cultural efforts of our Nation's smaller States. An analysis prepared by the staff of the Joint Economic Committee shows that it would take approximately \$1.5 million for our small States to keep pace with inflation. The library community has instead suggested a modest, but essential doubling of the minimum state allotment to \$680,000. This will enable every State to benefit and implement the valuable services and programs that larger states have been able to put in place. We heard about the importance of this change from David Macknam, Director of the Cranston Public Library, during a Health, Education, Labor, and Pensions Committee hearing that I chaired last April.

Last year, efforts to move this legislation were stymied over concerns about certain IMLS grants and how much funding should be authorized for library and museum programs. The President's forthcoming fiscal year 2004 budget will contain a modest, although record, increase in funding for these programs, which I hope will alleviate these concerns. As such, I hope we can move forward early in this session of Congress on a bipartisan basis on a swift reauthorization of the Museum and Library Services act.

I urge my colleagues to cosponsor this important legislation and work for its passage.

I ask unanimous consent that the text of this legislation be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 238

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 "Museum and Library Services Act of 2003".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—GENERAL PROVISIONS

Sec. 101. General definitions.

Sec. 102. Institute of Museum and Library Services.

Sec. 103. Director of the Institute.

Sec. 104. National Museum and Library Services Board.

Sec. 105. Awards; analysis of impact of services.

TITLE II—LIBRARY SERVICES AND TECHNOLOGY

Sec. 201. Purpose.

Sec. 202. Definitions.

Sec. 203. Authorization of appropriations.

Sec. 204. Reservations and allotments.

Sec. 205. State plans.

Sec. 206. Grants to States.

Sec. 207. National leadership grants, contracts, or cooperative agreements.

TITLE III—MUSEUM SERVICES

Sec. 300. Short title.

Sec. 301. Purpose.

Sec. 302. Definitions.

Sec. 303. Museum services activities.

Sec. 304. Repeals.

Sec. 305. Authorization of appropriations.

TITLE IV—NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE ACT

Sec. 401. Amendment to contributions.

Sec. 402. Amendment to membership.

TITLE V—MISCELLANEOUS PROVISIONS

Sec. 501. Amendments to Arts and Artifacts Indemnity Act.

Sec. 502. National Children's Museum.

Sec. 503. Technical corrections.

Sec. 504. Conforming amendment.

Sec. 505. Repeals.

Sec. 506. Effective date.

TITLE I—GENERAL PROVISIONS

SEC. 101. GENERAL DEFINITIONS.

Section 202 of the Museum and Library Services Act (20 U.S.C. 9101) is amended—

(1) by striking paragraphs (1) and (4);

(2) by redesignating paragraph (2) as paragraph (1);

(3) by inserting after paragraph (1), as redesignated by paragraph (2) of this section, the following:

“(2) INDIAN TRIBE.—The term ‘Indian tribe’ means any tribe, band, nation, or other organized group or community, including any Alaska native village, regional corporation, or village corporation, as defined in or established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.), which is recognized by the Secretary of the Interior as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.”; and

(4) by adding at the end the following:

“(4) MUSEUM AND LIBRARY SERVICES BOARD.—The term ‘Museum and Library Services Board’ means the National Museum and Library Services Board established under section 207.”.

SEC. 102. INSTITUTE OF MUSEUM AND LIBRARY SERVICES.

Section 203 of the Museum and Library Services Act (20 U.S.C. 9102) is amended—

(1) in subsection (b), by striking the last sentence; and

(2) by adding at the end the following:

“(c) MUSEUM AND LIBRARY SERVICES BOARD.—There shall be a National Museum and Library Services Board within the Institute, as provided under section 207.”.

SEC. 103. DIRECTOR OF THE INSTITUTE.

Section 204 of the Museum and Library Services Act (20 U.S.C. 9103) is amended—

(1) in subsection (e), by adding at the end the following: “Where appropriate, the Director shall ensure that activities under subtitle B are coordinated with activities under section 1251 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6383).”; and

(2) by adding at the end the following:

“(f) REGULATORY AUTHORITY.—The Director may promulgate such rules and regulations as are necessary and appropriate to implement the provisions of this title.”.

SEC. 104. NATIONAL MUSEUM AND LIBRARY SERVICES BOARD.

The Museum and Library Services Act (20 U.S.C. 9101 et seq.) is amended—

(1) by redesignating section 207 as section 208; and

(2) by inserting after section 206 the following:

“SEC. 207. NATIONAL MUSEUM AND LIBRARY SERVICES BOARD.

“(a) ESTABLISHMENT.—There is established in the Institute a board to be known as the ‘National Museum and Library Services Board’.

“(b) MEMBERSHIP.—

“(1) NUMBER AND APPOINTMENT.—The Museum and Library Services Board shall be composed of the following:

“(A) The Director.

“(B) The Deputy Director for the Office of Library Services.

“(C) The Deputy Director for the Office of Museum Services.

“(D) The Chairman of the National Commission on Libraries and Information Science.

“(E) 10 members appointed by the President, by and with the advice and consent of the Senate, from among individuals who are citizens of the United States and who are specially qualified in the area of library services by virtue of their education, training, or experience.

“(F) 11 members appointed by the President, by and with the advice and consent of the Senate, from among individuals who are citizens of the United States and who are specially qualified in the area of museum services by virtue of their education, training, or experience.

“(2) SPECIAL QUALIFICATIONS.—

“(A) LIBRARY MEMBERS.—Of the members of the Museum and Library Services Board appointed under paragraph (1)(E)—

“(i) 5 shall be professional librarians or information specialists, of whom—

“(I) not less than 1 shall be knowledgeable about electronic information and technical aspects of library and information services and sciences; and

“(II) not less than 1 shall be knowledgeable about the library and information service needs of underserved communities; and

“(ii) the remainder shall have special competence in, or knowledge of, the needs for library and information services in the United States.

“(B) MUSEUM MEMBERS.—Of the members of the Museum and Library Services Board appointed under paragraph (1)(F)—

“(i) 5 shall be museum professionals who are or have been affiliated with—

“(I) resources that, collectively, are broadly representative of the curatorial, conservation, educational, and cultural resources of the United States; or

“(II) museums that, collectively, are broadly representative of various types of museums, including museums relating to science, history, technology, art, zoos, botanical gardens, and museums designed for children; and

“(ii) the remainder shall be individuals recognized for their broad knowledge, expertise, or experience in museums or commitment to museums.

“(3) GEOGRAPHIC AND OTHER REPRESENTATION.—Members of the Museum and Library Services Board shall be appointed to reflect individuals from various geographic regions of the United States. The Museum and Library Services Board may not include, at any time, more than 3 appointive members from a single State. In making such appointments, the President shall give due regard to equitable representation of women, minorities, and persons with disabilities who are involved with museums and libraries.

“(4) VOTING.—The Director, the Deputy Director of the Office of Library Services, and the Deputy Director of the Office of Museum Services shall be nonvoting members of the Museum and Library Services Board.

“(c) TERMS.—

“(1) IN GENERAL.—Except as otherwise provided in this subsection, each member of the Museum and Library Services Board appointed under subparagraph (E) or (F) of subsection (b)(1) shall serve for a term of 5 years.

“(2) INITIAL BOARD APPOINTMENTS.—

“(A) TREATMENT OF MEMBERS SERVING ON EFFECTIVE DATE.—Notwithstanding subsection (b), each individual who is a member of the National Museum Services Board on the day before the date of enactment of the Museum and Library Services Act of 2003, may, at the individual's election, complete the balance of the individual's term as a member of the Museum and Library Services Board.

“(B) FIRST APPOINTMENTS.—Notwithstanding subsection (b), any appointive vacancy in the initial membership of the Museum and Library Services Board existing after the application of subparagraph (A), and any vacancy in such membership subsequently created by reason of the expiration of the term of an individual described in subparagraph (A), shall be filled by the appointment of a member described in subsection (b)(1)(E). When the Museum and Library Services Board consists of an equal number of individuals who are specially qualified in the area of library services and individuals who are specially qualified in the area of museum services, this subparagraph shall cease to be effective and the members of the Museum and Library Services Board shall be appointed in accordance with subsection (b).

“(C) AUTHORITY TO ADJUST TERMS.—The terms of the first members appointed to the Museum and Library Services Board shall be adjusted by the President as necessary to ensure that the terms of not more than 4 members expire in the same year. Such adjustments shall be carried out through designation of the adjusted term at the time of appointment.

“(3) VACANCIES.—Any member appointed to fill a vacancy shall serve for the remainder of the term for which the predecessor of the member was appointed.

“(4) REAPPOINTMENT.—No appointive member of the Museum and Library Services Board who has been a member for more than 7 consecutive years shall be eligible for reappointment.

“(5) SERVICE UNTIL SUCCESSOR TAKES OFFICE.—Notwithstanding any other provision of this subsection, an appointive member of the Museum and Library Services Board shall serve after the expiration of the term of the member until the successor to the member takes office.

“(d) DUTIES AND POWERS.—

“(1) IN GENERAL.—The Museum and Library Services Board shall advise the Director on general policies with respect to the duties, powers, and authority of the Institute relating to museum and library services, including financial assistance awarded under this title.

“(2) NATIONAL AWARDS.—The Museum and Library Services Board shall assist the Director in making awards under section 209.

“(e) CHAIRPERSON.—The Director shall serve as Chairperson of the Museum and Library Services Board.

“(f) MEETINGS.—

“(1) IN GENERAL.—The Museum and Library Services Board shall meet not less than 2 times each year and at the call of the Director.

“(2) VOTE.—All decisions by the Museum and Library Services Board with respect to the exercise of its duties and powers shall be made by a majority vote of the members of the Board who are present and authorized to vote.

“(g) QUORUM.—A majority of the voting members of the Museum and Library Services Board shall constitute a quorum for the conduct of business at official meetings, but a lesser number of members may hold hearings.

“(h) COMPENSATION AND TRAVEL EXPENSES.—

“(1) COMPENSATION.—Each member of the Museum and Library Services Board who is not an officer or employee of the Federal Government may be compensated at a rate to be fixed by the President, but not to exceed the daily equivalent of the maximum annual rate of pay authorized for a position above grade GS-15 of the General Schedule under section 5108 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Museum and Library Services Board. Members of the Museum and Library Services Board who are full-time officers or employees of the Federal Government may not receive additional pay, allowances, or benefits by reason of their service on the Board.

“(2) TRAVEL EXPENSES.—Each member of the Museum and Library Services Board shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

“(i) COORDINATION.—The Director, with the advice of the Museum and Library Services Board, shall take steps to ensure that the policies and activities of the Institute are coordinated with other activities of the Federal Government.”

SEC. 105. AWARDS; ANALYSIS OF IMPACT OF SERVICES.

The Museum and Library Services Act (20 U.S.C. 9101 et seq.) is amended by inserting after section 208 (as redesignated by section 104 of this Act) the following:

“SEC. 209. AWARDS.

“The Director, with the advice of the Museum and Library Services Board, may annually award National Awards for Library Service and National Awards for Museum Service to outstanding libraries and outstanding museums, respectively, that have made significant contributions in service to their communities.

“SEC. 210. ANALYSIS OF IMPACT OF MUSEUM AND LIBRARY SERVICES.

“From amounts appropriated under sections 214(c) and 274(b), the Director shall carry out and publish analyses of the impact of museum and library services. Such analyses—

“(1) shall be conducted in ongoing consultation with—

“(A) State library administrative agencies;

“(B) State, regional, and national library and museum organizations; and

“(C) other relevant agencies and organizations;

“(2) shall identify national needs for, and trends of, museum and library services provided with funds made available under subtitles B and C;

“(3) shall report on the impact and effectiveness of programs conducted with funds made available by the Institute in addressing such needs; and

“(4) shall identify, and disseminate information on, the best practices of such programs to the agencies and entities described in paragraph (1).”

TITLE II—LIBRARY SERVICES AND TECHNOLOGY

SEC. 201. PURPOSE.

Section 212 of the Library Services and Technology Act (20 U.S.C. 9121) is amended by striking paragraphs (2) through (5) and inserting the following:

“(2) to promote improvement in library services in all types of libraries in order to better serve the people of the United States;

“(3) to facilitate access to resources in all types of libraries for the purpose of cultivating an educated and informed citizenry; and

“(4) to encourage resource sharing among all types of libraries for the purpose of

achieving economical and efficient delivery of library services to the public.”

SEC. 202. DEFINITIONS.

Section 213 of the Library Services and Technology Act (20 U.S.C. 9122) is amended—

- (1) by striking paragraph (1); and
- (2) by redesignating paragraphs (2), (3), (4), (5), and (6) as paragraphs (1), (2), (3), (4), and (5), respectively.

SEC. 203. AUTHORIZATION OF APPROPRIATIONS.

Section 214 of the Library Services and Technology Act (20 U.S.C. 9123) is amended—

- (1) by amending subsection (a) to read as follows:
 - “(a) IN GENERAL.—There are authorized to be appropriated to carry out this subtitle \$350,000,000 for fiscal year 2004 and such sums as may be necessary for fiscal years 2005 through 2009.”; and
 - (2) in subsection (c), by striking “3 percent” and inserting “3.5 percent”.

SEC. 204. RESERVATIONS AND ALLOTMENTS.

Section 221(b)(3) of the Library Services and Technology Act (20 U.S.C. 9131(b)(3)) is amended to read as follows:

“(3) MINIMUM ALLOTMENTS.—

“(A) IN GENERAL.—For purposes of this subsection, the minimum allotment for each State shall be \$340,000, except that the minimum allotment shall be \$40,000 in the case of the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.

“(B) RATABLE REDUCTIONS.—Notwithstanding subparagraph (A), if the sum appropriated under the authority of section 214 and not reserved under subsection (a) for any fiscal year is insufficient to fully satisfy the requirement of subparagraph (A), each of the minimum allotments under such subparagraph shall be reduced ratably.

“(C) EXCEPTION.—

“(i) IN GENERAL.—Notwithstanding subparagraph (A), if the sum appropriated under the authority of section 214 and not reserved under subsection (a) for any fiscal year exceeds the aggregate of the allotments for all States under this subsection for fiscal year 2003—

“(I) the minimum allotment for each State otherwise receiving a minimum allotment of \$340,000 under subparagraph (A) shall be increased to \$680,000; and

“(II) the minimum allotment for each State otherwise receiving a minimum allotment of \$40,000 under subparagraph (A) shall be increased to \$60,000.

“(ii) INSUFFICIENT FUNDS TO AWARD ALTERNATIVE MINIMUM.—If the sum appropriated under the authority of section 214 and not reserved under subsection (a) for any fiscal year exceeds the aggregate of the allotments for all States under this subsection for fiscal year 2003 yet is insufficient to fully satisfy the requirement of clause (i), such excess amount shall first be allotted among the States described in clause (i)(I) so as to increase equally the minimum allotment for each such State above \$340,000. After the requirement of clause (i)(I) is fully satisfied for any fiscal year, any remainder of such excess amount shall be allotted among the States described in clause (i)(II) so as to increase equally the minimum allotment for each such State above \$40,000.

“(D) SPECIAL RULE.—

“(i) IN GENERAL.—Notwithstanding any other provision of this subsection and using funds allotted for the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau under this subsection, the Director shall award grants to the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of

the Marshall Islands, the Federated States of Micronesia, or the Republic of Palau to carry out activities described in this subtitle in accordance with the provisions of this subtitle that the Director determines are not inconsistent with this subparagraph.

“(ii) AWARD BASIS.—The Director shall award grants pursuant to clause (i) on a competitive basis and pursuant to recommendations from the Pacific Region Educational Laboratory in Honolulu, Hawaii.

“(iii) ADMINISTRATIVE COSTS.—The Director may provide not more than 5 percent of the funds made available for grants under this subparagraph to pay the administrative costs of the Pacific Region Educational Laboratory regarding activities assisted under this subparagraph.”

SEC. 205. STATE PLANS.

Section 224 of the Library Services and Technology Act (20 U.S.C. 9134) is amended—

(1) in subsection (a)(1), by striking “not later than April 1, 1997.” and inserting “once every 5 years, as determined by the Director.”; and

(2) in subsection (f)—

(A) by striking “this Act” each place such term appears and inserting “this subtitle”;

(B) in paragraph (1)—

(i) by striking “1934.” and all that follows through “Act, may” and inserting “1934 (47 U.S.C. 254(h)(6) may”;

(ii) by striking “section 213(2)(A) or (B)” and inserting “section 213(1)(A) or (B)”;

(C) in paragraph (7)—

(i) in the matter preceding subparagraph (A), by striking “section:” and inserting “subsection:”; and

(ii) in subparagraph (D), by striking “given” and inserting “applicable to”.

SEC. 206. GRANTS TO STATES.

Section 231 of the Library Services and Technology Act (20 U.S.C. 9141) is amended—

(1) in subsection (a), by striking paragraphs (1) and (2) and inserting the following:

“(1) expanding services for learning and access to information and educational resources in a variety of formats, in all types of libraries, for individuals of all ages;

“(2) developing library services that provide all users access to information through local, State, regional, national, and international electronic networks;

“(3) providing electronic and other linkages among and between all types of libraries;

“(4) developing public and private partnerships with other agencies and community-based organizations;

“(5) targeting library services to individuals of diverse geographic, cultural, and socioeconomic backgrounds, to individuals with disabilities, and to individuals with limited functional literacy or information skills; and

“(6) targeting library and information services to persons having difficulty using a library and to underserved urban and rural communities, including children (from birth through age 17) from families with incomes below the poverty line (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved.”; and

(2) in subsection (b), by striking “between the two purposes described in paragraphs (1) and (2) of such subsection,” and inserting “among such purposes.”

SEC. 207. NATIONAL LEADERSHIP GRANTS, CONTRACTS, OR COOPERATIVE AGREEMENTS.

Section 262(a)(1) of the Library Services and Technology Act (20 U.S.C. 9162(a)(1)) is amended by striking “education and training” and inserting “education, recruitment, and training”.

TITLE III—MUSEUM SERVICES

SEC. 300. SHORT TITLE.

Subtitle C of the Museum and Library Services Act (20 U.S.C. 9171 et seq.) is amended by inserting before section 271 the following:

“SEC. 270. SHORT TITLE.

“This subtitle may be cited as the ‘Museum Services Act.’”

SEC. 301. PURPOSE.

Section 271 of the Museum and Library Services Act (20 U.S.C. 9171) is amended to read as follows:

“SEC. 271. PURPOSE.

“It is the purpose of this subtitle—

“(1) to encourage and support museums in carrying out their public service role of connecting the whole of society to the cultural, artistic, historical, natural, and scientific understandings that constitute our heritage;

“(2) to encourage and support museums in carrying out their educational role, as core providers of learning and in conjunction with schools, families, and communities;

“(3) to encourage leadership, innovation, and applications of the most current technologies and practices to enhance museum services;

“(4) to assist, encourage, and support museums in carrying out their stewardship responsibilities to achieve the highest standards in conservation and care of the cultural, historic, natural, and scientific heritage of the United States to benefit future generations;

“(5) to assist, encourage, and support museums in achieving the highest standards of management and service to the public, and to ease the financial burden borne by museums as a result of their increasing use by the public; and

“(6) to support resource sharing and partnerships among museums, libraries, schools, and other community organizations.”

SEC. 302. DEFINITIONS.

Section 272(1) of the Museum and Library Services Act (20 U.S.C. 9172(1)) is amended by adding at the end the following: “Such term includes aquariums, arboretums, botanical gardens, art museums, children’s museums, general museums, historic houses and sites, history museums, nature centers, natural history and anthropology museums, planetariums, science and technology centers, specialized museums, and zoological parks.”

SEC. 303. MUSEUM SERVICES ACTIVITIES.

Section 273 of the Museum and Library Services Act (20 U.S.C. 9173) is amended to read as follows:

“SEC. 273. MUSEUM SERVICES ACTIVITIES.

“(a) IN GENERAL.—The Director, subject to the policy advice of the Museum and Library Services Board, may enter into arrangements, including grants, contracts, cooperative agreements, and other forms of assistance to museums and other entities as the Director considers appropriate, to pay for the Federal share of the cost—

“(1) to support museums in providing learning and access to collections, information, and educational resources in a variety of formats (including exhibitions, programs, publications, and websites) for individuals of all ages;

“(2) to support museums in building learning partnerships with the Nation’s schools and developing museum resources and programs in support of State and local school curricula;

“(3) to support museums in assessing, conserving, researching, maintaining, and exhibiting their collections, and in providing educational programs to the public through the use of their collections;

“(4) to stimulate greater collaboration among museums, libraries, schools, and

other community organizations in order to share resources and strengthen communities;

“(5) to encourage the use of new technologies and broadcast media to enhance access to museum collections, programs, and services;

“(6) to support museums in providing services to people of diverse geographic, cultural, and socioeconomic backgrounds and to individuals with disabilities;

“(7) to support museums in developing and carrying out specialized programs for specific segments of the public, such as programs for urban neighborhoods, rural areas, Indian reservations, and State institutions;

“(8) to support professional development and technical assistance programs to enhance museum operations at all levels, in order to ensure the highest standards in all aspects of museum operations;

“(9) to support museums in research, program evaluation, and the collection and dissemination of information to museum professionals and the public; and

“(10) to encourage, support, and disseminate model programs of museum and library collaboration.

“(b) FEDERAL SHARE.—

“(1) 50 PERCENT.—Except as provided in paragraph (2), the Federal share described in subsection (a) shall be not more than 50 percent.

“(2) GREATER THAN 50 PERCENT.—The Director may use not more than 20 percent of the funds made available under this subtitle for a fiscal year to enter into arrangements under subsection (a) for which the Federal share may be greater than 50 percent.

“(3) OPERATIONAL EXPENSES.—No funds for operational expenses may be provided under this section to any entity that is not a museum.

“(c) REVIEW AND EVALUATION.—The Director shall establish procedures for reviewing and evaluating arrangements described in subsection (a) entered into under this subtitle. Procedures for reviewing such arrangements shall not be subject to any review outside of the Institute.

“(d) SERVICES FOR NATIVE AMERICANS.—From amounts appropriated under section 274, the Director shall reserve 1.75 percent to award grants to, or enter into contracts or cooperative agreements with, Indian tribes and to organizations that primarily serve and represent Native Hawaiians (as defined in section 7207 of the Native Hawaiian Education Act (20 U.S.C. 7517)) to enable such tribes and organizations to carry out the activities described in subsection (a).”

SEC. 304. REPEALS.

Sections 274 and 275 of the Museum and Library Services Act (20 U.S.C. 9174 and 9175) are repealed.

SEC. 305. AUTHORIZATION OF APPROPRIATIONS.

Section 276 of the Museum and Library Services Act (20 U.S.C. 9176)—

(1) is redesignated as section 274 of such Act; and

(2) is amended, in subsection (a), by striking “\$28,700,000 for the fiscal year 1997, and such sums as may be necessary for each of the fiscal years 1998 through 2002.” and inserting “\$65,000,000 for fiscal year 2004 and such sums as may be necessary for fiscal years 2005 through 2009.”

TITLE IV—NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE ACT

SEC. 401. AMENDMENT TO CONTRIBUTIONS.

Section 4 of the National Commission on Libraries and Information Science Act (20 U.S.C. 1503) is amended by striking “accept, hold, administer, and utilize gifts, bequests, and devises of property,” and inserting “solicit, accept, hold, administer, invest in the name of the United States, and utilize gifts,

bequests, and devises of services or property.”

SEC. 402. AMENDMENT TO MEMBERSHIP.

Section 6(a) of the National Commission on Libraries and Information Science Act (20 U.S.C. 1505(a)) is amended—

(1) in the second sentence, by striking “and at least one other of whom shall be knowledgeable with respect to the library and information service and science needs of the elderly”;

(2) by amending the fourth sentence to read as follows: “A majority of members of the Commission who have taken office and are serving on the Commission shall constitute a quorum for conduct of business at official meetings of the Commission”; and

(3) in the fifth sentence, by striking “five years, except that” and all that follows through the period and inserting “five years, except that—

“(1) a member of the Commission appointed to fill a vacancy occurring prior to the expiration of the term for which the member’s predecessor was appointed, shall be appointed only for the remainder of such term; and

“(2) any member of the Commission may continue to serve after an expiration of the member’s term of office until such member’s successor is appointed, has taken office, and is serving on the Commission.”

TITLE V—MISCELLANEOUS PROVISIONS

SEC. 501. AMENDMENTS TO ARTS AND ARTIFACTS INDEMNITY ACT.

Section 5 of the Arts and Artifacts Indemnity Act (20 U.S.C. 974) is amended—

(1) in subsection (b), by striking “\$5,000,000,000” and inserting “\$8,000,000,000”;

(2) in subsection (c), by striking “\$500,000,000” and inserting “\$750,000,000”; and

(3) in subsection (d)—

(A) in paragraph (6), by striking “or” after the semicolon;

(B) by striking paragraph (7) and inserting the following:

“(7) not less than \$400,000,000 but less than \$500,000,000, then coverage under this chapter shall extend only to loss or damage in excess of the first \$400,000 of loss or damage to items covered; or

“(8) \$500,000,000 or more, then coverage under this chapter shall extend only to loss or damage in excess of the first \$500,000 of loss or damage to items covered.”

SEC. 502. NATIONAL CHILDREN’S MUSEUM.

(a) DESIGNATION.—The Capital Children’s Museum located at 800 Third Street, NE, Washington, D.C. (or any successor location), organized under the laws of the District of Columbia, is designated as the “National Children’s Museum”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Capital Children’s Museum referred to in subsection (a) shall be deemed to be a reference to the National Children’s Museum.

SEC. 503. TECHNICAL CORRECTIONS.

(a) TITLE HEADING.—The title heading for the Museum and Library Services Act (20 U.S.C. 9101 et seq.) is amended to read as follows:

“TITLE II—MUSEUM AND LIBRARY SERVICES”.

(b) SUBTITLE A HEADING.—The subtitle heading for subtitle A of the Museum and Library Services Act (20 U.S.C. 9101 et seq.) is amended to read as follows:

“Subtitle A—General Provisions”.

(c) SUBTITLE B HEADING.—The subtitle heading for subtitle B of the Museum and Library Services Act (20 U.S.C. 9121 et seq.) is amended to read as follows:

“Subtitle B—Library Services and Technology”.

(d) SUBTITLE C HEADING.—The subtitle heading for subtitle C of the Museum and Library Services Act (20 U.S.C. 9171 et seq.) is amended to read as follows:

“Subtitle C—Museum Services”.

(e) CONTRIBUTIONS.—Section 208 of the Museum and Library Services Act (20 U.S.C. 9106) (as redesignated by section 104 of this Act) is amended by striking “property of services” and inserting “property or services”.

(f) STATE PLAN CONTENTS.—Section 224(b)(5) of the Library Services and Technology Act (20 U.S.C. 9134(b)(5)) is amended by striking “and” at the end.

(g) NATIONAL LEADERSHIP GRANTS, CONTRACTS, OR COOPERATIVE AGREEMENTS.—Section 262(b)(1) of the Library Services and Technology Act (20 U.S.C. 9162(b)(1)) is amended by striking “cooperative agreements, with,” and inserting “cooperative agreements with.”

SEC. 504. CONFORMING AMENDMENT.

Section 170(e)(6)(B)(i)(III) of the Internal Revenue Code of 1986 (relating to the special rule for contributions of computer technology and equipment for educational purposes) is amended by striking “section 213(2)(A) of the Library Services and Technology Act (20 U.S.C. 9122(2)(A))” and inserting “section 213(1)(A) of the Library Services and Technology Act (20 U.S.C. 9122(1)(A))”.

SEC. 505. REPEALS.

(a) NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE ACT.—Section 5 of the National Commission on Libraries and Information Science Act (20 U.S.C. 1504) is amended by striking subsections (b) and (c) and redesignating subsections (d), (e), and (f) as subsections (b), (c), and (d), respectively.

(b) MUSEUM AND LIBRARY SERVICES ACT OF 1996.—Sections 704 through 707 of the Museum and Library Services Act of 1996 (20 U.S.C. 9102 note, 9103 note, and 9105 note) are repealed.

SEC. 506. EFFECTIVE DATE.

The amendments made by this Act shall take effect on October 1, 2003.

By Mr. FRIST (for himself, Mr. KENNEDY, MR. ENZI, Mrs. MURRAY, Mr. ROBERTS, and Mr. GRAHAM of South Carolina):

S. 239. A bill to amend the Public Health Services Act to add requirements regarding trauma care, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. FRIST. Mr. President, each year, nearly one of every four Americans are injured and require medical attention.

Among Americans younger than age 44, trauma is the leading killer. While injury prevention programs have greatly reduced death and disability, severe injuries will continue. Given the events of September 11, 2001 and our Nation’s renewed focus on enhancing disaster preparedness, it is critical that the Federal Government increase its commitment to strengthening programs governing trauma care system planning and development.

The direct and indirect cost of injury is estimated to be about \$260 billion a year. The death rate from unintentional injury is more than 50 percent higher in rural areas than in urban areas. It is essential that all Americans

have access to a trauma system that provides definitive care as quickly as possible.

In recent years, Congress has sought to address this issue through the Trauma Care Systems Planning and Development Act, which provides grants for the purpose of planning, implementing, and developing statewide trauma care systems. However, this important program expired last year before Congress could reauthorize it. Therefore, I am introducing bipartisan legislation today, along with Senators KENNEDY, ENZI, MURRAY, ROBERTS and GRAHAM of South Carolina to reauthorize this important program.

Despite our past investments, one-half of the states in the country are still without a statewide trauma care system. Clearly we can do better. We must respond to the goals put forth by the Institute of Medicine in 1999 that Congress "support a greater national commitment to, and support of, trauma care systems at the federal, state, and local levels."

Today's bill, the "Trauma Care Systems Planning and Development Act of 2003", reauthorizes this program with several improvements: First, it improves the collection and analysis of trauma patient data with the goal of improving the overall system of care for these patients; second, at this time of increasing pressure on state budgets, the bill reduces the amount of matching funds that states will have to provide to participate in the program so that we can extend quality trauma care systems across the nation; third, the legislation provides a self-evaluation mechanism to assist states in assessing and improving their trauma care systems; fourth, it authorizes an Institute of Medicine study on the state of trauma care and trauma research; and, finally, it doubles the funding available for this program to allow additional states to participate.

I appreciate the assistance of Senators KENNEDY, ENZI, MURRAY, ROBERTS and GRAHAM of South Carolina on this important legislation, and look forward to working with them, and with Senator GREGG, the Chairman of the Senate Health, Education, Labor and Pensions Committee, to see this bill passed this year.

Mr. KENNEDY. Mr. President, it is an honor to join Senator FRIST in introducing the Trauma Care Systems Planning and Development Act. Our goal in this bipartisan legislation is to enable all States to develop more effective trauma care systems.

Trauma is the No. 1 killer of Americans under age 44. Traumatic injuries robs, devastate families and cost the Nation an estimated \$60 billion every year. In 1995 alone, injuries were responsible for 148,000 deaths, 2.6 million hospitalizations, and over 36 million emergency room visits.

Despite this toll, we have done little in recent years to prevent trauma or improve the chance of recovery from traumatic injury. Part of the problem

is the widespread view that trauma is an accident, an unfortunate and often unavoidable injury. But this is often not the case.

Proven preventive measures could save up to 25,000 lives every year. Better treatment systems can give victims a better chance of recovery, by delivering quality care as quickly as possible.

A trauma system is a coordinated effort to provide the full range of care to all injured patients. Treatment begins at the site of injury, and continues from prehospital to hospital to rehabilitative services. Resources, supporting equipment, and personnel are ready and trained to go into action.

The skills and knowledge of health care experts are not enough. Optimal care is the result of advance planning, preparation, and coordination to produce smooth transitions and the proper sequence of interventions. Effective trauma systems accomplish all this, saves lives, and reduces costs.

Much of the progress in developing trauma systems has occurred as a result of Federal funding and involvement. In 1973, Congress passed the Emergency Medical Services Act, providing \$300 million to States and communities over an 8-year period. Without that funding, patients in hundreds of regions in the Nation might not have had prompt access to emergency care. Even today, there are parts of the Nation without 911 access and immediate emergency transportation.

In 1990, Congress passed the Trauma Care Systems Planning and Development Act, authorizing Federal grants to States to develop statewide trauma care systems. Funding for this program has been inadequate. From 1995 to 2000, States received no funding at all. Last year, only \$3.5 million was appropriated for the entire country. As a result, only half of all States today have fully functional statewide trauma systems. Clearly, we must do better in providing needed trauma care.

Our legislation reauthorizes and strengthens the trauma care program to establish effective trauma systems in all States. It asks the Institutes of Medicine to investigate the quality of trauma care and identify areas for improvement. Surprisingly, given the burden of trauma on society, less than 1 percent of resources at the NIH are devoted to trauma research.

Our legislation is supported by the Coalition for American Trauma Care, the American College of Surgeons, and the American Trauma Society. Its enactment is important to public safety, and I urge the Senate to approve it.

By Mr. FITZGERALD (for himself, Mr. JOHNSON, Mr. HAGEL, and Mr. HARKIN):

S. 240. A bill to amend the Internal Revenue Code of 1986 to allow allocation of small ethanol producer credit to patrons of cooperative, and for other purposes; to the Committee on Finance.

Mr. FITZGERALD. Mr. President, I rise today to introduce legislation that would extend the 10-cents-per-gallon small ethanol producers' tax credit to small farmer-owned cooperatives. The measure, if approved by Congress, could help boost ethanol production at a time when domestic energy prices are on the rise and the United States is seeking to reduce its dependence on foreign oil.

Under current law, small ethanol producers, those who make less than 30 million gallons of ethanol per year, are eligible for an additional 10-cents-per-gallon-tax credit for up to 15 million gallons of ethanol each year. While the tax credit is intended to help maximize U.S. ethanol production by aiding small producers that otherwise may not be able to compete with larger companies, an unintended glitch in the law bars small farm cooperatives from passing this credit on to their farmers. Unfortunately, this glitch stifles production and penalizes farmers who join cooperatives.

Farm cooperatives can be an efficient way for farmers to trim costs and maximize income. We must ensure that our tax code does not penalize farmers for pooling their resources in cooperatives. With rising energy prices and a potentiality vast new market for ethanol in the Nation's clean air program, we should encourage, not discourage, greater production by ethanol cooperatives.

This legislation would revise existing tax law to permit farmer-owned cooperatives to pass the small producers' ethanol tax credit on to their members through dividends and allow these producers to treat this income as if they had generated it directly.

The bill would also expand the number of producers eligible for the tax credit by doubling the production limit from 30 million gallons of ethanol a year to 60 million gallons. Like most businesses, ethanol production facilities must achieve economies of scale to be viable in a competitive marketplace. Doubling the limit to 60 million gallons simply modernizes the tax credit to reflect current economic realities.

I believe we must approach the new millennium with a renewed commitment to keep our environment clean and safe, and I also believe this objective is consistent with building and maintaining a strong economy. Renewable energy is central to our long-term goal of energy self-sufficiency. By expanding eligibility for the small producers' ethanol tax credit, this bill could stimulate ethanol production and ultimately help lessen our dependence on foreign sources of oil.

Realizing this important benefit, the Senate included this legislation in the comprehensive energy legislation, H.R. 4, which unfortunately, failed to emerge from conference committee prior to the end of the 107th Congress. Additionally, this small ethanol producer tax credit legislation was incorporated into Senator GRASSLEY's "Tax

Empowerment and Relief for Farmers and Fishermen, TERFF, Act.” which we also did not approve prior to adjournment of the last Congress. I look forward to working with our new Finance Committee Chairman and my co-sponsor, Senators JOHNSON, HAGEL, and HARKIN, to get this legislation signed into law.

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. 240

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

SECTION 1. SMALL ETHANOL PRODUCER CREDIT.

(a) ALLOCATION OF ALCOHOL FUELS CREDIT TO PATRONS OF A COOPERATIVE.—Subsection (g) of section 40 of the Internal Revenue Code of 1986 (relating to alcohol used as fuel) is amended by adding at the end the following new paragraph:

“(6) ALLOCATION OF SMALL ETHANOL PRODUCER CREDIT TO PATRONS OF COOPERATIVE.—

“(A) ELECTION TO ALLOCATE.—

“(i) IN GENERAL.—In the case of a cooperative organization described in section 1381(a), any portion of the credit determined under subsection (a)(3) for the taxable year may, at the election of the organization, be apportioned pro rata among patrons of the organization on the basis of the quantity or value of business done with or for such patrons for the taxable year.

“(ii) FORM AND EFFECT OF ELECTION.—An election under clause (i) for any taxable year shall be made on a timely filed return for such year. Such election, once made, shall be irrevocable for such taxable year.

“(B) TREATMENT OF ORGANIZATIONS AND PATRONS.—The amount of the credit apportioned to patrons under subparagraph (A)—

“(i) shall not be included in the amount determined under subsection (a) with respect to the organization for the taxable year,

“(ii) shall be included in the amount determined under subsection (a) for the taxable year of each patron for which the patronage dividends for the taxable year described in subparagraph (A) are included in gross income, and

“(iii) shall be included in gross income of such patrons for the taxable year in the manner and to the extent provided in section 87.

“(C) SPECIAL RULES FOR DECREASE IN CREDITS FOR TAXABLE YEAR.—If the amount of the credit of a cooperative organization determined under subsection (a)(3) for a taxable year is less than the amount of such credit shown on the return of the cooperative organization for such year, an amount equal to the excess of—

“(i) such reduction, over

“(ii) the amount not apportioned to such patrons under subparagraph (A) for the taxable year,

shall be treated as an increase in tax imposed by this chapter on the organization. Such increase shall not be treated as tax imposed by this chapter for purposes of determining the amount of any credit under this chapter or for purposes of section 55.”.

(b) IMPROVEMENTS TO SMALL ETHANOL PRODUCER CREDIT.—

(1) DEFINITION OF SMALL ETHANOL PRODUCER.—Section 40(g) of such Code (relating to definitions and special rules for eligible small ethanol producer credit) is amended by striking “30,000,000” each place it appears and inserting “60,000,000”.

(2) SMALL ETHANOL PRODUCER CREDIT NOT A PASSIVE ACTIVITY CREDIT.—Clause (i) of section 469(d)(2)(A) of such Code is amended by striking “subpart D” and inserting “subpart D, other than section 40(a)(3).”.

