

## SENATE—Friday, November 2, 2001

(Legislative day of Thursday, November 1, 2001)

The Senate met at 10 a.m. and was called to order by the Honorable DEBBIE STABENOW, a Senator from the State of Michigan.

## PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Dear God, thank You for another day to live for Your glory by serving our Nation. We accept the Psalmist's admonition as our motto for the day: "Be of courage, and the Lord will strengthen your heart."—Psalm 31:24. Your fresh supply of strength gives us courage to live fearlessly today. You replenish our diminished strength with intellectual creativity, emotional stability, and physical resiliency. The tension of these frightening days on red alert have made us all much more alert to Your presence and power. The more we place our trust in You, the more the springs of tension within us are released and unwind until we feel a profound peace inside. As this workweek draws to a close, we thank You for Your protection and we renew our commitment to live by faith and not be beset by fear. Your perfect love casts out fear. We relinquish our worries to You and our anxiety is drained away. We say with the Psalmist, "But as for me, I trust You, O Lord; I say, 'You are my God. My times are in Your hand.'"—Psalm 31:14–15a. Amen.

## PLEDGE OF ALLEGIANCE

The Honorable DEBBIE STABENOW 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.

## APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, November 2, 2001.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable DEBBIE STABENOW, a Senator from the State of Michigan, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

Ms. STABENOW thereupon assumed the chair as Acting President pro tempore.

## RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator from Nevada is recognized.

## SCHEDULE

Mr. REID. Madam President, we will be in a period for morning business today. A number of Senators have expressed a desire to speak. For the information of all Senators, we are going to have a vote at 5:30 p.m. on Monday, so Senators should be prepared for that. We should have a very busy week next week. We hope it is the week prior to our recessing for the year. We will do our very best to do that. That would be 2 weeks from today.

If we complete the Labor-HHS bill on Tuesday, the only appropriations bills we will have left is DC, plus the big Defense appropriations bill. So we are moving right along. We have a lot to do, though.

## RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

## MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Wyoming.

## TRIBUTE TO JONN J. EDMUNDSON

Mr. ENZI. Madam President, for the last week, I have been trying to figure out how to pay tribute to a young man from Wyoming whose funeral I attended last Saturday. I am pleased to have the opportunity this morning to address his life and our country as well.

Last Saturday, it was evident to many people in Cheyenne, WY, that ground zero had come to our State. Jonn Edmunds—that is spelled J-o-n-n; he is named after his dad who is Donn, D-o-n-n—was killed in Pakistan. He was a member of the Rangers, the 3rd

Battalion, 75th Regiment, and he was killed in a helicopter crash. Suddenly, the war got closer to all of us in Wyoming.

During Desert Storm, there were not very many people killed, but one of them was from Gillette, WY, Manuel Davilla, and we remember him.

In this war, not many have been killed: Two, one from Montana, one from Wyoming. Again, Wyoming, according to its population, has given an inordinate number, but if you are the parents of anyone killed as a result of the terrorist attacks and in the military, for you that is a 100-percent loss. It is a much greater loss. It was not just the parents who lost in this instance, it was also a wife.

One of the things that struck me at the funeral, which was attended by Army Rangers who helped with the funeral—it was a grand ceremony with all the military honors—what struck me was the youth of these soldiers. I remember one time watching a show put on by Channel 1. It was called "The Kids Who Saved the World." It was designed to show today's generation that the people who fought in World War II were kids. It took some of the people attending reunions, which is what most of the people see of the military, and went back to the picture of them as they participated in D-Day, to emphasize that it is kids who are out there saving us.

Jonn Edmunds would have had his 21st birthday on January 3. He would have had his second wedding anniversary on December 27. The first song they played as a part of the service was the song that he and his wife were going to play at their anniversary. Next to the podium, next to the picture of Jonn was a white board, a message communicator they used in their home. Jonn left his last message to his wife on that white board. It said:

Anne, I will be OK. I'm going to come back to you. I love you, and I will think about you all the time. Be strong while I'm gone and never forget that I love you.

And then he paid the ultimate price. He left a family and a wife and an emphasis in Wyoming. We appreciate the sacrifice that he made and that his family made. It is important we remember that.

The service was extremely patriotic, thanks to the help of his fellow soldiers. Something that was read during that service I want to read here. It gives us an idea of the dedication, the focus, the goals, and the understanding that these young men have when they

go into battle. It is called the Ranger Creed. The Rangers are a special group of young people.

**The Ranger Creed:**

Recognizing that I volunteered as a Ranger, fully knowing the hazards of my chosen profession, I will always endeavor to uphold the prestige, honor and high esprit de corps of my Ranger Regiment.

Acknowledging the fact that a Ranger is a more elite soldier who arrives at the cutting edge of battle by land, sea or air, I accept the fact that as a Ranger my country expects me to move further, faster and fight harder than any other soldier.

Never shall I fail my comrades. I will always keep myself mentally alert, physically strong and morally straight and I will shoulder more than my share of the task whatever it may be. One hundred percent and then some.

Gallantly will I show the world that I'm a specially selected and well trained soldier. My courtesy to superior officers, neatness of dress and care of equipment shall set the example for others to follow.

Energetically will I meet the enemies of my country. I shall defeat them on the field of battle for I am better trained and will fight with all my might. Surrender is not a Ranger word. I will never leave a fallen comrade to fall into the hands of the enemy and under no circumstances will I ever embarrass my country.

Readily will I display the intestinal fortitude required to fight onto the Ranger objective and complete the mission, though I be the lone survivor.

**Rangers lead the way.**

That is a creed they live by and they recite as they go into battle.

I also want to share a poem. The poem was written by Jonn Edmunds' English teacher and was dedicated to his memory at the funeral.

The title of it is: "So This Is How It Feels."

So this is how it feels to know the pain of war, the ineffable sorrow deep in your gut, beyond tears, beyond consciousness.

Elements of disgust, horror and anger, and finally fear, all mixed and meshed inside.

So this is how it feels to mourn native sons, the inscrutable sadness for one so young, their future laid bare, barren yet not futile.

Elements of patriotism, pride, honor and heroism, and the thoughtful thankfulness for their service, all conglomerate there.

So this is how it feels to know the dark of evil, the vague uncertainty of its source made real in the shed blood of our own.

Elements of emptiness, apprehension and instability rocking our faith, and finally that fear again.

Yet the good will out, our fears will form into faith, history will record how America, though humbled now, held its course as she has through other wars when she knew all too well how it felt.

About a week after the September 11 events, my wife and I had an opportunity to attend a dinner. There happened to be a number of ambassadors from other countries at the dinner. It was very reassuring to talk to them. Their message involved the spirit of the American people.

There were a lot of people from a lot of countries around the world who thought a major tragedy hit the United

States that had been caused by somebody else and we would go to pieces. Instead, what they saw was the American people in a new form of unity and spirit that they had not seen for decades—people coming together, volunteering, helping out, the spirit of America alive again.

It is that spirit of America that these young people in our service already know, already recognize. It is the reason they volunteered, that they have put their life on the line to serve our country. Thank goodness we have them. Let us always remember those who have given all.

I ask unanimous consent that the newspaper articles referring to Jonn Edmunds be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Wyoming Tribune-Eagle, Oct. 28, 2001]

**CHEYENNE SON LAID TO REST**

(By Ilene Olson)

CHEYENNE.—Before going overseas to help fight in Operation Enduring Freedom, Spc. Jonn J. Edmunds left a simple note for his wife Anne on a memo board:

"Anne, I will be OK. I am going to come back to you. I love you and I will think about you all the time. Be strong while I am gone, and never forget that I love you."

Those words, framed and displayed at his memorial Saturday, tell their own story of a young life lost and a young love cut tragically short.

Edmunds, 20, was an Army Ranger in the 3rd Battalion of the 75th Ranger Regiment. He was killed in a helicopter crash in Pakistan on Oct. 19 while providing rescue relief for American troops in Afghanistan.

Thirteen Army Rangers from the 2nd Battalion, 75th Ranger Regiment, marched in slowly and somberly. Six stopped at the left side of the gym and lined up in two rows of three, remaining there motionless for more than an hour until their services as casket bearers were needed. The other seven lined up diagonally on the right side, rifles ready for a 21-gun salute.

Edmunds was remembered by those who knew him as an intense, competitive youth, a loving and devoted husband, and a dedicated soldier.

The Rev. Janet Forbes told the story of Edmunds' life, based on her conversations with his family.

Forbes said Edmunds met Anne Costello when the two were paired on a bowling lane. After a second bowling date, the two were inseparable.

"Jonn and his dad took a long walk together just before Jonn left Cheyenne for basic training," Forbes said. "He told Donn about his intentions concerning Anne:

"Dad, I really love her, and I want to marry her."

"Jonn, you're too young."

"No, Dad, I'm not."

"This went on for several rounds," Forbes said.

"And then Donn reflected, and he looked at his son closely, remembering his intelligence, clarity of purpose and maturity, and said, 'No, son. You're not.'"

The couple married Dec. 27, 1999, before a justice of the peace.

"Jonn's life began when he met her," Mary Edmunds told Forbes. "He was never happier."

Forbes said Anne remembers Jonn for the strength of his character: strong, concerned, hard-working, dedicated, loving; for the beauty of his person: good-looking, physically fit; and for his lively sense of humor: funny, light-hearted and easy to talk to.

Jonn and Anne Edmunds planned to renew their vows at a wedding on Dec. 15. "It's Your Love," the song they planned to be the first number at their wedding dance, was played for his funeral instead.

Edmunds and his father, Donn, shared "an alphabetical connection" of double Ns in the spelling of their first names—and the frustration of never having them spelled correctly, Forbes said.

Mary Edmunds told Forbes that her son began training for his life's vocation at the age of 3. "He was all action—running, running, running."

"He had what we call older brother's syndrome," Forbes added. "He was always picking up his younger brother Seth, carrying him on his shoulders and dragging him around."

"Their play began with squirt guns, then moved to laser tag. Seth, always the youngest competitor would take refuge in the house."

Paintball was the favorite, and Jonn was always victorious.

"One time, Dad joined the game," Forbes continued. "He lifted his head slightly above his hiding place and Jonn got him—right across the top of his head."

Forbes said Edmunds enjoyed playing and coaching soccer.

"He liked coaching because he got to yell," she said. "It seems one of the things he hated about basic training in the Army was getting yelled at. He liked the leadership role better—being the yellie instead of the yellee."

Forbes said Edmunds' younger sister Alyssa remembers her brother as a tease who loved to chase her and put June beetles in her hair.

Alyssa, as introspective as her brother was, had confided, "Jonn would have hated all this attention."

Forbes said one teenager in her congregation read Edmunds' obituary, finishing with the survivors, "all of Cheyenne."

"She interpreted this statement to mean that all of Cheyenne are indeed survivors," Forbes said. "It was touching, comforting and reassuring that John gave his life so that all of the citizens of Cheyenne may survive."

Chaplain Capt. Paul Lasley of the 75th Ranger Regiment in Fort Lewis, Wash., said Edmunds personified the Ranger Creed every day.

"Living the creed is a way of life. One must struggle to balance a devotion to duty with a corresponding devotion to one's family," Lasley said.

"It is the essential uniqueness of the Ranger Creed that turns a drab, black and white understanding of a ranger's life into a colorful masterpiece."

Staff Sgt. William Bader of the 3rd Battalion, 75th Ranger Regiment in Fort Benning, Ga., worked directly with Edmunds.

"When I think of Jonn, I think of all the little things," Bader said. "Jonn never let me down."

Once, after a difficult operation, "I looked at the rest of my boys. I could see that they were tired. Then I looked at Jonn. He still had that intense look on his face."

"That is the way I choose to remember Jonn."

The song, "I'm Proud to Be an American," played near the end of the memorial. It had

a powerful effect on the audience, which stood in a spontaneous salute of Edmunds and the country he served. Several joined hands over their heads in a show of unity. Applause burst forth at the song's conclusion.

Sen. Craig Thomas R-Wyo., read a statement from Wyoming native Vice President Cheney.

"I will not presume to offer comfort," Cheney had written. Instead, he thanked the Edmundses for their son's patriotism and courage.