(3) ALLOWING CREDIT AGAINST ENTIRE REGULAR TAX AND MINIMUM TAX.—

(A) IN GENERAL.—Subsection (c) of section 38 of such Code (relating to limitation based on amount of tax) is amended by redesignating paragraph (4) as paragraph (5) and by inserting after paragraph (3) the following new paragraph:

“(4) SPECIAL RULES FOR SMALL ETHANOL PRODUCER CREDIT.—

“(A) IN GENERAL.—In the case of the small ethanol producer credit—

“(i) this section and section 39 shall be applied separately with respect to the credit, and

“(ii) in applying paragraph (1) to the credit—

“(I) the amounts in subparagraphs (A) and (B) thereof shall be treated as being zero, and

“(II) the limitation under paragraph (1) (as modified by subclause (I)) shall be reduced by the credit allowed under subsection (a) for the taxable year (other than the small ethanol producer credit).

“(B) SMALL ETHANOL PRODUCER CREDIT.—For purposes of this subsection, the term ‘small ethanol producer credit’ means the credit allowable under subsection (a) by reason of section 40(a)(3).”.

(B) CONFORMING AMENDMENTS.—Subclause (II) of section 38(c)(2)(A)(ii) and subclause (II) of section 38(c)(3)(A)(ii) are each amended by inserting “or the small ethanol producer credit” after “employee credit”.

(4) SMALL ETHANOL PRODUCER CREDIT NOT ADDED BACK TO INCOME UNDER SECTION 87.—Section 87 of such Code (relating to income inclusion of alcohol fuel credit) is amended to read as follows:

“SEC. 87. ALCOHOL FUEL CREDIT.

“Gross income includes an amount equal to the sum of—

“(1) the amount of the alcohol mixture credit determined with respect to the taxpayer for the taxable year under section 40(a)(1), and

“(2) the alcohol credit determined with respect to the taxpayer for the taxable year under section 40(a)(2).”.

(c) CONFORMING AMENDMENT.—Section 1388 of such Code (relating to definitions and special rules for cooperative organizations) is amended by adding at the end the following new subsection:

“(k) CROSS REFERENCE.—For provisions relating to the apportionment of the alcohol fuels credit between cooperative organizations and their patrons, see section 40(g)(6).”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

By Ms. SNOWE (for herself, Mr. KERRY, Mr. MCCAIN, and Mr. HOLLINGS):

S. 241. A bill to amend the Coastal Zone Management Act; read the first time.

Ms. SNOWE. Mr. President, I rise today to support the Coastal Zone Enhancement Reauthorization Act of 2003. I am pleased to have bipartisan support for this bill and to be joined by the chair and ranking Democrats of the Commerce Committee and the Subcommittee on Oceans and Fisheries. Senators MCCAIN, HOLLINGS, and KERRY have been instrumental in developing the wide range of support for

this bill, and I appreciate their interest in improving the way we manage our Nation’s valuable coastal and marine resources.

In 1972, Congress responded to concerns over the increasing demands being placed on our nation’s coastal regions and resources by enacting of the Coastal Zone Management Act. These pressures have greatly increased since the act was originally authorized.

Although the coastal zone only comprises 10 percent of the contiguous U.S. land area, nearly 53 percent of all Americans live in these coastal regions, and more than 3,600 people are relocating there annually. This small portion of our country supports approximately 361 sea-ports, contains most of our largest cities, and serves as critical habitat for a variety of plants and animals.

This bill reauthorizes and makes a number of important improvements to the Coastal Zone Management Act. Under the authorities in this act, coastal States can choose to participate in the voluntary Federal Coastal Zone Management Program. States then design individual coastal zone management programs, taking their specific needs and problems into account, and then receive federal matching funds to help carry out their program plans. State coastal zone programs manage issues ranging from public access to beaches, to protecting habitat, to coordinating permits for coastal development.

As voluntary program, the framework of the CZMA provides guidelines for State plans to address multiple environmental, societal, cultural, and economic objectives.

The health of our coastal zone is vitally important not only to the multitude of plants and animals that inhabit this area, but also to the people and communities that are dependent on it for their livelihood. For example, coastal areas provide habitat for more than 75 percent of the U.S. commercial fisheries and 85 percent of the U.S. recreational fisheries. In turn, the commercial fishing industry, along with value-added services included, contributes \$40 billion to the U.S. economy each year. Recreational fishing adds another \$25 billion to the economy.

The Coastal Zone Management Program can be used to help balance the conservation of fish stocks with the demands that we place on coastal areas. In my State of Maine, a \$150,000 study of the State’s cargo needs led to a \$27 million bond issue for cargo port improvements. As a result, Bath Iron Works built a new \$45 million facility, creating 1,000 new jobs. Similar work needs to be done with our fishing ports so that when fisheries stock rebound, the fishermen will be able to realize the returns.

Unfortunately our precious coastal resources are being threatened by environmental problems, including non-point source pollution. Although the States are currently taking action to

address this problem under existing authority, the Coastal Zone Enhancement Reauthorization Act of 2003 encourages, but does not require, them to take additional steps to combat these problems through the Coastal Community Program.

This initiative provides States with the funding and flexibility needed to deal with their specific nonpoint source pollution problems. The States will have the ability to implement local solutions to a broad array of local problems. Many States are actively engaged in nonpoint source pollution programs and all can benefit from this new tool I am proud to say that Maine has risen to the challenge and already spends close to 30 percent of its funding on such activities. This has led to the reopening of hundreds of acres of shellfish beds and the restoration of fish nursery areas. Even with these successes, Maine is looking forward to this new opportunity to do more.

The Coastal Community Program in this bill also aides States in developing and implementing creative initiatives to deal with problems other than nonpoint source pollution. It increases Federal and State support of Local community-based programs that address coastal environmental issues, such as the impact of development and sprawl on coastal uses and resources. This type of bottom-up management approach is critical.

The Coastal Zone Enhancement Reauthorization Act of 2003 significantly increases the authorization levels for the Coastal Zone Management Program, allowing States to better address their coastal management plan goals. The bill authorizes \$135.5 million for fiscal year 2004, \$141 million for fiscal year 2005 and increases the authorization levels by \$5.5 million each year through fiscal year 2008. This increase in funding is necessary to allow the coastal programs to reach their full potential.

Additionally, the Coastal Zone Enhancement Reauthorization Act of 2003 increases authorization for the National Estuarine Research Reserve System, NERRS, to \$13 million in fiscal year 2004 with an additional \$1 million increase each year through fiscal year 2008. NERRS is a network of reserves across the country that are operated as a cooperative Federal-State partnership.

Currently, there are 25 reserves in 22 States. They provide an important opportunity for long-term research and education in these ecosystems. Additional funds will help strengthen this nationwide program which has not received increased funding commensurate with the addition of new reserves.

I wish to address a very serious problem facing the Coastal Zone Management Program that we have tried to rectify in this bill. The Administrative Grant Program, section 306, serves as the base funding mechanism for the States' coastal zone management programs. The amount of funding each

State receives is determined by a formula that takes into account both the length of the coastline and the population of each State.

However, since 1992, the Appropriations Committee has imposed a \$2 million dollar cap per State on administrative grants. This was an attempt to ensure equitable allocation to all the participating States. Over the past 8 years, appropriations for administrative grants have increased by \$19 million, yet the \$2 million cap has remained. The result has been an inequitable distribution of these new funds. By fiscal year 2000, 13 States had reached this arbitrary \$2 million cap. These 13 States account for 83 percent of our Nation's coastline and 76 percent of our coastal population.

It is not equitable to have the 13 States with the largest coastlines and populations stuck at a \$2 million dollar cap, despite major overall funding increases. While smaller States have enjoyed additional programmatic success due to an influx of funding, some of the larger States have stagnated.

In an attempt to reassure members of the Appropriations Committee that a fair distribution of funds can occur without this hard cap in place, I have worked with Senator HOLLINGS to develop language that has been included in this bill that directs the Secretary of Commerce to ensure equitable increases or decreases between funding years for each State. It further requires that States should not experience a decrease in base program funds in any year when the overall appropriations increase.

I thank Senator HOLLINGS for his assistance in resolving this matter and his commitment over the years to ensuring that the states are treated fairly.

The Coastal Zone Management Program enjoys wide support among all of the coastal States due to its history of success. This support has been clearly demonstrated by the many members of the Commerce Committee who have worked with me to strengthen this program over the past several years.

I thank Senator KERRY, the ranking Democrat of the Oceans and Fisheries Subcommittee, for his hard work and support of this bill. I would also like to express my appreciation to Senator MCCAIN, the chairman of the Commerce Committee, and Senator HOLLINGS, the ranking Democrat of the Committee, for their support of this measure and for their willingness to discharge this bill out of the committee so that we may begin working with our colleagues in the House of Representatives to enact this critical piece of legislation.

This is a solid, reasonable, and a realistic bill that enjoys bipartisan support on the Commerce Committee. It is time that we now turn to legislation reauthorizing a program with a long track record of preserving our coastal environment while allowing sensible development.

I am pleased to support this legislation that will provide the States with the necessary funding and framework to meet the challenges facing our coastal communities in the 21st Century. I urge my colleagues to support.

By Mr. DOMENICI (for himself and Mr. BENNETT):

S. 242. A bill to amend the Internal Revenue Code of 1986 to provide the same capital gains treatment for art and collectibles as for other investment property and to provide that a deduction equal to fair market value shall be allowed for charitable contributions of literary, musical, artistic, or scholarly compositions created by the donor; to the Committee on Finance.

Mr. DOMENICI. Mr. President, I rise today to introduce again legislation to eliminate one of the great inconsistencies in the Internal Revenue Code.

The bill I am introducing today with Senator BENNETT is designed to restore some internal consistency to the tax code as it applies to art and artists. No one has ever said that the tax code is fair even though it has always been a theoretical objective of the code to treat similar taxpayers similarly.

The bill I am introducing today would address two areas where similarly situated taxpayers are not treated the same.

Internal inconsistency #1 deals with the long-term capital gains tax treatment of investments in art and collectibles. If a person invests in stocks or bonds, holds the asset for the requisite period of time, and sells at a gain, the tax treatment is long term capital gains. The top capital gains tax rate is 20 percent, 18 percent, if the asset is held for five or more years. However, if the same person invests in art or collectibles the top rate is hiked up to 28 percent. Art for art's sake should not incur an additional 40 percent tax bill simply for revenue's sake. That is a big impact on the pocketbook of the beholder.

Art and collectibles are alternatives to financial instruments as an investment choice. To create a tax disadvantage with respect to one investment compared to another creates an artificial market and may lead to poor investment allocations. It also adversely impacts those who make their livelihood in the cultural sectors of the economy.

Santa Fe, NM, is the third largest art market in the country. We have a diverse colony of artists, collectors and gallery owners. We have fabulous Native American rug weavers, potters, and carvers. Creative giants like Georgia O'Keeffe, Maria Martinez, E.L. Blumenschein, Allan Houser, R.C. Gorman, and Glenna Goodacre have all chosen New Mexico as their home and as their artistic subject. John Nieto, Wilson Hurley, Clark Hulings, Veryl Goodnight, Bill Acheff, Susan Rothenberg, Bruce Nauman, Agnes Martin, Doug Hyde, Margaret Nez, Dan

Ostermiller are additional examples of living artists creating art in New Mexico.

Art, antiques, and collectibles are a \$12 to \$20 billion annual industry nationwide. In New Mexico, it has been estimated that art and collectible sales range between \$500 million and \$1 billion a year.

Economists have always been interested in the economics of the arts. Adam Smith is a well-known economist. He was also a serious, but little-known essayist on painting, dancing, and poetry. Keynes was a passionate devotee of painting.

Even the artistically inclined economists found it difficult to define art within the context of economic theory. When asked to define jazz, Louis Armstrong replied: "If you gotta ask, you ain't never going to know."

A similar conundrum has challenged Galbraith and other economists who have grappled with the definitional issues associated with bringing art within the economic calculus. Original art objects are, as a commodity group, characterized by a set of attributes: every unit of output is differentiated from every other unit of output; art works can be copied but not reproduced; the cultural capital of the Nation has significant elements of public good.

Because art works can be resold, and their prices may rise over time, they have the characteristics of financial assets, and as such may be sought as a hedge against inflation, as a store of wealth, or as a source of speculative capital gain. A study by Keishiro Matsumoto, Samuel Andoh and James P. Hoban, Jr. assessed the risk-adjusted rates of return on art sold at Sotheby's during the 14-year period ending September 30, 1989. They concluded that art was a good investment in terms of average real rates of return. Several studies found that rates of return from the price appreciation on paintings, comic books, collectibles and modern prints usually made them very attractive long-term investments.

William Goetzmann when he was at the Columbia Business School constructed an art index and concluded that painting price movements and stock market fluctuations are correlated.

I conclude that with art, as well as stocks, past performance is no guarantee of future returns but the gains should be taxed the same.

In 1990, the editor of Art and Auction asked the question: "Is there an 'efficient' art market?" A well-known art dealer answered "Definitely not. That's one of the things that makes the market so interesting." For everyone who has been watching world financial markets lately, the art market may be a welcome distraction.

Why do people invest in art and collectibles? Art and collectibles are something you can appreciate even if the investment doesn't appreciate. Art is less volatile. If buoyant and not so

buoyant bond prices drive you berserk and spiraling stock prices scare you, art may be the appropriate investment. Because art and collectibles are investments, the long-term capital gains tax treatment should be the same as for stocks and bonds. This bill would accomplish that.

Artists will benefit. Gallery owners will benefit. Collectors will benefit. And museums benefit from collectors. About 90 percent of what winds up in museums like the New York's Metropolitan Museum of Art comes from collectors.

Collecting isn't just for the hoyty toity. It seems that everyone collects something. Some collections are better investments than others. Some collections are just bizarre. The internet makes collecting big business.

The flea market fanatics are also avid collectors. In fact, people collect the darndest things. Books, duck decoys, chia pets, snowglobes, thimbles, handcuffs, spectacles, baseball cards, and guns.

For most of these collections, capital gains isn't really an issue, but you never know. You may find that your collecting passion has created a tax predicament, to phrase it politely. Art and collectibles are tangible assets. When you sell them, capital gains tax is due on any appreciation over your purchase price.

The bill provides capital gains tax parity because it lowers the top capital gains rate from 28 percent to 20 percent, 18 percent if the asset has been held for five or more years.

Internal inconsistency #2 deals with the charitable deduction for artists donating their work to a museum or other charitable cause. When someone is asked to make a charitable contribution to a museum or to a fund raising auction it shouldn't matter whether you are an artist or not. Under current law, however, it makes a big difference. As the law stands now, an artist/creator can only take a deduction equal to the cost of the art supplies. The bill I am introducing will allow a fair market deduction for the artist.

It's important to note that this bill includes certain safeguards to keep the artist from "painting himself a tax deduction." This bill applies to literary, musical, artistic, and scholarly compositions if the work was created at least 18 months before the donation was made, has been appraised, and is related to the purpose or function of the charitable organization receiving the donation. As with other charitable contributions, it is limited to 50 percent of adjusted gross income, AGI. If it is also a capital gain, there is a 30 percent of AGI limit. I believe these safeguards bring fairness back into the code and protect the Treasury against my potential abuse.

When I introduced this legislation in the last Congress, the Committee on Joint Tax estimated that revenue for the capital gains provision was \$2.3 billion over ten years and for the chari-

table deduction was approximately \$48 million over ten years.

I hope my colleagues will help me put the internally consistent into the Internal Revenue Code for art's sake.

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. 242

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 "Art and Collectibles Capital Gains Tax Treatment Parity Act".

SEC. 2. CAPITAL GAINS TREATMENT FOR ART AND COLLECTIBLES.

(a) IN GENERAL.—Section 1(h) of the Internal Revenue Code of 1986 (relating to maximum capital gains rate) is amended by striking paragraphs (5) and (6) and inserting the following new paragraph:

"(5) 28-PERCENT RATE GAIN.—For purposes of this subsection, the term '28-percent rate gain' means the excess (if any) of—

"(A) section 1202 gain, over

"(B) the sum of—

"(i) the net short-term capital loss, and

"(ii) the amount of long-term capital loss carried under section 1212(b)(1)(B) to the taxable year."

(b) CONFORMING AMENDMENTS.—

(1) Section 1(h)(9) of the Internal Revenue Code of 1986 is amended by striking "collectibles gain, gain described in paragraph (7)(A)(i)," and inserting "gain described in paragraph (7)(A)(i)".

(2) Section 1(h) of such Code is amended by redesignating paragraph (12) as paragraph (6).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2002.

SEC. 3. CHARITABLE CONTRIBUTIONS OF CERTAIN ITEMS CREATED BY THE TAXPAYER.

(a) IN GENERAL.—Subsection (e) of section 170 of the Internal Revenue Code of 1986 (relating to certain contributions of ordinary income and capital gain property) is amended by adding at the end the following new paragraph:

"(7) SPECIAL RULE FOR CERTAIN CONTRIBUTIONS OF LITERARY, MUSICAL, ARTISTIC, OR SCHOLARLY COMPOSITIONS.—

"(A) IN GENERAL.—In the case of a qualified artistic charitable contribution—

"(i) the amount of such contribution taken into account under this section shall be the fair market value of the property contributed (determined at the time of such contribution), and

"(ii) no reduction in the amount of such contribution shall be made under paragraph (1).

"(B) QUALIFIED ARTISTIC CHARITABLE CONTRIBUTION.—For purposes of this paragraph, the term 'qualified artistic charitable contribution' means a charitable contribution of any literary, musical, artistic, or scholarly composition, or similar property, or the copyright thereon (or both), but only if—

"(i) such property was created by the personal efforts of the taxpayer making such contribution no less than 18 months prior to such contribution,

"(ii) the taxpayer—

"(I) has received a qualified appraisal of the fair market value of such property in accordance with the regulations under this section, and

“(II) attaches to the taxpayer’s income tax return for the taxable year in which such contribution was made a copy of such appraisal.

“(iii) the donee is an organization described in subsection (b)(1)(A).

“(iv) the use of such property by the donee is related to the purpose or function constituting the basis for the donee’s exemption under section 501 (or, in the case of a governmental unit, to any purpose or function described under section 501(c)).

“(v) the taxpayer receives from the donee a written statement representing that the donee’s use of the property will be in accordance with the provisions of clause (iv), and

“(vi) the written appraisal referred to in clause (ii) includes evidence of the extent (if any) to which property created by the personal efforts of the taxpayer and of the same type as the donated property is or has been—

“(I) owned, maintained, and displayed by organizations described in subsection (b)(1)(A), and

“(II) sold to or exchanged by persons other than the taxpayer, donee, or any related person (as defined in section 465(b)(3)(C)).

“(C) MAXIMUM DOLLAR LIMITATION; NO CARRYOVER OF INCREASED DEDUCTION.—The increase in the deduction under this section by reason of this paragraph for any taxable year—

“(i) shall not exceed the artistic adjusted gross income of the taxpayer for such taxable year, and

“(ii) shall not be taken into account in determining the amount which may be carried from such taxable year under subsection (d).

“(D) ARTISTIC ADJUSTED GROSS INCOME.—For purposes of this paragraph, the term ‘artistic adjusted gross income’ means that portion of the adjusted gross income of the taxpayer for the taxable year attributable to—

“(i) income from the sale or use of property created by the personal efforts of the taxpayer which is of the same type as the donated property, and

“(ii) income from teaching, lecturing, performing, or similar activity with respect to property described in clause (i).

“(E) PARAGRAPH NOT TO APPLY TO CERTAIN CONTRIBUTIONS.—Subparagraph (A) shall not apply to any charitable contribution of any letter, memorandum, or similar property which was written, prepared, or produced by or for an individual while the individual is an officer or employee of any person (including any government agency or instrumentality) unless such letter, memorandum, or similar property is entirely personal.

“(F) COPYRIGHT TREATED AS SEPARATE PROPERTY FOR PARTIAL INTEREST RULE.—In the case of a qualified artistic charitable contribution, the tangible literary, musical, artistic, or scholarly composition, or similar property and the copyright on such work shall be treated as separate properties for purposes of this paragraph and subsection (f)(3).”

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to contributions made after the date of the enactment of this Act in taxable years ending after such date.

By Mr. DOMENICI (for himself and Mr. BINGAMAN):

S. 246. A bill to provide that certain Bureau of Land Management land shall be held in trust for the Pueblo of Santa Clara and the Pueblo of San Ildefonso in the State of New Mexico; to the Committee on Energy and Natural Resources.

Mr. DOMENICI. Mr. President, I am pleased to be joined by Senator BINGA-

MAN in introducing legislation that declares the United States holds certain public domain lands in trust for the Pueblos of San Ildefonso and Santa Clara in New Mexico. This body, in the 107th Congress, passed this legislation by unanimous consent. The House did not act on it’s companion and so we are here today to reintroduce the legislation.

In 1988 the Bureau of Land Management, BLM, pursuant to the Federal Lands Policy and Management Act, declared approximately 4,484 acres located in the eastern foothills of the Jemez Mountains in north central New Mexico, including portions of Garcia and Chupadero Canyons, to be “disposal property.” The Garcia Canyon surplus lands qualify for disposal partially because the tract is an isolated tract of land almost inaccessible to the general public. It is bordered on three sides by the reservations of Santa Clara Pueblo and the Pueblo of San Ildefonso, and by U.S. Forest Service land on the remaining side. The only road access consists of unimproved roads through the two Pueblo’s reservations. These factors have resulted in minimal or no public usage of the Garcia Canyon surplus lands in recent decades.

I understand that currently there are no resource permits, leases, patents or claims affecting these lands; nor is it likely that any significant minerals exist with the Garcia Canyon transfer lands. The Garcia Canyon transfer lands contain a limited amount of lesser quality forage for livestock and have not been actively grazed for over a decade. However, the Garcia Canyon surplus lands constitute an important part of the ancestral homelands of the Pueblos of Santa Clara and San Ildefonso.

Santa Clara and San Ildefonso are two of the Tewa-speaking federally-recognized Indian Pueblos of New Mexico. Both Pueblos have occupied and controlled the areas where they are presently located many centuries before the arrival of the first Europeans in the area in the late 16th century. Their homelands are defined by geographical landmarks, cultural sites, and other distinct places whose traditional Tewa names and locations have been known and passed down in each Pueblo through the generations. Based upon these boundaries, about 2,000 acres of the Garcia Canyon surplus lands is within the aboriginal domain of the Pueblo of San Ildefonso. The remaining approximately 2,484 acres are in Santa Clara’s aboriginal lands.

The Bureau of Land Management currently seeks to dispose of the Garcia Canyon surplus lands and the Pueblos of Santa Clara and San Ildefonso seek to obtain these lands. In addition, the BLM and Interior Department for years have supported the transfer of the land to the two Pueblos, provided the Pueblos agree upon a division of the Garcia Canyon surplus lands. In response, the two Pueblos signed a for-

mal agreement affirming the boundary between the respective parcels on December 20, 2000.

The Pueblos of Santa Clara and San Ildefonso have worked diligently in arriving at this agreement. They have also worked collaboratively in seeking community support and garnering supporting resolutions from Los Alamos, Rio Arriba and Santa Fe Counties, the National Congress of American Indians and supporting letters from the National Audubon Society’s New Mexico State Office, the Quivira Coalition and the Santa Fe Group of the Sierra Club.

This unique situation presents a win-win opportunity to support more efficient management of public resources while restoring to tribal control isolated tracts of federal disposal property. Upon transfer, the Pueblos of Santa Clara and San Ildefonso intend to maintain these lands in their natural state and use them for sustainable traditional purposes including cultural resource gathering, hunting and possible livestock grazing. Where appropriate, both tribes are interested in performing work to restore and improve ecosystem health, particularly to support habitat for culturally significant animal and plant species. Both Pueblos have experience Natural Resource Management and Environmental Protection programs and are capable of managing these lands for both ecologic health and community benefits.

We want to secure Congressional authorization to transfer control of these lands to the two Pueblos, with legal title being held in trust by the Secretary of the Interior for each of the Pueblos for their respective portions of the property. I urge my colleagues to support this legislation as they did last term. I ask unanimous consent that the text of the bill be printed in the RECORD.

S. 246

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

SECTION 1. DEFINITIONS.

In this Act:

(1) AGREEMENT.—The term “Agreement” means the agreement entitled “Agreement to Affirm Boundary Between Pueblo of Santa Clara and Pueblo of San Ildefonso Aboriginal Lands Within Garcia Canyon Tract”, entered into by the Governors on December 20, 2000.

(2) BOUNDARY LINE.—The term “boundary line” means the boundary line established under section 4(a).

(3) GOVERNORS.—The term “Governors” means—

(A) the Governor of the Pueblo of Santa Clara, New Mexico; and

(B) the Governor of the Pueblo of San Ildefonso, New Mexico.

(4) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(5) PUEBLOS.—The term “Pueblos” means—

(A) the Pueblo of Santa Clara, New Mexico; and

(B) the Pueblo of San Ildefonso, New Mexico.

(6) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(7) TRUST LAND.—The term “trust land” means the land held by the United States in trust under section 2(a) or 3(a).

SEC. 2. TRUST FOR THE PUEBLO OF SANTA CLARA, NEW MEXICO.

(a) IN GENERAL.—All right, title, and interest of the United States in and to the land described in subsection (b), including improvements on, appurtenances to, and mineral rights (including rights to oil and gas) to the land, shall be held by the United States in trust for the Pueblo of Santa Clara, New Mexico.

(b) DESCRIPTION OF LAND.—The land referred to in subsection (a) consists of approximately 2,484 acres of Bureau of Land Management land located in Rio Arriba County, New Mexico, and more particularly described as—

(1) the portion of T. 20 N., R. 7 E., Sec. 22, New Mexico Principal Meridian, that is located north of the boundary line;

(2) the southern half of T. 20 N., R. 7 E., Sec. 23, New Mexico Principal Meridian;

(3) the southern half of T. 20 N., R. 7 E., Sec. 24, New Mexico Principal Meridian;

(4) T. 20 N., R. 7 E., Sec. 25, excluding the 5-acre tract in the southeast quarter owned by the Pueblo of San Ildefonso;

(5) the portion of T. 20 N., R. 7 E., Sec. 26, New Mexico Principal Meridian, that is located north and east of the boundary line;

(6) the portion of T. 20 N., R. 7 E., Sec. 27, New Mexico Principal Meridian, that is located north of the boundary line;

(7) the portion of T. 20 N., R. 8 E., Sec. 19, New Mexico Principal Meridian, that is not included in the Santa Clara Pueblo Grant or the Santa Clara Indian Reservation; and

(8) the portion of T. 20 N., R. 8 E., Sec. 30, that is not included in the Santa Clara Pueblo Grant or the San Ildefonso Grant.

SEC. 3. TRUST FOR THE PUEBLO OF SAN ILDEFONSO, NEW MEXICO.

(a) IN GENERAL.—All right, title, and interest of the United States in and to the land described in subsection (b), including improvements on, appurtenances to, and mineral rights (including rights to oil and gas) to the land, shall be held by the United States in trust for the Pueblo of San Ildefonso, New Mexico.

(b) DESCRIPTION OF LAND.—The land referred to in subsection (a) consists of approximately 2,000 acres of Bureau of Land Management land located in Rio Arriba County and Santa Fe County in the State of New Mexico, and more particularly described as—

(1) the portion of T. 20 N., R. 7 E., Sec. 22, New Mexico Principal Meridian, that is located south of the boundary line;

(2) the portion of T. 20 N., R. 7 E., Sec. 26, New Mexico Principal Meridian, that is located south and west of the boundary line;

(3) the portion of T. 20 N., R. 7 E., Sec. 27, New Mexico Principal Meridian, that is located south of the boundary line;

(4) T. 20 N., R. 7 E., Sec. 34, New Mexico Principal Meridian; and

(5) the portion of T. 20 N., R. 7 E., Sec. 35, New Mexico Principal Meridian, that is not included in the San Ildefonso Pueblo Grant.

SEC. 4. SURVEY AND LEGAL DESCRIPTIONS.

(a) SURVEY.—Not later than 180 days after the date of enactment of this Act, the Office of Cadastral Survey of the Bureau of Land Management shall, in accordance with the Agreement, complete a survey of the boundary line established under the Agreement for the purpose of establishing, in accordance with sections 2(b) and 3(b), the boundaries of the trust land.

(b) LEGAL DESCRIPTIONS.—

(1) PUBLICATION.—On approval by the Governors of the survey completed under subsection (a), the Secretary shall publish in the Federal Register—

(A) a legal description of the boundary line; and

(B) legal descriptions of the trust land.

(2) TECHNICAL CORRECTIONS.—Before the date on which the legal descriptions are published under paragraph (1)(B), the Secretary may correct any technical errors in the descriptions of the trust land provided in sections 2(b) and 3(b) to ensure that the descriptions are consistent with the terms of the Agreement.

(3) EFFECT.—Beginning on the date on which the legal descriptions are published under paragraph (1)(B), the legal descriptions shall be the official legal descriptions of the trust land.

SEC. 5. ADMINISTRATION OF TRUST LAND.

(a) IN GENERAL.—Beginning on the date of enactment of this Act—

(1) the land held in trust under section 2(a) shall be declared to be a part of the Santa Clara Indian Reservation; and

(2) the land held in trust under section 3(a) shall be declared to be a part of the San Ildefonso Indian Reservation.

(b) APPLICABLE LAW.—

(1) IN GENERAL.—The trust land shall be administered in accordance with any law (including regulations) or court order generally applicable to property held in trust by the United States for Indian tribes.

(2) PUEBLO LANDS ACT.—The following shall be subject to section 17 of the Act of June 7, 1924 (commonly known as the “Pueblo Lands Act”) (25 U.S.C. 331 note):

(A) The trust land.

(B) Any land owned as of the date of enactment of this Act or acquired after the date of enactment of this Act by the Pueblo of Santa Clara in the Santa Clara Pueblo Grant.

(C) Any land owned as of the date of enactment of this Act or acquired after the date of enactment of this Act by the Pueblo of San Ildefonso in the San Ildefonso Pueblo Grant.

(c) USE OF TRUST LAND.—

(1) IN GENERAL.—Subject to the criteria developed under paragraph (2), the trust land may be used only for—

(A) traditional and customary uses; or

(B) stewardship conservation for the benefit of the Pueblo for which the trust land is held in trust.

(2) CRITERIA.—The Secretary shall work with the Pueblos to develop appropriate criteria for using the trust land in a manner that preserves the trust land for traditional and customary uses or stewardship conservation.

(3) LIMITATION.—Beginning on the date of enactment of this Act, the trust land shall not be used for any new commercial developments.

SEC. 6. EFFECT.

Nothing in this Act—

(1) affects any valid right-of-way, lease, permit, mining claim, grazing permit, water right, or other right or interest of a person or entity (other than the United States) that is—

(A) in or to the trust land; and

(B) in existence before the date of enactment of this Act;

(2) enlarges, impairs, or otherwise affects a right or claim of the Pueblos to any land or interest in land that is—

(A) based on Aboriginal or Indian title; and

(B) in existence before the date of enactment of this Act;

(3) constitutes an express or implied reservation of water or water right with respect to the trust land; or

(4) affects any water right of the Pueblos in existence before the date of enactment of this Act.

S. 247. A bill to reauthorize the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Ms. SNOWE. Mr. President, I rise today to introduce the Harmful Algal Bloom and Hypoxia Amendments Act of 2003. This bill continues and builds upon the research efforts established in 1998 by the Harmful Algal Bloom and Hypoxia Research and Control Act.

I am very pleased to continue working with my friend and co-sponsor Senator BREAUX on this important issue. He and I represent coastal States that are directly affected by harmful algal bloom outbreaks and hypoxia, and we see the ecological and economic damage, as well as the risks to human health, that are caused by these events.

In Maine, for example, harmful algal blooms lead to paralytic shellfish poisoning, a potentially fatal neurological disorder. When humans eat shellfish that have fed on algae in the genus Alexandrium, they are exposed to the toxins that have accumulated in the fish as a result of the algae. Along with human, fish and marine mammals suffer and die from this exposure. This phenomenon, which occurs along thousands of miles of U.S. coastline, has increased dramatically in the Gulf of Maine in the last 20 years.

Although we have learned a great deal about harmful algal blooms and hypoxia in recent years, we still have a long way to go in understanding, predicting, and mitigating these events. Massive fish kills still occur along our coastlines on almost a regular basis, leading to extensive impacts on fish and shellfish populations and fishing industries. Beach-goers and anglers are still being warned of “no swimming” and “no fishing” alerts when conditions pose a threat to human health. The Woods Hole Oceanographic Institution, in a 2000 study, estimated the annual economic impact from harmful algae to be \$49 million, in lost tourism, fishing, and health costs. According to the National Oceanic and Atmospheric Administration, in the U.S. approximately \$1 billion could be lost in the next decade due to harmful algae.

Harmful algal blooms and hypoxia present enormous challenges to marine resource managers. For example, consider what happens in the Gulf of Mexico. Thirty-one States drain into the Mississippi River, and the runoff from this massive watershed is carried into the gulf. When the waters heat up in the summer, the heavy loads of nutrients in this runoff likely contribute to massive algal blooms. When these algae die and decompose they are consumed by bacteria, which depletes oxygen from the water. If the algal blooms are extensive enough, they will essentially remove all oxygen from the water. No sea life can live under these conditions, which creates a massive area in the water column known as the

By Ms. SNOWE (for herself and Mr. BREAUX):

“dead zone.” At that point, all we can really do is wait it out. Clearly, we need to equip our coastal and ocean managers with better tools for predicting, minimizing, and mitigating these outbreaks.

Harmful algal blooms and hypoxia are just as much of a problem now as they were in 1998, when we passed the original bill. It is clear that these problems have not gone away. Algal blooms are still prevalent around the country, the dead zone still occurs each summer in the Gulf of Mexico, and the management and mitigation measures we set the framework for in our 1998 bill still need to be realized.

Our 1998 bill authorized a cross-section of research and monitoring activities on harmful algal blooms and hypoxia. These activities were to encompass basic and applied sciences, looking at the distribution and frequency of outbreaks, as well as how they may be better mitigated and managed. This research, however, was never fully funded at the authorized amounts for research and monitoring, so many of these research activities still need to occur, and many on-going projects need to continue. These amendments would authorize the funding that will reignite these scientific activities.

Our 1998 bill also codified an Interagency Task Force, chaired by the Department of Commerce. Through this group, experts from the Environmental Protection Agency, the Department of Agriculture, the Department of the Interior, the Department of Health and Human Services, and numerous other appropriate Federal agencies were able to start the long process of collectively understanding and seeking solutions to many aspects of harmful algal blooms and hypoxia. This Task Force spearheaded a technical assessment of the causes and consequences of the northern Gulf of Mexico dead zone, an action plan to eliminate this dead zone, a national assessment of harmful algal blooms, and a national assessment of hypoxia. I would like to express my appreciation for the hard work and accomplishments of this group, yet I realize—as do they—that much more needs to be done.

The 1998 bill allowed the President to disestablish the Task Force after submission of their reports. Considering the great challenges that lay before us and this Task Force, we need to keep this group intact so that they can follow through on their previous recommendations and continue much of their ongoing collaborative efforts. This bill would repeal the Task Force disestablishment clause in the 1998 bill.

This reauthorization continues to seek the valuable contributions of Task Force members on a response and prediction action plan to protect environmental and public health from impacts of harmful algal blooms. This plan would review prediction techniques, develop innovative response measures, and include incentive-based partnership approaches. The Task

Force would contribute to this plan, as would coastal zone management experts from State and local governments, Indian tribes, industries, universities, and non-governmental organizations. In developing this process, we mirrored the process used for the dead zone action plan, one of the products of the Task Force from the 1998 bill, to ensure widespread public participation and involvement of the coastal governors.

The dead zone action plan recommended a national framework for reducing nutrients entering the Mississippi River as well as regional plans to implement any needed measures. While a national framework is essential for facilitating the widespread changes that are needed, it is at the local and regional level that solutions must be developed and implemented. The regional plans will help avoid a one-size-fits-all approach, since local and regional variations in the types of land use, landscape geology, and community input should be taken into account when carrying out nutrient reduction and outbreak mitigation measures of this magnitude. By tailoring mitigation and management measures to each location, the overall approach can be more effective.

Local and regional assessments are a key component of this reauthorization as well. Coastal states, Indian tribes, and local governments would be able to request these local and regional assessments of hypoxia and harmful algal blooms, so they can better understand the causes, impacts, and mitigation alternatives for these outbreaks. By having the Commerce Department and the Task Force provide and assist in these assessments, local and regional communities can be more empowered to take action on reducing the magnitude and impacts of these outbreaks.

This bill would authorize \$26 million in FY04, and \$26.5 million in FY05, and \$27 million in FY06. These funding levels reflect modest increases in some of the research and monitoring programs authorized in the 1998 bill and provide funding for the new assessments and implementation of their recommendations.

This reauthorization enables collaborative, science-based research efforts that can help us to better understand how to predict and mitigate harmful algal blooms and hypoxia events. It facilitates action at the local and regional levels, which is a key element for effectively addressing and minimizing the adverse ecological, economic, and health impacts of these outbreaks. I wish to thank Senator BREAUX for his continued vigilance and important contributions on this matter, and I encourage my colleagues to support this bill.

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. 247

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 “Harmful Algal Bloom and Hypoxia Amendments Act of 2003”.

SEC. 2. RETENTION OF TASK FORCE.

Section 603 of the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998 (16 U.S.C. 1451 nt) is amended by striking subsection (e).

SEC. 3. PREDICTION AND RESPONSE PLAN.

Section 603 of such Act, as amended by section 2, is further amended by adding at the end the following:

“(e) PREDICTION AND RESPONSE PLAN.—

“(1) DEVELOPMENT OF PLAN.—Not later than 12 months after the date of enactment of the Harmful Algal Bloom and Hypoxia Amendments Act of 2003, the President, in conjunction with the chief executive officers of the States, shall develop and submit to the Congress a plan to protect environmental and public health from impacts of harmful algal blooms. In developing the plan, the President shall consult with the Task Force, the coastal States, Indian tribes, local governments, industry, academic institutions, and non-governmental organizations with expertise in coastal zone management.

“(2) PLAN REQUIREMENTS.—The plan shall—

“(A) review techniques for prediction of the onset, course, and impacts of harmful algal blooms including evaluation of their accuracy and utility in protecting environmental and public health and provisions for implementation;

“(B) identify innovative response measures for the prevention, control, and mitigation of harmful algal blooms and provisions for their development and implementation; and

“(C) include incentive-based partnership approaches where practicable.

“(3) PUBLICATION AND OPPORTUNITY FOR COMMENT.—At least 90 days before submitting the plan to the Congress, the President shall cause a summary of the proposed plan to be published in the Federal Register for a public comment period of not less than 60 days.

“(4) FEDERAL ASSISTANCE.—The Secretary of Commerce, in coordination with the Task Force and to the extent of funds available, shall provide for Federal cooperation with and assistance to the coastal States, Indian tribes, and local governments in implementing measures in paragraph (2), as requested.”.

SEC. 4. LOCAL AND REGIONAL ASSESSMENTS.

Section 603 of such Act, as amended by section 3, is further amended by adding at the end the following:

“(f) LOCAL AND REGIONAL ASSESSMENTS.—

“(1) IN GENERAL.—The Secretary of Commerce, in coordination with the Task Force and to the extent of funds available, shall provide for local and regional assessments of hypoxia and harmful algal blooms, as requested by coastal States, Indian tribes, and local governments.

“(2) PURPOSE.—Local and regional assessments may examine—

“(A) the causes of hypoxia or harmful algal blooms in that area;

“(B) the ecological and economic impacts of hypoxia or harmful algal blooms;

“(C) alternatives to reduce, mitigate, and control hypoxia and harmful algal blooms; and

“(D) the social and economic benefits of such alternatives.”.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

Section 605 of such Act is amended—

(1) by striking “and” after “2000,” in the first sentence and in the paragraphs (1), (2), (3), and (5);

(2) by inserting “\$26,000,000 for fiscal year 2004, \$26,500,000 for fiscal year 2005, and \$27,000,000 for fiscal year 2007” after “2001,” in the first sentence;

(3) by inserting “and \$2,500,000 for each of fiscal years 2004, 2005, and 2006” after “2001” in paragraph (1);

(4) by inserting “and \$5,500,000 for each of fiscal years 2004, 2005, and 2006” after “2001” in paragraph (2);

(5) by striking “2001” in paragraph (3) and inserting “2001, \$2,000,000 for fiscal year 2004, \$3,000,000 for fiscal year 2005, and \$3,000,000 for fiscal year 2006”;

(6) by striking “blooms;” in paragraph (3) and inserting “blooms and to implement section 603(e);”

(7) by striking “2001” in paragraph (4) and inserting “2001, and \$6,000,000 for each of fiscal years 2004, 2005, and 2006;”

(8) by striking “and” after the semicolon in paragraph (4);

(9) by striking “2001” in paragraph (5) and inserting “2001, \$5,000,000 for fiscal year 2004, \$5,500,000 for fiscal year 2005, and \$6,600,000 for fiscal year 2006”;

(10) by striking “Administration.” in paragraph (5) and inserting “Administration; and”;

(11) by adding at the end the following:
“(6) \$3,000,000 for each of fiscal years 2004, 2005, and 2006 to carry out section 603(f).”

Mr. BREAUX. Mr. President, I am pleased to rise today to join Senator SNOWE as an original cosponsor of the Harmful Algal Bloom and Hypoxia Amendments Act of 2003.

The Gulf of Mexico has a serious hypoxia condition. The water flowing out of the Mississippi River Delta is loaded with nutrients, nutrients that help things grow. In the gulf, the nutrients fuel accelerated growth of algae and other plankton-like organisms. As the organisms die and descent through the water, they decompose and rob the water of dissolved oxygen. This lack of oxygen, below a level which can sustain marine life, is hypoxia and creates what we call “the Dead Zone.” In 1998, the “Dead Zone” exceeded 7,000 square miles, equivalent to the combined areas of the States of Rhode Island and Connecticut.

As a Senator from the State that is on the receiving end of this unprecedented problem and as a member of the Senate Commerce Committee, Subcommittee on Oceans and Fisheries, I was very pleased to have worked with Senator SNOWE on legislation that first drew national attention to hypoxia and harmful algal blooms, the Harmful Algal Bloom and Hypoxia Control Act of 1998.

Among important issues, the enacted legislation required an interagency task force to develop an assessment of hypoxia in the northern Gulf of Mexico. It also required the task force to submit to Congress a plan based on the assessment for reducing, mitigating, and controlling hypoxia in the northern Gulf of Mexico.

The Mississippi River/Gulf of Mexico Watershed Nutrient Task Force was given a large job, to come up with a national strategy to reduce the size and growth of the “Dead Zone” in the Gulf

of Mexico off of the coast of Louisiana. They were charged by the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998 to put this strategy in the form of an action plan that could be undertaken by the States and partner agencies at the Federal and State level that make up the task force. They succeeded on both fronts, not only delivering an action plan, but doing so by reaching consensus after a process of strenuous debate and discussion involving many stakeholders and interests. That plan was delivered to Congress in January of 2001 but has yet to be fully funded. Even so, it has been providing some significant benefits to the Mississippi River Basin and the country.

As the action plan states “the work of the Task Force has provided a basin-wide context for the continued pursuit of both incentive-based, voluntary efforts for non-point sources and existing regulatory controls for point sources.”

The task force made it clear in the action plan that efforts to reduce hypoxia in the Gulf involve cleaning up waters upstream and throughout the Mississippi River Basin, and that the benefits, economic, as well as environmental, can be achieved across the entire basin as well. Their work is providing us with a way to unify the Mississippi River Basin in terms of our common interests and resources, primary of which is the Mississippi River, probably the most important piece of infrastructure in the country.

In Louisiana, we value all of the resources of that vast system, not only our productive coastal fisheries which are endangered by hypoxia, but the corn, grain, and other food sources that are shipped out through our port system.

Solving the problem of the “Dead Zone” will require an unprecedented degree of cooperation among many States, agencies, and stakeholders. The task force is continuing to provide us with a forum and a means for expanding that cooperation.

One of the prime research facilities on the hypoxia problem is taking place at the Louisiana University Marine Consortium, LUMON, in Cocodrie, LA. LUMCON has been studying the hypoxia problem in the Gulf of Mexico since 1985 under grants from the National Oceanic and Atmospheric Administration’s Coastal Ocean Program.

The combined efforts of the task force has become even more apparent over the past year, as the “Dead Zone” reached a new record size in the summer of 2002, exceeding 8,000 square miles and extending from the mouth of the Mississippi River well into the coastal waters of Texas.

I believe that the Harmful Algal Bloom and Hypoxia Amendments Act of 2003 that Senator SNOWE and I are introducing today will provide much needed funding and direction to continue the effort to mitigate and eventually eliminate the hypoxic problem in the Gulf of Mexico and harmful algal blooms in our Nation’s waters.

STATEMENTS ON SUBMITTED RESOLUTIONS

SENATE RESOLUTION 27—AUTHORIZING EXPENDITURES BY THE SELECT COMMITTEE ON INTELLIGENCE

Mr. ROBERTS. submitted the following resolution; from the Select Committee on Intelligence; which was referred to the Committee on Rules and Administration:

S. RES. 27

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Select Committee on Intelligence is authorized from March 1, 2003, through September 30, 2003; October 1, 2003, through September 30, 2004; and October 1, 2004 through February 28, 2005 in its discretion (1) to make expenditures from the contingent fund of the Senate (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non-reimbursable basis the services of personnel of any such department or agency.

SEC. 2.(a) The expenses of the committee for the period March 1, 2003 through September 30, 2003 under this resolution shall not exceed \$2,117,309, of which amount not to exceed \$37,917 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended).

(b) For the period October 1, 2003 through September 30, 2004, expenses of the committee under this resolution shall not exceed \$3,726,412, of which amount not to exceed \$65,000 be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended).

(c) For the period October 1, 2004 through February 28, 2005, expenses of the committee under this resolution shall not exceed \$1,588,401, of which amount not to exceed \$27,083 be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended).

SEC. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2005, respectively.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United

States Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee, from March 1, 2003 through September 30, 2003; October 1, 2003 through September 30, 2004; and October 1, 2004 through February 28, 2005, to be paid from the Appropriations account for "Expenses of Inquiries and Investigations."

SENATE RESOLUTION 28—EX-PRESSING THE SENSE OF THE SENATE THAT THE UNITED NATIONS WEAPONS INSPECTORS SHOULD BE GIVEN SUFFICIENT TIME FOR A THOROUGH ASSESSMENT OF THE LEVEL OF COMPLIANCE BY THE GOVERNMENT OF IRAQ WITH UNITED NATIONS SECURITY COUNCIL RESOLUTION 1441 (2002) AND THAT THE UNITED STATES SHOULD SEEK A UNITED NATIONS SECURITY COUNCIL RESOLUTION SPECIFICALLY AUTHORIZING THE USE OF FORCE BEFORE INITIATING ANY OFFENSIVE MILITARY OPERATIONS AGAINST IRAQ

Mr. BYRD (for himself, Mr. KENNEDY, Mr. BINGAMAN, Mrs. FEINSTEIN, Mr. INOUE, Mr. SARBANES, and Mrs. BOXER) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 28

Whereas on November 8, 2002, the United Nations Security Council adopted Resolution 1441, stating that Iraq is in "material breach" of its obligations under previous United Nations resolutions, and giving Iraq "a final opportunity to comply with its disarmament obligations" and to accept "an enhanced inspection regime";

Whereas Iraq formally accepted the return of weapons inspectors under the terms of United Nations Security Council Resolution 1441 on November 13, 2002, and according to a joint statement issued January 20, 2003, by the International Atomic Energy Agency (IAEA), the United Nations Monitoring and Verification Commission (UNMOVIC), and Iraq, the Government of Iraq has provided the weapons inspectors with access to all sites;

Whereas on December 7, 2002, Iraq provided a 12,000-page declaration of past chemical, biological, and nuclear programs to the Security Council, which declaration, after preliminary review, was described by Mohamed ElBaradei, the Director General of the IAEA, as incomplete and inconclusive, but which produced no "smoking gun";

Whereas, according to the joint statement made by UNMOVIC, IAEA, and Iraq on January 20, 2003, Iraq pledged to offer United Nations inspectors more help in their search for evidence of weapons of mass destruction and expressed a readiness to respond to questions raised in connection with the December 7, 2002 declaration;

Whereas Hans Blix, Executive Chairman of UNMOVIC, reported to the United Nations Security Council on January 27, 2003, that Iraq has been cooperating with the weapons inspectors on process but has failed to demonstrate active cooperation on matters of substance;

Whereas Dr. Blix earlier characterized the January 27, 2003, report to the Security

Council as an interim update intended to mark "the beginning of the inspection and monitoring process, not the end of it";

Whereas IAEA Director General ElBaradei reported to the Security Council on January 27, 2003, that his agency has found no evidence that Iraq has revived its nuclear weapons program;

Whereas Dr. ElBaradei urged the Security Council on January 27, 2003, to allow the inspection process to "run its natural course" over the next few months;

Whereas the United Nations weapons inspectors have failed to obtain evidence that would prove that Iraq is in material breach of the terms of the United Nations Security Council Resolution 1441 (2002);

Whereas European and Arab officials are reportedly trying to persuade Saddam Hussein to leave Iraq voluntarily, and senior officials in the executive branch of the United States Government have said that they would welcome exile for Hussein;

Whereas the emergence of a nuclear crisis in North Korea, and the contradictory responses by the United States to the situations in North Korea and Iraq, have cast doubts on the consistency and propriety of the United States doctrine of preemption, especially in the international community;

Whereas war with Iraq to enforce United Nations Security Council Resolution 1441 (2002) should not be a unilateral decision as it is likely to have international ramifications on the worldwide supply of oil, including the possibility of widespread economic destabilization if Middle East oil supplies are interrupted;

Whereas key members of the United Nations Security Council, including Great Britain, Germany, the Russian Federation, France, and China, have expressed their belief that the weapons inspectors need more time to continue their work and have urged the United States not to rush to a decision to invade Iraq without seeking the support of the Security Council;

Whereas United Nations Security Council Resolution 1441 (2002) does not authorize the use of force but instead stipulates that the Security Council will convene immediately to consider any failure on the part of Iraq to comply with the Resolution;

Whereas the President, in his September 12, 2002, address to the United Nations regarding Iraq's failure to comply with previous United Nations Security Council resolutions, pledged to work with the Security Council for the "necessary resolutions" and has stated repeatedly since that time that he has made no decision on whether to invade Iraq;

Whereas no evidence has been presented to the Senate or the American people to link Iraq with the September 11, 2001, terrorist attacks on the United States;

Whereas there is growing concern that war with Iraq would greatly heighten the threat of terrorist attacks on United States citizens at home, including the possibility of chemical, biological, or nuclear weapon attacks;

Whereas the terrible cost of war—in lives lost in Iraq and potentially the United States, Israel, and other nations in the Middle East and elsewhere, and in the massive drain on America's treasure—is a cost that the United States and its allies should strive to avoid if at all possible; and

Whereas a United States-initiated war with Iraq is likely to inflame passions in the Middle East and could precipitate further conflict between the Israelis and Palestinians as well as a surge in regional terrorism: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the United Nations weapons inspectors should be given sufficient time to carry out

the inspections, and collect the data, that are necessary for a thorough assessment of the level of compliance by the Government of Iraq with United Nations Security Council Resolution 1441 (2002);

(2) the United States and other member nations of the United Nations Security Council should work together to exhaust all peaceful and diplomatic means for disarming Iraq before launching an invasion of Iraq;

(3) international emissaries, including European and Arab leaders, should be given adequate time to pursue strategies to persuade Saddam Hussein to leave Iraq voluntarily and avert war;

(4) before initiating any offensive military operation in Iraq to enforce United Nations Security Council Resolution 1441 (2002), the United States should seek a specific authorization for the use of force from the United Nations Security Council;

(5) the United States should re-engage in the Middle East peace process in an effort to end the violence between the State of Israel and the Palestinians; and

(6) the United States should redouble its efforts to secure the United States homeland in light of the growing number of intelligence assessments highlighting the vulnerability of the United States for further terrorist attacks.

SENATE RESOLUTION 29—DEMANDING THE RETURN OF THE USS PUEBLO TO THE UNITED STATES NAVY

Mr. CAMPBELL submitted the following resolution; which was referred to the Committee on Foreign Relations:

Whereas the USS *Pueblo*, which was attacked and captured by the North Korean Navy on January 23, 1968, was the first United States Navy ship to be hijacked on the high seas by a foreign military force in over 150 years;

Whereas 1 member of the USS *Pueblo* crew, Duane Hodges, was killed in the assault while the other 82 crew members were held in captivity, often under inhumane conditions, for 11 months;

Whereas the USS *Pueblo*, an intelligence collection auxiliary vessel, was operating in international waters at the time of the capture, and therefore did not violate North Korean territorial waters;

Whereas the capture of the USS *Pueblo* resulted in no reprisals against the Government or people of North Korea and no military action at any time; and

Whereas the USS *Pueblo*, though still the property of the United States Navy, has been retained by North Korea for more than 30 years, was subjected to exhibition in the North Korean cities of Wonsan and Hungnam, and is now on display in Pyongyang, the capital city of North Korea: Now, therefore, be it

Resolved, That the Senate—

(1) demands the return of the USS *Pueblo* to the United States Navy; and

(2) directs the Secretary of the Senate to transmit copies of this resolution to the President, the Secretary of Defense, and the Secretary of State.

Mr. CAMPBELL. Mr. President, I am pleased to submit a Senate Resolution calling on North Korea to return the USS *Pueblo* to the United States Navy. The legislation I am reintroducing today is based on a resolution I introduced last year during the 107th Congress, Senate Resolution 246.

On January 23, 1968, the USS *Pueblo* was unjustly attacked and captured by

the North Korean Navy, becoming the first United States Navy ship to be hijacked on the high seas by a foreign military force in over 150 years. At the time of its capture, the USS *Pueblo* was operating as an intelligence collection auxiliary vessel, and did not pose a threat.

This act of aggression resulted in the USS *Pueblo*'s 82 crew members being held in captivity for eleven months, often in inhumane conditions. Another brave crew member, Duane Hodges, was killed during the initial attack and several more crew members were wounded. On December 23, 1968, after nearly a year of being unjustly detained the surviving USS *Pueblo* crew members were finally released and allowed to return home.

It is interesting to note that the USS *Pueblo* I am calling on the North Koreans to return today is in fact the third ship of the fleet to be named in honor of the city and county of Pueblo, located in my home State of Colorado. The first ship of the fleet to be named in honor of Pueblo was an armored cruiser which had previously been named the Colorado. In 1916, the USS *Colorado* was renamed as the USS *Pueblo* when a new battleship named USS *Colorado* was authorized. The first USS *Pueblo* served until 1927. The second USS *Pueblo* was a city class frigate which served from 1944 to 1946. She was later sold to the Dominican Republic where she serves today.

The third USS *Pueblo* is the ship now wrongly held by the North Koreans. Built by the Kewaunee Shipbuilding and Engineering Corporation, Kewaunee, WI, the ship originally served as a general purpose supply vessel FP-344 for service in the U.S. Army Transportation Corps when she was launched on April 16, 1944. During 1966 and 1967 the ship was converted, redesignated as the USS *Pueblo* and commissioned as an environmental research vessel, AGER-2.

It is important to note that even to this day the capture of the USS *Pueblo* has resulted in no reprisal against North Korea, demonstrating remarkable restraint by the United States. Even though the USS *Pueblo* still clearly remains the legal property of the United States Navy, the North Korean Government has kept it on display as a sort of traveling propaganda museum.

Recent events have made it clear that many unresolved issues remain regarding our Nation's relationship with North Korea. For example, North Korea's recent high-profile resumption of nuclear saber-rattling presents a serious resurgent challenge that we, our allies in Northeast Asia and the rest of the world community must take seriously.

While I certainly agree that successfully resolving this situation is first and foremost, I also believe that there are other positive restorative steps that the North Koreans should take in order to help improve our bilateral relationship. One such action would be to

return the USS *Pueblo* to its rightful owners, the United States Navy and the American people they serve and protect.

While returning the USS *Pueblo* may not necessarily remove the 35 year-old scars inflicted by the attack of January 23, 1968, and especially those suffered by the crew of the USS *Pueblo* and by their families and loved ones, it would serve as a good will gesture, a salve if you will, signaling hope for a brighter future between our two nation's peoples.

I stand with my colleagues back home in the Colorado State General Assembly in demanding the return of the USS *Pueblo* to the United States Navy.

I urge my colleagues here in the U.S. Senate to join me in supporting passage of this important resolution.

SENATE RESOLUTION 30—EX-PRESSING THE SENSE OF THE SENATE THAT THE PRESIDENT SHOULD DESIGNATE THE WEEK BEGINNING SEPTEMBER 14, 2003, AS "NATIONAL HISTORICALLY BLACK COLLEGES AND UNIVERSITIES WEEK"

Mr. GRAHAM of South Carolina submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 30

Whereas there are 105 historically black colleges and universities in the United States;

Whereas historically black colleges and universities provide the quality education so essential to full participation in a complex, highly technological society;

Whereas historically black colleges and universities have a rich heritage and have played a prominent role in American history;

Whereas historically black colleges and universities have allowed many underprivileged students to attain their full potential through higher education; and

Whereas the achievements and goals of historically black colleges and universities are deserving of national recognition: Now, therefore, be it

Resolved,

SECTION 1. DESIGNATION OF NATIONAL HISTORICALLY BLACK COLLEGES AND UNIVERSITIES WEEK.

(a) SENSE OF THE SENATE.—It is the sense of the Senate that the President should designate the week beginning September 14, 2003, as "National Historically Black Colleges and Universities Week".

(b) PROCLAMATION.—The Senate requests the President to issue a proclamation—

(1) designating the week beginning September 14, 2003, as "National Historically Black Colleges and Universities Week"; and

(2) calling on the people of the United States and interested groups to observe the week with appropriate ceremonies, activities, and programs to demonstrate support for historically black colleges and universities in the United States.

SENATE RESOLUTION 31—DESIGNATING THE WEEK OF SEPTEMBER 11 THROUGH SEPTEMBER 17, 2003, AS "NATIONAL CIVIC PARTICIPATION WEEK"

Mr. ROBERTS submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 31

Whereas the United States embarks on this new millennium as the world's model of democratic ideals, economic enterprise, and technological innovation and discovery;

Whereas our Nation's preeminence is a tribute to our great 2-century-old experiment in representative government that nurtures those ideals, fosters economic vitality, and encourages innovation and discovery;

Whereas representative government is dependent on the exercise of the privileges and responsibilities of its citizens, and that has been in decline in recent years in both civic and political participation;

Whereas Alexis de Tocqueville, the 19th century French chronicler of our Nation's political behavior, observed that the people of the United States had successfully resisted democratic apathy and mild despotism by using what he called "schools of freedom"—local institutions and associations where citizens learn to listen and trust each other;

Whereas civic and political participation remains the school in which citizens engage in the free, diverse, and positive political dialogue that guides our Nation toward common interests, consensus, and good governance;

Whereas it is in the public interest for our Nation's leaders to foster civic discourse, education, and participation in Federal, State, and local affairs;

Whereas the advent of revolutionary Internet technology offers new mechanisms for empowering our citizens and fostering greater civic engagement than at any time in our peacetime history; and

Whereas the use of new technologies can bring people together in civic forums, educate citizens on their roles and responsibilities, and promote citizen participation in the political process through volunteerism, voting, and the elevation of voices in public discourse: Now, therefore, be it

Resolved,

SECTION 1. DESIGNATION OF NATIONAL CIVIC PARTICIPATION WEEK.

The Senate—

(1) designates the week of September 11 through September 17, 2003, as "National Civic Participation Week";

(2) proclaims National Civic Participation Week as a week of inauguration of programs and activities that will lead to greater participation in elections and the political process; and

(3) requests that the President issue a proclamation calling upon interested organizations and the people of the United States to promote programs and activities that take full advantage of the technological resources available in fostering civic participation through the dissemination of information.

SENATE RESOLUTION 32—EX-PRESSING THE SENSE OF THE SENATE WITH RESPECT TO THE ACTIONS THE PRESIDENT SHOULD TAKE BEFORE ANY USE OF MILITARY FORCE AGAINST IRAQ WITHOUT THE BROAD SUPPORT OF THE INTERNATIONAL COMMUNITY

Mr. KENNEDY (for himself and Mr. BYRD) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 32

Whereas more than three months have passed, and circumstances have significantly changed, since Congress acted in October 2002 to authorize the use of military force against Iraq;

Whereas the United Nations Security Council unanimously approved Security Council Resolution 1441 (2002) requiring Iraq to cooperate with strict weapons inspections and give United Nations weapons inspectors "immediate, unimpeded, unconditional, and unrestricted access" to all suspected sites involving such weapons;

Whereas United Nations weapons inspectors arrived in Iraq on November 18, 2002, submitted their 60-day report to the Security Council about Iraq's cooperation with weapons inspections on January 27, 2003, and will report again on their activities on February 14, 2003;

Whereas the President has not yet made a compelling case to Congress, the American people, or the international community that the use of armed force is the only alternative to disarm Iraq; and

Whereas Congress and the American people are increasingly concerned that the President is prepared to use armed force against Iraq without broad support by the international community, and without making a compelling case that Iraq presents such an imminent threat to the national security of the United States that unilateral action is justified: Now, therefore, be it

Resolved, That it is the sense of the Senate that, before the President uses military force against Iraq without the broad support of the international community, the President should—

(1) provide full support to the United Nations weapons inspectors to facilitate their ongoing disarmament work; and

(2) obtain approval by Congress of new legislation authorizing the President to use all necessary means, including the use of military force, to disarm Iraq.

SENATE RESOLUTION 33—EX-PRESSING THE GRATITUDE OF THE UNITED STATES SENATE FOR THE SERVICE OF ARTHUR J. RYNEARSON, DEPUTY LEGISLATIVE COUNSEL OF THE UNITED STATES SENATE

Mr. STEVENS (for himself, Mr. BYRD, Mr. FRIST, Mr. DASCHLE, Mr. LUGAR, Mr. KENNEDY, Mr. WARNER, Mr. INOUE, Mr. GREGG, Mr. BIDEN, Mr. KYL, Mr. LEAHY, Mr. BROWNBACK, Mr. SARBANES, Mr. ALLEN, Mr. DODD, Mr. KERRY, Mrs. FEINSTEIN, Mr. FEINGOLD, Mr. NELSON of Florida, Mr. CORZINE, and Mr. HAGEL,) submitted the following resolution; which was considered and agreed to:

S. RES. 33

Whereas Arthur J. "Art" Rynearson, the Deputy Legislative Counsel of the Senate,

became an employee of the Senate on August 25, 1976, and since that date has ably and faithfully upheld the high traditions and standards of the Office of the Legislative Counsel of the United States Senate for more than 26 years;

Whereas Art Rynearson has served as Deputy Legislative Counsel since October 20, 1999, and demonstrated great dedication, professionalism, and integrity in faithfully discharging the duties and responsibilities of his position;

Whereas Art Rynearson for more than 26 years was the primary drafter in the Senate of virtually all legislation relating to international relations, international security, immigration, and the State Department, and all matters relating to Senate consideration of international treaties;

Whereas Art Rynearson will retire on January 31, 2003, after more than 28 years of service with the Congress, including more than 2 years with the Congressional Research Service of the Library of Congress; and

Whereas Art Rynearson has met the legislative drafting needs of the United States with unfailing professionalism, skill, and dedication: Now, therefore, be it

Resolved, That the United States Senate commends Arthur J. Rynearson for his more than 26 years of faithful and exemplary service to the United States Senate and the Nation, including 4 years as the Deputy Legislative Counsel of the Senate, and expresses its deep appreciation and gratitude for his long, faithful, and outstanding service.

SEC. 2. The Secretary of the Senate shall transmit a copy of this resolution to Arthur J. Rynearson.

SENATE RESOLUTION 34—EX-PRESSING SUPPORT FOR THE EMERGENCY FIRST RESPONDERS AND COMMUNITIES WHICH ARE THE FRONT LINES OF THE NATION'S HOMELAND DEFENSE

Mrs. CLINTON submitted the following resolution; which was referred to the Committee on Environment and Public Works:

S. RES. 34

Whereas since the September 11, 2001 terrorist attacks on our country, first responders—the men and women who serve as police officers, firefighters, and emergency services personnel—and communities all across the United States have found themselves on the front lines of homeland defense in the war against terrorism on United States soil;

Whereas we recognize that the first responders and communities have been forced to bear almost all of the financial burden that accompanies this responsibility;

Whereas it is inappropriate for the first responders and communities to bear that responsibility alone;

Whereas State and local fiscal crises have led to layoffs of first responders and the closing of police and fire stations all across America at a time when the homeland security demands on our first responders and local communities are greater than ever;

Whereas Congress has provided strong support for homeland security through the appropriation of funds to help our first responders and local communities improve homeland defense, but the Senate recognizes that not all of these resources have yet reached our first responders and local communities;

Whereas in addition to the homeland security funding that Congress has already appropriated, additional homeland security resources are needed by our first responders and local communities;

Whereas the strength of this Nation's homeland defense depends upon the appropriation of homeland security resources in addition to the full funding of traditional first responder federal programs, such as the COPS program and the grant program commonly known as the FIRE Act program, which have greatly benefited the American people by helping first responders reduce crime and prevent and respond to fires and other emergencies; and

Whereas we recognize that homeland defense will only be as strong as the weakest link at the State and local levels and that the home front will be better prepared and the United States will be stronger if the first responders and our communities have the resources and tools that they need to bolster emergency preparedness and response efforts: Now, therefore, be it

Resolved, That it is the sense of the Senate that Congress should fully fund all traditional first responder programs and appropriate substantial additional resources to assist local communities and first responders in making the homeland defense of the United States as strong as possible.

SENATE CONCURRENT RESOLUTION 3—RECOGNIZING, APPLAUDING, AND SUPPORTING THE EFFORTS OF THE ARMY AVIATION HERITAGE FOUNDATION, A NON-PROFIT ORGANIZATION INCORPORATED IN THE STATE OF GEORGIA, TO UTILIZE VETERAN AVIATORS OF THE ARMED FORCES AND FORMER ARMY AVIATION AIRCRAFT TO INSPIRE AMERICANS AND TO ENSURE THAT OUR NATION'S MILITARY LEGACY AND HERITAGE OF SERVICE ARE NEVER FORGOTTEN

Mr. MILLER submitted the following concurrent resolution; which was referred to the Committee on Armed Services:

S. CON. RES. 3

Whereas the Army Aviation Heritage Foundation, a nonprofit organization incorporated in the State of Georgia in 1997, is an all volunteer organization composed of veterans, their families, and civilian supporters acting in concert to connect the American soldier to the American public through the use of the story of Army Aviation;

Whereas the Army Aviation Heritage Foundation is not a part of the United States Army and receives no Federal funding;

Whereas funds for the activities of the Army Aviation Heritage Foundation come entirely from donations made by private individuals and corporations;

Whereas Army Aviation Heritage Foundation volunteers devote a significant amount of their personal time and resources to present the story of our Nation's Armed Forces and the legacy of its veterans to the American people through extensive and elaborate living history programs presented at major public venues, such as air show events, and at numerous other smaller community outreach initiatives;

Whereas these living history programs are designed and presented to honor the Armed Forces and its veterans while inspiring the public that ultimately supports the Armed Forces and giving the public a glimpse of military life, service, and devotion;

Whereas the Army Aviation Heritage Foundation has devoted over 150,000 volunteer hours and over \$5,300,000 in donated funds, aircraft, and equipment in organizing,

developing, and conducting 35 public presentations that have helped to foster patriotism and present our Nation's military stories to an audience of more than 5,500,000 people; and

Whereas the Army Aviation Heritage Foundation is acting to provide America's veterans a voice with which to tell their story and the tools with which to share with the American public their legacy of service and devotion: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress recognizes, applauds, and supports the efforts of the Army Aviation Heritage Foundation, a nonprofit organization incorporated in the State of Georgia, to pursue the following four primary purposes:

(1) To educate the American public regarding the military heritage of the United States through the story of United States Army Aviation's soldiers and machines.

(2) To connect the American serviceman and servicewoman to the American public as an active and admired member of the American family.

(3) To inspire patriotism and motivate Americans everywhere toward service to their community and country by involving them in our Nation's larger military legacy.

(4) To preserve authentic examples of Army aviation aircraft and utilize them in educational living history demonstrations and presentations so that the symbols of America's military legacy may always remain in our skies for future generations.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet on Wednesday, January 29, 2003 at 9:30 a.m. to conduct a business meeting regarding Committee Rules.

The meeting will be held in SD 406.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Wednesday, January 29, 2003, at 10 a.m. in Room 485 of the Russell Senate Office Building to conduct a business meeting to organize for the 108th Congress by electing the Chairman and Vice Chairman of the committee and to adopt the rules of the committee and any other organizational business the committee needs to attend to.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a Judicial Nominations hearing on Wednesday, January 29, 2003 in Dirksen Room 226 at 9:30 am.

Tentative Agenda

Panel I: The Honorable Dianne Feinstein, U.S. Senator (D-CA); the Honorable Mike DeWine, U.S. Senator (R-OH); the Honorable John Cornyn, U.S.

Senator (R-TX); the Honorable John Warner, U.S. Senator (R-VA); the Honorable Kay Bailey Hutchison, U.S. Senator (R-TX); the Honorable George Voinovich, U.S. Senator (R-OH).

Panel II: Deborah Cook to be U.S. Court of Appeals Judge for the Sixth Circuit; John Roberts to be U.S. Court of Appeals Judge for the D.C. Circuit; and Jeffrey Sutton to be U.S. Court of Appeals Judge for the Sixth Circuit.

Panel III: John Adams to be U.S. District Court Judge for the Northern District of Ohio; Robert Junell to be U.S. District Court Judge for the Western District of Texas; S. James Otero to be U.S. District Court Judge for the Central District of California.

THE PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON NATURAL RESOURCES

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Natural Resources be authorized to meet during the session of the Senate, on Wednesday, January 29 at 9:30 a.m. to consider pending calendar business.

BUSINESS MEETING AGENDA

Agenda item	Date put on agenda	Page
1. The Committee's Budget Resolution for a two-year period, March 1, 2003 through February 28, 2005	1/27/03	1
2. The Committee Questionnaire for Presidential Nominees	1/27/03	2

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. FRIST. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, January 29, 2003 at 2:30 p.m. to hold a business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SCIENCE AND TRANSPORTATION

Mr. FRIST. Mr. President, I ask unanimous consent that the Subcommittee on Science, Technology and Space of the Committee on Commerce, Science and Transportation be authorized to meet on Wednesday, January 29, 2003, at 2:30 p.m. on the science and ethics of human cloning.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

NOMINATIONS DISCHARGED

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to executive session, the following nominations then be discharged from the HELP Committee, and the Senate proceed en bloc to their consideration:

PN-66, Edwin Rigaud to be member of National Museum Services Board; PN-64, Elizabeth Pruet to be member of National Museum Services Board; PN-63, Harry Robinson to be member of National Museum Services Board;

PN-84, Dana Gioia to be Chairperson of the National Endowment For the Arts.

I further ask unanimous consent that all of the mentioned nominations be confirmed, the motion to reconsider be laid upon the table, the President be immediately notified of the Senate's action, that any statements relating to the nominations appear at this point in the RECORD, and the Senate then resume legislative session, with all of the above occurring en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations were considered and confirmed en bloc, as follows:

NATIONAL MUSEUM SERVICES BOARD

Edwin Joseph Rigaud, of Ohio, to be Member of the National Museum Services Board for a term expiring December 6, 2007.

Elizabeth J. Pruet, of Arkansas, to be a Member of the National Museum Services Board for a term expiring December 6, 2004.

Harry Robinson, Jr., of Texas, to be a Member of the National Museum Services Board for a term expiring December 6, 2003.

NATIONAL ENDOWMENT FOR THE ARTS

Dana Gioia, of California, to be Chairperson of the National Endowment for the Arts for a term of four years.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. FRIST. Mr. President, as in executive session, I ask unanimous consent that on Thursday, at a time determined by the majority leader, with the concurrence of the Democratic leader, the Senate proceed to executive session and that the nomination of Gordon England, to be Deputy Secretary of Homeland Security, be discharged from the Governmental Affairs Committee; further, that the Senate then proceed to its consideration; that there be 20 minutes of debate equally divided between the chairman and ranking member; provided further, that following the use or yielding back of time, the Senate proceed to a vote on the nomination, with no intervening action or debate; that following the vote, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

MAKING FURTHER CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2003

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.J. Res. 13, which is at the desk.

The PRESIDING OFFICER. The clerk will report the joint resolution by title.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 13) making further continuing appropriations for the fiscal year 2003, and for other purposes.

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. FRIST. Mr. President, I ask unanimous consent that the joint resolution be read three times, passed, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The joint resolution (H.J. Res. 13) was read the third time and passed.

NATIONAL MENTORING MONTH

Mr. FRIST. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 25, and that the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 25) designating January 2003 as "National Mentoring Month".

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution and preamble be agreed to; that the motion to reconsider be laid upon the table; and that any statements relating to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 25) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 25

Whereas mentors serve as role models, advocates, friends, and advisors to youth in need;

Whereas numerous studies and research document that mentors help youth augment social skills and emotional well-being, improve cognitive skills, and plan for the future;

Whereas, for some youth, having a caring adult mentor to turn to for guidance and encouragement can make the crucial difference between success and failure in life;

Whereas 17,600,000 youth, nearly half the youth population, want or need mentors to help them reach their full potential;

Whereas there exists a large "mentoring gap" of unmet needs, as evidenced by the fact that just 2,500,000 youth are in formal mentoring relationships, leaving 15,000,000 youth still in need of mentors;

Whereas the celebration of National Mentoring Month will institutionalize the Nation's commitment to mentoring and raise awareness of mentoring in various forms;

Whereas a month-long focus on mentoring will tap into the vast pool of potential mentors and motivate adults to take action to help a youth;

Whereas National Mentoring Month will encourage organizations of all kinds—businesses, faith communities, government agencies, schools, and other organizations—to engage their constituents in mentoring; and

Whereas the celebration of that month would above all encourage more people to volunteer as mentors, to the benefit of the Nation's youth: Now, therefore, be it

Resolved, That the Senate—

(1) designates the month of January 2003 as "National Mentoring Month"; and

(2) requests that the President issue a proclamation calling upon the people of the United States and interested groups to observe the month with appropriate ceremonies and activities that promote awareness of and volunteer involvement with youth mentoring.

EXPRESSING GRATITUDE FOR THE SERVICE OF ARTHUR J. RYNEARSON

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 33, which was submitted earlier today by Senators STEVENS and BYRD.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 33) expressing the gratitude of the United States Senate for the service of Arthur J. Ryneerson, Deputy Legislative Counsel of the United States Senate.

There being no objection, the Senate proceeded to consider the resolution.

Mr. STEVENS. Mr. President, I rise to commend Mr. Art Ryneerson, the Deputy Legislative Counsel of the Senate, who retires on January 31, 2003, after serving in the Senate for more than 26 years, including more than 3 years as Deputy Legislative Counsel.

As President pro tempore of the Senate, it is my pleasure to oversee the work of the Office of the Legislative Counsel. I appreciate the great dedication and professionalism Art Ryneerson has displayed in his role as an attorney in the Office and in his service as Deputy Legislative Counsel.

The Office of Legislative Counsel plays a very important role in the legislative process. We all rely upon the attorneys in the office to provide legislative drafts to effectively carry out our legislative policy. Mr. Ryneerson, in his role as Deputy Legislative Counsel, has helped to see that we are all served well by a professional, career, and nonpartisan staff.

In addition to his service as Deputy Legislative Counsel, Art Ryneerson served for more than 26 years as the principal drafter in the Senate on virtually all matters relating to international relations, international security, immigration and the State Department, and all matters relating to

Senate consideration of international treaties. He served the Senate well in that regard, with a commanding knowledge of international law and the dedication to put in long hours in service of the Committee on Foreign Relations.

Mr. President, I am proud to sponsor this resolution, and I am proud to have known and worked with Art Ryneerson. He has served his Nation well for over 28 years, including 2 years with the Library of Congress. I wish Art and his wife, Mary Linda, the very best for the future, especially time spent enjoying their retirement.