Sen. Mike Enzi, R-Wyo., presented President Bush's statement to Anne Edmunds.

"I am deeply saddened by the loss of your husband," Bush had said. "I hope you will find solace in the knowledge that his sacrifice will not be forgotten. The nation is grateful for Jonn's service to our country. We pray for comfort and healing in this difficult time."

At the end of the service, an intense silence fell in the facility as the waiting rangers removed the flag from the casket, folded it ceremoniously and presented it to Edmunds family.

During the flag ceremony, people in the audience stood quietly, barely breathing. Many dabbed at their eyes, and their grief was palpable.

The intensity of the silence was broken by two bugles playing "Taps," then countered by the equally loud 21-gun salute.

A startled child cried, and the audience seemed to take a collective breath.

Following the memorial, family members were escorted quietly from the room while people in the audience stood reverently. The family's grief was reflected in many of their faces.

Lasley summed up the purpose of the memorial: "Jonn Edmunds is not honored today exclusively for how he died."

"We honor Jonn Edmunds for how he lived."

[From the Wyoming Tribune—Eagle, October 23, 2001]

#### GROUND ZERO IN WYOMING (By Ilene Olson)

CHEYENNE.—A grieving Donn and Mary Edmunds stood in their driveway Monday to give Americans—and the world—a glimpse of their son and the tragedy of his death.

Spc. Jonn J. Edmunds, was a member of Company B, 3rd Battalion, 75th Rangers. He died Friday in a helicopter crash in Pakistan while providing rescue backup for U.S. troops entering Afghanistan.

Donn Edmunds, occasionally fighting tears, spoke for the family during the news conference:

"Jonn decided in his senior year of high school to join the Rangers because they were an elite force, because he felt he was up to the challenge and because he wanted to join the military for their college benefits.

"He was extremely proud of his achievements as was the rest of his family. He was a tough, determined, competitive young man who only accepted the best of himself and wanted to give his best for his country."

Donn Edmunds read an excerpt from a paper his son wrote while in high school:

"In 10 years I see myself still in the Army. I believe I will make a career out of the Army, which would mean staying in for 20 to 25 years. I will be contributing to myself as well as the defense of this country and the betterment of the world."

Despite his short time in the Rangers, Jonn Edmunds was the leader of a four- to five-member team, supervising half of his

squad of 10 to 11 members, Lt. Col. Scott Keller of the Army Headquarters in Denver said Monday.

Donn Edmunds, who characterized his home as "ground zero in Wyoming," said while their son's death has hit them hard, it hasn't changed his family's attitude toward the current war on terrorism.

"Even in this time of loss, our family wants to express our continued support for our president and his policies regarding the actions in Operation Enduring Freedom," he said.

The Edmunds family also expressed sympathy for the family of Pfc. Kristofor Stonesifer, 28, of Missoula, Mont., the other Ranger killed in Friday's crash.

In a news release Monday, Gov. Jim Geringer added his condolences to those offered Sunday by other political leaders.

"Jonn Edmunds symbolizes the thousands of young men and women who wear the military uniform," he said. "He was a model high school student who voluntarily chose to serve his country through service in the military."

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The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

Mr. THOMAS. Madam President, I thank my friend from Wyoming for his remarks. He and I attended the funeral of Jonn Edmunds together. It was a moving experience. I submitted my statement earlier in the week. We carried messages from President Bush and Vice President CHEENEY to the funeral. It was a very moving event.

#### ENERGY POLICY

Mr. THOMAS. Madam President, I want to talk a moment about a couple of subjects that I think are current certainly. One of them is the subject of energy. Energy has been with us for a long time. We have been talking about a policy on energy. We have been talking about doing something to strengthen our domestic production so that we become less dependent on imports particularly from the Middle East.

We have talked about the need to do something to help our economy, and energy has something to do with it. So it is an issue of security. We are now nearly 60 percent dependent on foreign oil.

Oil, of course, causes the movement and transportation not only in our economy but in defense, so it becomes even more important we deal with that issue as we talk about a stimulus for the economy. And we will be coming up with a number of proposals we hope will have an impact on the economy. Energy, of course, probably has one of the greatest impacts on the economy. The idea we could move into doing some development of facilities, we could do some new efforts to produce oil, would all have some impact on jobs and on our economy.

We have been talking about it for months now. We have had a number of meetings out in the swamp that were attended and supported by the adminis-

tration, by the President, by the Secretary of Energy, by the Secretary of Interior, to move forward with something. The House, of course, has already passed an energy bill.

We have been supported by groups of seniors, and I think understandably so. When utility rates go up, seniors on fixed incomes are the ones who suffer the most, and that is an experience we have all been through. Certainly, we have had also the support at these various meetings from labor unions, particularly the teamsters who have been there time after time.

We have been joined by Native Americans from Alaska who are dealing with that portion of energy. So we have had support from a great many people.

Yesterday there was a two-page ad in the Hill newspaper of all the people who are supporting doing something with energy policy. So there is very wide support for it.

We have not, however, gotten support from the majority leader to bring it to the floor. We believe that is one of the legislative efforts that should have a high priority before we can finish our work, which I hope we will do relatively soon.

So there is much that needs to be done. A policy in energy, of course, has to do with conservation, how we in our homes and in our cars can do more to conserve energy. It has to do with renewables. We need to put an emphasis on renewables so we can strengthen that aspect of production. We certainly need to do more on research so that we can find, for instance, ways to even more cleanly use coal and other kinds of volume resources.

We have to talk about production. We have to talk about access to public lands. We can have production. We have shown that in Wyoming one can go into an area and have production without destroying the environment, and we should do it in a very careful way, and indeed we will.

So despite the need for both the economic boost and for the defense and security aspect of it, we have not been able to cause the majority to bring this before the Senate. We urge it be done and done quickly. We need to bring this bill forward and deal with it. Perhaps we will deal with the House bill, but we need to bring it up and make some judgments.

#### AIRLINE SECURITY PERSONNEL: FEDERAL OR PRIVATE

Mr. THOMAS. Madam President, on another item I want to comment on that I have heard quite a bit about, the House passed last night the airport security bill, and I am glad they finally did. Of course, the big controversial issue was whether or not those personnel that are in airports would be Federal employees or whether they would be civilians overseen by a Federal agency.

First of all, often, particularly in the media, there has been the impression that we either have Federal employees or continue to do it the way it is being done.

That is not the case. What is being talked about, if it is done without Federal employees, is the Federal Government would have oversight and the authority to authorize these kinds of activities; they would be overseen by a Federal agency, hopefully a law enforcement agency. There would be criteria for employees, there would be tests for employees, there would be measurements to be taken, all enforced by the Federal Government. The idea that would continue to be what it is, unless it is Federal employees, is not true.

The other interesting point is there has been a lot of reference, both by the media and also by the Members in the House pushing for Federal employees, to it passing 100-0 in the Senate. It did, indeed, but the reason is there are lots of things in that bill in addition to the matter of what kind of employees we have for airport security. Many Members would have preferred to have seen what the House put in, but we knew we did not have the votes. We wanted to pass the bill because of what it contained. The idea that it passed 100-0 does not mean there are not people in the Senate who would like to see this done in the manner as passed by the House.

As we go to a conference, I hope we can do that quickly. That is one of the most important and timely things to do.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

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#### APPRECIATION FOR EFFORT OF SENATOR THOMAS

Mr. ENZI. I take this opportunity to thank the senior Senator from Wyoming, Mr. THOMAS, for all of the efforts he has made in three areas, as well as a lot of other areas, but particularly in three areas.

Energy, of course, of which he spoke, he has been one of the Members pushing for an energy policy for this country since I have known him, which has been quite a while. It looks as if we have the opportunity to get that done soon. It will be largely due to his efforts on the committee and on the floor.

I also thank him for the effort he is making in the agricultural area. Our State is very dependent on agriculture. He serves on the Agriculture Committee. I think he is the first person from Wyoming to serve in 40 years. He got in it at a particularly crucial time, as we were redoing the farm bill. I know that is extremely difficult work. When there are 10 Senators together, they offer 20 opinions. Trying to mold

those into one bill can be extremely difficult.

Of course, the Senator serves on the Finance Committee, as well. That is from where the stimulus package is coming. Again, there are multiple opinions regarding that package.

I appreciate the efforts and leadership of the Senator in all of those areas. I look forward to the great packages we will have as a result.

#### RACE FOR THE CURE

I also mention another effort led by his wife, the Race for the Cure, the breast cancer effort in our State. The four honorary chairs are his wife—definitely not an honorary chair; she spends a great deal of time all year working to raise funds to make people more aware of the need for breast cancer testing, treatment, and early detection. She is an honorary chair, along with our Governor's wife, Sherri Geringer, my wife, Diana, and Congresswoman BARBARA CUBIN's husband, Fritz. They all work a lot of time during the year.

Last weekend, we were at a function that kicks off the next year's Race for the Cure. It is well underway. It is a great effort. It saves life, both men's and women's lives. That evening we were in Rock Springs, WY, for a different function called Cowboys Against Cancer. This event is not limited to any particular type of cancer. Rock Springs puts on an annual fundraising event where anyone in the community with cancer receives funds from this foundation, up to \$1,000, to help offset some of their expenses during the year. It is a great community effort to help out neighbors.

They asked me to emphasize that, even though we have this focus in the United States on terrorism, anybody who comes down with cancer has a form of terrorism. It is important we keep giving the ways we have been giving, as well as giving in new ways. The American people are the most giving people in the world. This is a time when we need to give in new ways, but we need to continue the old ways, as well.

When somebody in your family comes down with cancer, you have ground zero in your home, too. That is the potential for a total loss. I hope everybody keeps up all of those efforts, as well as the new emphasis.

I yield the floor.

Mr. THOMAS. I thank the Senator for his kind comments and I certainly enjoy working together.

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. TORRICELLI. Madam President, I ask unanimous consent the order for the quorum call be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### TROUBLING TIMES

Mr. TORRICELLI. Madam President, these are, for all Americans, troubling times. While we are defending our Nation at home and abroad, we find ourselves with conflicting emotions. We are by nature a peaceful people but a people of enormous resolve, with a great love of our Nation, our culture, and each other. We respect each other's faiths. We respect the faiths and cultures of those of other nations.

This mix of emotions has placed us in an extraordinary position. Two principal issues arise from this dilemma. First, in the midst of a military campaign in Afghanistan, we now find the religious holidays of the Muslim faith upon us, the celebration of Ramadan. It is a central date on the Islamic calendar.

The second issue is the extent to which our military operations in Afghanistan involve the inevitability and the tragedy of civilian casualties. I would like to address both of these concerns for a moment.

It speaks well of the American people that we would have a concern about engaging in military activities during the religious holidays of some of our own citizens, and more important, those of other nations. In a nation that is overwhelmingly Christian but with large Jewish and Islamic populations, it is a tremendous statement about America that even in the waging of conflict we want to be deferential to the religions of others. Indeed, it speaks well of our President that there is even a consideration of the postponement of military activities in our air campaign in Afghanistan during Ramadan.

I strongly urge the President, despite his best instincts, that the bombing campaign should not be postponed—not for a minute, not for a day. What happened on September 11 and the motivation of those who might have orchestrated this campaign from Afghanistan is all the evidence that is required that bin Laden, al-Qaida, even the Taliban are not practicing Islam.

The massive loss of life at the Pentagon and the World Trade Center in the name of that faith is not only not in keeping with the teachings of Islam, it is blasphemy. It is blasphemy against the teachings of Mohammad and the Koran. It is an insult to every person of Islamic faith in the world.

For the United States to hesitate or suspend our military operations against al-Qaida because of Ramadan is to suggest that these people are actually legitimately practicing their faith or even, in fact, are of the Islamic faith. Their practice of Islam that engages in terrorism, the massive loss of life, the use of assassination and terror against their own people and the United States, their declaration of war against people simply because they hold a different religious faith or live

in a different culture, is not the legitimate practice of Islam. It is against everything written in the Koran.

Not only should this bombing campaign not be suspended in deference to Ramadan, indeed—it is the policy of our Government that bin Laden and al-Qaida are not practicing the faith at all—suspension would be to give a cloak of legitimacy that indeed they are practicing a religion rather than that they are an aberration. They are a cult, mindlessly pursuing some horrible vision of exercising personal power, the teachings of which are not legitimately accepted by any faith.

No, the bombing campaign should not be suspended. Indeed, it must continue to underscore that this is not a war against Islam, and the people we are fighting are not practicing Islam.

Second is the issue of civilian casualties. It is a wonderful statement about our people that even in the face of horror and the massive loss of life of Americans, that there is a concern that people in another nation, as we seek justice, might inadvertently and tragically lose their lives as we pursue al-Qaida and bin Laden. It is right we should have this concern, but it cannot deter us.

I hope my comments are not misunderstood. I do not want them to seem overly harsh. But there is something missing from this debate, from those abroad, and those within our own Nation who are understandably concerned about this loss of life. There is not a question that there is going to be a loss of civilian life. That happened on September 11. If you want to see civilian casualties, come to New York. We have thousands of bodies still not recovered.

Concerning the issue of whether there is going to be an innocent loss of life, that already happened. We want nothing but the best for the people of Afghanistan. But it is impossible to engage in large scale military hostilities, to find thousands of al-Qaida fighters where they are being shielded, without some loss of Afghan life. Every loss of life of an Afghan citizen is regrettable but unavoidable. We can minimize it, but we cannot avoid it.

We have responsibilities. Our first responsibility is to bring to justice those who killed our people and attacked our Nation. An equally great responsibility is to ensure that if American soldiers enter Afghanistan to find bin Laden, we minimize the loss of American lives. Anything that is done that avoids the possibility of the loss of an American soldier is our highest priority. If we can do that while minimizing the loss of Afghan citizens, it is the right thing to do.

I speak, now, directly and bluntly. The people of every nation bear some responsibility for those who govern it. That is obviously true in a democratic society, where governments rule with

the consent of the governed. But, indeed, it is true in all societies.

I know the Afghan people are powerless. I know the Taliban rules against the wishes of many Afghans. But, nevertheless, as a historic principle, they are accountable for their government. It is a fact that their government has harbored terrorists who have attacked our greatest city, declared war on our Nation, and killed thousands of our citizens. This is not to suggest that I believe that we, by design, would ever take their innocent lives. But it is to put in context the fact that, if inadvertently, against our policies and our desires and our prayers, Afghan lives are lost in the hunt for bin Laden and the search for justice, it may be regrettable, but it is historically and legally and morally defensible.

By historic parallels, a third of the German people voted for the Nazi Party.

Virtually none of the Japanese people as a matter of right could have been held accountable because they were directly responsible for Tojo's government in Tokyo. But I don't believe it would have been legitimate then any more than it would be legitimate now to have said somehow the people of those countries do not bear responsibility for their government no matter how they came to power. The innocent Afghan people who regrettably now lose their lives, as the people of all nations, bear some responsibility for those who govern them—by the ballot box wherever it is possible, by force of arms where it is necessary, or by whatever means that might be required to free themselves, or to ensure that their governments are either not engaged in actions against other people or harbor those who would harm other people. Responsibility rests on all of us who are citizens of nations.

I hope the loss of civilian life is minimal. But our Nation is at war. This is not some gentlemanly understanding between the government of the United States and the Taliban government of Afghanistan. This is not a problem of languages or cultures. This is a fundamental judgment by the government of Afghanistan to harbor a terrorist element that has come to the judgment that they cannot coexist with Western society.

Either their government falls or ours falls. There is not something here to be negotiated. It is not some misunderstanding that we reconcile. There is nothing to be discussed. Their government falls or ours does. We are vulnerable to them or they are vulnerable to us. Bin Laden lives or some of our people die.

Sometimes, even in a complex world which has seemingly advanced so far, some things are so simple. That is the nature of this conflict.

It has been called a war on terrorism. It isn't a war on terrorism. Terrorism

is a methodology of warfare. Had they attacked the World Trade Center with fighter planes or used the most modern technology available, we would be grieved nonetheless. They used terrorism. But it isn't their methodology that we are fighting. It is them.

This is a small group in a remote place that has come to the extraordinary conclusion that they cannot coexist with Western society. As a matter of our faith, our culture, and the means by which we choose to live our lives, they have come to a judgment that they cannot share this planet with us because of who we are and what we believe.

None of us wants any loss of life. There is a wonderful strength of our country. We can fight an enemy and still worry about his wounds.

I leave you with a simple reminder as our country debates whether to pursue this war during Ramadan and whether we lose our nerve because of loss of life of Afghan citizens. It has been a long time since this country fought a war seeking an unconditional result. Indeed, it has been more than half a century. War is different. It is different than a misunderstanding. It is different than a military action. It is different than a police action. It is different than the Persian Gulf or Vietnam or even Korea that had limited objectives. This has no limited objective. This is unconditional.

Those people will not stand. We don't want to talk to them. We don't want to negotiate with them. We don't want to work out a misunderstanding with them. They will not stand.

The judgment about whether to fight during Ramadan and pay them the respect that they are actually of the Islamic faith should be debated in that context because they are not Islamic. They are not exercising their faith. They are blasphemists of their own alleged religion.

Civilian casualties need to be debated in this context because, though regrettable, they are inevitable and a part of unconditional war in a threshold that was already crossed, and then finally all of us coming to recognition of what it is we fight—terrorism, bin Laden. We fight against people whose weapons are not the principal concern. Their methodology is not our principal concern. Our concern is the profound judgment that they reached: that our presence and our lives are somehow a central threat.

Before the Senate left for this week, I wanted to share these thoughts knowing that we will revisit these issues again and again in what promises to be, unfortunately, a long and difficult engagement in Afghanistan, knowing that among the many strengths of our people, patience is not the greatest of American virtues. But we did not seek this war. We did not want it. We would have done anything to avoid it, but it

was not our choice. It was thrust upon us. The decision to take lives was made by others. We only have one thing to do—no decisions, no choices, no judgments—just to win. That takes time. It takes sacrifice. Sacrifices we have made before. Now we will make them again.

I hope our country simply can steady its nerves and muster the patience to see this to the end. That will involve a great price, but there is no choice.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HOLLINGS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### THE ECONOMIC STIMULUS

Mr. HOLLINGS. Madam President, it is only on a Friday that we can make sense. That is my attempt here this morning with respect to the upcoming stimulus bill. We have more than enough deficit stimulus already in the pipeline, almost, without a stimulus bill.

The point is that, yes, we are going to have to spend, as the distinguished Senator from West Virginia has pointed out, for home security. The Senator has outlined our spending on homeland defense to the tune of some \$20 billion, including airport security; Amtrak se-

curity; Federal, State, and local antiterrorism enforcement; infrastructure security; highway security; clean and safe drinking water; bioterrorism response; border security. Actually, we have to add, necessarily, unemployment compensation and health care.

So let's say definitely all of us will be supporting—and should—deficit stimulus; otherwise, it makes no difference to the economy. It must be spent for home security with respect to the initiative of the distinguished Senator from West Virginia.

For starters, we are beginning this fiscal year with a horrendous deficit. I think of Mark Twain who once said that the truth is such a precious thing, it should be used very sparingly. That is the credo when we come to Government finance here in Washington. Specifically, we count Social Security revenues—I want to be specific in my limited time—twice. Sure, the government receives the well over \$500 billion that payroll tax payers pay in to the Social Security Trust Fund. The American people paid that amount in fiscal year 2001 for a surplus of—other than paying out the regular benefits, \$163 billion. But the Social Security law, section 201, says, wait a minute, we don't want that money to languish and sit there, we want to gain interest on it.

So we issue T-bills, you and I buy the T-bills—the money comes into the Government, and what do they do? They count that again as revenues. So you count the money first as it comes in from the payroll tax payers, and you count it a second time from the pur-

chase of the Treasury bills, in compliance with section 201.

Now, let's understand it. We ended the fiscal year with a \$133 billion deficit. I encourage my fellow Senators and the American public to view the public debt to the penny as issued by the Secretary of the Treasury on September 28, 2001 at: <http://www.publicdebt.treas.gov/odp/odppenny.htm>.

Madam President, you can see that the national debt went up from the end of fiscal year 2000—the end of September in the year 2000—from 5 trillion 674 billion some odd dollars to 5 trillion 806 billion some odd dollars. It will show on the chart a \$133 billion deficit. That is verified in the final monthly Treasury statement made for fiscal year 2001. You can access this report at: <http://www.treasury.gov>.

Madam President, immediately it highlights a half truth because they show a surplus, and that is how they talk about the surplus and how it is diminishing. But don't bother with that. Go down to page 20, the particular culmination of all their moneys, and you find out how much revenue the Government took in and how much was spent. Every year since Lyndon Johnson's day, we have ended up with a deficit. Not just the \$133 billion deficit as of the last fiscal year, only a month ago. I will ask unanimous consent to have this particular document printed in the RECORD, the budget realities.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### HOLLINGS' BUDGET REALITIES

Presidents and fiscal year	U.S. budget (outlays in bil- lions)	Borrowed trust funds (bil- lions)	Unified deficit with trust funds (bil- lions)	Actual deficit without trust funds (bil- lions)	National debt (billions)	Annual in- creases in spending for interest (bil- lions)
Truman:						
1946	55.2	-5.0	-15.9	-10.9	271.0	
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	
1953	76.1	0.4	-6.5	-6.9	266.0	
Eisenhower:						
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	
1961	97.7	-1.2	-3.3	-2.1	292.6	
Kennedy:						
1962	106.8	3.2	-7.1	-10.3	302.9	9.1
1963	111.3	2.6	-4.8	-7.4	310.3	9.9
1964	118.5	-0.1	-5.9	-5.8	316.1	10.7
Johnson:						
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
1969	183.6	0.3	3.2	+2.9	365.8	16.6
Nixon:						
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
1975	332.3	4.8	-53.2	-58.0	541.9	32.7
Ford:						
1976	371.8	13.4	-73.7	-87.1	629.0	37.1
1977	409.2	23.7	-53.7	-77.4	706.4	41.9
Carter:						
1978	458.7	11.0	-59.2	-70.2	776.6	48.7

## HOLLINGS' BUDGET REALITIES—Continued

Presidents and fiscal year	U.S. budget (outlays in billions)	Borrowed trust funds (billions)	Unified deficit with trust funds (billions)	Actual deficit without trust funds (billions)	National debt (billions)	Annual increases in spending for interest (billions)
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
1981	678.2	6.7	—79.0	—85.7	994.8	95.5
Reagan:						
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	1,871.5	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
1989	1,143.7	114.2	—152.5	—266.7	2,863.3	240.9
Bush:						
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
1993	1,409.5	94.2	—255.1	—349.3	4,351.4	292.5
Clinton:						
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	332.4
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
2000	1,789.0	258.9	236.2	—22.7	5,628.8	362.0
2001	1,853.0	254.8	281.0	+26.2	5,602.6	369.0

\* Historical Tables, Budget of the U.S. Government FY 1998; Beginning in 1962 CBO's 2001 Economic and Budget Outlook. March 14, 2001.

Mr. HOLLINGS. The document takes us from President Harry Truman right on up to the Johnson Administration. You can see that, in 1968–69, when I had the privilege of serving here and worked on that with George Mahon over on the House side, the distinguished chairman of the Appropriations Committee at that time. We cut it back again another \$5 billion. We called over to Marvin Watson in December of 1968 because President Johnson was very sensitive about guns and

butter—paying for the war in Vietnam and the Great Society. So we cut it back another \$5 billion, and we ended up with a true surplus that particular year, a \$2.9 billion surplus. But you can see the minus marks coming through.

This particular chart shows that the Congressional Budget Office projected by March 14 of this year that we would have a \$26.2 billion surplus. Truth: We ended up with a \$133 billion deficit.

Where do you find that truth out? Turn to page 20 of 'Final Monthly Treasury Statement,' and you will see

that at the beginning of fiscal year, 2001, we had a debt of \$5,674,178,000,000.

By the close of the fiscal year last month, the debt had already gone up to \$5,807,463. So it has gone up some \$133 billion. We ended up with a deficit of \$133 billion.