Mr. BYRD. Mr. President, I am proud to cosponsor with Senator STEVENS a resolution commending Mr. Art Ryneerson who is retiring as Deputy Legislative Counsel of the Senate on January 31, 2003. I have had the pleasure of working with Art on many laws relating to foreign policy matters.

I wish to join with Senator STEVENS, and with all Senators, in expressing our deepest gratitude to Art Ryneerson for his long years of service to the United States Senate. He has been part of the Office of Legislative Counsel for more than 26 years, including the last 4 as Deputy Legislative Counsel; and during that time he has provided valuable assistance to me and to my staff.

While overseeing the Office of Legislative Counsel as President pro tempore, I appreciated the great dedication and professionalism Art Ryneerson displayed in carrying out his duties and responsibilities. I know that his departure will leave a void that is difficult to fill as he is truly a part of the institutional memory of the Senate. In passing this resolution, the Senate recognizes his years of commitment to the Senate.

Mr. President, I wish Art Ryneerson and his wife, Mary Linda, well in his retirement.

Mr. KENNEDY. Mr. President, on behalf of Senator BROWNBACK and myself, we welcome this opportunity to honor the outstanding career and contributions of a truly dedicated and gifted member of our Senate family, the Deputy Legislative Counsel of the Senate, Art Ryneerson.

Many of us have been very grateful to Mr. Ryneerson over the years for his superb assistance in preparing legislation on foreign affairs. His many accomplishments in this area include drafting, editing, and organizing the 2003 Foreign Relations Authorization Act, the Iran-Libya Act, the Comprehensive Anti-Apartheid Act of 1986; the Senate conditions to the Protocols for the Expansion of NATO, the Chemical Weapons Convention, the START Treaty, and the Panama Canal Treaties.

Senator BROWNBACK and I, and all the members of the Immigration Subcommittee, are especially grateful to Mr. Ryneerson for his skillful work in legislation on immigration, naturalization, and refugee affairs. Mr. Ryneerson's thoughtful insight, and his

mastery of these issues have resulted in articulate, well-drafted, and far-reaching laws that have helped countless immigrants and refugees.

Art Rynearson's many contributions are well-known and greatly appreciated by all of us who know him and admire him, and millions of men and women and children who may never know his name have benefited from his dedication and commitment. As he retires after 26 years of heart-felt service and high ability, he has the gratitude and respect of all of us in the Senate, and we wish him well in his retirement.

Mr. BIDEN. Mr. President, today the Senate expresses its appreciation and best wishes to one of the great unsung heroes who make this institution work.

Art Rynearson, the Senate's Deputy Legislative Counsel, is retiring after over 26 years of exemplary service to this body. Art has been a backstage participant in many historic foreign policy decisions of the Senate, assisting the Foreign Relations Committee to draft both legislation and resolutions of advice and consent to ratification of treaties. His actions were rarely recognized or noticed by the public, but his contributions were essential. Art's job was to ensure that our legislation clearly expressed the intent of the committee and that it meshed properly with existing law. He accomplished that through marvelous attention to detail and a complete absence of partisanship.

During the past 6 years, during which I have served as either the chairman or ranking member of the committee, Art has borne a heavy burden—working on such matters as the Chemical Weapons Convention, NATO enlargement, and major legislation to restructure America's foreign policy agencies. The committee owes him a great debt.

It is not overstatement to say that the Senate could not function without people like Art Rynearson. Every day—and many a night—he was there, unfailingly courteous and professional, ready to assist the committee's members and staff to draft and refine legislation for consideration by the committee and the Senate. His knowledge of foreign relations and immigration law, gained through his many years of service, will not be easily replaced.

I know that I speak for all of my colleagues on the Foreign Relations Committee in saying thank you to Art Rynearson. We wish him and his wife, Mary, every happiness as he begins his next stage in life.

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution and preamble be agreed to; that the motion to reconsider be laid upon the table; and that any statements relating to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 33) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 33

Whereas Arthur J. "Art" Rynearson, the Deputy Legislative Counsel of the Senate, became an employee of the Senate on August 25, 1976, and since that date has ably and faithfully upheld the high traditions and standards of the Office of the Legislative Counsel of the United States Senate for more than 26 years;

Whereas Art Rynearson has served as Deputy Legislative Counsel since October 20, 1999, and demonstrated great dedication, professionalism, and integrity in faithfully discharging the duties and responsibilities of his position;

Whereas Art Rynearson for more than 26 years was the primary drafter in the Senate of virtually all legislation relating to international relations, international security, immigration, and the State Department, and all matters relating to Senate consideration of international treaties;

Whereas Art Rynearson will retire on January 31, 2003, after more than 28 years of service with the Congress, including more than 2 years with the Congressional Research Service of the Library of Congress; and

Whereas Art Rynearson has met the legislative drafting needs of the United States with unfailing professionalism, skill, and dedication: Now, therefore, be it

Resolved, That the United States Senate commends Arthur J. Rynearson for his more than 26 years of faithful and exemplary service to the United States Senate and the Nation, including 4 years as the Deputy Legislative Counsel of the Senate, and expresses its deep appreciation and gratitude for his long, faithful, and outstanding service.

SEC. 2. The Secretary of the Senate shall transmit a copy of this resolution to Arthur J. Rynearson.

MEASURE READ THE FIRST TIME—S. 241

Mr. FRIST. Mr. President, I understand that S. 241, which was introduced earlier today by Senators SNOWE and KERRY, is at the desk. I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the title of the bill for the first time.

The legislative clerk read as follows:

A bill (S. 241) to amend the Coastal Zone Management Act.

Mr. FRIST. I now ask for its second reading and object to my own request.

The PRESIDING OFFICER. The bill will receive its second reading on the next legislative day.

ORDERS FOR THURSDAY, JANUARY 30, 2003

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 11 a.m., Thursday, January 30. I further ask unanimous consent 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, and there then be a period for morning business until 1 p.m., with the time equally divided and Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. FRIST. Mr. President, for the information of Senators, we do expect a couple of nominations to be available for the Senate's consideration during Thursday's session. We now have a consent agreement for the consideration of the nomination of Gordon England, to be Deputy Secretary of Homeland Security. Votes are, therefore, possible during tomorrow's session. We will alert all Members as the voting times become more certain.

ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. FRIST. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:23 p.m., adjourned until Thursday, January 30, 2003, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate January 29, 2003:

THE JUDICIARY

LOUISE W. FLANAGAN, OF NORTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NORTH CAROLINA, VICE JAMES C. FOX, RETIRED.

RICHARD D. BENNETT, OF MARYLAND, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MARYLAND, VICE FREDERIC N. SMALKIN, RETIRED.

THERESA LAZAR SPRINGMANN, OF INDIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF INDIANA, VICE JAMES T. MOODY, RETIRED.

JAMES V. SELNA, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA, VICE J. SPENCER LETTIS, RETIRED.

J. LEON HOLMES, OF ARKANSAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF ARKANSAS, VICE STEPHEN M. REASONER, RETIRED.

PHILIP P. SIMON, OF INDIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF INDIANA, VICE WILLIAM C. LEE, RETIRED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 624 AND 1552.

To be colonel

JOSEPH P. DIBENEDITTO, 7641

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 624 AND 1552.

To be major

JOHN C. LANDRENEAU, 8242

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AS CHAPLAIN UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

CHARLES R. BAILEY, 9440
LAWRENCE M. BARRY, 3674
GLEN L. BLOOMSTROM JR., 5620
KENNETH N. BROWN, 1738
ROGER D. HEATH, 5389
FREDERICK E. HOADLEY, 0270
STEVEN E. MOON, 6981
TED W. NICHOLS, 5980
ARTHUR C. PACE, 3121
RICHARD L. PACE, 7156
CHARLES D. REESE, 6788
KENNETH L. SAMPSON, 6931
DAVID W. SMARTT, 4994

CONFIRMATIONS

Executive nominations confirmed by the Senate January 29, 2003:

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

HARRY ROBINSON, JR., OF TEXAS, TO BE A MEMBER OF THE NATIONAL MUSEUM SERVICES BOARD FOR A TERM EXPIRING DECEMBER 6, 2003.

ELIZABETH J. PRUETT, OF ARKANSAS, TO BE A MEMBER OF THE NATIONAL MUSEUM SERVICES BOARD FOR A TERM EXPIRING DECEMBER 6, 2004.

EDWIN JOSEPH RIGAUD, OF OHIO, TO BE A MEMBER OF THE NATIONAL MUSEUM SERVICES BOARD FOR A TERM EXPIRING DECEMBER 6, 2007.

DANA GIOIA, OF CALIFORNIA, TO BE CHAIRPERSON OF THE NATIONAL ENDOWMENT FOR THE ARTS FOR A TERM OF FOUR YEARS.

EXTENSIONS OF REMARKS

IN RECOGNITION OF THE MARCH OF DIMES PREMATURITY CAMPAIGN

HON. J. DENNIS HASTERT

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. HASTERT. Mr. Speaker, I rise today to congratulate the March of Dimes on the launch of a national campaign to address the rising rate of premature births.

Today in America, more than 1,300 babies will be born too soon. Premature birthrates have risen to the highest level ever reported in the United States. In fact, a staggering one in eight babies are born preterm. And in my home State of Illinois, some 20,000 babies were born premature last year alone.

On January 30th, the March of Dimes will launch a 5-year, national research, education and awareness campaign that seeks to prevent premature birth. This campaign holds the promise of considerably reducing the rate of prematurity throughout our nation. And the reasons for doing so are clear—babies born prematurely bear an elevated risk of serious long-term health problems. Moreover, premature birth represents the leading cause of infant death in the first month of life.

I commend the March of Dimes for their efforts on behalf of the health and wellbeing of our nation's unborn children and their families. I am hopeful that this campaign will successfully and dramatically reduce the rate of preterm births in America.

HONORING VARDA WENDROFF

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. MENENDEZ. Mr. Speaker, I rise today to honor Varda Wendroff, who was recognized on Saturday, January 18, 2002, by the Richard A. Rutkowski Association at a gala dinner-dance at the Hi-Hat Caterers.

An innovative and passionate teacher for over twenty years, Varda Wendroff is currently the director of World Languages, ESL, and Bilingual Education for the Bayonne public school system.

Varda Wendroff has given her heart and soul to the community of Bayonne. The loss of her daughter, Lauren, and her family's firsthand experience in the Holocaust influenced and greatly impacted her life, making her an admired healer, educator, and role model for the community. She has truly given back to Bayonne, by investing in the families and the young people of our community.

A two-year president of the Jewish Community Center and member of the Bayonne United Jewish Federation, Varda Wendroff teaches Holocaust studies for the United Jewish Appeal, and assists with the Lauren

Wendroff Early Enrichment Program and the organization's camp. As a member, and current co-leader of the Compassionate Friends, a national and international organization helping parents to cope with the loss of a child, she has been helped and continues to help parents cope with their grief.

Some of Mrs. Wendroff's honors include finalist for Teacher of the Year; recipient of the Governor's Teachers of Excellence award; and, listed in the "Who's Who Among America's Teachers," awarded by her students for her selfless dedication to teaching and her lasting influence on their lives.

Varda Wendroff earned her B.A. degree from Montclair State University, and M.A. from New Jersey City University.

Varda Wendroff and her husband, Arnie, have a son, Jason, and daughter-in-law, Tracy.

Today, I ask my colleagues to join me in honoring Varda Wendroff for being a guiding light in the lives of our youth and an inspiration to all of us.

TRIBUTE TO FORMER MICHIGAN STATE REPRESENTATIVE DOUG BOVIN

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. STUPAK. Mr. Speaker, would like to pay tribute today to Doug Bovin, a former representative to the Michigan House of Representatives from the 108th District, which is comprised of three counties in my congressional district.

First elected to the House in 1998, Doug Bovin has just concluded his service in that body after seeking election to the Michigan State Senate. Doug has represented both the community where I grew up and the community where I and my family now live.

Born August 24, 1944, Doug earned bachelor and master degrees in business administration from Northern Michigan University. He and his wife, Bonnie, have two children. Doug has been a business owner and a high school instructor and coach in addition to his lengthy career in public service.

Prior to being elected to the Michigan House of Representatives, Doug served as chair of the Delta County Board of Commissioners for 16 years and 9 years on the Gladstone city council, including 4 years as mayor.

With Doug's longtime service in county government came leadership positions in various organizations, including terms as president of the Michigan Association of Counties and the National Association of Counties. As president of the Michigan Association of Counties, Doug had the opportunity to introduce President Bill Clinton, when Mr. Clinton spoke to members of the association.

Doug represented the same district that I represented in the Michigan House of Rep-

resentatives. Having made the lengthy drive back and forth from Lansing to the central Upper Peninsula on a weekly basis while a State representative, I know the long solitary hours of driving Doug put in to represent the 108th District. To emphasize what a long drive it really is, you feel like you are close to home when you get across the Mackinac Bridge on your way back to the district, even though there are still over 100 miles to go.

Doug diligently represented the men and women of Delta, Menominee, and Dickinson Counties in Lansing.

In addition to working as an elected official, a business owner and an educator, Doug served as Executive Director of Operation Action U.P. Given his experience and dedication, I am certain that Doug will find a way to continue to serve the residents of the Upper Peninsula.

Mr. Speaker, Doug's last day as a State representative was January 2, 2003. Doug is too young a man for retirement and I am certain that he will find a way to continue to serve the residents of northern Michigan.

Mr. Speaker, I ask you and my House colleagues to join me in saluting Doug Bovin, a public servant who has spent much of his life in service to others.

INTRODUCING LEGISLATION TO REPEAL SELECTIVE SERVICE ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. PAUL. Mr. Speaker, I am today introducing legislation to repeal the Selective Service Act and related parts of the United States Code. The Department of Defense, in response to recent calls to reinstate the draft, has confirmed that conscription serves no military need. This is only the most recent confirmation that the draft, and thus the Selective Service system, serves no military purpose. In 1999, then-Secretary of the Army Louis Caldera, in a speech before the National Press Club, admitted that "Today, with our smaller, post-cold-war Armed Forces, our stronger volunteer tradition and our need for longer terms of service to get a good return on the high, up-front training costs, it would be even harder to fashion a fair draft."

Obviously, if there is no military need for the draft, then there is no need for Selective Service registration. Furthermore, Mr. Speaker, Selective Service registration is an outdated and outmoded system, which has been made obsolete by technological advances.

In fact, in 1993, the Department of Defense issued a report stating that registration could be stopped "with no effect on military mobilization and no measurable effect on the time it would take to mobilize, and no measurable effect on military recruitment." Yet the American taxpayer has been forced to spend over \$500 million dollars on an outdated system "with no measurable effect on military mobilization!"

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Shutting down Selective Service will give taxpayers a break without adversely affecting military efforts. Shutting down Selective Service will also end a program that violates the very principals of individual liberty our nation was founded upon. The moral case against the draft was eloquently expressed by former President Ronald Reagan in the publication *Human Events* in 1979: “. . . it [conscription] rests on the assumption that your kids belong to the state. If we buy that assumption then it is for the state—not for parents, the community, the religious institutions or teachers—to decide who shall have what values and who shall do what work, when, where and how in our society. That assumption isn't a new one. The Nazis thought it was a great idea.”

I hope all my colleagues join me in working to shut down this un-American relic of a bygone era and help realize the financial savings and the gains to individual liberties that can be achieved by ending Selective Service registration.

HONORING JESSICA HUGHES

HON. LARRY COMBEST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. COMBEST. Mr. Speaker, I rise today to recognize the outstanding achievements of Jessica Hughes, an individual who has overcome her physical disabilities and has become an inspiration to all with whom she comes in contact.

Jessica Hughes, a determined 16-year-old from Idalou, Texas, was born with cerebral palsy, is visually impaired, and is confined to a wheelchair, but does not let her disabilities slow her down. She actively participates in State and local stock shows, in which she proudly shows lambs. She has been showing lambs since she was in the third grade and has won several ribbons at fairs in Lubbock.

At her home, she trains and exercises the lambs every day, sometimes with the assistance of her father. Although she lacks the physical strength to lift the lambs, as many of the children showing them do, she has overcome that barrier with a modification to her motorized wheelchair. All who witness her compete in these shows cannot help but be encouraged by her indomitable spirit.

I would like to call the attention of my colleagues in the U.S. House of Representatives to the achievements of this remarkable young lady. Jessica Hughes is indeed an inspiration to all and a fine role model for young people.

HELP SENIORS LOSING HMO
COVERAGE

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. ISRAEL. Mr. Speaker, in the last Congress, the House passed the landmark Israel-Johnson Medicare+Choice Improvement and Stabilization Act that I cowrote with Republican Representative NANCY JOHNSON. Unfortunately, despite a bipartisan consensus that something must be done and the best efforts

of Senator SCHUMER, the Senate did not pass the needed legislation.

Now, at the beginning of the 108th Congress, and working closely with the administration, leadership of both parties and the Senate, the first piece of legislation I have introduced in the 108th Congress is a bill that will help stabilize the Medicare+Choice program.

Since 1999 more than 2.4 million beneficiaries, including more than 85,000 Long Island seniors, have had their service interrupted by a severe funding crisis. Millions of other beneficiaries have experienced a reduction in benefits or an increase in out-of-pocket costs. These problems are a direct result of the fact that funding for the Medicare+Choice program has not kept up with rising health costs.

From the moment I came to Congress, seniors have been asking me when relief will arrive. They wonder what is taking so long and why Congress can't pass this and the President sign-it. The fact is that while Congress blames HMOs for leaving Long Island, HMOs blame the administration, and Republicans and Democrats blame each other, seniors are suffering.

As we begin a new session of Congress, it is essential that we put partisan politics aside and give seniors the help they so desperately need. Playing the blame game won't help seniors pay their medicine bills. The time has come to act.

Over the past three years, there has been a growing consensus in Congress that the Balanced Budget Act (BBA) of 1997 has had the unintended effect of constricting the Medicare market as a whole, and Medicare+Choice health plans in particular. According to a November 2002 report by the Commonwealth Fund, the BBA is limiting M+C payment rates, while health care costs are increasing. As a result, beneficiaries looking to Medicare HMOs as an affordable supplemental insurance option are being asked to pay more for fewer benefits.

And that is only part of the problem. The ultimate result of this flawed system created by the BBA is that HMOs in the program have been deserting seniors on Long Island. Just 4 years ago 12 HMOs offered seniors health plans in Suffolk County; now only two remain. More than 85,000 Long Island seniors have been dropped by their HMOs. This is unacceptable.

It is for this reason that the Medicare+Choice Equity and Access Act is so essential. It will stabilize the program and provide critical funding. The situation is unconscionable. Our seniors are depending on us. I urge my colleagues to quickly pass this bill and correct the funding inadequacies in Medicare+Choice.

SOUTHEAST DISTRICT BAR ASSOCIATION AND LAWYER REFERRAL SERVICE

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Ms. SOLIS. Mr. Speaker, I rise today to honor the Southeast District Bar Association (SEDBA), the most prominent and largest legal association in the Southeast District of the Greater Los Angeles Area.

SEDBA is an innovative nonprofit community organization established in 1934, by a visionary group of attorneys who recognized the community's need for affordable and credible legal assistance. Through a diverse membership of over 200 lawyers, judges, and business people, SEDBA has been continually providing legal assistance to over 7000 members of the community each year. SEDBA's extensive network of prescreened attorneys, who specialize in a myriad of fields, continues to be a source of expert service to all sectors of the community. In connection with local schools, SEDBA has organized "Law Day" to give students a better understanding of the judicial system. In addition, SEDBA works with local law enforcement agencies to collect holiday gifts for the less fortunate.

This year, I am also proud to recognize Ms. Rose Marie Gallegos, SEDBA's first Latina President and third woman to head the organization.

For SEDBA's dedication to service and commitment to the community, I urge my colleagues to join me in recognizing this remarkable organization.

TRIBUTE TO THE HONORABLE
MITCH GEISLER, MAYOR OF
MARSHALL, MO

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. SKELTON. Mr. Speaker, it has come to my attention that a remarkable public servant, the Honorable Mitch Geisler, Mayor of Marshall, MO, will not seek reelection in 2003, after 12 years of valuable service to the citizens of Marshall.

After high school, Mayor Geisler served his country through his tenure with the United States Army during World War II. He returned to Marshall, MO, and attended classes at Missouri Valley College while working with the Marshall Police Department. At the age of 23, Mayor Geisler was selected to serve as the Marshall Chief of Police. He was then selected to serve Garden City, KS, in the same position. Mayor Geisler again returned to his home town of Marshall and dedicated 27 years of service to the Wood & Huston Bank of Marshall. He retired as the bank's Senior Vice President.

In addition to these accomplishments, Mayor Geisler has served his state and community in many different capacities. He was elected twice to serve as the President of the Western Missouri National Academy Associates. He also was a four year chairman of the State Land Reclamation Commission. Mayor Geisler also served as the President of the Marshall Chamber of Commerce and was the President of the Missouri Chief's of Police Association. He was the District Chairman of the Santa Fe Council, Boy Scouts of America, and served on the Lake Ozark Council's Board of Directors. He also is a 50 year member of the Aircraft Owners and Pilots Association. In this capacity, he flew with the Blue Angels Navy Acrobatic and demonstration team and also had the chance to fly off the USS *Theodore Roosevelt*. He was also invited by J. Edgar Hoover to attend the FBI Law Enforcement Institution.

In addition to this service, Mayor Geisler also made many commitments to the service of his church. He was a fifteen year member of his Church Board and also served as the first president of the Mercy Academy School Board, where he also coached football for 5 years. Mayor Geisler and his wife, Dorothy, both had the privilege of meeting the Pope twice, invited the first time to meet the Pope at the White House and then again in St. Louis, MO.

Mr. Speaker, Mayor Geisler is a valuable leader of his community and a role model for young Americans. I know that the Members of the House will join me in paying tribute to Mayor Geisler for his outstanding commitment to public service.

RECOGNIZING THE CITY OF
DRIGGS, IDAHO

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. SIMPSON. Mr. Speaker, I rise to honor one of Idaho's finest. With a zip code of 83422, Driggs, Idaho was recently featured in National Geographic Magazine ZIPUSA section entitled, "Billionaires, Mormon potato farmers and skateboarders share an uncommon home in 83422." The town was featured in the publication because of its pristine location, nestled at the foot of one of the most photographed mountains in the world—the Grand Tetons.

Driggs, Idaho is also one of the fastest growing towns per capita in the U.S. It's easy to see why. With friendly folks and beautiful scenery, Driggs is becoming a destination town. From Internet start up companies to third generation farmers, people flock and stay in Driggs. My wife Kathy and I are among them. We enjoy spending our weekends and holidays at our home with an incredible view of the Grand Tetons.

Driggs is reminiscent of small-town, USA. The town's idea of a traffic jam is waiting for a tractor to go by. It's well known that in Driggs, the drivers you pass will wave at you, with one hand still on the steering wheel. It's like feeling you're home, even if you've never been there. There are no strangers in Driggs, Idaho.

Main Street resembles the ideals of the past. You'll see the neighborhood malt shop, locally owned grocery store and the town bookstore, "Dark Horse Books." The town is surrounded by fields of seed potatoes and gently sloping hills that roll to the foot of the mammoth Grand Teton Mountains. Perhaps Driggs' most famous attraction, other than the Grand Tetons, is the Spud Drive-in Theater. Locals like the old-time atmosphere of a drive in movie theater and the businesses' mascot, a giant cement potato in the back of a flat bed truck.

I'm proud to represent and live in Driggs, Idaho. It's a place worthy of National Geographic praise and attention.

TROOPER THOMAS KOBESKI CHOSEN FOR JOE SAPORITO LIFETIME OF SERVICE AWARD

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. KANJORSKI. Mr. Speaker, I rise today to call the attention of the House of Representatives to the honoring of the late Pennsylvania State Trooper Thomas "Kubby" Kobeski with the Joe Saporito Lifetime of Service Award by the Sunday Dispatch of Pittston, Pennsylvania. A reception will be held in his honor on February 2nd.

Trooper Kobeski passed away last May and is survived by his wife, Jackie, and their three children, Thomas, Matthew and Zachary.

As the Sunday Dispatch states in an article outlining why Trooper Kobeski was chosen for this award, "he was only 39, but he did an astonishing amount of good works in that short time. In an age of declining volunteerism, he was the super volunteer."

Trooper Kobeski exhibited this spirit when he was still in high school. James Redington, principal at Seton Catholic High School, told the Dispatch, "He was the most dynamic boy. He was a catalyst to get everybody moving and shaking."

In addition to Seton Catholic, the many organizations to which Trooper Kobeski donated his time included the Stoners Youth Soccer League, St. John the Baptist School, and the Pittston Little League.

At the Pittston Little League, Secretary Nora Shandra, told the newspaper, "It's going to take 15 people to do what he did. He was equipment man, groundskeeper, coach, treasurer of the league and the auxiliary."

Mr. Speaker, I am pleased to call to the attention of the House of Representatives the well-deserved honoring of Trooper Kobeski with the Joe Saporito Lifetime of Service Award, and I wish his family and friends all the best.

PHYSICIANS PHARMACEUTICALS PROVIDES FUNDING FOR THE NORTH CAROLINA AMBER ALERT SYSTEM

HON. RICHARD BURR

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. BURR. Mr. Speaker, in the past year Americans have become acutely aware of the horrible crime of juvenile abduction. We have also become aware that time is a crucial factor when attempting to recover an abducted child. The Amber Alert system, which uses the media to inform the public when a child has been taken, has been an effective tool aiding in their rescue.

The State of North Carolina is in a very tight budget year, and could not fully fund the North Carolina Child Alert Notification, or NC CAN. When the budget was passed, NC CAN funding came up \$150,000 short. The program could not expand from the current 15 counties to all 100 counties in North Carolina without the additional funds.

When good people see a problem, Mr. Speaker, they step in to help. That is exactly

what the Tabor family of Kernersville did for their fellow Tar Heels. Physicians Pharmaceuticals, their family business, offered to fill the gap in NC CAN's budget by donating the \$150,000 that the program needed. Physicians Pharmaceuticals makes Revival soy protein products, and it was a natural outgrowth of the company's Christian philosophy that led them to help the children of North Carolina.

I commend Physicians Pharmaceuticals for making this donation. It is very possible that children's lives may be saved due to the company's sacrifice. In a time of great discord in the world, this selfless act is an example of what good works are done in God's name by the faithful. Now all North Carolinians can feel better about the safety of their children because of Physicians Pharmaceuticals.

PROTEST OF SCOTS GUARDS CONCERT AT SOVEREIGN BANK ARENA IN NEW JERSEY

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. PALLONE. Mr. Speaker, for too long, Great Britain has used its military and police forces to oppress our friends, family and loved ones in Northern Ireland. It is now time that Prime Minister Tony Blair and the British Parliament take immediate steps to right centuries of murders, anti-catholic bias and oppression.

As all of you know far too well, the case of Peter McBride is appalling and reprehensible. I find it unconscionable that the two men who were tried convicted and sentenced for the murder of Peter, were not only released from prison but were allowed to rejoin the Scots Guard. This is absurd.

I am proud to lend my voice in calling on Great Britain to immediately remove these two guardsmen.

I also stand with you today in calling on Great Britain to immediately reinstate the power sharing government that was created by the Good Friday Accords. As many of you know, last October, Prime Minister Blair suspended the Belfast Assembly. The Good Friday Accords and more specifically the participation of all parties in the power sharing government are the only real solution to lasting peace in Northern Ireland.

However, the only way for the agreements and power-sharing institutions to succeed is for Unionists to immediately accept equality amongst all citizens and parties in the North. The Protestant ruling parties must cease their stall tactics and work within the confines of the agreement to create a government that will be representative of all residents of Northern Ireland.

Northern Ireland must also immediately implement all of the Patten Commission's recommendations. The North must provide its citizens with a full, fair and just reform of their police service. The PSNI (Police Service of Northern Ireland) must be representative of all ethnic, religious and political groups in Northern Ireland. Prime Minister Blair should immediately demand a full implementation of the Patten police recommendations and ensure that Northern Ireland has a police service that is representative of all parties involved.

Once the Northern Ireland Assembly is reinstated, the first item on their agenda should be

to provide the citizens of Northern Ireland with a Constitutional Bill of Rights. Northern Ireland should draw from the experiences of the U.S. and South Africa, and create a binding document that specifically lays out the liberties and rights of all the residents of the North. Citizens of Northern Ireland should be guaranteed the right against unreasonable search and seizures, the right against being detained without charges filed and the right to openly practice one's religion.

It is my hope that Prime Minister Blair will take immediate action on reinstatement of the Belfast Assembly and come to his senses and terminate these two Scots Guards. I hope that we will honor Peter McBride's memory by continuing our fight for equality and self-rule in Northern Ireland. Again, while we should never forget Peter's murder, we should use this atrocity as a basis for human rights and police reform in the North.

I look forward to continuing to work for the right of all citizens of Northern Ireland.

HONORING TONY BARBERI

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. MENENDEZ. Mr. Speaker, I rise today to honor the many accomplishments of Tony Barberi, who was recognized Friday, January, 24th, at Ireland's 32 annual dinner dance held at the Hi-Hat Club in Bayonne, New Jersey.

In 1973, Tony Barberi immigrated to America, making Bayonne, New Jersey, his new home. After working for a year in construction for a local contractor in Bayonne, Tony, along with his father and brothers, founded the Barberi Brothers Construction Company and Graziella Tile Imports. What was once a family dream rapidly became a great and wonderful reality. His family-run construction business grew, and over the years has continuously provided top quality community development to Bayonne and its residents. The Bayonne Housing Authority received national acclaim for the outstanding Roverson Homes project completed by none other than the exceptional Barberi Brothers Construction Company. Tony is currently the President of Barnac Builders and Developers.

A soccer enthusiast, Tony, for the past 12 years, has been a coach and sponsor of the Bayonne Youth Soccer Association. He is a state-licensed soccer coach, and since 1996, has been the head varsity soccer coach at Holy Family Academy.

Tony is a member of the following organizations: the New Jersey State Contractors Association; the Sicilian Citizens Club; the Nick Capodice Association; National Soccer Coaches Association of America; and New Jersey Girl's Soccer Coaches Association.

Tony dedicates his time to the Spinal Bifida Foundation, the Simpson Barber Foundation for the Autistic, and Holy Family, St. Andrew's, and Our Lady of Assumption Parishes.

The son of Pietro and the late Grazia Barberi, Tony has two brothers, Nunzio and Mario. He is married to Fina, and has three children, Pietro, Graziella, and Rosalia.

Today, I ask my colleagues to join me in honoring Tony Barberi for living the American dream: nurturing a family; establishing a busi-

ness; investing in the community; and selflessly giving his time to making Bayonne a better place for all.

TRIBUTE TO THE NEGAUNEE HIGH SCHOOL FOOTBALL TEAM IN RECOGNITION OF WINNING A STATE CHAMPIONSHIP

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. STUPAK. Mr. Speaker, I would like to pay tribute today to the coaches, players, and managers of the 2002 Negaunee High School Miners football team, in recognition of winning the Michigan Division 6 state football championship on November 29, 2002 at the Silverdome in Pontiac. The 2002 title was the Miners' first ever state football championship!

Every high school football team in Michigan begins practices with "two a days" under the sweltering August sun with hopes of making it to the Silverdome and winning a state championship. Only one of these schools in every division will actually realize their title hopes.

The valuable traits of teamwork, perseverance, and sportsmanship are learned through participation in athletics. In addition to instilling these traits, the hard work and dedication of the coaches, players, and managers paid off with a state championship this season for the Negaunee Miners.

Hard work and dedication are hallmarks of the men and women of Michigan's Upper Peninsula. The residents of the City of Negaunee, Marquette County, and the entire Upper Peninsula are proud of the accomplishments of the Negaunee High School Miners state football championship team.

Defeating Hopkins High School 28–20 in an exciting overtime thriller, capped a 13 and 1 season for the Miners. The Miners also captured a 2002 Mid-Peninsula conference championship.

The Miners began their march to the state championship with a hard fought 14–12 victory over rival Ishpeming High School. A 20–6 win over Suttons Bay High School gave the Miners a Division 6 Region 1 District 2 crown. The Miners went on to defeat Iron Mountain 28–17, for the Division 6 Region 1 championship and a berth in the Division 6 state semi-finals. A close 32–28 win over Whittemore-Prescott High School sent the Miners downstate for the championship game against Hopkins High School.

Mr. Speaker, I want to take a moment to recognize every person involved in the Negaunee High School Miners' Division 6 state football championship.

Head Coach, Paul Jacobson, and assistant coaches: Kevin Jacobson, Mark Marana, and Dick Koski, provided the leadership and discipline.

Team members include: Donald Barr, John Bauman, Zack Brintlinger, Doug Byykkonen, David Cain, Dan Champion, Luke Cody, Cory Cronkright, Adam Croschere, David Echelbarger, Eric Faulkner, Eric Faust, Chris Giletto, Ben Grossman, Ken Heikkila, Andy Hill, Bryan Hill, Randy Howe, Cory Jandron, Eric Jarvi, Jack Jarvi, Jesse Jezek, Bob Jurasin, Jeremy King, Josh LaBelle, Steve LaJoie, Kyle Lander, Eric Larson, Ryan Leaf,

Brian Mattice, John O'Neill, Shaun Pynnonen, Josh Rich, Eric Roberts, Jake Skewis, Eric Smock, David Speaker, Randy Sundell, Nick Thompson, Dillan Thome, and Josh Wernholm.

Team managers were Jacob Jandron and Mario Marana.

Mr. Speaker, I would also like to recognize the efforts of the Negaunee High School cheerleading team and its coaches who provided invaluable support to the Miners football team throughout the championship season.

Cheer Coach, Karen Saari, assistant coach Kathy DelAngelo and volunteer coaches Diane Faust and Amy Pringle.

Cheerleaders: Colleen Argall, Andraya Mattila, Brittany Hewitt, Ashley Nault, Tashina Kallionen, Kayla Pizzala, Ashley Kangas, Brittany Rice, Stacy Kemper, and Amber Wetton.

Mr. Speaker, I ask you and my House colleagues to join me in saluting the coaches, players, managers and supporters of the 2002 Negaunee High School Miners-Division 6 Michigan state football championship team.

INTRODUCING THE "TERROR IMMIGRATION ELIMINATION ACT OF 2003"

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. PAUL. Mr. Speaker, today I am introducing the "Terror Immigration Elimination Act of 2003."

The United States remains vulnerable to terrorist attacks more than a year after the tragedy of 9/11. Our borders remain porous—a virtual revolving door and welcome mat for those who would seek to harm us. This was never more evident than when news broke some time ago that the Immigration and Naturalization Service had actually renewed the visas for several of the 9/11 hijackers after the attack had taken place. We cannot prevent terrorism if we cannot keep terrorists out of our country.

That is why I am introducing the "Terror Immigration Elimination Act of 2003." This bill will deny student and "diversity" visas to anyone coming from a country currently on the State Department's list of terrorism-sponsoring countries.

It may seem shocking that citizens from these countries can even still receive these visas, but it is true. We must put a lock on this revolving door if we are going to protect Americans from the continuing threat of terrorism on our soil.

Further, Mr. Speaker, it is time we face reality regarding Saudi Arabia. We must remember that most of the 9/11 hijackers were Saudi nationals. Also, when al-Qaeda supporters were rounded up from Afghanistan and held at Camp X-Ray, reports showed that of the 158 prisoners more than one hundred were Saudi nationals. With such an evident level of involvement from Saudi nationals in these activities, it is quite obvious that the Saudi government is not doing all it can, or all it should, in resolving this urgent problem. Therefore, Saudi citizens will also be denied student and "diversity" visas to the United States under this bill.

Mr. Speaker, we need to take concrete and substantive steps to protect the United States

and its citizens against further terrorist attacks. One such step is passage of this bill. I urge my colleagues to support this legislation and I look forward to its passage.

HONORING THE FRENSHIP JUNIOR
HIGH CHEERLEADERS

HON. LARRY COMBEST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. COMBEST. Mr. Speaker, I rise today to recognize and honor the Cheerleaders of Frenship Junior High. Through their hard work and dedication, these young women won the National Cheerleading Association National Championship.

Since September, the girls of Frenship Junior High have practiced their routines at least two hours a week. The competition began on December 28th, where the girls qualified for the finals competition the next day. They overcame nerves and last minute alterations in their routine to take the championship on December 29, 2002 with a score of 9.05 on a scale of 10. After so many months of practice and determination, the squad pulled through with a spectacular victory.

It is with great pleasure, Mr. Speaker, that I honor these dedicated young women for their commitment to their sport. The Frenship Junior High School cheerleaders stand out as very dedicated and motivated individuals. I wish to congratulate these girls on their success in such a competitive sport.

HONORING BARRY A. KASTNER

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. ISRAEL. Mr. Speaker, I rise to acknowledge the works of Barry A. Kastner. This outstanding individual from Long Island was honored last night at the B'Nai B'Rith Banking and Finance Distinguished Achievement Award Dinner.

Mr. Kastner's leadership in the commercial finance industry has been an example to many, and I am most grateful for his service to Congress Financial Corporation and to Long Island.

DR. FRANCINE RATNER KAUFMAN

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Ms. SOLIS. Mr. Speaker, I rise today to pay tribute to Dr. Francine Ratner Kaufman who is receiving the 2003 American Diabetes Association's Women of Valor Award for her dedication to the field of diabetes.

Dr. Kaufman has devoted her clinical and research career to improving the lives of children affected by diabetes. Dr. Kaufman heads the Division of Endocrinology and Metabolism at Childrens Hospital Los Angeles and is Professor of Pediatrics at the Keck School of

Medicine at USC. She has published extensively and lectured nationally and internationally on her research in childhood diabetes.

In addition to Dr. Kaufman's busy clinical practice at Childrens Hospital Los Angeles and its satellite centers, Dr. Kaufman has been the medical director at a summer camp for children with diabetes in the San Bernardino Mountains of Southern California for two decades. She has helped establish standards of care for the American Diabetes Association where she currently serves as 2002-2003 National President. She has led many advocacy efforts at the local and national levels to increase insurance benefits and to reduce discrimination against people with diabetes.

I had the pleasure of working with Dr. Kaufman while I was in the California State Senate. Dr. Kaufman worked with me on legislation that would enhance diabetes treatment and management.