I ask unanimous consent that page 20 of the "Final Monthly Treasury Statement" be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TABLE 6.—MEANS OF FINANCING THE DEFICIT OR DISPOSITION OF SURPLUS BY THE U.S. GOVERNMENT, SEPTEMBER 2001 AND OTHER PERIODS  
[\$ millions]

Assets and liabilities directly related to budget off-budget activity	Net transactions (—) denotes net reduction of either liability or asset accounts		Account balances current fiscal year		
	This month	Fiscal year to date		Beginning of	
		This year	Prior year	This year	This month
<b>LIABILITY ACCOUNTS</b>					
Borrowing from the public:					
Treasury securities, issued under general Financing authorities:					
Debt held by the public .....	—1,508	—110,688	—218,382	3,449,998	3,340,818
Intragovernmental holdings .....	39,096	243,973	236,289	2,224,180	2,429,058
Total Treasury securities outstanding .....	37,588	133,285	17,907	5,674,178	5,807,463
Plus premium on Treasury securities .....	—32	62	697	2,699	2,793
Less discount on Treasury securities .....	—4,176	—8,555	—5,157	75,541	71,162
Total Treasury securities net of Premium and discount .....	41,731	141,902	23,761	5,601,336	5,701,507
Agency securities, issued under special financing authorities (see Schedule B, for other Agency borrowing, see Schedule C) .....	394	—661	—832	27,672	26,617
Total federal securities .....	42,125	141,240	22,929	5,629,009	5,728,124
Deduct:					
Federal securities held as investments of government accounts (see Schedule D) .....	39,122	232,995	246,455	2,235,763	2,429,635
Less discount on federal securities held as investments of government accounts .....	—1,007	1,633	719	16,867	19,508
Net federal securities held as investments of government accounts .....	40,130	231,361	245,736	2,218,896	2,410,128
Total borrowing from the public .....	1,996	—90,121	—222,807	3,410,113	3,317,996
Accrued interest payable to the public .....	11,677	—4,728	1,608	44,211	27,806
Allocations of special drawing rights .....	4	—44	—440	6,359	6,312
Deposit funds <sup>1</sup> .....	—127	4,160	—1,248	2,625	6,912
Miscellaneous liability accounts (includes checks outstanding etc.) .....	—3,966	4,160	—404	4,140	12,266
Total liability accounts .....	9,584	—86,571	—223,291	3,467,448	3,371,293
<b>ASSET ACCOUNTS (DEDUCT)</b>					
Cash and monetary assets:					
U.S. Treasury operating cash: <sup>2</sup>					
Federal Reserve account .....	4,263	1,337	1,818	8,459	5,533
Tax and loan note accounts .....	33,627	—9,776	—5,618	44,199	795
Total liability accounts .....	9,584	—86,571	—223,291	3,467,448	3,371,293

TABLE 6.—MEANS OF FINANCING THE DEFICIT OR DISPOSITION OF SURPLUS BY THE U.S. GOVERNMENT, SEPTEMBER 2001 AND OTHER PERIODS—Continued  
[\$ millions]

Assets and liabilities directly related to budget off-budget activity	Net transactions (—) denotes net reduction of either liability or asset accounts		Account balances current fiscal year			
	This month	Fiscal year to date		Beginning of		
		This year	Prior year	This year	This month	
Balance .....	37,890	—8,440	—3,799	52,659	6,329	44,219
Special drawing rights:						
Total holdings .....	7	603	33	10,316	10,913	10,919
SDR certificates issued to Federal Reserve Banks .....		1,000	4,000	—3,200	—2,200	—2,200
Balance .....	7	1,603	4,033	7,116	8,713	8,719
Reserve position on the U.S. quota in the IMF:						
U.S. subscription to International Monetary Fund:						
Direct quota payments .....	29	—330	—3,336	46,525	46,525	46,525
Maintenance of value adjustments .....	3,089	7,017	—5,194	1,691	1,332	1,361
Letter of credit issued to IMF .....	—18	—4	4	—35,827	—31,899	—28,810
Dollar deposits with the IMF .....	6	—1,966	2,234	1,418	—103	—121
Receivable/Payable (—) for interim maintenance of value adjustments .....				—554	—548	
Balance .....	3,106	4,717	—6,292	13,690	15,301	18,407
Other cash and monetary assets .....	656	8,309	954	24,937	32,590	33,246
Total cash and monetary assets .....	41,659	6,190	—5,105	98,401	62,932	104,591
Net Activity, Guaranteed Loan Financing .....	2,145	4,319	—4,438	3 —22,013	—19,839	—17,694
Net Activity, Direct Loan Financing .....	—2,852	19,090	21,566	105,459	127,402	123,549
Miscellaneous asset accounts .....	4,582	1,564	—1,603	4 —119	—3,137	1,445
Total asset accounts .....	45,534	31,163	10,419	181,729	167,357	212,891
Excess of liabilities (+) or assets (—) .....	—35,950	—117,734	—233,710	+3,285,720	+3,203,935	+3,167,986
Transactions not applied to current year's surplus or deficit (see Schedule A for Details) .....	560	—9,430	—3,207	.....	—9,990	—9,430
Total budget and off-budget federal entities (financing of deficit (+) or disposition of surplus (—)) .....	—35,390	—127,165	—236,917	+3,285,720	+3,193,945	+3,158,555

<sup>1</sup> Includes the cash balances only and does not include any investments held by funds.<sup>2</sup> Major sources of information used to determine Treasury's operating cash income include Federal Reserve Banks, the Treasury Regional Finance Centers, the Internal Revenue Service Centers, the Bureau of the Public Debt and various electronic systems. Deposits are reflected as received and withdrawals are reflected as processed.<sup>3</sup> Includes an adjustment of \$943 million in September 1999 to reflect additional reporting by the Department of Education.<sup>4</sup> Includes an adjustment of \$11 million in September 1997 to reflect additional reporting by the Department of Treasury.

..... No Transactions.

Note.—Details may not add to totals due to rounding.

Mr. HOLLINGS. Madam President, I ask unanimous consent that “The Debt to the Penny” be 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

Current month and amount:

11/01/2001; \$5,817,190,945,192.56.

10/31/2001; \$5,815,983,290,402.24.

10/30/2001; \$5,821,971,462,166.69.

10/29/2001; \$5,822,039,361,288.25.

10/26/2001; \$5,824,411,453,143.54.

10/25/2001; \$5,823,620,074,112.16.

10/24/2001; \$5,820,311,931,563.74.

10/23/2001; \$5,821,675,171,748.09.

10/22/2001; \$5,819,200,893,343.94.

10/19/2001; \$5,819,139,910,042.71.

10/18/2001; \$5,819,279,815,278.59.

10/17/2001; \$5,820,599,313,961.29.

10/16/2001; \$5,820,976,918,375.44.

10/15/2001; \$5,818,887,492,619.52.

10/12/2001; \$5,813,332,736,265.82.

10/11/2001; \$5,811,762,115,860.32.

10/10/2001; \$5,805,746,196,414.92.

10/09/2001; \$5,808,819,610,348.90.

10/05/2001; \$5,810,495,191,205.19.

10/04/2001; \$5,803,751,789,864.65.

10/03/2001; \$5,797,694,485,722.59.

10/02/2001; \$5,815,899,927,829.86.

10/01/2001; \$5,806,151,389,190.21.

Prior months and amount:

09/28/2001; \$5,807,463,412,200.06.

08/31/2001; \$5,769,875,781,034.48.

07/31/2001; \$5,718,303,095,621.12.

06/29/2001; \$5,726,814,835,287.17.

05/31/2001; \$5,656,181,958,605.26.

04/30/2001; \$5,661,347,798,002.65.

03/30/2001; \$5,773,739,939,951.53.

02/28/2001; \$5,735,859,380,573.98.

01/31/2001; \$5,716,070,587,057.36.  
12/29/2000; \$5,662,216,013,697.37.  
11/30/2000; \$5,709,699,281,427.00.  
10/31/2000; \$5,657,327,531,667.14.  
Prior fiscal years and amount:  
09/29/2000; \$5,674,178,209,886.86.  
09/30/1999; \$5,656,270,901,615.43.  
09/30/1998; \$5,526,193,008,897.62.  
09/30/1997; \$5,413,146,011,397.34.  
09/30/1996; \$5,224,810,939,135.73.  
09/29/1995; \$4,973,982,900,709.39.  
09/30/1994; \$4,692,749,910,013.32.  
09/30/1993; \$4,411,488,883,139.38.  
09/30/1992; \$4,064,620,655,521.66.  
09/30/1991; \$3,665,303,351,697.03.  
09/28/1990; \$3,233,313,451,777.25.  
09/29/1989; \$2,857,430,960,187.32.  
09/30/1988; \$2,602,337,712,041.16.  
09/30/1987; \$2,350,276,890,953.00.

Source: Bureau of The Public Debt.

Mr. HOLLINGS. Madam President, you can see we are already in the red \$8.5 billion. The debt is on the way up.

What had happened in August was the Congressional Budget Office came over to the Budget Committee and Mr. Crippen projected a \$104 billion deficit for fiscal year 2002. In the last couple of weeks, he has come back and amended that to some \$140 billion more. He said the downturn has been far more extreme than he ever expected. So he adds another \$140 billion to the \$104 billion, which is \$244 billion. We start off with \$244 billion, without the stimulus, without the moneys for defense that we are bound to pass before we leave in the next few weeks, without the monies for education that we are bound to spend, without the monies for agri-

culture for the farm bill that we are prepared to provide. I am looking at all of that, and I made this comment at the Cabinet table just last week to the Vice President—the President had to excuse himself to receive a head of state—but I said: Mr. Vice President, we are starting off now knowing at the very beginning of fiscal year 2002 that we have over some \$300 billion in the pipeline of stimulus that people are not looking at.

I will bet anybody any amount of money anytime—give me whatever odds you want—that the deficit for fiscal year 2002 will exceed \$300 billion. I want to see my colleagues in the Senate take me up on that bet. We are still talking surpluses, is my point, and we know the truth is that we are going to have at least a \$300 billion deficit.

Yes, let us take care of home security, if it is \$20 billion, \$25 billion, \$30 billion—whatever it is. But none of these fast forward tax cuts and calling it stimulus, because it is a political opportunity: We will give you what spending we want, and we will take what tax cuts we want. That game has to stop.

The cold sobriety of the moment is, this country is at war. We have to sacrifice, and we will sacrifice in the context of the economy, trying to hold the line as much as we can; specifically, let's not take anymore loss of revenues and call it stimulus. Let us go forward with strengthening home security and

appreciate the reality that we are in trouble. The ox is in the ditch. We have fooled ourselves all year long. I pointed it out time and again.

I have such a high regard for our distinguished chairman in the Senate, KENT CONRAD of North Dakota, who is doing an outstanding job as our chairman, that I hate to appear as the dog in the manger constantly bringing up the record, the record, the record, showing the deficit, the deficit, the deficit. But we have had a deficit. We ended up with one, as I said we would, as of last year of \$133 billion. We are already going into the red, and we have not even started the level of spending that will be required. Let us hold tight to home security, unemployment compensation, and health care, and stop right there to hold down the long-term interest rates. That is what is stultifying any kind of economic comeback from the recession we are in.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

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DEPARTMENT OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION APPROPRIATIONS

AMENDMENT NO. 2044

Mr. KYL. Madam President, I rise this morning to speak to an amendment which I believe is the pending business before the Senate, and that is the Daschle amendment No. 2044 relating to collective bargaining of public safety employees. This is an amendment that has been offered to the Labor-HHS appropriations bill which is the pending business of the Senate. I understand a cloture vote will be scheduled for next Tuesday on this particular amendment.

I want to speak to this issue for a moment because I think this is an unfortunate time to be bringing this amendment forward, especially since it has nothing whatsoever to do with the Labor-HHS appropriations bill. I regret an effort has been made to inject this rather emotionally charged issue into the appropriations bill we are going to be asked to vote on early next week.

I also think the timing is unfortunate. I understand why, at a time when all of America is willing to and desirous of expressing its appreciation to our firefighters and other rescue workers, especially as they have worked day and night, literally, at the site of the World Trade Center in New York City, to find ways of recognizing their contribution to our country and to the people of New York. I do not think this particular amendment is the way to do that because the amendment seeks to, for the first time, force the U.S. Government's heavy hand into State and local government labor relations with police, fire, and a whole host of other workers—first responders, ambulance, paramedics, EMTs, and a whole group

of other people who, for the first time, would be required to comply with Federal procedures regarding collective bargaining rather than the traditional approach, which has been for the State and local governments to make their own determinations as to how to deal with their various employees, including fire, police, and other first responders to emergencies.

The timing is unfortunate, as I say. I think there are many better ways for the United States to express its appreciation to these employees than to have a very partisan and contentious issue of labor relations inserted into the appropriations bill under the guise of finding a way to support our police and firefighters. This is not the way to support our police and firefighters.

This is an item that has been on the agenda of some people for a long time. To try to insert it into the debate on an appropriations bill at this time I think is most unfortunate.

Let me say parenthetically, there are some wonderful police and fire folks in Arizona with whom I have worked over the years. They have been tremendously helpful to me. Arizonans went back to New York City to help in that effort. There is not anybody who appreciates more the work that our police, firefighters, and other first responders do than I.

As I say, in particular, the folks in the various organizations that provide police services in Arizona have helped me in more ways than I can tell, but I really do not think this collective bargaining bill, as an amendment to the appropriations process, is the way to recognize their efforts. Here is why.

This amendment would require the State and local governments to implement collective bargaining for this group of employees, and it is not limited to paid employees. Volunteer firemen, for example, would be just as subject to this collective bargaining requirement as would the employees of the towns' or counties' police or fire department, for example, because it applies to either paid or unpaid law enforcement officers, firefighters, rescue squads, ambulance crews, as well as paramedics, EMTs, rescue workers, ambulance personnel, hazardous materials workers, first responders, and individuals providing out-of-hospital emergency medical care, both on a paid or voluntary basis.

It mandates many categories of individuals that would now be subject to collective bargaining for the first time under Federal rules because under this amendment, within 180 days of enactment, the Federal Labor Relations Authority must determine whether a State provides the following rights—and there is a whole long list: The right to form and join a labor organization; to recognize employees' labor organizations; commit agreements to writing; bargaining over hours, wages,

terms of employment, arbitration, enforcement through State courts, and so on.

This is obviously an arbitrary list of rights that would be imposed under the authority of the Federal Government. If the FLRA determines that a State does not substantially provide for these rights—and over half of the States do not, by the way, they are right-to-work States that do not mandate collective bargaining—then the FLRA, under this legislation, shall establish collective bargaining procedures for these covered individuals. That has to be done within 1 year of the date of enactment.

So the bottom line is it imposes on States, even those which do not currently have collective bargaining laws, a new set of Federal requirements for collective bargaining for these people, including, as I said, even voluntary firemen. It would force this Federal system on those States.

It is not just an unfunded mandate, although there is obviously a cost associated with this as well, but it would override all of the local and State laws that currently apply. Twenty-one States do not currently require this kind of collective bargaining. It would literally force upon those governments collective bargaining over these public safety officers, who are nonunion members, to accept the union as their official bargaining agent.

This is such a total break from all of the tradition in this country. Some States are right-to-work States. Some States are not right-to-work States. Some States have options for collective bargaining for local jurisdictions, for example, such as my State of Arizona. We have never felt it was appropriate to mandate from the Federal Government how each of these municipalities and States would conduct their labor relations.

The bill has a provision that says if you have less than 25 full-time employees, then your police department or fire department would not be covered. Stop and think about all of the towns and the counties throughout our country that may have 26 or 27 or 28 employees. They would be covered. For the first time, the heavy hand of the Federal Government would come down and tell them what to do.

It is no wonder that county sheriffs in Arizona and some mayors in some relatively small towns have contacted my office and said: Do not impose this on us. We are getting along fine. We have great relations with our employees, and for the Federal Government to step in is not only going to increase our costs but, frankly, create some bad relationships. We do not need that. We have enough trouble responding to all of the problems that have resulted from September 11 to have to deal with this.

This is not an appropriate response to the events of September 11 for us to

force this on our State and local communities.

In my own State of Arizona, for example, our law provides that public safety employees can present their proposals to their employers but does not require as an obligation that collective bargaining be the result. This, of course, would require the State agencies and local governments to bargain with labor unions on behalf of the public safety employees. This is why the sheriffs as well as some police chiefs have contacted me and said it interferes with their ability. The Arizona sheriffs and police chiefs, the league of cities and towns, all of them have expressed their opposition to this legislation.

I think the problem is in opposing it, there is somehow a notion we are therefore against police and firemen. That is what bothers me the most. There is a big difference between the Federal Government mandating labor policies on our towns and counties on the one hand and expressing our support for police and firefighters on the other. We have done that in the Senate in resolutions we have passed.

I hope in many other ways to show support for the police and firemen in my State with whom, again, I have had such a great relationship. They have helped me, and I hope I have been able to help them. In fact, I know I have through several appropriations that we have received to help them in fighting drugs, for example. It has been a great relationship, and I hope I do not have to prove my loyalty to these folks by supporting an amendment which has no place in this bill, which is a very political amendment, which creates huge problems with respect to federalism and forcing for the first time this new Federal mandate on these local communities, at a huge cost.

By the way, the cost is estimated at \$44 million by CBO over the next 4 years. CBO says it will cost \$3 million just to set up the FLRA to develop the regulations to determine State compliance and enforce those compliances.

This is simply not the right response to the events of September 11. I regret this issue has been infused into the Labor-HHS bill.

So I say to my friends in the volunteer fire departments in the small towns throughout Arizona and even in the larger communities, which of course do have these collective bargaining arrangements, for the most part, the best way we can respond to the incident of September 11 is to keep focused on the job ahead of us, and that is to train up and be ready to respond as first responders to any emergency within our local communities; to support our local firefighters and police so that in the myriad false alarms they are now responding to we provide them the resources necessary for them to do their job; to support them in any issues

they have with respect to the Federal Government in terms of getting funding for programs and the like; but not to respond by creating a new Federal mandate on every community in our States that now they are going to have to be required to engage in collective bargaining when that has been a matter of local option in the past.

It seems to me this is the wrong approach, and I hope we can find other ways of supporting our local fire and police than by this particular amendment.

I intend to vote no if the question of cloture comes up. To explain that very briefly, the point is: Should we be taking up this amendment on this unrelated bill? Sixty Senators will have to say yes before we will be permitted to do that next Tuesday. I hope at least 40 Senators will say, no, this is not the place to do it, this is not the way for us to express our support for fire and police. There are more practical ways we could do that given the events of September 11.

#### RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. KYL. I ask unanimous consent that we stand in recess subject to the call of the Chair.

There being no objection, the Senate, at 11:28 a.m., recessed until 11:48 a.m. and reassembled when called to order by the Presiding Officer (Mr. REID).

The PRESIDING OFFICER (Ms. CANTWELL). The Senator from New Jersey.

#### ECONOMIC STIMULUS

Mr. CORZINE. Madam President, today I rise to discuss a critical need for our Nation to unite in what I think is an immediate effort to strengthen our economy. This morning you probably saw that our Nation's unemployment rate jumped a full half of 1 percent to 5.4 percent—one of the largest increases in any given month in history. We lost 415,000 jobs over the last month. Within that context, there are many more layoffs in the offing, that have been announced by companies, yet to be executed.

GDP has declined. Consumer prices, actually, within the GDP numbers, declined for one of the first times since the 1950s. Manufacturing indices and other statistics indicate that we are in a recession.

Over 40 years ago, the brother of the distinguished Senator from Massachusetts, President John Kennedy, issued a dramatic and now immortalized challenge to all Americans. He said: "Ask not what your country can do for you. Ask what you can do for your country."

We are now having a debate about an economic stimulus program, about the state of our economy, and what we

should do next. Four decades later, it is again time to ask Americans to come to the support of our country in a practical sense. This is particularly true for those of us in the Congress.

Today, we have not one but two great challenges. First, of course, we need to win the war against terrorism at home and abroad. To this end, we are remarkably united. Most Americans are on the same page in responding to the Nation's needs.

But at the same time, we need to reinvigorate our slumping economy, an economy profoundly impacted by the cowardly acts of September 11, and the subsequent uncertainty surrounding bioterrorism events. Here America's response is not quite so clear. To this challenge, we still appear focused on something more than the Nation's real needs.

Let me be clear: My views of stimulus are premised on the near certainty that we are in the midst of a serious national recession and I think also, importantly, a global one. Increasingly, we see our neighbors across the globe suffering from much of the same kind of weakness we see in America. This view is shared by most economic analysts and political leaders. Today's report only reinforces that view.

For all of us, the primary risks from this point forward are how deep, how much further will this economic erosion go? The signs, statistically and anecdotally, are everywhere that this will be a long and deep slowdown.

Therefore, we need an immediate and substantial fiscal response. We need an insurance policy, and we need to put it in place now.

I agree with what the President says: It is time for us to go to work. The question is, How should we organize that work?

This economic challenge will require the same type of bipartisan cooperation, the same sense of resolve, the same sense of national unity that we have enjoyed in the war effort. In truth, that should not be all that hard. After all, when it comes to designing an economic stimulus package there is broad consensus among economists about the principles we should follow. Chairman Greenspan agrees. Bob Rubin agrees. And the chairs and ranking members of the Senate and House Budget Committees—Democrat and Republican alike—agree. We should follow those straightforward principles and get on with working out the details. This should not be a political argument but an objective pursuit of the most certain actions to reinvigorate our economy.

In the short term, we need actions that quickly generate real economic activity, real economic growth. For the long term, we need actions that promote fiscal discipline. It is a simple formula, very simple: Short-term stimulus, long-term discipline.

It should not be that hard if we are willing to move beyond ideological debates and special interests. In fact, as I have said, there is a fairly broad consensus among economists about how to achieve these goals. For example, to maintain fiscal discipline, any stimulus package should include items where costs are primarily temporary; otherwise, the incremental benefit of new spending or tax cuts could be more than offset by higher interest rates which undermine housing, business investment, all kinds of activity in the real economy.

Permanent tax or spending programs undermine our long-term fiscal health. And we already face a serious erosion in our budget baseline and long-run risks because of the demographic sea change that is coming in the next decade.

Another point that would be obvious to most economists is that targeting benefits to those with modest incomes will be more powerful in stimulating the economy than benefits targeted to those with high incomes. This isn't a matter of ideology or politics; it is really just common sense. It is basic economics, particularly in the short run. People with lower incomes have an objectively measurable higher marginal propensity to consume.

If we give a dollar to those who are stretched financially, they are likely to spend it. By contrast, if we give a dollar to those with significant wealth and assets, they are likely to save it, particularly in uncertain times. So if we want to generate economic activity now—the whole point of a stimulus package—the most efficient approach is to target aid to those who need it most.

There are several ways to offer tax breaks for those with modest incomes. Frankly, I am skeptical about the policy that seems most popular in Washington—maybe on both sides of the aisle—and that is giving out rebates.

Most economists will tell you that one-time rebates do not work that well because people tend to save their checks, unless they are unemployed. This certainly was the case this summer when only 20 cents on the dollar was spent of the first round of rebates. That is not getting much bang for our buck, but it is consistent with past experience. And I think it should guide us today as we put together our stimulus package.

Clearly, there are more effective ways to stimulate the economy and benefit those with low and moderate incomes. I think the principle ought to be: How do you get one dollar of benefit flowing from one dollar of tax activity?

In my view, a better approach would be to reduce payroll taxes for a short period, perhaps a year or two—what I would call a payroll tax holiday, or a partial holiday. This would target working Americans and promote need-

ed consumption by increasing take-home pay. And we should offset any reductions in trust fund revenues with a commitment to replenish those funds from the general fund once the economy gets back on track and budget surpluses return.

Changing a person's income stream over a period of time changes how they think about their spending patterns and what their budgets are about. It tends to lead to greater expenditures than one-time shots.