I urge my colleagues to join me in honoring Dr. Francine Ratner Kaufman for her pioneering clinical studies, research and devotion to the field of diabetes.

TRIBUTE TO JUDGE BYRON
KINDER

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. SKELTON. Mr. Speaker, it has come to my attention that a long and exceptionally distinguished career in public service has come to a close. The Honorable Judge Byron Kinder retired from his position as Cole County's circuit court judge on January 1, 2003.

A graduate of the University of Missouri and Georgetown Law School, Judge Kinder has been a highly respected judge in Cole County for thirty years.

Judge Kinder is well known for his sense of humor, his directness, and his ability to quickly get at the heart of the problem. Through his time in office, he has treated all before him with the same sense of justice and respect.

In 1962, he entered private practice in Cole County and served as an assistant prosecutor. In 1965, Judge Kinder was appointed prosecutor by Governor Warren Hearnes, serving until 1972, when he was elected circuit court judge.

Mr. Speaker, I wish Judge Kinder all the best as he moves on to the next step in his life. I know the members of the House will join me in wishing him well.

RECOGNIZING PARTNERSHIP OF
IDAHO STATE UNIVERSITY
ENGLISH AND PROFESSIONAL
DEVELOPMENT PROGRAM AND
TAIWAN MINISTRY OF FOREIGN
AFFAIRS

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. SIMPSON. Mr. Speaker, I rise today to highlight the success of the Idaho State University English and Professional Development

Program in partnership with the Taiwan Ministry of Foreign Affairs. This unique program, the only program of its kind in the United States, provides a language and cultural education program for junior diplomatic officers in the Ministry of Foreign Affairs. Over 40 students have completed the program since its inception in the early 1990's, and many of these graduates now serve their country in diplomatic postings throughout the world.

The program enables these junior officials to increase their knowledge of the American political system, enhance their language skills, and gain a greater understanding of U.S. culture. Instead of just learning about America in textbooks they have the unique opportunity to experience and participate in the American system by way of local internships and interactions with elected officials. Additionally, they can experience Idaho's natural beauty and participate in numerous outdoor activities. Not only does this program benefit these officials, but it also benefits the students of Idaho State University who are exposed to a different culture and perspective, broadening their world view and understanding.

Recently, I had the opportunity to meet the current group of junior diplomats studying at Idaho State University. They are an intelligent, energetic group who are eager to serve their country. We had a healthy exchange of ideas and a good discussion regarding the American political system and current events in Taiwan. They are very interested in gaining as much knowledge and insight as possible during their stay in America and look forward to using what they have learned as they progress in their diplomatic careers.

I congratulate the 2002-2003 participants of this very worthwhile program. Chen Sy-yun, Fu Yu-min, Huang Chien-tsai, Chin Tsung-kai, and Hsiao Kuang-wei are very able representatives of their country and I am sure that like their predecessors they will serve their country with honor and distinction. I wish them success in all their future endeavors.

This exchange of ideas serves both countries well and reinforces the democratic bond between the United States and Taiwan. Positive associations such as this strengthen the tie between our two countries and further reinforce the importance of Taiwan as a trusted ally.

I am honored to have this program in my congressional district and look forward to a continued successful relationship with Taiwan.

I would like to thank the Honorable C. J. Chen, Taiwan's chief representative in the United States, for his contribution to the close and friendly relationship between our two countries. I would also like to thank Mr. Anthony Chung Yi Ho, Senior Assistant to the Honorable C. J. Chen, for his expertise and leadership in working with my staff, and Michelle Lewis, Director of the Idaho State University English and Professional Development Program, for her dedication and commitment to this unique program.

FRANK BARTOLI NAMED GREATER
PITTSSTON PERSON OF THE YEAR**HON. PAUL E. KANJORSKI**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. KANJORSKI. Mr. Speaker, I rise today to call the attention of the House of Representatives to the designation of Frank Bartoli as Greater Pittston Person of the Year by the Sunday Dispatch. He will be honored with a reception on February 2nd, 2003.

Frank is a native of Pittston who came back to the area to tackle the challenge of turning around the Greater Pittston YMCA, of which he is executive director. As the Dispatch stated recently, "in just over a year he has more than succeeded in helping make the Y a viable Main Street entity again."

Frank, the son of Robert and Leota Bartoli, grew up in Inkerman and is a graduate of Pittston Area High School and Lock Haven University. He and his wife, the former Eileen Burns, have two children, Brian and Ellie.

When Frank returned to Pittston in August, 2001, the YMCA needed much improvement. It was saddled with debt that was delaying the receipt of grants and other improvements, and building maintenance had become a low priority. With the help of the board of directors, \$240,000 in debt has been eliminated.

New treadmills and other equipment improvements have been made, but Frank is most proud of the YMCA's focus on children and families, including expanded day care and preschool, a night of entertainment for pre-teens and the conversion of an old laundry room into a children's room full of toys. Athletics for adults have also been expanded.

Mr. Speaker, I am pleased to call to the attention of the House of Representatives the well-deserved designation of Frank Bartoli as Greater Pittston Person of the Year, and I commend him for his hard work and dedication.

A TRIBUTE TO HARLAN EDWARD
BOYLES**HON. RICHARD BURR**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. BURR. Mr. Speaker, I rise today a proud North Carolinian, to pay tribute to Harlan E. Boyles, long-time State Treasurer of North Carolina and beacon of fiscal integrity.

Born May 6, 1929, in Lincoln County, North Carolina to a farming family, Boyles learned from the Great Depression the importance of financial responsibility and the value of a dollar. Along with economic hardships, he also fought and finally overcame polio that plagued him from the age of fifteen. His perseverance was unshakable. He went on to graduate from the University of North Carolina at Chapel Hill in 1951 with a degree in accounting. Wasting no time he made his way to the Department of Revenue and, as a junior level auditor, began his lifelong career in public service.

Harlan served North Carolina for sixteen years as the Deputy State Treasurer under his mentor, Edwin Gill. Gill assigned Boyles the challenge of upgrading the State's bond rating,

a daunting task with the economy stuck in a post-Depression state. He succeeded: in 1960 his work propelled North Carolina to a triple-A credit rating.

Mr. Boyles succeeded Gill as Treasurer in 1977 and served honorably until his retirement in 2001. In the forty years that he served as Deputy and State Treasurer, he maintained the Triple-A credit rating, resulting in millions of dollars in savings for North Carolinians, one of the Treasurer's proudest accomplishments.

He was a respected man, sought for his soft-spoken knowledge and economic genius. His approval was considered vital to pass bond-related issues that came before the Legislature. He began warning in the 1980's that North Carolina had a fiscal disaster looming on the horizon. He used the past as guide and his uncommon intuition to foreshadow the economic future of the State. Boyles argued that the government was growing faster than the State could afford, maintaining that North Carolina needed "better government, not bigger government."

Boyles was an expert at making an organization perform at its peak, in part because he was constantly seeking new ideas. The level of efficiency that he maintained at the Department of Revenue was ahead of its time with the cutting-edge technology that he instituted. Computers were used everywhere possible to increase productivity. He did the job with one of the smallest staffs in North Carolina government.

Arguably one of the most effective State Treasurers in American history, Harlan made profound strides in his efforts to prepare the State for the twenty-first century. During his tenure, the value of State employee pension funds rose from \$7 billion to \$67 billion and the total North Carolina workforce increased from 158,000 to 218,000. Without his leadership as Treasurer the security of our State employee retirement fund would not be the guarantee that it is today for so many Tar Heels. The measures that he took to ensure the economic security of the State have yet to be surpassed.

Harlan's passing is not only a loss to North Carolina, but is indeed a loss to America. His legacy of service stands to direct the next generation as they embark on their journey into the new century. North Carolinians mourn his loss, and we keep in our prayers his loving wife Frankie and his children, Lynn, Phyllis and Edward. The history of North Carolina is marked by the work of great men and their ideas; Harlan Boyles is such a man and his legacy will live on to guide the future of sound economics and responsible leadership.

INDIA'S REPUBLIC DAY, JANUARY
26, 2003**HON. FRANK PALLONE, JR.**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. PALLONE. Mr. Speaker, I would like to pay tribute to one of the most important dates on the calendar for the people of India, as well as for the people of Indian descent who have settled in the United States and around the world. January 26th is Republic Day, an occasion that inspires pride and patriotism for the people of India.

On January 26, 1950, India became a Republic, devoted to the principals of democracy and secularism. At that time, Dr. Rajendra Prasad was elected as the nation's first president. Since then, despite the challenges of sustaining economic development and promoting tolerance and cooperation amongst its many ethnic, religious and linguistic communities, India has stuck to the path of free and fair elections, a multi-party political system and the orderly transfer of power from one government to its successor.

On that special day in 1950, India adopted its Constitution. It should be noted that India derived key aspects of her Constitution, particularly its statement of Fundamental Rights, from our own Bill Of Rights. On the eve of Republic Day several years ago, India's President K.R. Narayanan stated in his address to the nation: "Let us remember, it is under the flexible and spacious provisions of our Constitution, that democracy has flourished during the last fifty years and that India has achieved an unprecedented unity and cohesion as a nation and made remarkable progress in the social and economic fields."

India and the United States both proclaimed their independence from British colonial rule. The Indian independence movement under the leadership of Mahatma Gandhi had strong moral support from American intellectuals, political leaders and journalists. Just this week, we paid tribute to one of our greatest American leaders, the Rev. Martin Luther King, Jr. Dr. King derived many of his ideas of non-violent resistance to injustice from the teachings and the actions of Mahatma Gandhi.

As the world's two largest democracies, the United States and India have a natural relationship, based on their shared values of diversity, democracy and prosperity. These two countries have steadily grown closer for the past ten years, and most recently, the United States' campaign to fight global terrorism has brought the two countries even closer.

Following the tragic events of September 11, 2001 India was one of the first countries to come forward to the United States with an offer of full assistance and cooperation in this new global fight against terrorism. Prime Minister Vajpayee expressed his deep sympathy regarding the World Trade Center attacks. The attacks in fact took the lives of 250 Indians and Indian-Americans.

Since September 11, there have been terrorist attacks against India on a near daily basis. India has sadly been afflicted with terrorism from Pakistani-based terrorist groups that are to be blamed for over 53,000 deaths of innocent Indian citizens throughout the last 15 years. These are in fact the same terrorist groups that belong to the terrorist networks the United States is now fighting against. It is only natural that these two countries are now united in the global fight against terrorism.

Lastly, I want to note that throughout the South Asian region, India stands alone as a pillar of democracy, stability and growth. I join both Indians in India and over 1.8 million Indians living here in the United States in celebrating India's Republic Day.

IN HONOR OF DR. ROSS J.
SIMPSON

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. MENENDEZ. Mr. Speaker, I rise today to honor and acknowledge Dr. Ross J. Simpson. Dr. Simpson who was honored on Saturday, January 18, 2003, by the Richard A. Rutkowski Association at a gala dinner-dance at the Hi-Hat Caterers.

A captain in the U.S. Army, Dr. Simpson served our country as the chief of chest surgery at the Osaka Army hospital in Japan during the Korean War, and was honored with the United Nations and Korean Service medals for his service. Upon his return from the war, in 1952, he started his surgical practice in Bayonne. His medical career was extensive, and Dr. Simpson worked as a chief of surgery at Bayonne Hospital and the Pollack Hospital, and as an attending surgeon at St. Francis Hospital, St. Mary's Hospital, Morristown General, and the French Hospital in New York City.

Dr. Simpson has held leadership positions ever since his service in the Army. At Bayonne Hospital, he served as president of the medical staff, president of the Board of Trustees, and chairman of the Board of Trustees.

He has not only been a surgeon, but also a professor of surgery at the New Jersey College of Medicine and Dentistry. He is published in the Annals of Surgery and in the AMA journal for his nationally renowned work on foreign bodies of the chest and heart. Dr. Simpson is a fellow of the American College of Surgeons and the International College of Surgeons, and a diplomat of the American Board of Thoracic Surgery.

A founding member of the Simpson Barber Foundation for the Autistic, Dr. Simpson will serve as the Chairman of the 1st Annual Regatta of the Foundation. He is a communicant of St. Henry's Church, and in 1995, he received the Brotherhood Award from the Bayonne Chapter of Christians and Jews.

Dr. Simpson is married to Marguerite O'Reilly, the proud father of five, Ross Jr., Thomas, Christopher, Mary Anne, and Marguerite, and proud grandfather of fifteen.

Dr. Simpson earned his B.A. from St. Peter's College, and his medical degree from NYU Medical School.

Today, I ask my colleagues to join me in honoring Dr. Ross J. Simpson for his outstanding contributions to the medical community, for treating the injured and the sick, and for saving countless lives in times of war and peace.

TRIBUTE TO FORMER MICHIGAN
STATE SENATOR DON KOIVISTO

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. STUPAK. Mr. Speaker, I would like to pay tribute today to Don Koivisto, a former senator in the Michigan State Senate from the 38th Senate District, which is comprised of ten counties in my congressional district.

First elected to the Senate in 1990, Don Koivisto has just concluded his service in that body because of the Michigan term limits law. This law was enacted at the will of the voters of Michigan, but I must confess that I believe the law turns effective public servants out of office. Don has represented both the community where I grew up and the community where I and my family now live.

Born August 18, 1949 in Bessemer, Don earned a bachelors degree in political science from Central Michigan University. Don and his wife, Pam, have four children.

Prior to his twelve years in the Michigan State Senate, Don served three consecutive 2 year terms in the Michigan House of Representatives after first being elected to the House in 1980. In addition to his service in the Michigan legislature, Don has been a political consultant to former Michigan House Speaker Lewis Dodak and former Michigan State Representative Michael Griffin.

Don is a former school board member and served as a high school teacher and basketball coach. He also worked as a Ontonagon County Juvenile Officer.

It should be clear from my remarks, Mr. Speaker, that Don Koivisto has spent much of his adult life in public service.

Mr. Speaker, Don's last day as a state senator was January 2, 2003. Don is too young a man for retirement and I am certain that he will find a way to continue to serve the residents of Michigan.

Mr. Speaker, I ask you and my House colleagues to join me in saluting Don Koivisto, a public servant who has spent much of his life working for the betterment of others.

INTRODUCTION OF SOCIAL SECURITY FOR AMERICAN CITIZENS ONLY ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. PAUL. Mr. Speaker, today I introduce the Social Security for American Citizens Only Act. This act forbids the federal government from providing Social Security benefits to non-citizens. It also ends the practice of totalization. Totalization is where the Social Security Administration takes into account the number of year's an individual worked abroad, and thus was not paying payroll taxes, in determining that individual's eligibility for social security benefits!

Hard as it may be to believe, the United States Government already provides Social Security benefits to citizens of 17 other countries. Under current law, citizens of those countries covered by these agreements may have an easier time getting Social Security benefits than public school teachers or policemen!

Obviously, this program provides a threat to the already fragile Social Security system, and the threat is looming larger. Just before Christmas, the press reported on a pending deal between the United States and the government of Mexico, which would make hundreds of thousands of Mexican citizens eligible for U.S. Social Security benefits. Totalization is the centerpiece of this proposal, so even if a Mexican citizen did not work in the United

States long enough to qualify for Social Security, the number of years worked in Mexico would be added to bring up the total and thus make the Mexican worker eligible for cash transfers from the United States.

Mr. Speaker, press reports also indicate that thousands of foreigners who would qualify for U.S. Social Security benefits actually came to the United States and worked here illegally. That's right: The federal government may actually allow someone who came to the United States illegally, worked less than the required number of years to qualify for Social Security, and then returned to Mexico for the rest of his working years, to collect full U.S. Social Security benefits while living in Mexico. That is an insult to the millions of Americans who pay their entire working lives into the system and now face the possibility that there may be nothing left when it is their turn to retire.

The proposed agreement is nothing more than a financial reward to those who have willfully and knowingly violated our own immigration laws. Talk about an incentive for illegal immigration! How many more would break the law to come to this country if promised U.S. government paychecks for life? Is creating a global welfare state on the back of the American taxpayer a good idea? The program also establishes a very disturbing precedent of U.S. foreign aid to individual citizens rather than to states.

Estimates of what this deal with the Mexican government would cost top one billion dollars per year. Supporters of the Social Security to Mexico deal may attempt to downplay the effect the agreement would have on the system, but actions speak louder than words: According to several press reports, the State Department and the Social Security Administration are already negotiating to build a new building in Mexico City to handle the expected rush of applicants for this new program!

As the system braces for a steep increase in those who will be drawing from the Social Security trust fund, it makes no sense to expand it into a global welfare system. Social Security was designed to provide support for retired American citizens who worked in the United States. We should be shoring up the system for those Americans who have paid in for decades, not expanding it to cover foreigners who have not.

It is long past time for Congress to stand up to the internationalist bureaucrats and start looking out for the American worker. I therefore call upon my colleagues to stop the use of the Social Security Trust Fund as yet another vehicle for foreign aid by cosponsoring the Social Security for American Citizens Only Act.

MARSHA SHARP SELECTED FOR
WOMEN'S BASKETBALL HALL OF
FAME

HON. LARRY COMBEST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. COMBEST. Mr. Speaker, I rise today to commend Marsha Sharp for her outstanding dedication to the athletic and academic achievement of her student-athletes. Her efforts have gained her an induction into the Women's Basketball Hall of Fame for spring 2003.

Marsha Sharp will be among the fifth class of inductees into the Women's Basketball Hall of Fame. The six individuals inducted in this class will bring the total number of individuals in the Women's Basketball Hall of Fame to 73. Marsha Sharp is more than a coach; she is also a leader and role-model for many athletes and students not only at Texas Tech, but all across the country.

Her commitment to excellence has earned many successes for both her and the teams that she has led. Coach Sharp is in her 21st season as the head coach of the Lady Raider Basketball program and in that time has established a career record of 479–153. She guided the Lady Raiders to the NCAA National Championship in 1993 and has led Texas Tech to the NCAA Tournament 15 times, including 13 straight. She has taken her team to the Sweet 16 nine times and the Elite Eight three times. She has also led her teams to numerous conference titles.

The Women's Basketball News Service and the Women's Basketball Coaches Association named her coach of the year in 1993 and 1994, respectively. Marsha Sharp has not only led her teams to success on the court, but also in the classroom, as 99 percent of her student athletes have graduated during her tenure at Texas Tech.

It is with great pride that I commend Marsha Sharp for her active involvement and leadership both on and off the court, and I congratulate her on being inducted into the Women's Basketball Hall of Fame.

HONORING MORRIS S. HODKIN AND
JOSEPH HODKIN

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. ISRAEL. Mr. Speaker, I rise to acknowledge the works of Morris S. Hodkin and Joseph Hodkin. These outstanding individuals from Long Island were honored last night at the B'Nai B'Rith Banking and Finance Distinguished Achievement Award Dinner.

Mr. Morris Hodkin and Mr. Joseph Hodkin of Daley-Hodkin Corporation have dedicated years of service to the corporate credit industry in New York. They are also to be commended for their continued activities in charitable endeavors.

IN HONOR OF OUR LADY OF THE
ASSUMPTION CHURCH

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. MENENDEZ. Mr. Speaker, I rise today to honor and celebrate the 100th anniversary of Our Lady of the Assumption Church. The church celebrated its anniversary on Saturday, November 2, 2002, which Bayonne Mayor Joseph V. Doria, Jr., proclaimed as Our Lady of the Assumption Centennial Day.

In the early 1900s, a group of Italian-speaking immigrants decided that the Bayonne community needed a national parish that would truly serve the needs of the people. They peti-

tioned the Bishop of Newark to establish a parish that would use the Italian language at mass and other services, allowing for both native and non-native English speakers to benefit from the service. The parish was officially established in June of 1902, and Monsignor Michael Mercolino delivered the first mass in a small store on 21st Street on June 3, 1902. Monsignor Mercolino's participation with the Church did not end there; he dedicated and devoted his time to the parish until 1945.

Our Lady of the Assumption has grown over the past century from that first group of Italian immigrants to a multicultural congregation that celebrates mass and other services in three languages: English, Spanish, and Italian. Three church buildings have also been established: the first in 1902, the second in 1911, and the third in 1976. The City of Bayonne is a better place thanks to the inclusive and generous ways of the ever-growing Our Lady of Assumption Church.

Today, I ask my colleagues to join me in honoring Our Lady of the Assumption Church Centennial Day, a profound and monumental day in the history of the City of Bayonne.

TRIBUTE TO RALPH SOFFREDINE

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. STUPAK. Mr. Speaker, I rise today to pay special tribute to an individual, who in addition to a long and distinguished career in law enforcement and teaching, has dedicated many thousands of hours to community service in northern Michigan. Mr. Speaker, I rise to honor Ralph Soffredine of Traverse City, Michigan.

Ralph Soffredine has dedicated his life to education, law enforcement, community service and teaching. His perseverance and accomplishments have been an inspiration to every one who has met Ralph.

Born in Detroit, Michigan on January 11, 1937, he graduated from Sandusky High School, in Sandusky, Michigan in 1959. Nearly thirty six years ago he married Pam on March 21, 1967 and the couple raised six children: Maureen, Pete, Patrick, Annie, Joseph, and Paula. Ralph and Pam also have nine grandchildren.

After serving in the U.S. Air Force from September 1954 until receiving an honorable discharge as an Airman First Class in March 1958, he continued his academic studies and earned a Bachelor of Science degree in science from Central Michigan University, in Mount Pleasant, Michigan, in June of 1966. While at Central he had a distinguished athletic career as a football player and was inducted into the school's athletic hall of fame in October 2001.

A continuing quest for education led Ralph to earn a Masters of Arts degree in community administration from Eastern Michigan University, in Ypsilanti, Michigan, in 1970. In addition to his academic work towards two degrees, Ralph is a 1985 graduate of the "Police Staff and Command School" at Northwestern University, in Evanston, Illinois and a 1991 graduate of the FBI National Academy, in Quantico, Virginia.

Ralph began his criminal justice career in 1966 as a police officer in the Flint Police De-

partment. He then moved to the Grand Blanc Township Police Department, where he attained the rank of captain. The Ishpeming Police Department recognized his talents and named Ralph chief in June of 1976. He later served as chief of the Menominee Police Department. He then moved downstate and took the position of director of law enforcement with the Grand Traverse County Sheriff's Department.

Ralph left the Grand Traverse County Sheriff's Department to become chief of the Traverse City Police Department in 1981. Ten years later, Traverse City added the duties of fire chief to Ralph's responsibilities.

According to Ralph one of his major accomplishments as police chief was bringing community policing to Traverse City. I had the pleasure of working with Ralph in introducing the U.S. Department of Justice's Community Oriented Policing Services (COPS) program to the Traverse City area.

Having an advanced degree, Ralph has taught criminal justice courses at many institutions of higher learning in the United States and abroad. In May of 1998 he spent five weeks in the Ukraine, working under the auspices of the Ukraine Militia, as an adjunct professor teaching and facilitating law enforcement classes to visiting U.S. students from the Michigan State University School of Criminal Justice. Closer to home, Ralph has taught criminal justice courses at many colleges and universities including: Northern Michigan University; Northwestern Michigan College; Northwestern University; Michigan State University; and his alma maters, Central Michigan University and Eastern Michigan University.

Showing his dedication to law enforcement beyond his administrative positions, Ralph has been involved in many related issues such as county jail program development, police school liaison programs, drug enforcement, crime prevention, police/fire training, internal investigation, chief contract negotiation, grievance and discipline, unification and consolidation of police departments, central dispatch, and records. Having a wide range of life experiences beyond law enforcement, Ralph has advised local officials on grants, personnel, management reorganization, community organization, and city, township and county budgeting.

Ralph's community service goes beyond his law enforcement and teaching duties. He currently serves as chairman of the Grand Traverse County Family Independence Agency, the Camp Grayling Regional Training Facility, and The Pavilion's board. Showing his admirable community service, he serves on many other committees and boards including: the Police School Liaison Committee, Northflight Board of Directors, Munson Board of Directors, Women Resource Center Board of Directors, the Traverse City Planning Commission, and the Traverse City Area Public School Board of Education.

He has served as president of Grand Traverse Families in Action and as a member of the Michigan Justice Training Commission.

Mr. Speaker, Ralph Soffredine's wide ranging law enforcement, teaching and community service activities are admirable and amazing. Ralph and Pam Soffredine have been great assets to their chosen careers, their fellow workers, and their community. I am proud to call Ralph and Pam Soffredine, friends of mine.

Mr. Speaker, Ralph's last day as Chief of the Traverse City Police Department is January 24, 2003 and on January 25, 2003 there will be a retirement dinner and program for him at the Park Place Hotel in Traverse City, Michigan.

Retirement will not slow Ralph at all. He will continue teaching criminal justice courses and training for power lifting competitions, an appropriate hobby for an individual who has shouldered so many duties throughout his life.

Mr. Speaker, I ask you and my House colleagues to join me in saluting Ralph Soffredine, a great person who has spent his life in service to others.

TRIBUTE TO BROADMOOR POLICE
CHIEF TIM GUINEY

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. LANTOS. Mr. Speaker, it is with a mixture of pride and sorrow that I invite all of my colleagues to join me in celebrating the career of Broadmoor Police Chief Timothy J. Guiney, who is retiring after 33 years in law enforcement.

Chief Guiney began his career in 1969 as a full-time reserve Deputy Sheriff for the San Mateo County Sheriff's Office. After three years there he joined the Brisbane Police Department. During the next 17 years, Tim Guiney served the Brisbane Police Department with distinction as he held every rank in the department from Officer to Acting Chief of Police. In 1990, the Broadmoor Police Protection District persuaded Chief Guiney to assume the title of Chief of Police and District Manager, where he continued to perform above and beyond the call of duty.

Mr. Speaker, Tim Guiney is the heart and soul of San Mateo County Law Enforcement. In addition to performing his job with extraordinary distinction, Chief Guiney has woven himself into the fabric of our community. He is the founder of numerous programs including the Police Activities League and Adopt-A-School Brisbane, as well as the "Cops and Kids" North County Community Day. Additionally, he is a Past-President and long time executive board member of the Daly City-Colma Chamber of Commerce and a past-president of the Daly City Employees Federal Credit Union. An active member of San Mateo County, Chief Tim Guiney truly is the personification of community policing.

Combining the intellect of Eliot Ness, the dedication of Joe Friday, Andy Taylor's honesty, Barney Miller's patience, Steve McGarrett's ability to delegate, and aspiring towards Sonny Crockett's sartorial splendor, Chief Tim Guiney represents the best of American Law enforcement. Mr. Speaker, I ask all of my esteemed colleagues to rise and join me in paying tribute to Chief Tim Guiney's lasting legacy of law enforcement excellence.

ZUNI INDIAN TRIBE WATER
RIGHTS SETTLEMENT ACT OF 2003

HON. RICK RENZI

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. RENZI. Mr. Speaker, on behalf of Representatives KOLBE, PASTOR, HAYWORTH and GRIJALVA, I rise today to introduce the Zuni Indian Tribe Water Rights Settlement Act of 2003. Senators KYL and MCCAIN will be introducing the Senate version of this important legislation.

The Zuni Indian Tribe Water Rights Settlement Act of 2003 codifies the settlement of the Zuni Indian Tribe's water rights for its religious lands in northeastern Arizona. The Zuni Heavens Reservation was created by Congress in 1984 to protect and recognize long-standing religious activities by the Zuni Tribe.

This legislation would go one step further and provide the Zuni Tribe with the resources to acquire water rights and to restore and protect the wetland environment that previously existed on the Zuni Reservation. It's important to note that the Zuni Tribe will acquire water rights from willing sellers. In return, the Zuni Tribe will waive its claims in the Little Colorado River Adjudication. The Zuni Tribe will also waive claims against any future water uses in the Little Colorado River basin and grandfather existing uses.

This legislation will not only avoid costly litigation by the United States, but it will allow the United States government to satisfy its trust responsibilities to the Zuni Tribe regarding water on the Zuni Reservation.

Mr. Speaker, I would like to commend the work of the parties to the Zuni Settlement. The parties consist of rural communities in the First District of Arizona, including the City of St. Johns, the Town of Eagar and the Town of Springerville. In addition, the State of Arizona, specifically, the Arizona Game and Fish Department, the State Land Department and the Arizona State Parks Board, Salt River Project, Tucson Electric Power Company, St Johns Irrigation and Ditch Company, the Lyman Water Company and the Round Valley Water Users' Association.

Mr. Speaker, I urge my colleagues to support the Zuni Indian Tribe Water Rights Settlement Act of 2003.

HONORING COACH LEFTY
DRIESELL

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. HOYER. Mr. Speaker, for the better part of a year University of Maryland basketball fans have been celebrating and enjoying the National Championship won by the Terps in April 2002. This was a wonderful accomplishment for which coach Gary Williams and his players have been widely praised, and they deserve a tremendous amount of respect and credit for bringing, the University its first men's basketball title.

But there is another individual whose contributions to the 2001-02 championship season should not be overlooked—former Mary-

land coach Charles "Lefty" Driesell, who earlier this year retired after 41 years in the coaching ranks. When coach Driesell arrived in College Park for the 1969-70 season, after having turned small Davidson College into a respected Division I basketball program, his stated goal was to make Maryland "the UCLA of the East." And while no university has ever won titles at the rate of John Wooden's Bruins, the fact is that Lefty Driesell established at the University of Maryland one of the nation's elite basketball programs.

Maryland fans now take for granted that the Terps will challenge for the ACC title, receive an invitation to the NCAA tournament, and be among the handful of serious contenders for a trip to the Final Four. But that wasn't always the case.

Consider that during the first 50 seasons of men's basketball at the University, prior to the arrival of Coach Driesell, the Maryland men's basketball team won 53 percent of its games, twice finished the season ranked in the AP poll, and played in the NCAA tournament one time. In the 33 full seasons since Lefty came to Maryland, the Terps have a winning percentage of 65 percent, have been ranked 14 times, and have made a remarkable 19 NCAA tournament appearances.

Because of the level of success that has been achieved and maintained, the University is now able to recruit from among the nation's top high school players. But it is the initial success, or "turning a program around," that is the difficult first step. Coach Williams' two Final Four appearances and National Championship last year were built on the foundation established by Lefty Driesell in the 1970s and 1980s.

Coach Driesell's career numbers are almost too much to comprehend, but a few are worth noting. He retires with 786 wins, behind only Dean Smith, Adolph Rupp and Bob Knight; he compiled 22 career 20-win seasons; he is the only coach to win at least 100 games at four schools, and one of only three coaches to take four schools to the NCAA tournament; he was twice voted ACC coach of the year and won more games during his 17 seasons in College Park than any other Maryland coach.

But Charles Driesell was not just the "Lefty" we all came to know and love as the Maryland basketball coach. Joyce Gunter, his wife of more than 50 years, his four children and 8 grandchildren know him as a loving and committed father and husband.

He has also been officially recognized by the NCAA as a hero for his actions the night of July 12, 1973. Driesell was surf fishing with some friends around midnight in Bethany Beach, Delaware when they spotted flames shooting from a nearby townhouse complex. Coach Driesell broke down the door and started getting the people out of the burning buildings, and he is credited with having saved the lives of ten children that evening.

For his actions, Driesell received the NCAA Valor Award in 1974, which is presented to a coach or administrator currently associated with intercollegiate athletics, or to a current or former varsity letter-winner at an NCAA institution who, when confronted with a situation involving personal danger, averted or minimized potential disaster by courageous action or noteworthy bravery. In the nearly 30 years since its creation, the award has only been presented eight times, which speaks to the true heroism of Coach Driesell's actions that night.

Mr. Speaker, I would like to congratulate Charles "Lefty" Driesell on his much-deserved retirement and thank him for his contributions to the University of Maryland, its fans and the citizens of the great state of Maryland.

IN HONOR OF THE BAYONNE HIGH SCHOOL FIGHTING BEES

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. MENENDEZ. Mr. Speaker, I rise today to honor the Bayonne High School Fighting Bees for winning the New Jersey North 1, Group IV state championship for the first time in the school's history. Their hard work, dedication, and talent led them to victory, and to the ultimate of high school football prizes, winning the state championship.

Coach Rich Rodriguez's philosophy, that every play of every game was of the utmost importance, proved true in the 25–23 win over Hackensack High. There was no room for the players to let up on their intensity. Bryan Smith took this philosophy to heart. Running hard, he rushed for 233 yards on 23 carries, and his determination was an example of the entire team's tireless efforts to reach their goal.

As they move on in life, the team can remember the lessons that earned them the honor of being able to call themselves champions—that with great effort, teamwork, and dedication to a cause, one can accomplish goals and win not only on the football field but also in life.

Today, I ask my colleagues to join me in honoring the Bayonne High School Fighting Bees for their accomplishments on the football field. Congratulations, you make our community proud.

A TRIBUTE TO CONGREGATION BETH SIMCHAT TORAH AND RABBI SHARON KLEINBAUM

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. NADLER. Mr. Speaker, it is my very great personal pleasure to rise today to honor New York City's Congregation Beth Simchat Torah and its rabbi, Sharon Kleinbaum. CBST, as it is known to thousands of friends throughout the city and around the world, is the world's largest lesbian, gay, bisexual, and transgender congregation, and on February 9, 2003, we will celebrate the start of CBST's 30th year of service to the community.

In 1973, ten people gathered in the basement of the Church of Holy Apostles in response to a small classified ad placed in the Village Voice. At the time, none of the national Jewish organizations supported gay rights. No synagogues officially welcomed gay members. The fact that we are able to join together, thirty years later, to celebrate and commemorate CBST is a testament to the strength of what those first congregants established—a place where it is possible to be both "openly gay and proudly Jewish," as Rabbi Kleinbaum

says, a community in which all journeys are respected.

This celebration is also evidence of the special place CBST occupies in the hearts of New Yorkers of all denominations and all sexualities, as a welcoming and loving place to celebrate one's faith. Every year, for the High Holidays services, CBST moves its services to the Jacob Javits Convention Center in order to accommodate the 3,000 or more people who are a part of the extended CBST family. In 2001, just two weeks after September 11th, CBST's services for Kol Nidre, the Jewish Day of Atonement, drew 6,000 people. I don't think I could adequately describe the important place CBST has had in the lives of so many of my fellow New Yorkers, but the numbers certainly begin to tell the story. I am proud to represent Congregation Beth Simchat Torah in Congress.

There have been many heroes in the history of CBST. This year, we will thank the congregation's rabbi, Sharon Kleinbaum, for ten years of visionary leadership. In the course of ten eventful years, it has been her love of the CBST community that has made CBST an ever-growing force for positive social change. CBST, like the larger gay community of New York City, has lost too many members to AIDS, and through the years, Rabbi Kleinbaum has helped many CBST members through their own sickness, and the loss of friends and loved ones. She is the leader of a new generation of young Jewish leaders, deeply committed to the Jewish tradition but innovative and progressive in her view of its celebration, and passionate in her belief in the power of faith in people's lives. Rabbi Kleinbaum occupies a truly treasured place in the gay community, the Jewish community, and in the hearts of thousands of New Yorkers, and I am also proud to call her my friend.

TRIBUTE TO FERRIS FOUNDATION AND THE NATIONAL ASSOCIATION FOR EQUAL OPPORTUNITY IN HIGHER EDUCATION

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. MORAN of Virginia. Mr. Speaker, I rise today to recognize the achievements of the Ferris Foundation and the National Association for Equal Opportunity in Higher Education for understanding the importance of international education programs.

In 1989, Dr. Richard Ferris created the Ferris Foundation for Graduate Education, Inc. to nurture the strong bonds between the people and institutions of the United States and Ireland. Since the beginning, the Ferris Foundation has invested resources in the creation of academic projects providing postgraduate education to outstanding scholars of both countries. Over the years, the Ferris Foundation has brought excellent young scholars from universities in Northern Ireland and the Republic of Ireland to the United States for advanced studies in management and finance.

Last year, the Ferris Foundation and the National Association for Equal Opportunity in Higher Education embarked on a partnership to give both African-American and Irish students an opportunity to learn about the Irish

and African-American cultures that exist in their respective countries.

The rector of the university system in Ireland worked with Dr. Ferris and the National Association for Equal Opportunity in Higher Education to facilitate the implementation of this innovative program. The Association identified a number of scholarly and well-rounded students from some of the most prestigious African-American universities. The four students who were selected for graduate study in Ireland include: James Keeton of Albany State; Akisha Campbell of Florida A & M University; Joseph Easter of Jackson State University and Keisha Senter of Florida A & M University. These four distinguished scholars will experience Irish culture through a planned program of graduate study and through employment in an American corporation in Ireland.

This unique project not only provides each participant with a superior graduate education but also an introductory employment experience and a perspective on American culture seen through their new "Irish eyes."

I wish the Ferris Foundation and the Republic of Ireland and the National Association for Equal Opportunity in Higher Education well as they continue on the path of fostering cultural exchange and embodying the motto of the National Association for Equal Opportunity in Higher Education in "Keeping the Doors of Opportunity Open."

THE FEDERAL HOME LOAN BANK SYSTEM

HON. WM. LACY CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. CLAY. Mr. Speaker, I stand today to ask for further congressional scrutinizing of recommended changes to the Federal Home Loan Bank system.

The Federal Home Loan Bank system has enjoyed continued success as a regionally based cooperative that provides critical liquidity to its constituent member institutions.

The currently proposed changes involve three major issues that include the assumption of new powers, the dismantling of the regional character of the System, both of which bring into issue concerns about corporate transparency, and whether the FHLBank's disclosure practices are adequate.

It is thought by many in Congress and in the industry that efforts by some members of the FHLBank system to create a new market for securitization of mortgages would expand its mission in an era of economic uncertainty. Congress should have an opportunity to assess the effectiveness of any proposed reforms before the system is allowed to abrogate its traditional mission.

Moreover, the adoption of a multi-district charter would undermine the strength of the system which lies in its regional structure that allows each bank to have independence and flexibility in addressing its varying needs. As a result, further consolidation could threaten competition and lead to a limitation of access to credit for home ownership.

Finally, any expansion of FHLBank powers and activities should be accompanied by more stringent disclosure requirements; additional

statutory standards such as affordable housing goals; and appropriate capital requirements.

In order to safeguard the continued viability of the Federal Home Loan Bank system, any changes to its fundamental mission should receive adequate congressional scrutiny.