Similarly, we could expand the 10-percent rate bracket to apply to a wider range of incomes. Right now we stop it at \$12,000 for a married couple. I think we should move it up to \$20,000. This also would increase take-home pay for a broad range of low- and moderate- and middle-income families, and would provide the kind of stimulus that would change how people budget. Senator BOB GRAHAM and I have advocated this change since the first of this year, and I think it is an idea that still should fit in a stimulus package. At a minimum, we could bring forward the full 10-percent bracket that still has some facets yet to be implemented.

Another way to stimulate consumption would be to establish a sales tax holiday, as some of my colleagues have proposed. This approach has a lot of merit and could be effective in promoting economic activity—again: one dollar of expenditure will lead to one dollar of activity—if it is limited to a short duration, and if we can overcome the significant administrative hurdles and uneven application of sales taxes across the Nation. Certainly, sales taxes weigh most heavily on low- and moderate-income Americans. In fact, I think sales taxes define the idea of regressive taxation.

Beyond providing tax cuts for those who have modest incomes, most economists would tell you that to inject money into the economy most rapidly, the best approach—contrary to a lot of political hype—is for Government to spend money directly, as long as we are able to implement such plans quickly. Can we get the shovel in the ground in the short run or are we going to have debates? Are we going to have long-term planning? If we could, we could get the real bang for our buck: one dollar spent, having real stimulus in the economy now. I especially think this is a far more attractive way to stimulate the economy than having additional tax cuts for the wealthy—sort of a trickle-down view. Savings is an admirable process for the long-term objective. It leads to growth in the capacity of the economy. But we have a shortrun need, with a very weak economy today. Programs that will promote savings over some long period of time will not strengthen our economy today. It can really run contrary to what we need to accomplish today—stimulus. The Government can make,

though, investments that can put money into the economy immediately.

Unlike a dollar in tax cuts, a dollar of investment, as I said, can yield a full dollar's worth of economic activity now. If those investments are wisely targeted, they can also expand America's long-term capacity and productivity and have a multiplier effect, if you will, through job creation through the exporting and purchases that are necessary to implement the programs. A very straightforward, simple concept is that if we put money into the economy, it will generate jobs and generate activity and lead to growth in the economy. We need to do that.

If you look at the productivity growth of America after we implemented our national highway program in the 1950s, we went on for about 20 years and we had the highest productivity rates at any time in America's history other than in the last 5 years. So there is no automatic correlation of Government spending leading to a decline in productivity or growth in the economy. We had one of the healthiest periods in our history, and I think we need to follow that concept in the current environment.

These investments can be made to happen quickly. They can be implemented quickly. If we ask our young men and women to stand tall in Afghanistan, if we want to celebrate the heroism of our first responders climbing the stairs in the World Trade Center, we also ought to get it together so that we can move quickly on those investments, those actions that will benefit our Nation now.

There are many ways to use Government spending to stimulate the economy. The most important in today's wartime environment is to make investments that increase our Nation's security, particularly our homeland security. We need to make a major commitment to fight bioterrorism by strengthening our public health system, buying vaccines, and investing in laboratory testing and research. We need to beef up security for our Nation's airports, rail systems, and ports. We need to provide substantial new resources to our law enforcement agencies and our firefighters. There has been a bill circulating in Congress for the last 4 years called the FIRE bill—\$3.5 billion worth of requests for fire equipment for our Nation's first responders. And we have appropriated a mere \$100 million once in that period of time.

There are enormous needs for us to follow. In New Jersey, we have literally hundreds of millions of dollars of requests for resources in these public security, public safety, public health arenas. Let me be clear. These are not porkbarrel projects. They meet real needs and serve the public beyond the current economic situation. So we are not only stimulating the economy

today, but we are setting up a stronger society for a long period of time to come; and these are investments, just as investments in the private sector, and can have high rates of return. We can have high rates of return in public sector investment. I think we need to do that.

I commend the distinguished Senator from West Virginia, Mr. BYRD, and the distinguished assistant majority leader, Senator HARRY REID, for their leadership in putting together a package of investments that ought to be a part of any stimulus program. Frankly, I think it ought to be a bigger part. Their proposal provides for \$1.6 billion for local police and firefighters, \$1.7 billion for Federal law enforcement, \$2.4 billion for airport, mass transit, and Amtrak security, and additional funds for nutrition and other programs.

In fact, I personally really do believe we should have gone larger with that program. I might have slightly rearranged it. But this is the direction we should be taking as a nation if we want to make sure we stimulate our economy now and provide for the public safety and security. This initiative will provide that real stimulus, and I hope we all will come together on this program and get out of this dogma of complaining and denigrating the idea that public investment doesn't have real public return. These dollars can be spent now, and they can be spent on very important projects that will serve our Nation.

Beyond the types of investments proposed by Senators BYRD and REID, another effective way to use Government spending to boost the economy would be to expand our system of unemployment insurance. For example, many States now fail to provide benefits for those seeking part-time work, such as working mothers who need to spend part of their days with their children. Today's unemployment report shows that over the last year, those who work part time have lost those opportunities. It has grown to over a million persons, most of whom are women. This discrimination against working moms, by leaving them out of the unemployment system, is both bad social policy and foolish economic policy. We ought to do something about it.

Similarly, we should increase the level of unemployment benefits if we want to make sure that those who are temporarily out of the job force have the ability to continue to function. The unemployed are almost certain to spend money we offer them. Again, \$1 expended gets \$1 of input into the economy. So beefing up their benefits is just good stimulative economic policy. This is where we should be helping out, not focusing on those who have already done well and are well situated in the economy.

Unemployment expenditures also have the advantage of when the econ-

omy grows, they go away; they are temporary. They meet a need, but when they are no longer necessary because people go back to work, they end. We really should be focusing on making sure that our unemployment compensation system is updated for the 21st century, brings more folks in and is more appropriate for the circumstances of today. It is a real stimulus program. We have supported corporate America through any number of tax and safety net programs. It is time to focus on people. Under current circumstances, this is a classic win-win.

Another way to use Government spending to improve the economy is to help the unemployed, or other Americans, afford health care. That is why I support proposals to increase support for those who lose their jobs and who should buy health care through COBRA extension also. It is good health care policy and good economics. It will certainly avoid the runup of expenditures on uninsured at hospitals, charity care that will follow if we don't have these systems in place.

After all, when people lose their jobs, they should not be forced to choose between basic needs such as housing, education, health care, and senior support at home. They should confidently be seeking future employment, and this program should be robust, in my mind. I believe strongly that we ought to be offering a 75-percent payment in support of COBRA premiums. Again, this is money spent today that goes into the economy and will be stimulative as we go forward.

Beyond tax cuts for those with modest incomes, and direct Government spending—and I see the two leaders of that concept on the floor today, and I want to make sure they know I compliment them on their suggestions—there are tax breaks for businesses that can help, provided that they are well-designed and they produce an immediate corporate response.

In particular, I support providing tax credits to encourage businesses to make investments in the short-term. Recently, Bill Gale of the Brookings Institution suggested that we provide the most benefits to those who make such investments in the very short term—say, by the end of the first quarter of 2002—and then gradually phase out the benefits over the remainder of the year. This is a very simple concept. If you are going to have a sale, you want to encourage people to use it now. I think this makes great sense.

It is an encouragement to businesses to speed up investments in the public sector. It would target benefits to many businesses that already have plans on the table. They are just holding them off because of the uncertainty of the environment and the times.

I also make clear that this is a one-time benefit and would reduce political pressure to turn the Tax Code into a

permanent support program that may be unneeded in the long run.

The final approach to economic stimulus I want to mention is the critical need to address the fiscal problems facing our States. There is an article in the paper today that shows across this Nation our States are moving into budget deficits, maybe out of poor economic planning, but the reality is that many of the steps they will be taking can be countervailing to the steps we may take at the Federal level.

It does no good if the Federal Government provides significant stimulus and the States move in just the opposite direction; they offset each other. We may very well be moving into one of those situations.

Unfortunately, because of the rigid balanced budget requirements, many States are looking at significant spending cuts and/or tax increases. We need to consider ways to prevent this conundrum.

I would support establishing targeted revenue sharing to States in need—and I do mean targeted—so that this money is not used for further tax cuts. They would be serving the particular needs that Congress may have mandated in other areas, and we ought to be very clear about it.

Ideally, such a system could work both ways: Shifting money to States during times of economic slowdown and shifting money back during periods of economic growth.

Having said that, given the need to act quickly, it may be the more practical way of accomplishing this is through the Medicaid match provided to the States. This would use an existing regulatory structure and could be implemented very rapidly where a revenue-sharing program might take longer to be implemented.

In any case, we cannot ignore this conflict that may very well negate the efforts we take here and having the States be a drag on our economy just when we need most to lift up the economy.

All the proposals I have outlined today would provide real help to our economy, and most economists would agree, I believe, we should structure a program that errs on the side of being aggressive as opposed to wondering whether we are dealing with serious downside risks.

We need an insurance program against the kinds of actions that we measure, that were reported today in the unemployment statistics, and we see across the Nation. I believe we ought to make our mistakes by being certain that we have a strong economy, as opposed to being insecure about that. I hope we will take that into consideration, and if there are choices to be made, I believe we ought to do those on the stimulative side now.

While I believe we should pursue those stimulative short-term policies,

we should take affirmative steps to address fiscal imbalances in the long term—again, the basic formula I talked about: short-term stimulus, long-term discipline. In particular, it is critical that we revisit—and I truly believe we must revisit—the tax cut that was enacted earlier this year. If left fully in place, this legislation will drain significant revenue from the Treasury and, in the long-term context, substantially weaken our financial condition just as the baby boomers are about to retire.

I know many of my colleagues believe these tax cuts were affordable when we debated them earlier this year. We can have a debate about whether they were or were not at that point in time, but the times have changed and they have changed dramatically. We now face a substantially weakened economy, dramatically lower productivity in our economy, and huge costs for a long-term war against terrorism.

Given these changed conditions, I hope some of my colleagues will reconsider their views on the full tax-cut package and recognize the need to suspend some of the provisions that are set to be implemented in the future.

By the way, 65 percent of those cuts come after year 5 because, as most economists would agree, maintaining fiscal discipline in the long term is just as important as stimulating the economy in the shortrun.

Unfortunately, while there is broad, if not universal, consensus among economists about the principles that should guide fiscal policy, many in Washington think they know better, and they are pushing proposals that, in my mind, simply make no sense and really do challenge whether we are all working together in an economic sense to strengthen this country the way we are working in our war on terrorism.

The House of Representatives and Senate Republicans are promoting a stimulus package that would do very little to immediately stimulate the economy. The House and Senate Republican bills masquerade the stimulus, but they are both little more than an ideological repetition of programs designed to help those who need it least and favor special interests—a giveaway with limited economic benefits.

According to an analysis by the non-partisan Center on Budget and Policy Priorities, the House bill would provide between 80 and 90 percent of its tax cuts to higher income taxpayers and corporations. It is just the opposite of how we get stimulus into the economy today.

The bill eliminates the corporate alternative minimum tax, or AMT. AMT is designed to prevent corporations from avoiding taxes entirely through the use of deductions and various other tax benefits. Repealing the AMT will

not generate real economic activity. There is no guarantee it will do anything other than change the bottom line of the corporations.

Many corporations may well apply some of these savings to reducing debts, mergers, acquisitions, or increasing their bottom line, but there is no guarantee they will invest. That might benefit the shareholders, but it will not stimulate the economy.

The House and Senate Republican bills would also reduce capital gains taxes. Reasonable people can and do disagree about the effect of such a reduction on long-term economic growth but, regardless of one's view about the ultimate merits of reducing capital gains taxes, I do not know a single economist who would argue that it is a powerful way to stimulate economic activity in the short term, at least compared with any of the other possible approaches.

This same analysis applies to other provisions in the House and Senate Republican bills. It would accelerate a reduction in tax rates for those with higher incomes, just the opposite of where we should be for our long-term economic stability. We need to focus on how we are going to manage our fiscal affairs when these baby boomers start retiring.

Accelerating a reduction in tax rates is going to exacerbate a problem we already put in place with this previous tax cut.

In any case, regardless of one's view about the merits of cutting taxes for those with higher incomes, it is simply not credible to argue that of all the possible approaches to stimulating the economy, these are the most beneficial, and one cannot argue these are the most powerful. Such a claim is just not credible and does not relate to objective facts.

I also emphasize the provisions in the House bill are not temporary measures; they are permanent tax cuts with huge long-term costs, just exactly what the budget chairmen in both Houses and the ranking members argued we should not do, and as such they undermine the fiscal discipline and almost certainly will put pressure on long-term interest rates over some period of time.

I have spent most of my life as a business person and as a bond trader, someone who worked in financial markets looking at these kinds of policies as they worked their way through the marketplace. I can assure my colleagues that fiscally irresponsible tax cuts, such as the ones that are on the table in the House of Representatives, will affect investors and will undermine the long-term health of our financial system, if not our economic system broadly. The end result will be higher mortgage rates, less business investment, and a weaker economy.

Meanwhile, the House stimulus bill puts very little money into the economy directly.

There is no investment in our infrastructure, no investment in our Nation's security, only tax cuts for those who are already doing well—mostly for corporations and mostly for those that are doing well.

To be blunt about it, I think this is wrong-headed economic policy. Perhaps because of my private sector background, I find it especially alarming.

Our Nation faces an economic emergency. We need to be addressing it in an objective and legitimate way so we do not turn our backs on a need that is very obvious to everyone and get into political debates. We need to deal with it directly.

I think we are fiddling while Rome is burning. We simply cannot afford to continue business as usual. We have to pull things together, minimize differences and focus on what is important to get the job done. Our economy is at stake. We are all in this together. We cannot let the events of September 11 get us off the track of this great Nation, this great economy—doing those things which were done throughout the 1990s and continued as we started this century.

We need to move with a bipartisan, objective package that will lead to real economic growth, and we need to do it now.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CONCLUSION OF MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that morning business be closed.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2002—Resumed

The PRESIDING OFFICER. The clerk will report the pending business. The bill clerk read as follows:

A bill (H.R. 3061) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

Pending:

Daschle amendment No. 2044, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions.

Gramm modified amendment No. 2055 (to amendment No. 2044), to preserve the freedom and constitutional rights of firefighters,

law enforcement officers and public safety officers.

CLOTURE MOTION

Mr. REID. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk read as follows:

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the Daschle-Kennedy amendment No. 2044 to H.R. 3061, the Labor, HHS appropriations bill:

Maria Cantwell, Joe Biden, Barbara A. Mikulski, Patrick J. Leahy, Patty Murray, Paul Sarbanes, Debbie Stabenow, Max Cleland, Joe Lieberman, Bill Nelson, Harry Reid, Paul Wellstone, Barbara Boxer, Jack Reed, Daniel K. Akaka, Kent Conrad, Tom Daschle.

ORDERS FOR TUESDAY,  
NOVEMBER 6, 2001

Mr. REID. Madam President, I ask unanimous consent that upon the conclusion of Monday's session, the Senate stand adjourned until 12:30 p.m. on Tuesday, November 6; that on Tuesday, immediately after the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for use later in the day, and the Senate then stand in recess until 2:15 p.m.; that the mandatory quorum under rule XXII be waived and that the Senators have until 1 p.m. on Tuesday to file second-degree amendments to the Daschle amendment notwithstanding the recess of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Madam President, for the information of the Senate, by virtue of the agreement just entered, the cloture vote on the Daschle amendment will occur at 2:15 p.m. on Tuesday, November 6.

MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that we now proceed to a period for morning business, and that Senators allowed to speak therein for a period not to exceed 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

LIHEAP AMENDMENT TO THE  
LABOR-HHS APPROPRIATIONS  
BILL

Ms. COLLINS. Madam President, I rise today to speak on my amendment that would express the sense of the Senate regarding the release of emergency funds for the Low Income Home Energy Assistance Program. I thank

the administration for the significant release of LIHEAP funds 2 weeks ago. As OMB Director Mitch Daniels and I discussed just before the funds were released, this money is critical to Maine and the Nation. I thank both Mr. Daniels and the President for releasing \$750 million in fiscal year 2002 LIHEAP funds to help low-income American families heat their homes this winter.

While I am grateful for the release of these funds, I also call upon the administration to release the \$300 million in fiscal year 2001 emergency funds provided in the Supplemental Appropriations Act of 2001. This amount was \$150 million greater than the administration's request. The report language specifically directed that at least \$150 million of these funds were to be used to address unmet needs resulting from last winter's high energy prices. The other half of the money was directed to be used to meet the most critical needs arising from energy costs increases, significant increases in arrearages and disconnections, and increases in unemployment, among other things. Despite this direction, the money still has not been released.

Let me explain why those extra funds are necessary. Last winter was a very difficult winter. The price of home heating oil was \$1.56 last winter, compared to \$1.03 the winter before and just 78 cents the winter before that. In short, heating oil prices jumped 100 percent in just 2 years. In many cases we saw even worse spikes in the price of natural gas.

At the same time, the average LIHEAP benefit fell by over \$100, from \$488 in 1999 to \$350 in 2000. Because so many people were in need of assistance, the CAP agencies simply didn't have enough money to provide the same benefit that they had in prior years. The result was that the average LIHEAP benefit bought less than half the oil in 2000 than it did in 1999.

That made for a very difficult winter for many people. In fact, many people are still trying to recover last winter's high energy prices. This past summer, some families had their power cut off because they were unable to pay back their high wintertime heating bills. In Maine, 26,000 people received disconnect notices in the month of July alone.

While I am grateful for the administration's recent release of LIHEAP funds, that money will do little to help people recover from last winter. In the State of Maine, regular year fiscal year 2002 LIHEAP money cannot be used to address arrearages or disconnections that occurred prior to October 1, 2001. That is one of the reasons we put an extra \$150 million in the Supplemental Appropriations Act, and included language in the conference report directing that the money be spent on arrearages, disconnections, and unmet energy needs resulting from the high price of energy last winter.

Some States allow fiscal year 2002 funds to be spent on prior year expenses. While that may provide short-term assistance, spending this year's funds on last year's winter is likely to lead to a shortage of funds this winter as well. It is not a real solution.

I am also concerned that States will be able to provide less weatherization assistance this year. Since an ounce of prevention is worth a pound of cure, Maine typically spends the maximum allowable amount of LIHEAP funds to weatherize homes. But when we are still struggling to recover from the prior winter, less money is available for weatherization.

My amendment expresses the sense of the Senate that the President should immediately release the \$300 million in emergency LIHEAP funding provided by the Supplemental Appropriations Act of 2001. I am very pleased that Senators CHAFEE, KERRY, SNOWE, WELLSTONE, and SARBANES have also joined me on this amendment. This money was intended to help people recover from the high energy prices of last winter. It will help many of those families most in need of assistance. In these difficult economic times, there is just no reason not to release money that has already been appropriated that will help people get through the winter. I would like to thank the managers of the bill, Senator HARKIN and Senator SPECTER, for accepting this amendment.

LOCAL LAW ENFORCEMENT ACT  
OF 2001

Mr. SMITH of Oregon. Madam President, I rise today to speak about hate crimes legislation I introduced with Senator KENNEDY in March of this year. The Local Law Enforcement Act of 2001 would add new categories to current hate crimes legislation sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred November 5, 1997 in Hollywood, CA. Two male transvestites were accosted by two men who attacked them and used anti-gay epithets. Joshua Urena, 21, was sentenced to 180 days in jail and David Miller, 20, was sentenced to 220 days in jail. Both were placed on three years of probation.

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 of 2001 is now a symbol that can become substance. I believe that by passing this legislation, we can change hearts and minds as well.

## ADDITIONAL STATEMENTS

## TRIBUTE TO GLORIA MARGARET GILLESPIE

• Mr. McCONNELL. Madam President, I rise today to pay tribute to a Kentuckian who recently passed away after a long-battle with cancer. Ms. Gloria Margaret Gillespie was a friend to many on Capitol Hill. She worked as a hairdresser in the United States Senate, cutting the hair of many Members of Congress and staff, including a few of my own. You could always count on Gloria being in a good mood. Her great smile and southern charm lit up the halls of the Russell Senate Office Building. During her years on the Hill, she made many friends, including her fellow colleagues in the Senate Barber Shop who have many fond memories of Gloria. We all grew to love her, and she will be missed.

For 29 years, Gloria worked as a hairdresser in the beauty salon that served the Senate. My staff loved going to see her because they said she had magic scissors, great stories, and a wonderful southern accent. I loved to hear about their conversations with Gloria, and how she loved Kentucky and her family and friends back home in Berea. She made my staff feel right at home in her barber chair. Gloria kept them informed on what was going on back home. She enjoyed talking about Berea, and her true love, the University of Kentucky Wildcats. Gloria was one of the biggest Wildcat fans on Capitol Hill, and it was always a treat to hear her stories the day after a big game. Gloria loved the Cats, and if you ever wanted to know anything about them, she was the one to ask.

Before moving to Capitol Hill, Gloria attended Eastern Kentucky University in Richmond, KY, and eventually she ended up in beauty school. After finishing beauty school, she decided to pack her bags and leave Kentucky for the Nation's Capitol. Once arriving in Washington, she landed a job in the U.S. Senate beauty salon where she cut the hair of Senators and their staffs.

Gloria is survived by her parents C.H. and Mary Frances Gillespie of Berea, and many family and friends in Kentucky and here in Washington, DC. I ask that my colleagues in the Senate, many of whom spent a lot of time in her chair, join me in honoring the memory of Gloria Margaret Gillespie. She was an outstanding Kentuckian, and she will be missed. •

## TRIBUTE TO CURTIS HAGE

• Mr. JOHNSON. Madam President, I rise today to pay tribute to Curtis Hage of Sioux Falls, SD, on the occasion of being installed as Chairman of America's Community Bankers. The people of the great State of South Dakota share my pride in Curt's accom-

plishments, and I know they join me in congratulating him on becoming the first South Dakotan to rise to the Chairmanship of this important organization.

Throughout his long and distinguished career, Curt has worked to provide financial opportunity to South Dakota. For the past 30 years, Curt has guided Home Federal Savings Bank in new and innovative directions. Home Federal was named South Dakota's Best Bank by Money Magazine in 1995, when Curt was President & CEO. Under Curt's direction as Chairman, Home Federal in 1997 became the first bank in South Dakota to introduce Internet Banking. From its humble beginning in 1929, Home Federal has grown to over 30 branches, and Curt has played a critical role in that success story.

In addition to his professional dedication, Curt is a true leader in the South Dakota community, and has earned the respect and friendship of so many of us fortunate to spend time with him. Curt represents the goodness and diligence that we find in so many of our South Dakotans, and he will do us proud as Chairman of America's Community Bankers. •

## CONGRATULATING ROBERT W. GILLESPIE OF CLEVELAND, OH, ON HIS RETIREMENT FROM KEYCORP

• Mr. VOINOVICH. Madam President, I would like to take an opportunity to recognize the years of dedicated service of Robert W. Gillespie as a leader in the business community and a friend to the City of Cleveland over the years.

This year, after fourteen years as President and CEO of KeyCorp, Bob decided to separate from the financial institution that has benefitted from his vision and experience in the business world. Under his leadership, KeyCorp was built into one of the Nation's largest financial service companies that now reaches more than 3.8 million households and commercial clients and operates in 13 States, with assets of \$84 billion.

Bob began his association with KeyCorp when it was known as Society National Bank. He started with the company on a part-time basis while completing his graduate studies at Case Western Reserve University. After time, Bob rose through the ranks and eventually served as the executive vice president and the vice chairman, and later the chief operating officer of the corporation and the bank.

During a time when Cleveland needed a friend, Bob, along with many other business leaders, joined forces with us at City Hall to form public-private partnerships, which proved to be crucial to the city's turnaround.

Cleveland also benefitted from the leadership skills Bob demonstrated while at the helm of Key Corps, with

his roles on the boards of Cleveland Tomorrow, the Greater Cleveland Growth Association and the Cleveland Museum of Art.

Bob's vision of a revitalized Cleveland included the contribution of his time and resources to help build the Rock and Roll Hall of Fame and the Great Lakes Science Center.