IN HONOR OF ETHEL D. PEOPLES

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. MENENDEZ. Mr. Speaker, I rise today to honor Ethel Davis Peoples or over 34 years of dedicated service to the children and families of Jersey City. Upon her retirement, she was honored at Casino in the Park in Jersey City, New Jersey, on Saturday, December 7, 2002.

Mrs. Peoples, an exemplary citizen and active participant in the community, spent over 30 years working at the Jersey City Child Development Centers, Inc. She started her career working as a temporary food service employee, and her outstanding work led to a full-time position. Over the years, Mrs. Peoples has worked in several Head Start Centers, and has been a joy to work with as she shares her positive outlook with everyone.

Mrs. Peoples also invested countless hours as a volunteer worker with young adults at the Teen Post of the Catholic Youth Organization (CYO), located on Bergen Avenue. She was honored and recognized by the CYO for her devoted service and tireless work.

Mrs. Peoples, a great-grandmother, is also the mother of seven and grandmother of eleven.

Today, I ask my colleagues to join me in honoring Ethel D. Peoples for enriching the lives of so many throughout our community and at the Jersey City Child Development Center, Inc.

SUSPENSION OF FURTHER TSP REDUCTIONS UNDER THE 2001 TAX ACT

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. RANGEL. Mr. Speaker, today I am introducing legislation that will ask a simple question. Do Members of Congress feel that the threats posed by Iraq, North Korea, and terrorism are sufficiently real that all Americans should bear some sacrifice in responding to those threats?

Our Nation in times of war always has responded by requiring sacrifices from all segments of our society. Individuals in our military are asked to bear the highest sacrifice. They are forced to leave their homes and risk their lives overseas. Those fortunate enough to remain at home during the war have been asked to support the military through rationing, increased taxes, or diversion of government resources from domestic programs.

The President's rhetoric about the seriousness of the risk posed by Iraq and terrorism is inconsistent with his actual program. He places our military at risk but does not ask all

other segments of our society to sacrifice for the cause. Only the poor will be forced to sacrifice through reductions in the domestic safety net. Other segments of our society are promised tax reductions, not sacrifice, with the greatest tax reductions enjoyed by the wealthiest segment of our society.

The Department of Defense surveys clearly indicate that both active-duty and reserve members of the Armed Forces are primarily from low-income families. The fact that only one member of the Congress has a child in the enlisted ranks of the military is stark confirmation of the accuracy of those surveys. However every Member of Congress, by virtue of their congressional salary alone, will have sufficient income to enjoy large tax reductions under the Bush Administration policy.

Mr. Speaker, the legislation that I am introducing today will not increase taxes on any American above the level that is currently in effect. It simply suspends all further tax reductions under the 2001 Tax Act until the President certifies that the situations in Iraq and North Korea have been resolved, there has been an adequate response to international terrorism, and no member of the Armed Services is involuntarily on duty because of those situations.

Mr. Speaker, I recognize that the sacrifices required by my legislation do not meet the standard that this country has required in the past. It will not increase taxes, it will simply defer future tax reductions. Our seriousness about pursuing action overseas will be highly questionable if this Congress does not require that small sacrifice from those so fortunate to be able to stay at home.

I recognize that some will attack my legislation as being "class warfare." I would respond to that criticism by pointing out that all future tax reductions under the 2001 Act would be deferred by my legislation, including the limited benefits promised to lower income individuals. I recognize that the wealthiest segment of our society would have the largest benefits subject to deferral. However, that fact is not my doing, it is a simple reflection of the unfair nature of the 2001 Act.

The administration and many Republican Members of the Congress have vociferously attacked the legislation that I introduced earlier to reinstate the draft. It is clear that they do not believe that their cause in Iraq is of sufficient importance to risk the lives of their children. Now I am asking whether it is sufficiently important to sacrifice tax benefits promised in the future.

TRIBUTE TO ROBERT L. JOHNSON

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I stand before you today to acknowledge the accomplishments of Robert L. Johnson.

In 1980, Mr. Johnson launched Black Entertainment Television (BET) with the help of a \$15,000 loan. Under Mr. Johnson's leadership, BET Holdings Inc. expanded, and in 1991 became the first African-American-owned Company traded on the New York Stock Exchange. Mr. Johnson has since expanded the

core BET network to include a theatrical film company, a book publishing division and restaurants. BET has flourished as the leading African American multimedia entertainment company, now reaching more than 65 million U.S. homes and more than 90% of all African-American cable households.

On December 12, 2002, the National Basketball Association awarded Robert Johnson an expansion franchise in Charlotte, NC, making him not only the first African American to own an NBA franchise, but also the first African-American to own a major professional sports team in North America.

The selection of Mr. Johnson completes a long series of achievements by African-Americans in the NBA. Earl Lloyd became the NBA's first African-American player in 1950. Bill Russell became the league's first African-American head coach in 1966. Wayne Embry became the league's first African-American general manager in 1972. Today, 85 percent of the NBA's rosters are filled with African-Americans, and 12 of the 29 coaches in the league are African-Americans.

It was his individual skills, his demonstrated ability to build organizations, and his success in business and media that earned Robert Johnson such a grand accomplishment. He will be an example for other team owners as he has committed to giving African-Americans opportunities within his team's management structure.

I would like to recognize the historical significance of Robert L. Johnson becoming the first African-American to own a majority portion of a major sports team in the United States and North America. I salute Mr. Johnson for his outstanding achievements and work as an African American businessman and leader. I commend the NBA in choosing Mr. Johnson to own the new Charlotte franchise, and I salute the league's understanding of the importance of diversity in making its selection. I would also like to encourage further efforts within the NBA and other professional sports to support minority ownership and management of team franchises.

SHERIFF GARY T. CARLSON

HON. DENNIS A. CARDOZA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. CARDOZA. Mr. Speaker, I rise today to honor Merced County Sheriff Gary T. Carlson. Sheriff Carlson was born in Iowa and raised in Illinois and graduated from Cathedral High School in Chicago, Illinois.

At the age of 18, Gary joined the United States Air Force and after basic training was stationed at Castle Air Force Base in Atwater, California. After over two years at Castle, he received orders to Vietnam. Gary returned to the U.S. in April 1970 and was honorably discharged at the rank of Sergeant at McCord Air Force Base in Seattle, Washington.

Gary again returned to Merced, California and attended Merced College studying in the area of Sociology. He applied for and was hired as a Merced County Deputy Sheriff in October 1971. His first assignment was working in the Jail Division. Sixteen months later, he was assigned to the midnight shift Patrol Division, then to the Detective Division. Gary

was promoted to Sheriff Sergeant in 1978. Since then, he has worked in Corrections, Narcotics and Detectives, along with Administrative Services. Gary was then promoted to Commander in May 1991.

In addition to his work at the Department, Gary has taught Administration of Justice classes at Merced College and possesses a lifetime teaching credential for California Community College in the Law Enforcement Field. He has a Bachelor's Degree from Chapman University in Administration of Justice and graduated with honors.

Gary was appointed to the Office of Sheriff-Coroner of Merced County by the Merced County Board of Supervisors and took office on May 5, 2001. He has three children, Juliette, Matthew and Christian. He is married to his wife, Linn.

It is my honor and privilege to recognize Sheriff Gary Carlson for his service to the Merced community and to our nation. Throughout his career, he has distinguished himself as a leader and mentor. It is my honor to call Sheriff Carlson my friend. I am delighted to recognize his service and his retirement as I wish he and Linn all the best in their future.

IN HONOR OF CAROL CRUDEN

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. MENENDEZ. Mr. Speaker, I rise today to honor the many accomplishments of Carol Cruden, who was recognized Friday, January 24th, at Ireland's 32 annual dinner dance held at the Hi-Hat Club in Bayonne, New Jersey.

A Bayonne native, Carol Cruden has dedicated her life to creating a healthier and more educated community. She is currently the president of the Hudson County School Nurses Association, a member of the New Jersey Association of Health Educators, and the Family Life Education Council. She has been the director of Bayonne Public School Nurses for 25 years, supervisor of Employee Health Services for the Board of Education since 1991, and is a part-time nursing supervisor at Bayonne Medical Center. For her work towards the prevention of child abuse, Carol was nominated by the New Jersey School Nurses Association as the 2001 honoree of the New Jersey Child Assault Prevention Project.

She is a member of the Gold Star Wives of America, Mayor's Council on AIDS Awareness, Nursing Advisory Committee for Bayonne Medical Center School of Nursing, Bayonne's Community Health Steering Council Secretary for the Advocates of Bayonne Children, and Ireland's 32.

An accomplished student, Carol graduated from Bayonne High School and Holy Name Hospital School of Nursing. She earned her B.A. and M.A. from Jersey City State College, receiving the academic distinctions of Magna Cum Laude and membership to the Kappa Delta Phi National Honor Society. Carol is a certified school nurse and a teacher of licensed practical nursing.

Carol, the only child of Sarah and Hugh Finney, married the late Marine Staff Sergeant Donald Cruden, and has three children, Daniel, Michael, and Sally.

Today, I ask my colleagues to join me in honoring Carol Cruden for her positive influence and hard work on behalf of the nursing community and all of Bayonne's residents. Thanks to Carol, Bayonne is a healthier and happier community.

TRIBUTE TO DAVID K. MORRIS

HON. NORMAN D. DICKS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. DICKS. Mr. Speaker, I rise today to pay tribute to a great American, Mr. David K. Morris. After 8 years as the Superintendent of the Olympic National Forest, David has accepted a position in the Peace Corps as the Country Director for the African country of Zambia.

David has worked for the National Forest Service for 37 years, including as the Superintendent at Crater Lake National Park and Katmai National Park. In addition, he served as assistant superintendent for Canyonlands and Arches National Parks and Natural Bridges National Monument. David has also served the Park Service in Hawaii and San Francisco.

David began his service as the Superintendent of the beautiful Olympic National Park in November 1994. During his tenure at Olympic, David has overseen a number of important improvements and accomplishments, including purchase of the two Elwha River dams, establishment of the Friends of Olympic National Park and initiation of the park's General Management Plan. In addition, he has worked toward the general rehabilitation of visitor's centers, park roads, and over 600 miles of park trails. Under David's leadership, the Olympic National Park has become one of the most visited National Parks in the Nation.

The National Park Service has recognized David's work with two awards, the Superior Service Award in 1991 and the Meritorious Service Award in 1999.

David's career has included two foreign assignments, first as a Peace Corps park planner in Malawi, Africa, between 1974 and 1976 and later as a National Park advisor to Sri Lanka from 1987 to 1988. Additionally, he completed short-term advisory assignments in American Samoa, Costa Rica, Hungary, Argentina, the Republic of Georgia, Russia, United Arab Emirates, and South Africa.

I thank David for his tremendous service to the Olympic National Park. I wish David all the best in his future endeavors.

TRIBUTE TO FRAN WAGSTAFF ON THE OCCASION OF HER 20 YEARS OF LEADERSHIP OF THE MID-PENINSULA HOUSING COALITION

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Ms. ESHOO. Mr. Speaker, I rise today to honor a great American and most distinguished Californian, Fran Wagstaff, for her 20 years of leadership as the executive director of the Mid-Peninsula Housing Coalition, MPHIC, of Redwood City, CA.

Fran Wagstaff joined the Mid-Peninsula Housing Coalition in 1983 and since that time she has become known as the premier person and leader in affordable housing in the 14th Congressional District of California and throughout our region. With Fran Wagstaff's leadership, Mid-Peninsula Housing Coalition is considered the "gold standard" for providing affordable housing for the people of San Mateo, Santa Clara, Santa Cruz, Alameda, Monterey, Solano, and Contra Costa Counties in California. Today, thousands of families who work locally but would otherwise be priced out of the local housing market have safe, attractive, affordable housing.

Fran Wagstaff has been responsible for the development of over 80 affordable housing projects, creating more than 2,500 new affordable housing units. Beyond the creation of new housing, under her leadership MPHIC has been able to acquire and rehabilitate another 2,500 units for low-income individuals and families. Fran Wagstaff and her team have also created six facilities for homeless families, ensuring that everyone has a place to live. Her work and her vision helped to create Shelter Network of San Mateo County, a highly respected nonprofit organization which operates local homeless shelters and programs to help people end the cycle of homelessness. She's also been a leader in the effort to develop a housing trust fund for San Mateo County.

Before joining MPHIC, Fran served as executive director of the Community Housing Improvement Program, CHIP, a private nonprofit housing agency that provides a variety of housing services to low-income households in predominantly rural areas. Through her leadership, CHIP was able to help thousands of people find a place to live, whether it was through the conversion of vacant buildings, the development of cooperatives for low-income families or the rehabilitation of existing homes.

Mr. Speaker, I ask my colleagues to join me in honoring this great and good woman. Fran Wagstaff is one of the most exceptional, effective and respected leaders in our community and through her commitment and professionalism, she has made our communities and our country a better place for all.

SUPPORTING EFFORTS TO PROMOTE GREATER AWARENESS OF NEED FOR YOUTH MENTORS AND INCREASED INVOLVEMENT WITH YOUTH THROUGH MENTORING

SPEECH OF

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 27, 2003

Mr. HASTINGS of Florida. Mr. Speaker, I rise today in support of H. Res. 25, a resolution commending those who give their time and talents to supporting mentoring programs. I support the efforts to promote greater awareness of the need for youth mentors and the increasing involvement with youth through mentoring.

17.6 million young people, nearly half of the youth population, want or need the help of mentors to help them achieve their full potential. Currently only 2.5 million young people are in formal mentoring relationships, leaving

15 million young Americans without the aid of mentors.

Every child in our community should be given the opportunity to achieve their full potential. The role of mentors in a child's development cannot be understated. Mentors serve as role models, friends, and advisors helping our youth to develop important social skills, enhance emotional well being, improve cognitive skills, and plan for the future. A mentor can provide crucial guidance, and encouragement, which motivates and nurtures our youth.

Mentoring projects could be used to help control and lower the national high school dropout rate, which continues to be a major problem. An estimated 300,000 to 500,000 students in grades 10–12 leave school each year. If used effectively, I believe that mentoring programs could significantly lower the nation's high school dropout rate.

This month is National Mentoring Month. We must take this opportunity to recognize the importance of youth mentors and work to embrace and promote mentoring activities and programs.

Mr. Speaker, I would like to commend the efforts of the many mentors who provide the youth of our communities with the invaluable gifts of education and self-confidence.

IN HONOR OF JOHN L.
MCGOLDRICK

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. MENENDEZ. Mr. Speaker, I rise today to honor John L. McGoldrick for his outstanding contributions to our world community. He will be recognized at the American Jewish Committee Institute of Human Relations Award Dinner on Thursday, January 30, 2003, at the Hyatt Regency in Princeton, New Jersey.

Mr. McGoldrick is Executive Vice President of Bristol-Myers Squibb Company, Vice Chairman of the Company's Executive Committee, and responsible for global corporate policy. He is general counsel and director of the Bristol-Myers Squibb Foundation, and previously, served as a senior partner of the law firm of McCarter & English, LLP, where he sat on the Executive Committee.

A man with a global vision, Mr. McGoldrick played an integral part in Bristol-Myers Squibb's HIV/AIDS initiatives in Africa, including the "Secure the Future" program in Southern and Francophone Africa, and the ACCESS program making antiretroviral therapy more accessible in developing countries.

A man with both a national and local vision, Mr. McGoldrick has served as a director of the United States third largest passenger rail and bus company, the New Jersey Transit Corporation, since its founding in 1979. In addition, he has served as Vice Chairman, and is currently the senior ranking member of the board. He is director of Zimmer Holdings, Inc., the NYSE-listed manufacturer of artificial hips and knees, and a member of the Board of Directors of AdvaMed, the medical devices trade association. He has served on government reform commissions in New Jersey, leading Bristol-Meyers Squibb's efforts to support the State of New Jersey Commission on Holocaust education.

He is a member of the following organizations: the Aspen Institute on the World Economy; the Council on Foreign Relations; the World Economic Forum (Davos); the Association of General Counsel, the Council of Chief Legal Officers; the Executive Committee of the CPR Institute for Dispute Resolution; and the American Law Institute. He is a fellow of the American College of Trial lawyers, the American Bar Association, and of the American Academy of Appellate Lawyers.

Mr. McGoldrick graduated from Harvard College and earned his law degree from Harvard Law School.

Today, I ask my colleagues to join me in honoring John L. McGoldrick for exemplifying the American Jewish Committee's vision; he has made a global impact, and his exceptional leadership and many accomplishments in the fields of healthcare, education, and justice have truly made this world a better place.

TRIBUTE TO PAT SCHRIMSHER
KING

HON. ROBERT E. (BUD) CRAMER, JR.

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. CRAMER. Mr. Speaker, I rise today to recognize an important member of my North Alabama community upon her retirement, Ms. Pat Schrimsher King. After more than 33 years of combined service with the McDonnell Douglas Corporation and the Boeing Company, Pat is retiring on January 31, 2003. Throughout her tenure, Pat has provided the leadership and guidance necessary for the success of many projects at the company and in her community.

One of Pat's major accomplishments during her time at Boeing is administrating the Boeing Employees Community Fund, ECF. Through her direction, the ECF has given hundreds of thousands of dollars to health and human service agencies throughout North Alabama. I commend Pat King for her coordination of this initiative that has helped bring North Alabama business together with the community to help make our region an even better place to live and work.

Pat will be missed by her many friends and fellow employees at Boeing, but I know she will remain active, continuing to work on a variety of projects that improve and enhance our community. I commend Pat for the inspiration she has given to her friends, family, and colleagues and for all that she has done to benefit the people of North Alabama. Mr. Speaker, I join the North Alabama community today in wishing Pat a happy and healthy retirement and sending her my sincere congratulations for a job well done.

INTRODUCTION OF THE IDEA PA-
PERWORK REDUCTION ACT OF
2003

HON. RIC KELLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. KELLER. I rise today to introduce the "IDEA Paperwork Reduction Act of 2003". As

a Member of the House Education and Workforce Committee, I will be working with Chairman BOEHNER in the coming months to reauthorize the Individuals with Disabilities Education Act. Over the past year, I have heard from many teachers, in my home district of Orlando, Florida, about their concerns regarding the special education law. One issue was particularly troublesome to me because it seemed to be something that I felt could be easily solved—the paperwork burden for special education teachers. This legislation will work to pinpoint and alleviate the excess paperwork, thereby increasing the quality instruction time a teacher can spend with their students in the classroom while also ensuring that special education students are receiving a quality education.

Last year I toured local schools in my district of Orlando, FL, to get a first-hand understanding of the problems that parents, teachers and administrators face implementing a successful special education program. One teacher took me into an office where he showcased a typical day's work of filling out all of the required forms for a special education student. I was shocked to learn that teachers spend so much of their time complying with process instead of being able to teach and assist students in the classroom.

The Individuals with Disabilities Education Act was never intended to take teachers' time away from the classroom, rather it was intended to ensure that special education students were able to receive the same classroom instruction as their general education peers. Unfortunately, over time the paperwork trail has grown as states and local districts try to ensure that they have complied with the federal law. The threat of being sued has encouraged an overabundance of paperwork in order to document the school's compliance with the law. When did "process" overshadow the importance of actual quality instruction and results?

When a principal testifies that their IEP Teams spend an average of 83.5 hours filling out paperwork in preparation to sit down for an Individualized Education Plan, IEP, with a student's parents—something makes me wonder about the 83.5 hours taken away from classroom instruction time. IEP's are of course an important aspect of IDEA, but there can be some commonsense reforms put in place to reduce the redundancy of the process.

The "IDEA Paperwork Reduction Act of 2003" will call for a study by the Department of Education to be furnished within 6 months of authorization to determine where the burden is stemming from, and provide suggestions to mitigate the issue. The Department will be required to issue a streamlined IEP for school districts to use as a model. It will also call for a pilot program for 10 States to enter into an agreement with the Department of Education to perform their own paperwork reduction programs to see if any reforms can stem from State innovation.

In addition, the legislation would allow local education agencies to offer parents the option of choosing a 3-year IEP—this would allow the process to occur at natural transition points for the child instead of every year. During a voluntary 3-year IEP, should the parent decide at any point during the 3 years that their child is not receiving adequate services, they can call for an IEP to be commenced within 30 days.

These commonsense reforms included in the "IDEA Paperwork Reduction Act of 2003"

will ensure that IDEA is results-driven, not process-driven. The legislation will improve the academic achievement of special education students and empower parents, while also doing away with an overly prescriptive and burdensome process for teachers. It will enable teachers to save valuable classroom instruction time for exactly that—classroom instruction. I encourage my colleagues to call my office to cosponsor the "IDEA Paperwork Reduction Act of 2003".

INTRODUCTION OF THE IDEA PAPERWORK REDUCTION ACT OF 2003

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. BOEHNER. Mr. Speaker, today I am proud to join my colleague Representative RICK KELLER in introducing the IDEA Paperwork Reduction Act of 2003. This legislation will go a long way in providing relief from the IDEA paperwork burden, and in reducing time spent by teachers on non-instruction activities, as required under the Individuals with Disabilities Education Act (IDEA).

Last year, the House Education and the Workforce Committee conducted an aggressive series of hearings exploring major issues that would likely be addressed in the Committee's reauthorization of IDEA. Numerous witnesses at these hearings testified to the need for the Department of Education to identify and simplify burdensome regulations under IDEA and for Congress to adopt statutory changes that would provide relief to the nation's special education and general education teachers who labor with great dedication to educate children with special needs.

In our hearings, the Committee heard from school principals and administrators voicing frustrations about their schools' efforts to provide services to students as required by their IEPs when unnecessary paperwork requirements compete with the available instructional time. Teachers find themselves between a rock and a hard place, if you will, with unyielding demands made on their time. When something gives, the impact is either on the teacher or the student, two of our most valuable resources.

In fact, studies from the Department of Education show that we are facing a significant shortage of special education teachers, and many special educators leaving the field cite the burden of unnecessary paperwork as one of the primary reasons for their departure. This crushing burden of paperwork serves as a major disincentive for teachers to enter the field of special education, and as a result, too many of our children with special needs do not have a qualified teacher in the classroom.

Representative KELLER's proposed amendments to IDEA are an excellent start to the Education and the Workforce's effort to identify and simplify burdensome statutory provisions in IDEA. They are innovative and provide much-needed flexibility to the nation's special education system.

This legislation directs the Secretary of Education to submit a report to Congress detailing regulatory proposals he may find advisable for reducing both the IDEA paperwork burden on

teachers and administrators and the amount of non-classroom time spent by teachers and administrators in order to comply with the requirements of IDEA. It also directs the Secretary to identify, develop, and disseminate model forms for individualized education programs (IEPS), procedural safeguard notices, and prior written notice report requirements that incorporate all relevant Federal statutory and regulatory requirements under IDEA.

In addition, the legislation provides that local educational agencies may offer to parents the opportunity to develop a 3-year IEP (in lieu of an annual IEP) for each child with a disability, with IEP goals coinciding with natural transition points for the child. This would mean IEPs would be redeveloped close in time to the transition of a child with a disability from preschool to elementary grades, from elementary grades to middle or junior high school grades, from middle or junior high schools grades to high school grades, and from high school to post-secondary activities, but in no case longer than 3 years. In the "in-between" years, the law would provide for a streamlined annual IEP review focusing on the child's current levels of performance and progress toward meeting the measurable annual goals in the IEP, but a comprehensive review and revision of the IEP document would not be done every year.

Most importantly, this is a voluntary option for parents. Many parents will choose to use this flexibility, and some may not. But I agree with Representative KELLER that it is important to provide this flexibility and this choice to parents so that they can determine the best way to interact with their child's school.

Representative KELLER's bill would also allow the Secretary to grant waivers of paperwork requirements under IDEA to 10 States based on proposals submitted by States for addressing reduction of paperwork and non-classroom time spent fulfilling statutory and regulatory requirements. This will promote innovation and provide much-needed flexibility as States grapple with better implementing IDEA, and the Federal, State, and local regulations under it.

I am pleased to join my colleagues in introducing this bill, and I look forward to working with them to address these important ideas.

IN HONOR OF WILLIAM DWYER

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. MENENDEZ. Mr. Speaker, I rise today to honor the many accomplishments of William Dwyer, who was recognized Friday, January 24, at Ireland's 32nd annual dinner dance held at the Hi-Hat Club in Bayonne, New Jersey.

A life-long Bayonne resident, William Dwyer has spent his career dedicated to the medical community. He has worked at Passaic General Hospital and Columbia Presbyterian Medical Center, and was a past president of the New Jersey Healthcare Human Resources Administrators. For almost 11 years, Mr. Dwyer has been the vice president of Human Resources, Risk Management, and Corporate Compliance, at Children's Specialized Hospital in Mountainside, New Jersey, the largest pedi-

atric rehabilitation hospital in the United States.

William Dwyer, an active member of the community, is currently the president of the Kiwanis Club of Mountainside, New Jersey, and head of the St. Andrew's Cub Scouts. He is a member of the following organizations: the Board of Directors of the Healthcare Employees Federal Credit Union; the Executive Committee of St. Peter's Prep parents organization; and the parent teacher organization of School 14. He is a past President of the St. Andrew's Parish Council, and past Vice President of the Bayonne Rangers; a New Jersey-based youth ice hockey organization. In addition, he has volunteered at the Bayonne Little League CYO and City Basketball Leagues.

William and his brother, Jim, founded the Irish singing group, The Bantry Boys, and recently celebrated their 20th anniversary of performing together. The band enjoys playing their Irish folk music for all, especially for the students of Bayonne elementary schools and the children at the Children's Specialized Hospital.

Bill attended Marist High School, and received his B.A. from St. Peter's College, and M.A. in Education from Seton Hall University.

William Dwyer, the youngest of four children born to Mary and John Dwyer, is married to the former Mary Reilly, and they have two children, Bill and Megan.

Today, I ask my colleagues to join me in honoring William Dwyer for his selfless dedication to Bayonne's residents and for brightening our days with music.

WILSON GREEN APPOINTED TO THE NATIONAL MUSEUM SERVICE BOARD

HON. J. RANDY FORBES

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. FORBES. Mr. Speaker, I would like to take this opportunity to honor a friend and advocate of the museum arts. Wilson Greene of Petersburg, Virginia, will be sworn in tonight to serve as a member of the National Museum Service Board. Mr. Greene will serve as one of fifteen members of this advisory board of the Institute of Museum and Library Sciences. As a member of the National Museum Service Board, Mr. Greene will work to ensure high quality museum programs and services to the public.

Mr. Greene has been the executive director of the Pamplin Historical Park in Petersburg, Virginia since 1992. Previously, Mr. Greene served as President and CEO of the Association for the Preservation of Civil War sites, for which he serves on the National Advisory Board. Mr. Greene has also worked for the National Park Service, serving at several significant historical sites.

Wilson Greene's devotion to academia is apparent as well. Mr. Greene has been a faculty member at several institutions of higher learning including: Mary Washington College, Germanna Community College, and St. Bernard Community College. Mr. Green is also the author of more than twenty-five publications dealing with Civil War and Southern History.

Based on his years of public service with the National Park service, commitment to education, and overall enthusiasm for the study of

history, I am confident Wilson Greene will serve as a valuable member to the National Museum Service Board.

The Commonwealth of Virginia deeply appreciates Mr. Greene's service and his passionate interest in helping Virginians and all Americans to better understand the very important story of our nation's past.

Mr. Speaker, please join me in honoring Wilson Greene, for his recent appointment to serve as a member of the National Museum Service Board.

INTERNATIONAL CUSTOMS DAY

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. CRANE. Mr. Speaker, it was 50 years ago, on January 26, 1953, that the World Customs Organization, formally known as the Customs Co-operation Council, held its first meeting in Brussels, Belgium. In recognition of this occasion, the Council observed January 26 as International Customs Day. This occasion also serves to recognize the role that customs services around the world play in facilitating trade while protecting national borders from importations posing security threats.

I am particularly proud of the U.S. Customs Service for its great contributions to the Nation over the past 214 years of its existence. U.S. Customs was once the sole revenue producer for the young United States. Although that role has diminished over the years Customs collected a record \$23.8 billion in revenue in fiscal year 2001. Today, Customs is still a major source of revenue for the Federal Government, returning about \$8 to the taxpayer for every dollar appropriated by Congress.

For nearly 125 years, Customs funded virtually the entire government and paid for the Nation's early growth and infrastructure. The territories of Louisiana, Oregon, Florida and Alaska were purchased; the National Road from Cumberland, Maryland, to Wheeling, West Virginia, was constructed; and the Transcontinental Railroad stretched from sea-to-sea. Customs collections built the Nation's lighthouses, the U.S. military and naval academies, and the City of Washington, and the list goes on. In 1835, Customs revenues alone had reduced the national debt to zero.

Customs was the parent or forerunner to many other agencies. In the early days, Customs officers administered military pensions (Department of Veterans Affairs), collected import and export statistics (Bureau of Census), and supervised revenue cutters (U.S. Coast Guard). Customs also collected hospital dues to help sick and disabled seaman (Public Health Service) and established standard weights and measures (National Bureau of Standards).

During the first stages of the response to the terrorist attack on September 11th in New York and Washington, D.C., U.S. Customs quickly assumed a leading role. With terrorism causing concern worldwide, the international Customs community has a vital role to play. Every administration is playing an active part in efforts to protect the international supply chain from terrorist acts, while at the same time offering improved trade facilitation.

Today, the United States Customs Service will have new challenges to face as it moves

from the traditional home that it has known within the Department of the Treasury to the newly created Department of Homeland Security. It will be important for Customs to continue to offer the world class level of trade service and facilitation that U.S. business has come to rely on while insuring that security needs are addressed. It will also be important to maintain the revenue collection linkage with the Treasury Department that has historically been so significant.

The U.S. Customs Service represents the United States at the Customs Cooperation Council (CCC). The number of Members increased over the years, and the Council subsequently adopted the working name "World Customs Organization" in order to better reflect the fact that the Organization was an intergovernmental body that genuinely made the transition to worldwide status. The WCO now speaks for 161 Customs administrations drawn from every continent and representing every stage of economic development. The United States has been a member since November 5, 1970.

At present, WCO Members are responsible for ensuring that more than 98 percent of international trade is conducted in compliance with national legislation and international agreements. The WCO renders technical assistance in areas such as customs tariffs, valuation, nomenclature, and law enforcement. Its objective is to obtain, in the interest of international trade, the best possible degree of uniformity among the customs systems of member nations. America benefits when both exporters and importers operate in an atmosphere of simple unambiguous customs operations around the world.

I want to take this opportunity to congratulate the U.S. Customs Service for its fine work both nationally and internationally, and I look forward to the completion of work within the World Customs Organization to further harmonizing and simplifying the customs rules that affect international commerce.

UNIVERSITY OF PORTLAND SOCCER RESOLUTION

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. BLUMENAUER. Mr. Speaker, today I am submitting to the House a resolution congratulating the University of Portland Women's soccer team on their winning the 2003 National Collegiate Athletic Association (NCAA) Division I Championship. This title marks the first national championship in any sport for the University of Portland.

The championship game between Portland and reigning 2001 champion Santa Clara was hard fought, going down to a rare double-overtime. The victory by the Pilots brought their season record to 20–4–1 to tie the school record for wins in a season. The team's performance garnered other records as well; Christine Sinclair set an NCAA tournament record with 21 points on 10 goals and one assist, shattering Mia Hamm's 1993 record of 16; Goalkeeper Lauren Arase set a record for goals-against average, allowing just one goal in 6 games.

I want to commend the coaches at the University of Portland for their hard work and

dedication to helping these young women grow and ultimately bring national recognition to their school and our state. Head Coach Clive Charles, Assistant Coaches Bill Irwin, Garrett Smith, Nyla Stuckey, Trevor Warren and Wynne McIntosh all deserve recognition for the work that they have done developing an outstanding collegiate sports program.

Coach Charles has built an impressive record over the 14 years that he has coached women's soccer at the University of Portland. Collectively, his men's and women's teams have won 12 conference championships, losing only 31 league games, and earned 16 NCAA playoff berths, including seven Final Four appearances, in a combined 27 seasons. Twenty-five Pilots have earned All-America status during Charles' tenure. Early in the 1998 season, Charles won his 300th career college game. The Portland men and women won on the same day, making him just the 11th coach in NCAA soccer history to amass 300 wins.

I am honored to represent many of these individuals in Congress and proud to have the University in my district. This resolution is a fitting tribute to the accomplishments of the coaches, players, and the University of Portland.

TRIBUTE TO MELINDA OHLER

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. LANTOS. Mr. Speaker, it is with great sadness that I rise today to pay tribute to Melinda "Mindy" Ohler, a brave woman and true trailblazer of the San Francisco Fire Department. Mindy's passing, which occurred while responding to a fire alarm at San Francisco International Airport, unfortunately marked the first death of a female San Francisco firefighter in the line of duty.

When Mindy joined the San Francisco Fire Department in 1989, she was one of the first women to become a firefighter in the department's history. In the 13 years since her enlistment, the number of women firefighters in San Francisco has risen to an impressive 235 (12 percent of the force). This increase is in no small part due to Mindy, whose hard work and total dedication to her duties changed the minds of many who had originally opposed the idea of women firefighters. Her inspirational power was ably summed up by one of her colleagues at her memorial service who said, "Frankly, I was against women joining the department, but her willingness to do the job showed me women had a place here."

John Hanley, President of Fire Fighters Local 798, expressed praise for Mindy and characterized her performance as a firefighter as bold and versatile; she was able to handle the challenges she faced with courage, he said, whether it was a small fire or five-alarm conflagration. In addition, Mindy's lighter side—she was a noted prankster—was credited with lifting spirits around the firehouse.

A tireless worker who once held down six jobs at one time, Mindy, 46, was still working two other jobs in addition to her primary one as a firefighter at the time of her death.

In the spirit of solidarity with Mindy, over 3,000 people from around the country—including many fellow firefighters and law-enforcement officers—came to St. Mary's Cathedral in San Francisco to pay tribute to Mindy.

In addition, Mr. Speaker, I am proud to announce that Mindy's name and contributions will be honored forever. Her name will join the names of other men and women who made the ultimate sacrifice while on duty as firefighters at the National Fallen Firefighters' Memorial's Roll of Honor. The memorial, located in Emmitsburg, Md., was designated by Congress as the official, national memorial to fallen firefighters, and it will be further sanctified by the addition of Mindy's name.

Mr. Speaker, I ask my colleagues to join me in recognizing and mourning the loss of Melinda Ohler for her sacrifice and contributions to the people of San Francisco. She will be sorely missed on the Peninsula, in her birthplace of Valparaiso, Ind., and in the hearts of many across this nation who had the privilege of knowing her. To know her was to admire her; her legacy will be one of compassion, selflessness, and a commitment to being all she could be.

COMMEMORATING INDIA'S
REPUBLIC DAY

HON. JOHN LINDER

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. LINDER. Mr. Speaker, I rise today to acknowledge an important national holiday in India, namely a celebration of the Indian people's long and protracted struggle for self-governance and freedom: Republic Day.

On January 26, 1950, India's constitution was ratified. The adoption of this constitution, which was greatly influenced by our Founding Fathers, makes India a model for nations across Asia and throughout the developing world.

As one of the world's most populated democracies, India is also a natural ally for our War on Terrorism. With its strategic location, India is a vital resource and a valued partner of the United States.

In a region too often afflicted with non-democratic governments, and wracked by intolerance across religious or ethnic lines, India truly stands out for its democracy and stability.

The Indian-American community within the United States has played a critical role in building this bridge between our two great nations, and I applaud their efforts.

HONORING THE HEROISM OF
MICHAEL ONUSKO

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. CASTLE. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to and honor the heroism of Mr. Michael Onusko of Lincoln, Delaware. His concern and care for the fellow citizens in his community resulted in a life being saved.

Mr. Onusko, a mail carrier with the United States Postal Service, deserves a hero's recognition for his actions that saved 81-year-old Houston, Delaware resident Margaret Phillips. While on his delivery route, Mr. Onusko noticed that Mrs. Phillips had not picked up her

mail from the previous day. Concerned for a friend for whom he had been carrying mail for 13 years, he walked toward the residence to check on Mrs. Phillips. Upon hearing Mrs. Phillips calling for help from the garage, he quickly alerted the police. Mrs. Phillips had fallen off a ladder in her garage and was suffering from hypothermia after lying incapacitated on the floor for almost an entire day. Had Mr. Onusko not checked on Mrs. Phillips, help might not have arrived in time.

Mr. Onusko displayed a quality that all Delawareans should look for in a role model—a deep sense of community and concern for fellow citizens. We should all hope to emulate Mr. Onusko's actions and reach out when we can to those in need. It is people like Mr. Onusko who inspire others to do great things, and to realize that each of us is a part of a community, and a nation that can only succeed if we look out for one another. America needs everyday heroes who display true concern and goodwill when called upon to help their fellow citizens. I am proud to say that Mr. Onusko exemplified these qualities with his actions, and his recognition, Mr. Speaker, is duly deserved.

Ordinary people who perform extraordinary acts of public service, like Michael Onusko from my great State of Delaware, are the true heroes in today's world, and are the true role models for the next generation of leaders, both inside and outside of Delaware's borders.

FURTHER CONTINUING APPROPRIATIONS,
FISCAL YEAR 2003

SPEECH OF

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 28, 2003

Mrs. MALONEY. Mr. Speaker, I rise in strong support of the Obey Motion to Instruct.

We are four months into fiscal year 2003, yet 11 of the appropriations bills have yet to be enacted.

I am happy to see that we are close to wrapping up this appropriations process. But now is not the time to skip on the people's priorities. In our rush to finish, we must ensure that Homeland Security and our first responders are at the top of our list.

I urge the conferees to incorporate into the final conference report the language included in the omnibus bill by the other body.

In particular, I support the \$90 million to continue the health monitoring at Mount Sinai Hospital for the men and women who were on the front lines of defense on September 11th and the days that followed.

The other body included specific instructions to FEMA on this \$90 million.

Yesterday, several firefighters and rescue workers who worked the pile at Ground Zero were here in Washington to call attention to this very important issue. These brave heroes entered a battle zone of a new kind of war, and are really the first victims of the war. And we need to ensure they receive the medical care they deserve.

The need for this money was underscored in a report released this week by Mount Sinai Hospital showing that a majority of ground zero workers and volunteers screened for health problems have serious persistent illnesses from the disaster.

The initial screening program which ends this July will screen only about 9,000 of the approximately 40,000 rescue workers in need of medical attention. The analysis reveals that over 50 percent of the sample study have pulmonary illnesses, ear, nose and throat ailments, or persistent mental health problems.

The Doctors at Mt. Sinai believe the same statistics will hold for the roughly 3,500 responders they have seen to date. 78 percent of the participants reported at least one World Trade Center-related pulmonary symptom that first developed or worsened as a result of their rescue efforts; 52 percent reported mental health symptoms requiring further evaluation; and only about one-third of the sample participants had received any prior medical care for any of their symptoms and conditions.

In other words, for about one-third of these participants—their trip to Mount Sinai had been their only source of medical care; emphasizing the critical need to fully fund this program now, not later, not months down the road.

I urge my colleagues in the House to read the findings from the Mt. Sinai report—which can be found on my website: <http://www.wtcexams.org/>.

Medical monitoring delayed is proper health care denied. But again we face the challenge of securing the House support and the Administration's support and leadership to make this happen.

Medical monitoring delayed is proper health care denied. I hope that the conferees will include in the final conference report the language included in the omnibus bill by the other body.

The first responders were there for us when we needed them, now the question is will the federal government be there for them.

INTRODUCTION OF RESOLUTION
URGING REVIEW OF STEEL TARIFF
CONSEQUENCES FOR STEEL
CONSUMERS

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. KNOLLENBERG. Mr. Speaker, I rise today to introduce a resolution regarding the Steel Safeguard Program that was initiated on March 5, 2002. This resolution asks for little, but could mean everything to steel-consuming manufacturers in this country.

By introducing this resolution I, along with 51 of my colleagues, are merely asking that the President direct the International Trade Commission (ITC) to include in its mid-term review of the Steel Safeguard Program an assessment of the Program's impact on steel consumers. Currently the ITC is under no obligation to report on these effects. By affirmatively accepting our request, the President will have a complete picture of the economic effects of the Program when he considers in September of this year whether or not to extend the tariffs for another eighteen months.

Last March, the Bush Administration imposed tariffs on imported steel, some as high as 30 percent, in an attempt to limit low-price imports in order to give our domestic steel industry time to reorganize and become more competitive. At that time, it was obvious that

steel-consuming manufacturers were going to feel pain, but we didn't know how bad the pain would be. Nobody knew how bad it would be.

Mr. Speaker, the pain is real and it is deep.

Since last year, I have been hearing stories of skyrocketing steel prices, broken contracts, and supply disruptions. Now, we have layoffs. Now, we have companies buying more steel from foreign countries exempt from the tariffs. And, now, more and more manufacturers, both large and small, are being forced to move production overseas. And once those jobs go, they aren't coming back.

Two days ago, I was joined by representatives from six automotive parts supply companies to discuss the effects of the tariffs. Let me give you just a taste of what these companies are doing to cope with the tariffs.

Arvin-Meritor, which is based Troy, Michigan, in my district, bought one million tons of steel globally last year. They recently closed down a Tennessee plant that employed 317 people in part because of higher steel prices and are now exploring options for buying cheaper steel from non-U.S. suppliers who are exempt from the tariffs.

Dura Automotive Systems, Inc., which is based in Rochester Hills, also in my district, cut 60 jobs after the tariffs were imposed and business was lost.

Metaldyne, which is based in Plymouth, Michigan, is expecting to source 30–40 percent of its steel from abroad within the next few years because of rising prices and supply shortages. They currently buy 98 percent of their steel domestically.

Dana Corp., which is based in Toledo, Ohio, is considering not only buying more steel from abroad, but buying components and finished parts from abroad as well because they can be made cheaper in foreign plants that don't have to pay inflated prices for steel.

All of these companies, and others throughout the steel consuming manufacturing industry, are forced to respond to this pain in order to remain globally competitive. Many of these companies will expand their purchases of finished steel products from overseas, because finished products are not covered by the tariffs. Sourcing parts from overseas causes more pain for companies up the manufacturing stream. Companies are being forced to make these decisions because of the steel tariffs.

Let's be clear. Right now, the unintended consequences of the steel tariffs are killing American jobs in steel consuming companies. This clearly was not the intent of the Steel Safeguard Program. This is the collateral damage. But we can't ignore the fact that the tariffs are costing jobs.

And I have to ask this question: what good will the tariffs have achieved if there are no customers left to buy steel from U.S. steel companies?

I am not here to criticize the President. In fact, I don't think the President would've supported these tariffs if he could've seen in a crystal ball the full damage they're causing. These effects have come about more rapidly and more severely than anyone predicted.

And let me emphasize that I fully support a healthy domestic steel industry. These are good American companies that employ good Americans.

But companies in my district and across the country are hurting. They are good American companies that employ good Americans. They deserve the consideration along with the steel

industry when the steel tariff regime is reviewed.

This resolution is not anti-steel or pro-steel consumer. It is simply an attempt to ensure that when the President decides whether to extend the Steel Safeguard Program for another 18 months, he has all the information he needs to make the best choice for our nation's economy.

This is a modest request. We are not asking that the tariffs be lifted immediately and we're not attempting to change trade law. I urge all my colleagues to cosponsor this moderate, bipartisan resolution to simply consider the impact the steel tariffs have had on steel consumers.

EXTENSION OF TEMPORARY EXTENDED UNEMPLOYMENT COMPENSATION ACT OF 2002

SPEECH OF

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. UDALL of Colorado. Mr. Speaker, I am voting for this bill because it is urgently needed. Its enactment will prevent the cutoff of some unemployment benefits—a cutoff that otherwise would occur very soon.

In other words, by passing this bill we can save many people who are out of a job from the harm that otherwise would result from the refusal of the Republican leadership of the House to deal with this last year.

That is the right thing to do, even at this late date—and so I will support it.

But while this bill is necessary, it definitely is not sufficient. It does not cover everyone who should be covered. In fact, it will do nothing to help a million or more people who are out of work and who have used up all their federal benefits. The statistics I have seen indicate that at least 17,000 Coloradans fall into that category.

Those people are no less in need of assistance to enable them to pay their bills and feed their families while they look for work. It is not their fault that since the current downturn began more than 1.5 million jobs have been eliminated from the economy—and while the best response to their problems will be to revive the economy so that new jobs will be created, in the meantime we need to make it possible for them to make ends meet until that recovery really gets underway.

In the meantime, this bill does need to be passed. But it should be just the first step—and not the last one—to respond to the economic problems of Colorado and the rest of the country.

BACK TO WORK INCENTIVE ACT

HON. HOWARD P. "BUCK" McKEON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. McKEON. Mr. Speaker, I rise to join my colleague, Mr. Porter of Nevada, in support of the Back to Work Incentive Act, which would enact President Bush's plan for Personal Reemployment Accounts (PRAs). This new ben-

efit is an important component of the President's economic growth package, designed to help unemployed workers find a job quickly.

As the President discussed last month, Back to Work accounts will allow the One Stop Career Center system, where the unemployed already seek assistance in obtaining employment, to offer an important new benefit to unemployed workers, in addition to an array of employment services these centers already provide.

States will be able to target this flexible new benefit to unemployed individuals who are most in need of help by offering each individual a re-employment account of up to \$3,000. With these Back to Work accounts, unemployed workers may purchase training, supportive services (such as child care and transportation), and intensive services (such as employment counseling and case management).

Recipients will be able to keep the balance of the account as a cash reemployment bonus if they become reemployed within 13 weeks. Because account recipients can keep the balance of their accounts when they become reemployed quickly and stay employed, PRAs create an incentive to get off unemployment benefits and return to work quickly. The more quickly a job is obtained, the larger the reemployment bonus will be.

Of equal importance, the proposal authorizes \$3.6 billion for states to set up Personal Reemployment Accounts to aid unemployed workers who need the most help getting back to work. This additional support is intended to augment the funding provided under the Workforce Investment Act, which authorizes the federal government's primary programs for helping our nation's workers gain the skills they need to succeed in today's workforce.

These new Back to Work accounts and the job training services administered under the Workforce Investment Act are—both—essential in helping displaced workers and assisting adult workers in areas of the country facing skill shortages that will enhance the 21st century workforce.

As this proposal moves forward, it is my hope that we will meet the President's objectives of getting the economy back on its feet and workers back on the job.

At the same time, I look forward to working to ensure that the system established under the Workforce Investment Act, in particular, the business-led local boards, have an appropriate role in the administration of these accounts.

But make no mistake about it.

Personal Reemployment Accounts represent a new, innovative approach to help unemployed Americans find a job by giving the unemployed more control over their employment search and access to training and services.

In the next few months, the House Education and the Workforce Committee will begin the process of reauthorizing the Workforce Investment Act, where we will focus on improving the system to help achieve the original vision of the law when it was enacted in 1998, which was to create a seamless workforce development system for workers and employers.

Over the past year and a half, the workforce development system funded under the Workforce Investment Act has adequately met the training and employment needs of our nation's employers and employees. States and local areas have created comprehensive services

and effective one-stop delivery systems with streamlined access to training programs. In addition, core, intensive and training services provided under the law have been invaluable in assisting adult workers in areas of the country facing skill shortages. Such continued assistance is essential for enhancing the 21st Century workforce during this downturn in the economy.

I look forward to working with President Bush and my colleagues on the House Education and the Workforce Committee on both pieces of legislation to continue to strengthen our workforce development system to aid those Americans most in need of help getting back to work.

INTRODUCTION OF THE BACK TO
WORK INCENTIVE ACT OF 2003

HON. JOHN BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. BOEHNER. Mr. Speaker, today I am pleased to co-sponsor the "Back to Work Incentive Act of 2003," sponsored by Congressman JON PORTER, to create personal re-employment accounts to help put unemployed Americans back to work.

During his State of the Union Address, President Bush laid out a comprehensive plan to speed our economic recovery and promote long-term job growth and investment. His economic stimulus plan also provides specific assistance—in the form of personal re-employment accounts—to help unemployed Americans who are struggling to return to work.

The Back to Work Incentive Act reflects the President's plan to create these accounts and aid unemployed workers who need the most help getting back to work. By introducing this measure, we are taking an important step toward making his plan a reality.

The President's proposal—which is reflected in this bill—represents a new and innovative approach to helping the unemployed get back on their feet. As President Bush has said, one worker out of work is one too many, and his plan will help working families in times when they need it the most.

States will be able to target this flexible benefit to help the unemployed who are most in need of help in the form of \$3,000 Back to Work accounts. Recipients will be able to keep the balance of the account as a cash reemployment bonus if they become reemployed within 13 weeks, creating an important incentive to return to work quickly. The more quickly a job is obtained, the larger the reemployment bonus will be.

Workers can use their Back to Work accounts for a variety of different services to help them find a good job, including job training, child care, transportation, and other expenses to help in finding a new job. These reemployment accounts give the unemployed the flexibility and resources they need.

One of the exciting aspects of the new Back to Work accounts is that they empower individual recipients to make choices appropriate for their own circumstances. Recipients will be able to create reemployment plans that help them navigate all the options available—such as career counseling or training for a new profession in which they can become employed.

By providing choice and flexibility, we can get people back into steady, good-paying jobs.

This new benefit supplements and enhances the services that are already available for those who are most likely to face obstacles in finding and keeping new employment. Back to Work accounts will allow the nationwide One Stop Career Center system to offer another important benefit to the unemployed, in addition to the array of employment services these centers already provide.

A number of states have experimented with personal re-employment accounts and the results have been very positive. For example, Iowa has used a similar approach with reemployment accounts of up to \$5,000 a person, called the New Employment Opportunities Fund. Richard Running, the director of Iowa Workforce Development, recently said, "It has worked a lot better than we had imagined it would."

This proposal is a compassionate one because it provides workers with the flexibility and resources they need to help them get back on the job quickly. I look forward to working with President Bush, Subcommittee Chairman MCKEON, and Congressman PORTER to move this proposal quickly and make this innovative plan a reality for working families who need the help the most.

INTRODUCTION OF THE DUTY
PARITY ACT OF 2003

HON. CHARLES W. "CHIP" PICKERING

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. PICKERING. Mr. Speaker, I rise before the House today to express my sincere concern for the severe economic conditions faced by the U.S. lumber industry. For nearly two decades our lumber industry has been at odds with the provincial governments of Canada over heavily subsidized softwood lumber. We've implemented numerous quick fixes to provide relief for our domestic industry, but since the expiration of the last U.S.-Canadian Softwood Lumber Agreement in 2001, lumber prices have continued to drop. If current market conditions continue, many lumber manufacturers will not survive the next 6 months.

I represent the Piney Woods of Mississippi. The timber industry is the second largest sector of our economy behind the poultry industry. My constituents depend on the production of lumber and timber harvest for jobs and economic stability. We are losing jobs and our economic base in the Third Congressional District of Mississippi because heavily subsidized softwood lumber imports are being dumped in the United States by the provincial governments of Canada.

Mr. Speaker, I realize the benefits of open markets, and my record clearly reflects that I am not against free trade. I am, however, opposed to unfair trade practices sometimes implemented by some of our trading partners. I oppose dumping, and I oppose the practice of the Canadian Government practically giving away trees to its mills for processing.

The Department of Commerce knows that the provincial governments of Canada are engaged in unfair trade practices. This is reflected by the countervailing duties and antidumping duties imposed on Canadian

softwood lumber imports. Our hope was that these duties would level the playing field between our two countries. But that effort has failed because the Canadian provincial governments have simply expanded their subsidies to offset our duties.

In that light, Mr. Speaker, we are obliged to go a step further in our actions to promote fair trade. Today, I am introducing the Duty Parity Act of 2003. This legislation will clarify U.S. statute and ensure that our trade laws fully offset the values of unfairly traded products. My legislation will treat countervailing duties imposed by our government as costs of production when antidumping duties are calculated by the Department of Commerce. Not including these duties as costs of production will only permit continued unfair pricing by our trade partners at the expense of U.S. companies and workers. The Duty Parity Act will give the Commerce Department the authority to accurately account for all subsidies and impose properly valued duties. The EU and Canada treat countervailing duties as costs of production when determining antidumping duties. Why should we act differently?

I urge my colleagues to cosponsor this legislation to provide parity to our domestic lumber industry. We can ask our lumber mills to compete within the free market. But we can't ask them to compete against the treasuries of the Canadian provincial governments.

REINTRODUCTION OF INDIAN PRO-
GRAMS REAUTHORIZATION AND
TECHNICAL AMENDMENTS ACT

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. UDALL of New Mexico. Mr. Speaker, I am pleased to rise today to introduce legislation, which I originally introduced in the 107th Congress, that declares that the United States holds certain public domain lands in trust for the Pueblos of San Ildefonso and Santa Clara in New Mexico.

Senators PETE DOMENICI and JEFF BINGAMAN sponsored the Senate companion bill during the 107th Congress, and were successful in incorporating it into S. 2711, the Indian Programs Reauthorization and Technical Amendments Act of 2002, which I strongly supported, during the closing days of the 107th Congress. However, the House was unable to take up this legislation prior to its adjournment.

I would also like to note that both Senators are reintroducing, in the Senate today, the companion to this bill.

Accordingly, today I reintroduce this legislation, which will formally restore control and tribal authority of nearly 4,500 acres of culturally significant ancestral lands. Located in the eastern Jemez Mountains, roughly 2,000 acres of land located within the aboriginal domain of the San Ildefonso Pueblo will be transferred to that Pueblo; similarly, approximately 2,484 acres of Santa Clara Pueblo's aboriginal lands will be transferred to that Pueblo.

This transfer is the result of years of negotiations between the two Pueblos, and between the Pueblos and the Department of the Interior, and the Bureau of Land Management. The Pueblos intend to maintain the natural

quality of the land and restore the health of the ecosystem of their traditional ancestral lands. In addition, the lands will be used for ceremonial and other traditional purposes.

Finally, Santa Fe, Rio Arriba and Los Alamos counties in New Mexico, the National Congress of American Indians, and the National Audubon Society's New Mexico State Office, the Quivira Coalition and the Santa Fe Group of the Sierra Club support the acquisition and transfer of these lands.

I look forward to working with my colleagues on the Resources Committee to pass this important legislation for the people of San Idefonso and Santa Clara.

INTRODUCTION OF LEGISLATION TO CHANGE HOPE SCHOLARSHIP PROGRAM

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. CAMP. Mr. Speaker, the passage of the Taxpayer Relief Act of 1997 represented a watershed event in the relationship between student support and tax policy. The Act's signature initiative, the Hope Scholarship Program, provides annual benefits to students and the families rivaling the support provided through Pell Grants and other long-standing forms of federal aid. However, many of the students who need help the most do not benefit from the Hope Scholarship Program.

Today, Congressman JIM MCGOVERN and I are reintroducing legislation that would address these shortcomings. Currently, the Hope tax credit can be used for only tuition and related expenses when college students must pay for much more than just tuition. Our legislation would allow Hope Scholarships to cover required fees, books, supplies and equipment. Additionally, a student's eligibility is currently reduced by any other grants they receive—federal, state or private. As a result, benefits have been limited primarily to middle and upper-middle income taxpayers and explain why less than one-fifth of all full-time students attending community colleges qualify for maximum Hope Scholarship benefits. Our legislation would ensure that any Pell Grants and Supplemental Educational Opportunity grants a student receives are not counted against the student's eligible expenses when the Hope Scholarship is computed.

This legislation has bi-partisan cosponsors and support from numerous higher education organizations. I urge the House to bring up this legislation in the near future. I yield back the balance of my time.

INTERFAITH CAREPARTNERS

HON. JOHN ABNEY CULBERSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. CULBERSON. Mr. Speaker, on Sunday, February 2, 2003, Interfaith CarePartners will celebrate the unprecedented milestone of one million hours of volunteer community service. On behalf of the people of Texas' Congressional District Seven, I want to congratulate

and honor Interfaith CarePartners for their incredible accomplishment and for their remarkable service to our community.

Interfaith CarePartners, founded in 1985, has evolved into a national movement of faith-based volunteerism that promotes, sponsors, and conducts volunteer caregiving and associated activities in partnership with churches and synagogues. They are "Houston's caregiver," sponsoring the nation's original and largest faith-based caregiving program with 1,600 volunteers in 83 congregations who serve approximately 1,000 families per year, and providing 60,000 hours of volunteer service for frail adults and children. Volunteers also provide in-home care and caregiver respites to more than 3,600 Alzheimer's and dementia-affected families, frail elderly, and other chronically or terminally ill adults, severely impaired children, and people with AIDS. Partner congregations span the theological spectrum within Protestantism, Roman Catholicism, and Judaism.

Interfaith CarePartners has earned the gratitude of all the families they have helped and the admiration of everyone who knows their work and the depth of their selfless devotion to improve the lives of their neighbors. Today, we honor and thank Interfaith CarePartners for their extraordinary achievement in reaching one million hours of volunteer community service. I would like also to congratulate Nancy Reagan, Dr. John McGovern, and Chip Carlisle and Wells Fargo for receiving the Sustaining Presence Award, an annual award presented to distinguished individuals and organizations whose commitments and activities constitute an exemplary contribution to the creation of caring communities. All of you exemplify the best of America.

INTRODUCTION OF THE INSTRUCTIONAL MATERIALS ACCESSIBILITY ACT

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. PETRI. Mr. Speaker, today I am introducing the Instructional Materials Accessibility Act, which will ensure that, for the first time, blind students will be able to fully enjoy an equal opportunity to a quality education. This same bill attracted 88 bipartisan cosponsors in the 107th Congress, most notably my friend GEORGE MILLER, the Ranking Member of the House Committee on Education and the Workforce, who has worked closely with me on crafting this legislation.

Unfortunately, it is the exception rather than the rule that blind students have access to textbooks for a given class at the beginning of the school year. Because of the cumbersome process needed to translate a textbook into Braille or other specialized format, it can take up to six months for the blind student to have the same materials as his or her sighted peers. Only a heroic effort can save this student from being hopelessly behind in class.

This was not much of an issue before the 1960's. Before that time, most blind children attended centralized schools for the blind, and there was (and is) existing infrastructure, such as the American Printing House for the Blind in Kentucky, to provide support services such

as production of Braille textbooks. Beginning in the 1960's, though, blind children began attending schools in their home communities, and now the vast majority do so. As a result, every local school district which has one or more blind students must obtain or create the necessary specialized textbooks for these students. However, again this is a laborious process that is beyond the capability of most school districts to carry out quickly or easily.

Although states already have the obligation under the Individuals with Disabilities Education Act (IDEA) and other federal statutes to provide equivalent educational opportunities to disabled and non-disabled students, it has become apparent that specific and practical standards need to be put in place to anticipate and meet accessibility needs in this area. The Instructional Materials Accessibility Act (IMAA) takes several approaches that, taken together, will greatly reduce the waiting time for blind students to receive their textbooks.

This bill establishes a standardized electronic file format for instructional materials. Conversion into an electronic format is a necessary step in the process of creating a Braille version of a textbook. Twenty-six states currently require publishers to provide electronic copies of textbooks but have no agreed-upon file format. This drives up costs for publishers and often results in unusable electronic files provided. And it does nothing to reduce the months-long period needed for production of the specialized textbook.

Our bill requires statewide plans to ensure that students who are blind or visually impaired have access to instructional materials in formats they can use at the same time the materials are provided to all other students. Our bill will establish a national clearinghouse to provide "one-stop shopping" for local school districts to acquire the needed materials. In the future, publishers will be able to submit an electronic copy of a textbook to this clearinghouse, rather than having to deal with inconsistent state requirements. Finally, our bill authorizes a small capacity-building grant program to assist state and local educators in using electronic files supplied by publishers.

This issue has been a bone of contention between textbook publishers and the blind community for quite a while. However, working together over a period of many months, both communities finally arrived at a mutually agreeable and practical solution to this problem and the publishers and the blind advocates strongly support the IMAA as introduced in both Houses.

In the 107th Congress, the support and great need for this legislation prompted the Department of Education to fund the development of a voluntary standardized electronic format for specialized instructional materials. Once completed, this standardized file format would implement a significant piece of the IMAA. However, a standardized file format by itself will not solve all the problems which cause delays in the delivery of textbooks to visually impaired students. That is why this legislation is still needed. Once implemented, the IMAA will make life easier for states, publishers and most of all blind students, at a very modest cost.

CELEBRATING 25 YEARS OF THE
WIENERY

HON. DOUG OSE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. OSE. Mr. Speaker, in 1978, Anne Fox founded a small restaurant in Sacramento simply named The Wienery. This year The Wienery, and all those who enjoy its unique atmosphere and menu, is pleased to celebrate its 25th Anniversary.

As the name implies, The Wienery offers its customers numerous varieties of hot-dog options. Among the most popular are the Hotsy Dog, the B.L.T. Dog and the Swiss Sauté Dog.

The Wienery buys its franks from another family owned business in the region, Alpine Meats. Alpine Meats was founded by Swiss sausagemaster Josef Kaeslin—who immigrated to California—and its wieners are spiced by hand and smoked in a hardwood-burning smokehouse with no artificial additives or preservatives.

Using these top quality dogs, The Wienery has attracted a dedicated clientele devoted to appreciating their old-fashioned gourmet hot-dogs as well as its homemade soups, chili and sauces. I am proud to consider myself one of their devoted fans and have personally been eating at The Wienery for many years.

As a small businessman, I know how hard it is to start a business, especially a restaurant, and keep it running for many years. Current proprietor Cynthia Fox-Vanover carries on Anne Fox's tradition of serving "fast food with full service."

In addition, The Wienery has been a proud member of the Sacramento community. It has sponsored more than 20 local little league teams, and supported the Special Olympics and the Disabled Veterans Association—to name just a few.

Our community is indeed proud of The Wienery and its history. And I am proud to congratulate the owners and my fellow customers as we celebrate the 25th Anniversary of the Wienery.

INTRODUCTION OF THE TEACHER
RECRUITMENT AND RETENTION
ACT OF 2003

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. WILSON of South Carolina. Mr. Speaker, today, I am proud to join my colleagues in introducing the Teacher Recruitment and Retention Act of 2003. This bill reflects the commitment of the President and of this Congress to increase the number and enhance the quality of teachers in the nation's classrooms. Most pointedly, the bill expands the current teacher loan forgiveness program from the current \$5,000 to a maximum of \$17,500 for teachers who commit to teaching math, science, or special education for five years in some of our nation's most disadvantaged schools.

Congress and the Bush Administration have worked hard to improve the educational sys-

tem and a good deal of our effort has been focused on improvements to the education that disadvantaged students receive. The No Child Left Behind Act calls for states to have a highly qualified teacher in every public school classroom by the end of the 2005–2006 school year. Since we are demanding that our children be instructed by a competent teaching force, we must also do all we can to encourage the best and the brightest to enter this very important field.

The Teacher Recruitment and Retention Act of 2003 will take a landmark step in addressing the growing teacher shortage. The bill provides a strong incentive for individuals to enter the field of teaching and to make a long-term commitment to the students that need them the most. We need to do all we can to encourage college students to take on one of the most challenging, rewarding and important careers that exist.

There is nothing more important to our nation's future than the education of our children. The Teacher Recruitment and Retention Act of 2003 will help to fulfill our responsibility to children by ensuring that our most competent and caring teachers are adequately supported in their charge to educate our nation's future.

I urge my colleagues to support this legislation and continue our commitment to the men and women of this country who do so much to advance our nation and its children.

RETIREMENT OF CAROLINE
STRICKLAND BRYSON

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. HUNTER. Mr. Speaker, I rise today to recognize and honor Caroline Strickland Bryson upon her retirement after 20 years of loyal and dedicated service to the United States Congress.

Caroline was born on December 10, 1943, in Columbia, South Carolina. She attended the University of South Carolina in 1962–63 and the Institute of Financial Education in 1978. Before coming to work for Congress, she worked for 14 years with Lexington County Savings & Loan and served for four years on the Lexington Town Council.

Caroline began working on Capitol Hill in 1983 with my good friend, the late Honorable Floyd Spence of South Carolina as his Executive Assistant and Office Manager, in which she served for 18 years. In this capacity, Caroline supervised the office staff, managed a million-dollar annual budget and served as the public relations liaison for Congressman Spence. For six of those years, Congressman Spence served as Chairman of the House Armed Services Committee. As a result of her position and responsibilities in the Chairman's office, Caroline regularly interacted not only with Members of Congress, but with foreign dignitaries, the press, and the President's Cabinet as well.

Following her tenure with Congressman Spence, Caroline served briefly as a Staff Assistant with the House Armed Services Committee and later as the Executive Assistant for Senator MIKE DEWINE of Ohio. In each of these capacities, Caroline's professional experience, warm charisma, and friendly attitude led her to excel at all levels.

Caroline's southern charm has always been a trademark of her personality. I know from my personal conversations with Congressman Spence that he held Caroline as an invaluable member of his staff and was always impressed with her dependability, loyalty and patriotism. In a place where many people come and go, Caroline is a symbol of commitment and dedication from which many of us could learn. I congratulate her on her retirement and thank her for two decades of honorable service to this Congress and her country. On behalf of the House Armed Services Committee and the U.S. Congress, I wish you the best of luck as you begin this new and exciting chapter of your life.

IN HONOR OF BART DIRECTOR
WILLIE B. KENNEDY

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Ms. PELOSI. Mr. Speaker, I rise today to honor a remarkable woman, Mrs. Willie B. Kennedy, who has served with distinction on the San Francisco Bay Area Rapid Transit District (BART) Board of Directors since 1996. Mrs. Kennedy is retiring from the BART Board effective January 31, 2003. Thankfully, Mrs. Kennedy is not leaving public service entirely, after working for over 60 years as a political and social activist and elected official in the San Francisco Bay Area. She will continue her work in the Hunters Point neighborhood with the San Francisco Redevelopment Agency, which oversees development there.

Mrs. Kennedy is an outspoken advocate for public transit and transit-oriented development. During her six years as a BART director, she was chosen by her colleagues to serve as president in 2001 and vice president in 2000. Mrs. Kennedy pushed BART to begin a tradition of donating special "flash passes" to community organizations for train rides to and from San Francisco's annual Martin Luther King, Jr. parade and memorial ceremonies. She works diligently behind the scenes to respond to her constituents' concerns about BART service and facilities. She has been a long-time supporter of the new BART extension to the San Francisco International Airport.

As a BART board member, Mrs. Kennedy served as vice chairperson of the Metropolitan Transportation Commission Liaison Committee. She was a member of the Capitol Corridor Joint Powers Board, the San Francisco Transportation Authority Liaison Committee, the San Mateo County Negotiation/SFO Extension Committee, and the Santa Clara County Policy Committee.

In addition to her years of service to BART, Mrs. Kennedy is a former Supervisor of the City and County of San Francisco. She was appointed to the Board of Supervisors in March 1981 by former Mayor and now U.S. Senator DIANNE FEINSTEIN. She completed the unexpired term of the late Supervisor Ella Hill Hutch, was elected in her own right in 1984, 1988 and 1992, and served until May 1996. She has served as the President of the San Francisco Transportation Authority and on the boards of the Association of Bay Area Governments (ABAG), the Bay Conservation and Development Commission (BCDC), the California

and National Associations of Counties, and the California and National Leagues of Cities.

Willie Kennedy received her early education in Dallas, Texas and was awarded a Bachelor of Arts degree in journalism from San Francisco State University. She is the widow of the late Superior Court Judge Joseph G. Kennedy, mother of one daughter and two foster daughters, grandmother of nine, great grandmother of 20 and great-great grandmother of one.

During her many years as a civic leader, Willie B. Kennedy has earned the respect of all who have worked with her. I commend her for her many years of dedicated public service and wish her the best of luck in the future.

HONORING THE FOUR CHAPLAINS
OF THE U.S.S. DORCHESTER

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. ACKERMAN. Mr. Speaker, I am honored to rise today to pay tribute to the four brave Chaplains of the U.S.S. *Dorchester* who sacrificed their lives in order to save those of others.

On February 3, 1943, a German U-boat off the coast of Greenland sank the U.S.S. *Dorchester*, carrying approximately nine hundred American servicemen. A torpedo struck the *Dorchester* mid-ship, killing hundreds instantly, and sending those still alive into confusion and terror. As the *Dorchester* began to sink it became clear to many on board that the situation was becoming increasingly dire. Unable to signal for help, or call nearby ships due to security reasons, the U.S.S. *Dorchester* faced disaster on its own.

It was in spite of such confusion that George L. Fox, Clark V. Poling, Alexander Goode, and John P. Washington, the four chaplains of the U.S.S. *Dorchester* calmly worked to bring order to the catastrophe. Distributing life jackets with composure, the chaplains—one Catholic, one Jewish, and two Protestant—worked together to save the lives of many American servicemen. They did this at the cost of their own lives, giving the final four life jackets to needy American soldiers. Linked arm in arm, praying to the one God to whom they all served, they sank with the *Dorchester*, leaving America eternally in debt to their gratitude.

The inspirational service, and dedication of these four courageous chaplains saved many American lives in the frigid waters of the Atlantic. Their story continues to be one of inspiration to many religious communities throughout America. Furthermore, their willingness to stand together, linked arm in arm, disregarding religious boundaries can be viewed as a true testament to the beauty of religious freedom—a moral value that the United States of America has incessantly fought to protect.

Mr. Speaker, I ask my colleagues of the House of Representatives to join with me to honor George L. Fox, Clark V. Poling, Alexander Goode, and John P. Washington, the four courageous chaplains of the U.S.S. *Dorchester*.

COMMENDING INDIA ON ITS
CELEBRATION OF REPUBLIC DAY

HON. DAVID VITTER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. VITTER. Mr. Speaker, I would like to join my colleagues today and take this opportunity to commend India on its celebration of Republic Day, which formalized India as a parliamentary democracy.

On January 26th of this year India celebrated its 51st Republic Day. In that time India has grown into the world's largest democracy and has helped illustrate the stabilizing force of democracy.

India is one of America's foremost friends in the South Asian region of the world and has continued to be a consistent and helpful ally to the United States in our on-going war against terrorism. Increasingly, America must attempt to engage the Muslim world through diplomacy, and India, along with other nations, provides an opportunity to do that. Most importantly, we will need to identify our friends and to stand by those countries that reflect our faith in ideals such as democracy, human rights and religious freedom.

Over one billion Indian people of diverse faiths in India currently practice democracy and enjoy religious freedom. They look to courts for justice, respect human rights, and in short, embody American values in this important region of the world. The United States and the Republic of India have a common bond and a strong commitment to shared principles. I sincerely hope that the partnership that has been forged between our great nations will continue to blossom.

Because of these many accomplishments, I wish to join my colleagues to express my strong support that the friendship between our two countries continues, and to commend India on its celebration of Republic Day.

THE PRESIDENT'S STATE OF THE
UNION ADDRESS

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. DAVIS of Illinois. Mr. Speaker, during the 90s' we had ten years of solid economic growth. In the past two years, America has entered an economic downturn. For the first time in a decade the economic indicators—benchmarks showing where we are and where we are going—all point down. Job losses in technology and manufacturing have risen dramatically and corporate bankruptcies were nearly double what they were two years ago. Consumer confidence hit its lowest point in over a decade. Even though, the U.S. stock market saw a significant gain during the 90s'. However, the bottom has virtually fallen out as a result of the events of September 11th. Now every industry is taking a huge hit as profits and employment figures head into a downward trend. Presently, under the Bush's Administration the country is averaging approximately 68,000 workers losing their jobs per month. Resulting in the fastest pace for job elimination in more than 20 years.

The President's speech last night did not mention that his economic plan calls for cutting job training and employment funding by \$534 million while unemployment is increasing. The President's plan calls for reducing \$500 million from title 1, the Federal Government's primary program for targeting aid to the most disadvantaged students. This cut means 447,000 fewer low-income students will be served by this program. Also, the President's proposes to cut \$250 million from teacher quality initiatives. For heating assistance, the President is expecting a \$300 million cut from the Low Income Home Energy Assistance (LIHEAP) program at a time heating prices are rising.

While some talk about tax cuts which will primarily benefit the wealthiest 1 percent of taxpayers, and do nothing for the bottom 75 percent, let me suggest that any serious economic stimulus package or plan must consider and be focused on the needs of the poor and the most vulnerable among us.

The President should propose a fair fiscal policy that will provide more unemployment benefits and health coverage for low to moderate income workers. These are the people who spend a larger portion of their earned dollars to make ends meet. By expanding unemployment benefits for those who have already exhausted their extended benefits and continue to seek jobs and health coverage to dislocated workers, it would be the quickest way to stimulate the economy.

Only the Democratic plan focuses on working families and small businesses that drives the engine of the American economy. Under its plan every worker will get a tax cut and everyone receives the same \$600 per couple. This fair and equitable tax cut will provide a short-term stimulus for our economy while allowing the budget to recover as the economy strengthens.

A TRIBUTE TO COMMISSIONER
MILLIE TEUSCHER

HON. STEVEN C. LATOURETTE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. LATOURETTE. Mr. Speaker, I rise today to pay tribute to my dear friend, Millie Teuscher, who recently stepped down as Lake County Commissioner after 14 historic years. Millie will be greatly missed by everyone in the county. She has the distinction of being the first and only female commissioner in the 162-year history of the body.

Millie is one of my oldest and closest friends in Lake County. I first got to know Millie when she was a councilwoman in Mentor, and later was thrilled when she sought office at the county level. She was part of a historic sweep of county offices by Republicans in the late 1980s, and really changed the face and tone of county government in Lake County. She brought an "every woman" sensibility to her job, and while she played the role of government watchdog with zeal, she was also admirably compassionate about the problems facing county residents and employees. Over her many years of elected office, she probably doled out an equal number of hugs and handshakes. She was not one to exert ego or insist on formalities, and was known to everyone as simply "Millie."

Millie Teuscher will be remembered for working diligently to improve Lake County and make it an economic leader in Northeast Ohio. Our county could never have a better guardian and cheerleader, and she will be sorely missed.

I wish Millie the best in her retirement, and know how much she is looking forward to spending more time with her beloved husband, Bob. On behalf of the 14th Congressional District of Ohio, I thank Millie for her years of friendship and public service, and wish she and Bob all the best in the world.

FEDERAL HOME LOAN BANK
SYSTEM

HON. HAROLD E. FORD, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. FORD. Mr. Speaker, I rise today to urge Congress to pay closer attention to proposed changes to the Federal Home Loan Bank system.

The two changes being considered would allow the Federal Home Loan Banks to buy, sell, and potentially securitize mortgages nationally, and would allow banks and thrifts to become members of multiple Home Loan banks.

As federal regulators including the Treasury Department have noted, these proposals would seem to expand the Federal Home Loan Banks' charter to a sufficient extent to warrant congressional consideration. A number of issues must be weighed before they are implemented.

For example, if the Federal Home Loan Banks enter the business of securitizing mortgages, it would seem appropriate that they be subject to the same requirements as other housing government sponsored enterprises, including limits on conforming loans, affordable housing goals, and mandatory mortgage insurance.

The GSEs' federal charter ensures that they serve the interests of their shareholders as well as the public by expanding homeownership opportunities—especially in communities where homeownership rates are lower than the national average of 68 percent. The public is also served through fair competition, which can only be maintained if competitors in a given market are forced to play by the same rules.

In addition, unlike Fannie Mae and Freddie Mac, the banks have not taken the voluntary step of registering their stock with the Securities and Exchange Commission. The wave of corporate accounting scandals last year demonstrated the need for transparency, which is of utmost importance for enterprises serving a public mission.

To ensure that the public is served by fair competition and appropriate oversight, any changes to the Federal Home Loan Banks' charter must be given due congressional consideration.

JESSEE J. MCCRARY, JR. ESQUIRE:
A LIFETIME OF ACCOMPLISH-
MENT AND SERVICE TO OUR
COMMUNITY

HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. MEEK of Florida. Mr. Speaker, I rise in honoring one of Florida's most admired public servants and civil rights leaders, the Honorable Jesse J. McCrary, Jr. This Saturday, February 1, 2003 at 6:00 p.m. at the Biltmore Hotel in Coral Gables, Florida, a host of friends and admirers will join his family in celebrating the legend that he genuinely symbolizes.

This honoree epitomizes the preeminence of a gentleman and a devout Christian. In 1956, he attended Florida A & M University with a major in political science. He went on to pursue his legal studies at the Florida A & M University as well. He was subsequently honored with unprecedented accomplishments never before achieved by an African-American in the history of our state.

Among his most prominent achievements was his being the first African-American to be appointed Assistant Attorney General for the State of Florida in 1967, the first African-American to argue before the U.S. Supreme Court in 1969, the first African-American to sit on a statutory Court of Appeals in Florida's Industrial Relations Commissions in 1971, the first African-American Secretary of State of Florida in 1978, and the first African-American from Florida to be listed in the Best Lawyers in America in 1988.

Ever since I've known this giant of a leader, Mr. McCrary has always been at the forefront of ensuring equality of opportunity for everyone in our community and throughout Florida. At the same time, his untiring advocacy in adhering to the mandate of equal treatment under the law not only in the halls of academia, but also in every segment of government agency, has become legendary. In fact, countless others from every color, creed or gender have been touched by his genuine commitment to their well-being, especially those who could least fend for themselves.

By his passionate advocacy for due process and the rule of law, he won landmark cases he argued before the Supreme Court. The most memorable cases that now emblazon his legal triumphs are the right to have a jury of less than twelve persons and the prohibition for the state from dismissing jurors on the basis of race alone. The decisions handed down by the Court now form part and parcel of the history of our state's legal precedents.

Aside from his role as our state's legal luminary, Mr. McCrary has been the consummate activist who abides by the dictum that those who have less in life through no fault of their own deserve to be helped by the government, be it at the local, state, or federal level. It is no wonder that the numerous accolades with which he has been honored by various organizations saliently represent an unequivocal testimony of the utmost respect and admiration he enjoys from our community.

Imbued with a down-to-earth common sense, he has also been gifted with the rare wisdom of being able to discern the strengths and limitations of those empowered to govern.

This brand of leadership has been tested time and time again during his stint as Chairman of the Florida Correction Review Commission, the Florida Education Standards Commission, the Select Committee to Review Competency Testing in Florida, the Gubernatorial Commission for the Study of Capital Punishment and Judicial Reform, and the Constitution Revision Commission.

The acumen of his intelligence and the depth of his sensitivity were felt at a time when Miami needed to put in perspectives the agony of disenfranchised African-Americans and other minorities yearning to belong and participate in the fruition of the American Dream. When government and community leaders met to douse the still-burning embers of the Miami riots in the early 1980s, Mr. McCrary was the leader whose firm voice of reason and understanding succinctly articulated his credo that one has got to learn and live with one another in the community, or shamefully reap the grapes of wrath from those who have been left out of the ambiance of the rule of law and due process.

He thoroughly understood the accoutrements of power and leadership, and he sagely exercised them alongside the mandate of his conviction and the wisdom of his conscience, focusing them upon the good of the community he has learned to love and care for so deeply. This stewardship motivated by his Faith in God defines the authenticity of his public service as exemplified by what he learned as a child that: ". . . it is better to give than to receive."

His word is his bond to those of us who know him. He has exuded this bond not only in moments of triumphal exuberance toward helping many a wayward youth turn the corners around, but also in his quest to transform Miami-Dade County into a veritable mosaic of vibrant cultures and diverse races converging to symbolize the noble idealism that is America.

As my community honors Jesse F. McCrary, Jr., Esquire, I praise the decent man and devout Christian that he is. My pride in sharing his friendship is only exceeded by my deep gratitude for all that he has sacrificed on behalf of all Floridians. This is the magnificent legacy with which he will always be honored.

TRIBUTE TO WILLIAM COPELAND

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Ms. KAPTUR. Mr. Speaker, the end of the year 2002 brings with it the retirement of a distinguished public servant in Ohio. William Copeland will be retiring as a Lucas County, Ohio, Commissioner, bringing to a close 28 years in service to the people of our region.

Raised in Toledo, Ohio, Bill was a stand-out baseball and basketball player at Woodward High School and gained All-City recognition. After high school, he earned a degree in education from South Carolina State University. Following college, Bill played basketball for New York's Comedy Kings, a semiprofessional team, which won sixty consecutive games during Bill's tenure. This feat earned Bill an invitation to join the Harlem Globetrotters.

During this time, Bill was also working in Toledo and a member of the Laborers Union

Local 500. For over 30 years he served the union as representative, business manager, and business agent. Funds were raised under his stewardship to build a hall which now bears his name in thanks from his union brothers and sisters.

In 1974, Bill was persuaded to run for Toledo City Council and won. In 1983, having been the highest vote-getter, he was elected by his council colleagues as Vice Mayor. With his 1985 election as county recorder, Bill became the first African-American to hold a county office. He was appointed to the Board of Lucas County Commissioners in 1990—again making history as the first African-American County Commissioner. For many years, he was the only African-American serving on a board of county commissioners among Ohio's 88 counties. Commissioner Copeland has handily won reelection to three successive terms. He diligently pursued many major projects including new home ownership and housing rehabilitation initiatives, a regional water study, new ballpark, juvenile justice center, and the establishment of the Corporation for Effective Government to name but a few.

An integral member of our community, Bill Copeland has devoted himself to public service while actively participating in numerous organizations. While an elected official, Bill worked with the Toledo Zoological Society, Kidney Foundation, Indiana Avenue Missionary Baptist Church, Lucas County Democratic Executive Committee, YMCA, NAACP, Labor-Management Citizens Committee, AFL-CIO, Frederick Douglass Community Center, American Heart Association, Old Newsboys, COMPASS, Toledo Jazz Society, Alpha Phi Alpha Fraternity, and Toledo Civic Breakfast Club. It was often said and very true, that Bill Copeland was everywhere.

Though he will receive dozens of accolades upon his retirement, I believe a statement made by Toledo Blade associate editor Rose Russell sums up Bill Copeland best: "With so much power at his fingertips for more than two decades, he will go down in Toledo history as a political stalwart who hasn't found it necessary to boast, be arrogant, or snub anyone. He merely has gone his way and worked for the people who elected him."

Humbly, quietly, with grace, honor, kindness and dignity always, Bill Copeland went about the job he was elected to do. Lucas County government will miss his dignified presence and thoughtful governance. Politically, Bill spurred people to get out and vote, giving people in the central city the inspiration to change their lives through their power at the polls. These skills are his true legacy, and I join with the chorus from our community in a heartfelt "Thank You."

VACCINE INGREDIENT PROVISIONS IN THE HOMELAND SECURITY ACT OF 2002

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. SESSIONS. Mr. Speaker, in the Homeland Security Act of 2002, Congress clarified that all injuries allegedly related to an ingredient in a vaccine should be heard under the quick and inexpensive, no fault Vaccine Injury

Compensation Program established in 1986. Though this was a simple clarification of existing law, some people cried foul. They claimed these provisions were inserted into the bill as a favor to pharmaceutical companies and that they would somehow take away the rights of unfortunate people who have experienced an injury. In fact, it did no such thing.

The vaccine ingredient provisions in the Homeland Security Act reaffirmed Congressional intent of the Vaccine Program's jurisdiction over all claims of vaccine related injuries, and that preservatives contained in vaccines were not subject to some special exception to the program. It did not change the state of the law, but ensured that those experiencing injuries from vaccine ingredients were not given false hope or having their time wasted having their lawsuit dismissed by the court for not going through the Vaccine Program.

The controversy surrounding these provisions is over the process by which they were adopted, not the language itself. Their repeal would not change the law in any way; as courts have correctly decided, injuries allegedly resulting from ingredients in vaccines fall under the Vaccine Program. Furthermore, the lack of these provisions may add uncertainty in the vaccine market and higher insurance rates for vaccine manufacturers something that our nation attempted to avoid in 1986 and may be even more important in today's environment. Nevertheless, repealing the provisions will remove the cloud cast over their benefit. If this language is repealed, Congress should reintroduce the provisions in another separate measure so that we may have more debate on the actual language and the public can be assured of the need for this clarification of the law.

THE EDUCATION, ACHIEVEMENT AND OPPORTUNITY ACT

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. SMITH of New Jersey. Mr. Speaker, as you may know, this week marks the 29th Anniversary of National Catholic Schools Week, a week dedicated to honor the achievements and successes of the more than 2.6 million children enrolled in the 8,114 Catholic Schools throughout our country. Today is National Catholic Schools Appreciation day.

It is fitting then that today I introduce legislation designed to ensure the Federal Government appropriately assists parents with the financial burdens associated with their child's education. My legislation, the Education, Achievement, and Opportunity Act will provide refundable tuition tax credits for the educational expenses incurred by parents for elementary and secondary school. The legislation would provide parents sending their child to an elementary school with up to \$2,500 in tax relief, while parents with children in a Catholic or parochial high school could claim up to \$3,500 in assistance.

The tax relief contained in my proposal can be utilized by parents to pay for a variety of educational expenses that are frequently incurred on behalf of their children. Most significantly the tax credit is designed to help with the cost of tuition. But, beyond this, the tax

credits can be used to help meet the costs of other educational needs: (1) computers, educational software, and books required for courses of instruction; (2) academic tutoring; (3) special needs services for qualifying children with disabilities (within the meaning of the Americans With Disabilities Act); (4) fees for transportation services to and from a private school, if the transportation is provided by the school and the school charges a fee for the transportation; and (5) academic testing services.

Parents know the interests and needs of their children better than anyone else. If we are truly going to ensure that "no child is left behind," in our national education agenda, then we must make sure our children have every tool at their disposal to academically succeed.

The wealthy in America already have the choice to send their child to the school that best suits them. But middle and working class families often do not. Between tuition costs and out-of-pocket expenses like tutoring, computers, and transportation, the costs can add up and pose an enormous obstacle to the child's lifetime learning opportunities.

In my own district in New Jersey, a parent who feels a Catholic elementary school is best suited for their child, will pay somewhere between \$1,840 and \$2,566 in tuition costs per child, per year. If you want to send your child to a parochial high school in the central New Jersey area, a parent is looking at an average tuition bill of \$5,571 per student, per year. In other areas of the country, the costs are very similar.

Without federal support, many parents struggle—and in some cases forgo—a Catholic school education, or any education in a spiritual setting, because the costs are so high. Learning in a religious setting is not for every one, and America's public school system is critical to providing educational opportunities for all. We must continue to vigorously support our public schools at both the federal and local levels. At the same time, however, we should support those who seek the benefits of Catholic school and choose a religious setting as the best, educational environment for their children.

In effect, parents of Catholic school children pay twice—they pay their fair share of taxes necessary to support the public school system, and they pay tuition at the school their children actually attend. I urge my colleagues to join me in addressing this inherent unfairness and work for the passage of my tuition tax credit program as the best way to help offset the double payment endured by those who send their children to Catholic and parochial schools.

In America today, we have 59 million youngsters in elementary and secondary school across the U.S.; about 10 percent of these students are enrolled in private, parochial and rabbinical schools. Those families who are already sending their children to such schools, and others planning to send their children to them, would benefit enormously from my proposal, because they are often struggling to make ends meet.

It is important to note that my education proposal is a tax credit, rather than a voucher, so the total amount of education resources available for all school age children will increase. Under a voucher system, if a school loses enrolled students to a competing school, that

school may lose funding and have fewer resources available for their educational program. Under my plan, that outcome is avoided. It is a "win-win" scenario, whereas some have argued that voucher programs can become a zero-sum situation with "winners and losers."

A tuition tax credit for education is a benefit that should be available to all, no matter what their race, creed, or national origin. And make no mistake: the public school system will and must continue to remain the backbone of our nation's education system. But we must never forget that the public school system was created to serve students—not the other way around. If a student is performing poorly, parents should have the opportunity to augment the child's education with help from the federal government.

If we are to truly make good on our promise that "no child is left behind," we must ensure that Catholic schools are included in this national promise and goal. A child is a child, regardless of which school system they are enrolled. The children enrolled in Catholic, private, and rabbinical schools deserve nothing less than our full support and compassion.

I urge my colleagues to support the Education, Achievement, and Opportunity Act.

PERSONAL EXPLANATION

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. BURTON of Indiana. Mr. Speaker, "during rollcall votes 15, 16, and 17, I was unavoidably absent. Had I been here I would have voted "yea" on rollcall vote 15 and "no" on rollcall vote 16 and 17.

CHIEFS OF POLICE URGE ADMINISTRATION TO SUPPORT INCREASED FUNDING

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. FRANK of Massachusetts. Mr. Speaker One of the pieces of evidence that convinces me that we have reduced taxes by too much in the face of the very significant demands that have been placed on our national security both domestically and internationally since September 11, 2001 is the refusal of this administration to support adequate funding for programs of assistance to local public safety officials. As we were adjourning, I and others in the Massachusetts Delegation received the attached resolution from the Massachusetts Chiefs of Police Association. I am very pleased to have a good working relationship with the chiefs of police in the district I represent, and I know that these people are deeply committed to the protection of our citizenry, against both the traditional forms of crime and against the newer threats we face. And they are not people who easily jump into controversies that are partisan or ideological in nature. So when they report that they and their fellow chiefs of police across the country adopted a resolution which "strongly rec-

ommends that the Bush administration reconsider the funding levels that have been reduced for local agencies" in the police field, I believe this is an argument to which we should pay attention. Mr. Speaker, I ask that this very thoughtful and important resolution be printed here.

HOMELAND SECURITY FUNDING

SUBMITTED BY DIVISION OF STATE

ASSOCIATIONS OF CHIEFS OF POLICE (SACOP)

WHEREAS, the approximately 740,000 law enforcement officers in local and state agencies have the best knowledge of and access to their communities, and those communities are turning to their local agencies for guidance and protection more than ever; and

WHEREAS, local law enforcement is the first to be called upon to respond to any emergency or critical incident; and

WHEREAS, because of their daily interaction with the community, local law enforcement has access to local information and grassroots intelligence that is an invaluable resource in the fight against terrorism; and

WHEREAS, demands on specialized training (interrogation techniques, recognition of terrorist threats, federal immigration law, immigration documentation, response to critical incidents, response to biological, chemical or nuclear terrorism), specialized equipment (protective clothing, isolation equipment, electronic surveillance and security equipment), and drastically, increased manpower requirements, continue to take their toll on already stretched law enforcement budgets; and

WHEREAS, the over 19,000 members of the International Association of Chiefs of Police are concerned that while the federal government is proposing greatly increased funding for Homeland Security programs, federal intelligence programs, and additional increases for federal agencies, the local and state agencies will be left with dwindling resources in their daily response to local community requirements, including those caused by increased threats and fears from terrorism; now, therefore, be it

RESOLVED, that the International Association of Chiefs of Police, duly assembled at its 109th Annual Conference in Minneapolis, Minnesota, strongly recommends that the Bush Administration reconsider the funding levels that have been reduced for local agencies, such as universal hiring programs, Byrne Grants, COPS Programs and others. We urge the administration to continue these programs, or reconfigure the funding for local agencies with the recognition that these agencies are truly on the front line of the war against terrorism.

HONORING THE CONTRIBUTIONS OF CATHOLIC SCHOOLS

SPEECH OF

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, January 27, 2003

Mr. KUCINICH. Mr. Speaker, I rise today in support of House Resolution 26, honoring the contributions of Catholic schools. As a Catholic school graduate, I know the value of a Catholic education. I know first hand that Catholic schools teach students discipline, pride and respect for learning. I am so grateful to the priests, nuns and lay persons who taught me at St. Peter's Elementary, Holy Name Elementary, Parmadale, St. Aloysius El-

ementary, St. Colman Elementary and St. John Cantius High School for their love and guidance through my formative years.

I especially wish to recognize the delegation of students, teachers and parents who will make the National Appreciation Day for Catholic Schools a special day this coming Wednesday. Their commitment to ensuring an exceptional education and maintaining quality Catholic schools ensures that Catholic students in the future will continue to benefit from outstanding educational opportunities. An overwhelming percentage of Catholic high school graduates attend college, which is a sign of the excellent work of our Catholic School system.

I would also like to recognize the National Catholic Educational Association (NCEA) for their efforts to promote educational and catechetical goals. By sponsoring programs like the Seton Awards, which recognize individuals who have made outstanding contributions to Catholic education, the NCEA works diligently to insure better education across America.

Providing quality educational opportunities for all children is one of the most important goals of our society. I wish to congratulate Catholic schools, students, parents, and teachers across the Nation for their ongoing contributions to education. They play critical roles in promoting and ensuring a stronger and brighter future for America.

COMMEMORATING MR. WILLIAM T. LEE

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 29, 2003

Mr. WELDON of Pennsylvania. Mr. Speaker I rise to commemorate Mr. William T. Lee, a great patriot who served the United States well for years.

Mr. Lee passed away in his home in Alexandria, Virginia on October 30, 2002 due to complications associated with advanced cancer. He was born in Pass Christian, Mississippi and grew up with his grandparents in Missouri. He is survived by his former wife, Dixie Lee. They had no children.

Mr. Lee served as a Senior Intelligence Officer during the Cold War and was a vigorous advocate for a national missile defense. He was a prominent figure and an insightful expert concerning the assessment of the Soviet Union's economy, size and scope of its military.

Mr. Lee was an accomplished analyst of missile defense, a published writer and a formidable lecturer. His life accomplishments include an exceptional understanding of ballistic missile defenses of the Soviet Union and Russia, authoring 6 books and numerous articles and lecture tours in Europe, Asia and South America.

Mr. Lee embarked on his impressive career with an induction into the Army Air Corps in 1944 where he supported the effort in the European theater during World War II. After the war, Mr. Lee began his academic education with 2 years at The University of Puget Sound and 2 years at the University of Washington and emerged in 1950 with a degree in history with a concentration on Russian studies and economics. Later he received a masters degree from Columbia University in advanced Russian and Chinese studies.

As a Soviet economic and military affairs analyst for the CIA in the 1950's and early 1960's, Mr. Lee, along with colleagues, contended that the Agency had underestimated the share of the Soviet's gross national product that went into the military for years before the collapse of the Soviet Union in 1989.

From 1964 to 1972 Mr. Lee lent his talents to the Stanford Research Institute as a senior analyst who helped produce intelligence reports forecasting Soviet and Chinese conventional and strategic weapons programs for the office of the secretary of defense.

After working as an independent consultant to private research organizations on contract to government agencies for a few years, he joined the Defense Intelligence Agency in 1979 and was promoted to a member of the government's Senior Executive Service by the time he retired in 1992.

Mr. Lee was a vital intelligence professional during the Cold War. As a member of the Committee on the Present Danger, he was instrumental in influencing the defense buildup during the Reagan administration. Lee never received public recognition for his tough esti-

mates concerning the Soviet Union's vast military expenditures. His judgments were mostly embraced in 1976 by "Team B," a committee of skeptics charged by then-Director of Central Intelligence George H.W. Bush with providing a second opinion on the capabilities of the Soviet military. The findings of Team B were confirmed as much more accurate than the Central Intelligence's estimates by showing that CIA and DIA continuously underestimated Moscow's spending due to their faulty methodologies. With regard to Soviet defense spending Lee's friends used to say there was the CIA, the DIA and William Lee."

It is important to note Mr. Lee's analysis of numerous documents including Kremlin archives and the private diaries and memoirs published by officials associated with the Kremlin's anti-ballistic missile programs. Lee's analyses and his books reflect his unwavering determination to find the truth. "Lee was a cantankerous yet thoroughly focused analyst," said Derek Leebaert, a Georgetown University professor. "His objective was not to prove the essential wickedness or aggressiveness of the Soviet system, but . . . just [to report] what

was happening in both the Soviet Union's military and its economy."

In one of his books, *The AMB Treaty Charade: A Study in Elite Illusion and Delusion*, Mr. Lee showed how, as a matter of state policy, the USSR violated the requirements of the 1972 Anti-Ballistic Missile Treaty by building and deploying a territorial AMB system explicitly prohibited by the accord. A second book, written with Richard Starr, entitled *Soviet Military Policy Since World War II* was translated by the PRC.

This book, considered a classic, enjoyed extreme popularity in the United States, Europe and Asia. After being translated by the Chinese military, Mr. Lee was invited to lecture the military several times.

His awards include the Army Distinguished Civilian Service Medal and the Meritorious Service Medal from the DIA.

Mr. Lee was neither a Republican nor a Democrat, a conservative nor a liberal but a rock solid patriot. His passing will be felt by many.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the *Extensions of Remarks* section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, January 30, 2003 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

FEBRUARY 4

2:30 p.m.

Budget

To hold hearings to examine the President's FY 2004 Budget.

SD-608

FEBRUARY 5

9:30 a.m.

Judiciary

To hold hearings to examine judicial nominations.

SD-226

10 a.m.

Banking, Housing, and Urban Affairs

To hold hearings to examine the nomination of William H. Donaldson, of New York, to be a Member of the Securities and Exchange Commission.

SD-538

Budget

To continue hearings to examine the President's Fiscal Year 2004 Budget Proposal.

SD-608

Small Business and Entrepreneurship

To hold hearings to examine possible solutions to the small business health care crisis.

SR-428A

FEBRUARY 6

9:30 a.m.

Armed Services

To hold hearings on proposed legislation authorizing funds for fiscal year 2004 for the Department of Defense, and the Future Years Defense Program.

SH-216

FEBRUARY 11

9:30 a.m.

Armed Services

To hold hearings to examine the current and future worldwide threats to the national security of the United States; to be followed by a closed meeting to be held in SH-219.

SD-106

10 a.m.

Energy and Natural Resources

To hold hearings to examine the President's proposed budget request for fiscal year 2004 for the Department of the Interior.

SD-366

FEBRUARY 13

9:30 a.m.

Armed Services

To resume hearings on proposed legislation authorizing funds for fiscal year 2004 for the Department of Defense, and the Future Years Defense Program.

SH-216

10 a.m.

Energy and Natural Resources

To hold hearings to examine the President's proposed budget request for fiscal year 2004 for the Forest Service of the Department of Agriculture.

SD-366

FEBRUARY 25

10 a.m.

Energy and Natural Resources

To hold hearings to examine the President's proposed budget request for fiscal year 2004 for the Department of Energy.

SD-366

2 p.m.

Veterans' Affairs

To hold joint hearings with the House Committee on Veterans' Affairs to ex-

amine a legislative presentation of the Disabled American Veterans.

SH-216

MARCH 6

10 a.m.

Veterans' Affairs

To hold joint hearings with the House Committee on Veterans' Affairs to examine legislative presentations of the Military Order of the Purple Heart, the Paralyzed Veterans of America, Jewish War Veterans, the Blinded Veterans Association, and the Non-Commissioned Officers Association.

345, Cannon Building

MARCH 12

10 a.m.

Veterans' Affairs

To hold joint hearings with the House Committee on Veterans' Affairs to examine a legislative presentation of the Veterans of Foreign Wars.

345, Cannon Building

MARCH 13

10 a.m.

Veterans' Affairs

To hold joint hearings with the House Committee on Veterans' Affairs to examine legislative presentations of the Retired Enlisted Association, Gold Star Wives of America, the Fleet Reserve Association, and the Air Force Sergeants Association.

345, Cannon Building

MARCH 20

10 a.m.

Veterans' Affairs

To hold joint hearings with the House Committee on Veterans' Affairs to examine legislative presentations of AMVETS, American Ex-Prisoners of War, the Vietnam Veterans of America, the Military Officers Association of America, and the National Association of State Directors of Veterans' Affairs.

345, Cannon Building

Daily Digest

HIGHLIGHTS

Senate passed H.J. Res. 13, Continuing Appropriations.

House Committee ordered reported 9 sundry measures.

Senate

Chamber Action

Routine Proceedings, pages S1689–S1758

Measures Introduced: Nineteen bills and nine resolutions were introduced as follows: S. 229–247, S. Res. 27–34, and S. Con. Res. 3. **Page S1736**

Measures Reported:

S. Res. 27, authorizing expenditures by the Select Committee on Intelligence. **Pages S1735–36**

Measures Passed:

Continuing Appropriations: Senate passed H.J. Res. 13, making further continuing appropriations for the fiscal year 2003. **Page S1757**

National Mentoring Month: Committee on the Judiciary was discharged from further consider of S. Res. 25, designating January 2003 as “National Mentoring Month”, and the resolution was then agreed to. **Page S1757**

Expressing Gratitude for Senate Deputy Legislative Counsel: Senate agreed to S. Res. 33, expressing the gratitude of the United States Senate for the service of Arthur J. Ryneerson, Deputy Legislative Counsel of the United States Senate. **Pages S1757–58**

Messages from the President: Senate received the following messages from the President of the United States:

Transmitting, pursuant to law, the Periodic Report on the National Emergency with Respect to the Western Balkans that was declared in Executive Order 13219; to the Committee on Banking, Housing, and Urban Affairs. (PM–2) **Page S1732**

Transmitting, pursuant to law, the report on Armenia, Azerbaijan, Kazakhstan, Moldova, the Russian Federation, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan indicating the continued compliance of these countries with international standards concerning freedom of emigration; to the Committee on Finance. (PM–3) **Pages S1732–33**

Nomination—Agreement: A unanimous-consent-time agreement was reached providing that on Thursday, January 30, 2003, at a time determined by the Leadership, Senate proceed to Executive Session, that the nomination of Gordon England, of Texas, to be Deputy Secretary of Homeland Security, be discharged from the Committee on Governmental Affairs; further, the Senate proceed to its consideration, there be 20 minutes of debate equally divided; provided further that following the use or yielding back of time, Senate proceed to a vote on the confirmation of the nomination. **Page S1756**

Nominations Confirmed: Senate discharged from the Committee on Health, Education, Labor, and Pensions and then confirmed the following nominations:

Harry Robinson, Jr., of Texas, to be a Member of the National Museum Services Board for a term expiring December 6, 2003.

Elizabeth J. Pruet, of Arkansas, to be a Member of the National Museum Services Board for a term expiring December 6, 2004.

Edwin Joseph Rigaud, of Ohio, to be a Member of the National Museum Services Board for a term expiring December 6, 2007.

Dana Gioia, of California, to be Chairperson of the National Endowment for the Arts for a term of four years. **Pages S1756, S1758**

Nominations Received: Senate received the following nominations:

Louise W. Flanagan, of North Carolina, to be United States District Judge for the Eastern District of North Carolina.

Richard D. Bennett, of Maryland, to be United States District Judge for the District of Maryland.

Theresa Lazar Springmann, of Indiana, to be United States District Judge for the Northern District of Indiana.

James V. Selna, of California, to be United States District Judge for the Central District of California.

J. Leon Holmes, of Arkansas, to be United States District Judge for the Eastern District of Arkansas.

Phillip P. Simon, of Indiana, to be United States District Judge for the Northern District of Indiana.

Routine lists in the Air Force, Army. **Page S1758**

Messages From the House: **Page S1733**

Measures Placed on Calendar: **Page S1733**

Measures Read First Time: **Page S1733**

Executive Communications: **Pages S1733–35**

Additional Cosponsors: **Page S1737**

Statements on Introduced Bills/Resolutions:
Pages S1737–56

Additional Statements: **Page S1732**

Authority for Committees to Meet: **Page S1756**

Adjournment: Senate met at 12:02 p.m., and adjourned at 7:23 p.m., until 11 a.m., on Thursday, January 30, 2003. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S1758.)

Committee Meetings

(Committees not listed did not meet)

SMALLPOX VACCINATION PLAN

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education concluded hearings to examine the federal role and its implementation of a smallpox vaccination plan focusing on prevention strategies and funding issues, receiving testimony from Julie L. Gerberding, Director, Centers for Disease Control and Prevention, and Anthony S. Fauci, Director, National Institute of Allergy and Infectious Diseases, National Institutes of Health, both of the Department of Health and Human Services; Brian L. Strom, University of Pennsylvania School of Medicine, and Louis M. Bell, Children's Hospital of Philadelphia, both of Philadelphia, Pennsylvania; Patrick M. Libbey, National Association of County and City Health Officials, Washington, D.C.; and Mary J. Jones, and Jane Colacecchi, both of the Iowa Department of Public Health, Des Moines; and James August, American Federation of State, County, and Municipal Employees, Washington, D.C.

STATE OF THE ECONOMY

Committee on the Budget: Committee held hearings to examine the state of the United States economy, receiving testimony from Gene B. Sperling, Center on Universal Education, Council on Foreign Relations, former National Economic Advisor and Director, National Economic Council, and Michael E.

Baroody, National Association of Manufacturers, both of Washington, D.C.; and David R. Malpass, Bear, Stearns, and Co., Inc., New York, New York.

Committee will meet again tomorrow.

HUMAN CLONING

Committee on Commerce, Science, and Transportation: Committee held hearings on the science and ethics of human cloning, after receiving testimony from Senator Hatch; Representatives Toomey and Weldon; Leon R. Kass, Chairman, President's Council on Bioethics; Kris E. Gulden, Coalition for the Advancement of Medical Research, Washington, D.C.; and Anton-Lewis Usala, Office of Regulatory Review of Clinical Trials, East Carolina University, Greenville, North Carolina.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee met and announced the following subcommittee assignments:

Subcommittee on Energy: Senators Alexander (Chairman), Nickles, Talent, Bunning, Thomas, Murkowski, Craig, Burns, Graham (FL), Akaka, Johnson, Landrieu, Bayh, Schumer, and Cantwell.

Subcommittee on Public Lands and Forests: Senators Craig (Chairman), Burns, Smith, Kyl, Campbell, Alexander, Murkowski, Talent, Wyden, Akaka, Dorgan, Johnson, Landrieu, Bayh, and Feinstein.

Subcommittee on National Parks: Senators Thomas (Chairman), Nickles, Campbell, Alexander, Burns, Smith, Kyl, Akaka, Dorgan, Graham (FL), Landrieu, Bayh, and Schumer.

Subcommittee on Water and Power: Senators Murkowski (Chairman), Campbell, Smith, Kyl, Craig, Talent, Bunning, Thomas, Dorgan, Graham (FL), Wyden, Johnson, Feinstein, Schumer, and Cantwell.

Senators Domenici and Bingaman are Ex Officio Members of all the Subcommittees.

BUSINESS MEETING

Committee on Environment and Public Works: Committee met and adopted its rules of procedure for the 108th Congress and announced the following subcommittee assignments:

Subcommittee on Transportation and Infrastructure: Senators Bond (Chairman), Warner, Voinovich, Chafee, Cornyn, Murkowski, Reid, Baucus, Graham (FL), Lieberman, and Boxer.

Subcommittee on Clean Air, Climate Change, and Nuclear Safety: Senators Voinovich (Chairman), Crapo, Bond, Cornyn, Thomas, Lieberman, Reid, Carper, and Clinton.

Subcommittee on Fisheries, Wildlife, and Water: Senators Crapo (Chairman), Warner, Murkowski, Thomas, Allard, Graham (FL), Baucus, Wyden, and Clinton.

Subcommittee on Superfund and Waste Management: Senators Chafee (Chairman), Warner, Allard, Bond, Boxer, Wyden, and Carper.

NOMINATIONS

Committee on the Judiciary: Committee concluded hearings on the nominations of Deborah L. Cook, of Ohio, to be United States Circuit Judge for the Sixth Circuit, John G. Roberts, Jr., to be United States Circuit Judge for the District of Columbia Circuit, Jeffrey S. Sutton, of Ohio, United States Circuit Judge for the Sixth Circuit, John R. Adams, to be United States District Judge for the Northern District of Ohio, Robert A. Junell, to be United States District Judge for the Western District of Texas, and S. James Otero, to be United States District Judge for the Central District California. Ms. Cook, Mr. Sutton, and Mr. Adams were introduced by Senators DeWine and Voinovich, Mr. Roberts

was introduced by Mr. Warner, Mr. Junell was introduced by Senators Hutchison and Cornyn, and Mr. Otero was introduced by Senator Feinstein.

BUSINESS MEETING

Committee on Indian Affairs: Committee met and ordered favorably reported an original resolution authorizing certain expenditures for the operation of the Committee.

Also, Committee elected Senator Campbell as the Chairman and Senator Inouye as Vice Chairman, and adopted its rules of procedure for the 108th Congress.

BUSINESS MEETING

Select Committee on Intelligence: Committee met and ordered favorably reported an original resolution (S. Res. 27) authorizing expenditures of the Select Committee on Intelligence.

House of Representatives

Chamber Action

Measures Introduced: 73 public bills, H.R. 436–508; 2 private bills, H.R. 509–510; and 12 resolutions, H.J. Res. 16, H. Con. Res. 22–26, and H. Res. 41–46, were introduced. **Pages H241–45**

Additional Cosponsors: **Page H245**

Reports Filed: No reports were filed today.

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Isakson to act as Speaker pro tempore for today. **Page H221**

Guest Chaplain: The prayer was offered by Rev. Tracy A. Carroll, Senior Minister, Community Christian Church of Camdenton, Missouri. **Page H221**

Suspension—Tampa Bay Buccaneers: The House agreed to suspend the rules and agree to H. Res. 31, congratulating the Tampa Bay Buccaneers for winning Super Bowl XXXVII. **Pages H222–24**

Send to Conference—Further Continuing Appropriations: The House disagreed with the Senate amendment to H.J. Res. 2, making further continuing appropriations for the fiscal year 2003, and agreed to a conference. **Pages H224–29**

Appointed as conferees: Chairman Young of Florida and Representatives Regula, Rogers of Kentucky, Wolf, Kolbe, Walsh, Taylor of North Carolina, Hobson, Istook, Bonilla, Knollenberg, Kingston,

Obey, Murtha, Dicks, Sabo, Mollohan, Kaptur, Visclosky, Lowey, Serrano, and Moran of Virginia.

Page H229

Rejected the Obey motion to instruct conferees to agree to the highest level of funding within the scope of conference for the programs with the jurisdiction of the subcommittee on Labor, Health and Human Services, Education and Related Agencies, including advance appropriations in the Senate amendment and for veterans' medical care and to insist that, within the scope of conference, no item, requested by the President for homeland security be funded below the level of the President's request by a yea-and-nay vote of 200 yeas to 209 nays, Roll No. 17. **Pages H228–29**

Legislative Program: The Majority Leader announced the Legislative program for the week of Feb. 3. **Pages H229–30**

Meeting Hour—Friday, January 31: Agreed that when the House adjourns today, it adjourn to meet at 10 a.m. on Friday, January 31. **Page H230**

Meeting Hour—Tuesday, February 4: Agreed that when the House adjourns on Friday, January 31, it adjourn to meet at 4 p.m. on Tuesday, February 4. **Page H230**

Review of United States Intelligence Community: Read a letter from the Minority Leader wherein she announced her appointment of Representative Zoe Lofgren and Mr. Maurice Sonnenberg of New

York to the National Commission for the Review of the Research and Development Programs of the United States intelligence Community. **Page H239**

Quorum Calls—Votes: One yea-and-nay vote developed during the proceedings of the House today and appears on pages H228–29. There were no quorum calls.

Adjournment: The House met at 12 noon and adjourned at 3:01 p.m.

Committee Meetings

MISCELLANEOUS MEASURES; COMMITTEE ORGANIZATION

Committee on Energy and Commerce: Ordered reported the following bills: H.R. 389, Automatic Defibrillation in Adam's Memory Act; H.R. 399, Organ Donation Improvement Act of 2003; H.R. 342, Mosquito Abatement for Safety and Healthy Act; H.R. 398, Birth Defects and Developmental Disabilities Prevention Act; H.R. 346, American Spirit Fraud Prevention Act; H.R. 395, Do-Not-Call Implementation Act; H.R. 361, Sports Agent Responsibility and Trust Act; H.R. 337, to extend certain hydroelectric licenses in the State of Alaska; and H.R. 397, to reinstate and extend the deadline for commencement of construction of a hydroelectric project in the State of Illinois.

Prior to this action, the Committee met for organizational purposes.

VA'S HEALTH CARE SYSTEM; COMMITTEE ORGANIZATION

Committee on Veterans' Affairs: Held a hearing on the Department of Veterans Affairs' health care system. Testimony was heard from Robert H. Roswell, Under Secretary, Health, Department of Veterans Affairs; and representatives of veterans organizations.

Prior to the hearing, the Committee met for organizational purposes.

COMMITTEE ORGANIZATION; OVERSIGHT PLAN

Committee on Ways and Means: Met for organizational purposes.

The Committee approved an Oversight Plan for the 108th Congress.

COMMITTEE ORGANIZATION

Committee on Ways and Means: Subcommittee on Health met for organizational purposes.

COMMITTEE ORGANIZATION

Committee on Ways and Means: Subcommittee on Oversight met for organizational purposes.

COMMITTEE ORGANIZATION

Committee on Ways and Means: Subcommittee on Trade met for organizational purposes.

COMMITTEE MEETINGS FOR THURSDAY, JANUARY 30, 2003

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education, to hold hearings to examine Medicare reimbursement for physicians and hospitals, 9:30 a.m., SD-192.

Committee on Armed Services: to hold hearings to examine the nominations of Paul McHale, of Pennsylvania, to be an Assistant Secretary of Defense for Homeland Security, and Christopher Ryan Henry, of Virginia, to be Deputy Under Secretary of Defense for Policy, 9:30 a.m., SH-216.

Committee on Banking, Housing, and Urban Affairs: organizational business meeting to consider an original resolution authorizing expenditures for committee operations, committee's rules of procedure for the 108th Congress, and subcommittee assignments, 10 a.m., SD-538.

Committee on the Budget: to hold hearings to examine the budget and current economic outlook, 10 a.m., SD-608.

Committee on Commerce, Science, and Transportation: business meeting to consider an original resolution authorizing certain expenditures for committee operations, to be followed by hearings to examine media ownership focusing on consolidation in the radio industry, 9:30 a.m., SR-253.

Committee on Finance: to hold hearings to examine the status of U.S. border security, 10 a.m., SD-215.

Committee on Foreign Relations: to hold hearings to examine the January 27 UNMOVIC and IAEA Reports to the U.N. Security Council on Inspections in Iraq, 10 a.m., SD-419.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine the challenges and next steps in regard to the smallpox vaccination, 10 a.m., SD-430.

Committee on the Judiciary: business meeting to consider pending calendar business, 9:30 a.m., SD-226.

Special Committee on Aging: organizational business meeting to consider pending committee business, 2:30 p.m., SD-430.

House

No Committee meetings are scheduled.

Joint Meetings

Joint Economic Committee: to hold joint hearings to examine the Administration's growth and job plans, 10 a.m., SD-628.

Next Meeting of the SENATE

11 a.m. , Thursday, January 30

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Friday, January 31

Senate Chamber

Program for Thursday: After the transaction of any morning business (not to extend beyond 1 p.m.), Senate will, at a time determined by the Leadership, consider the nomination of Gordon England, of Texas, to be Deputy Secretary of Homeland Security.

House Chamber

Program for Friday: Pro forma session.

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