I wish Bob and his wife Ann the best that life has to offer during this next phase of their lives. On behalf of the people of Cleveland and the State of Ohio, I offer my most sincere thanks and appreciation. •

## MESSAGE FROM THE HOUSE

At 11:24 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that pursuant to section 313(2)(a) of Public Law 106-554, and upon the recommendation of the minority leader, the Speaker has appointed the following member on the part of the House of Representatives to the Board of Trustees of the Center for Russian Leadership Development for a term of 3 years: Mr. ROBERT E. "BUD" CRAMER, Jr., of Alabama.

## ENROLLED BILL SIGNED

The message also announced that the Speaker has signed the following enrolled bill:

H.R. 2925. An act to amend the Reclamation Recreation Management Act of 1992 in order to provide for the security of dams, facilities, and resources under the jurisdiction of the Bureau of Reclamation.

The enrolled bill was signed subsequently by the President pro tempore (Mr. BYRD).

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KENNEDY, from the Committee on Health, Education, Labor, and Pensions, with an amendment:

S. 1275: A bill to amend the Public Health Service Act to provide grants for public access defibrillation programs and public access defibrillation demonstration projects, and for other purposes. (Rept. No. 107-93).

## 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. HARKIN:

S. 1628. A bill to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. DASCHLE:

S.J. Res. 28. A joint resolution suspending certain provisions of law pursuant to section

258(a)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985; to the Committee on the Budget.

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#### ADDITIONAL COSPONSORS

S. 1493

At the request of Mr. BOND, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. 1493, a bill to forgive interest payments for a 2-year period on certain disaster loans to small business concerns in the aftermath of the terrorist attacks perpetrated against the United States on September 11, 2001, to amend the Internal Revenue Code of 1986 to provide tax relief for small business concerns, and for other purposes.

S. 1505

At the request of Mrs. BOXER, the name of the Senator from Florida (Mr. GRAHAM) was added as a cosponsor of S. 1505, a bill to authorize the Secretary of Commerce to establish a Travel and Tourism Promotion Bureau.

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#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HARKIN:

S. 1628. A bill to strengthen the safety net for agricultural producers, to enhance resource conservation and rural development, to provide for farm credit, agricultural research, nutrition, and related programs, to ensure consumers abundant food and fiber, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. HARKIN. Madam President, today I am pleased to introduce the Agriculture, Conservation and Rural Enhancement Act of 2001. The legislation is a solid starting point for the next farm bill. This bill represents a comprehensive, balanced approach that protects farm income, promotes conservation, expands production of farm-based renewable energy and creates new economic opportunities in rural communities. The bill is the right approach to farm policy in the 21st Century because it builds on successful core farm programs and charts a new, conservation-oriented agriculture policy for the future.

My legislation uses a four-pronged approach to make good on our commitments to American farmers and rural communities. These four components—promoting conservation, protecting and boosting farm income, expanding jobs and economic opportunities in rural communities and increasing renewable energy production—provide the solid foundation we need to help ensure our farm families and rural areas prosper.

First, conservation is a cornerstone of the bill, including the creation of the Conservation Security Act, (CSA). This program provides flexible incentives for farmers to engage in new con-

servation practices on working agriculture land and rewards farmers who already employ them. In addition to CSA, the bill increases acreage for the Conservation Reserve Program and Wetlands Reserve Program. It also increases the funding for the Environmental Quality Incentives Program as well as the Wildlife Habitat Incentives Program. The bill also expands the farm land protection program, enacts a new grassland reserve program and permanently authorizes the Resource Conservation and Development program.

While rewarding farmers for conservation practices that benefit all of society is an important way to meet our commitment to farmers, providing solid income protection is equally important. The bill will improve farm income by increasing loan rates for most commodities, setting a floor on those rates, continuing fixed direct payments and creating a new counter-cyclical income protection system.

As all of my colleagues are aware, the farm bill must address the needs of others in addition to farmers and ranchers. This legislation will improve the quality of life for all of America's rural communities by creating jobs and economic growth in rural areas. The Rural Development title of this bill provides grants and loan programs to help create and expand businesses to provide jobs and assist communities by helping improve their community facilities. The title also expands grants for farmer-based groups, to help them add value to their production, helping to boost farm income and create jobs, it provides funding to expand broadband access for rural Americans, and provides grants to improve firefighter and first responder training.

The fourth prong of my approach is increasing renewable energy production. This proposal provides a full range of initiatives designed to help and encourage farmers and ranchers to develop renewable energy projects including wind, solar, biomass and geothermal sources. These projects will help boost farm and rural incomes, improve air quality and promote the nation's energy security.

While the bill emphasizes a four-pronged approach, it is comprehensive in nature. The bill also includes important titles on nutrition, research, forestry, credit, competition, and trade that when taken together form a proposal that moves farm policy in the right direction in the 21st century.

I hope the Senate will be able to move quickly on this legislation. I will continue to work with members of the Committee on Agriculture, Nutrition and Forestry in an open process to help meet our commitments to farm families and all members of rural communities.

I ask unanimous consent to print in the RECORD a summary of the legislation.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### A SUMMARY

##### TITLE I—COMMODITY PROGRAMS

The bill authorizes the Secretary to enter into contracts with producers of wheat, corn, grain sorghum, barley, oats, rice, soybeans, minor oilseeds, and upland cotton that entitle producers to receive direct payments on eligible cropland for the 2003 through 2006 fiscal years and counter-cyclical payments on eligible cropland for the 2002 through 2006 crop years. The bill establishes the direct payment rate and a target revenue per crop acre for each of the covered commodities. Producers will report their crop acreage and yields during the base period of 1998 to 2001 to determine updated base acres and payment yields.

Nonrecourse loans are available for all covered commodities plus extra long staple cotton, wool, mohair, honey, dry peas, lentils and chickpeas. Loan rates are increased from current levels for all covered commodities except oilseeds. The soybean loan rate is decreased by 6 cents per bushel and the loan rates for minor oilseeds are fixed at current rates. The marketing loan provisions and loan deficiency payments of current law are continued. The bill limits loan eligibility across all loan commodities by establishing a maximum number of units eligible for the loan.

To be eligible for contract payments or loan benefits producers must meet conservation compliance and wetlands protection. Further, contract acreage must use the land for an agricultural or conserving use and can be planted to any crop except most fruits and vegetables.

The bill extends the milk price support program at \$9.90 per hundredweight through 2006. It eliminates the marketing assessment on sugar and authorizes the Secretary to implement allotments on domestic sugar production. The bill extends the current peanut program.

##### TITLE II—CONSERVATION

The Conservation title provides a comprehensive, national approach to voluntary conservation. For the first time, all farmers and ranchers and livestock owners will have the full range of options for employing conservation practices on their lands in production and for lands taken out of production. The title enhances the existing proven conservation programs by increasing funding and including important policy changes. Two new programs, a broad-based incentive program for all land-based production and a grasslands easement program, complete the array of agricultural conservation programs.

The centerpiece of the new conservation title is the Conservation Security Act (CSA), a broad-based voluntary locally-driven incentives program for conservation on working land. Farmers receive payments for maintaining or adopting conservation practices. Providing incentive payments to farmers to maintain conservation practices ensures retaining the important environmentally successful accomplishments already occurring on farms and ranches. Using the CSA, farmers and ranchers will have the tools to enhance wildlife habitat and implement environmentally-sound practices on land in production leading to improved water, air and soil quality and increased wildlife populations.

The bill also increases funding for current conservation programs with a proven record of enhancing natural resources. The bill increases acreage for the Conservation Reserve

Program (CRP) to 40 million acres from the current 36.4 million acre limit and reserves 4 million acres for the Conservation Reserve Enhancement Program and lands enrolled through the continuous program. The Secretary had the discretion to enroll up to 3 million acres as permanent easements. The lands removed from production and enrolled in CRP have helped to create important habitat for wildlife, improve water quality and reduce soil erosion.

Through the bill, the up to 250,000 acres of valuable wetlands may be enrolled annually in the Wetlands Reserve Program (WRP) for a 10 year total of 2.5 million acres. WRP has helped to restore over a million acres of wetlands which provide critical wildlife habitat and improve water quality.

Funding for the Environmental Quality Incentives Program (EQIP) is increased up to \$950 million a year, by the fourth year of implementation. These funds includes a \$100 million annual fund for livestock operations to obtain loans for the construction of livestock manure management facilities.

Funding for the Wildlife Habitat Incentives Program ramps up to \$100 million annually. In addition to the current provisions to provide cost-share assistance for restoration of wildlife habitat, the Secretary will have the discretion to enroll lands under long-term and permanent easements.

The Agricultural Land Protection Program (formerly the Farmland Protection Program) is expanded to include the purchase of non-development easements on prairie and ranch land. Over four years, the annual funding ramps to \$250 million.

A new grassland reserve program to purchase permanent and long-term easements on up to 1 million acres of grass and prairie lands is created.

The bill further permanently authorizes the Resource Conservation and Development program to encourage stronger local-federal partnerships for increased conservation and resource-based programs to enhance rural economies and increases access and funding for technical assistance to help farmers implement the conservation programs on agricultural lands.

Creates the first comprehensive, voluntary approach to conservation incentive payments that provides income to producers who adopt or maintain conservation practices on working lands, including rewarding good actors and open to crop and livestock producers for land-based practices.

#### TITLE III—TRADE

The trade title meets the objectives that Senator Lugar and I agreed to last month—to help develop new export opportunities abroad in commercial markets, and improve the operation and capacity of U.S. food aid programs. The title spends about \$2.1 billion over the ten-year period, roughly split between the commercial export programs and food aid programs.

While we have seen in recent years that export markets do not serve as a reliable safety net, trade is and will continue to be a key outlet for U.S. agricultural products. Our export programs, such as the export credit programs and the Market Access Program, which we expand and improve in this bill, play an important role in our ability to compete internationally. We also put additional resources into the Cooperator program, which helps our agricultural groups service customers in overseas markets.

Over the last several decades, the United States has been the world's leading donor in international food aid programs. I firmly believe that our humanitarian activities

throughout the developing world must be an important component of our long-term effort to combat terrorism.

Toward that end, the bill establishes the International Food for Education and Child Nutrition program for a four-year period. This proposal was introduced last year by George McGovern and Bob Dole, our former colleagues who once sat in this very chamber. It is based on the simple yet powerful notion that a well-nourished child is more likely to learn, and that the availability of food is more likely to bring that child of a poor family into school in the first place, and out of the factories, fields, and sweat shops of the Third World. The UN's World Food Program estimates that there are 300 million children worldwide in such a situation.

The trade title provides more resources for the existing Food for Progress program. It also reforms and streamlines the operations of all food aid programs run by the U.S. Department of Agriculture and the U.S. Agency for International Development. These changes should allow the private voluntary organizations who conduct these projects to devote their energy to helping people on the ground rather than to pushing papers through bureaucracies.

#### TITLE IV—NUTRITION

Title IV includes nutrition provisions. Representing the largest of the Federal nutrition programs and up for reauthorization in 2002, the Food Stamp Program is the primary focus of the title. The program mainly assists children (50%), older Americans (10%), and Americans with disabilities (10%). Most of the other participants are individuals in working families. The Food Stamp Program is essential to transition from welfare to work. However, data show that reforms to the program are needed. These include simplifying the program, ensuring a more smooth transition from welfare to work, reforming the quality control system used to evaluate a state's performance, improving outreach efforts to make sure that people who qualify for the program are able to participate, and extending benefits to certain groups made ineligible by welfare reform. Between 1994-98 the number of people who were eligible for the program but did not participate increased by 12 percentage points, while the reliance in emergency feeding sites like soup kitchens and food pantries increased dramatically.

Some of the provisions that aim to simplify the Food Stamp Program include: allowing the states to conform Food Stamp income rules with those in TANF cash assistance or Medicaid and resource rules with those of TANF; simplifying the way in which housing costs are calculated; encouraging the states to adopt standard deductions, including ones for utility allowances and for people who live in certain group living arrangements; amending the procedure for determining earned income; extending semi-annual reporting to all households, and not just those who have earnings; better conforming to recertification rules in Medicaid, SSI, and SCHIP by allowing periodic redetermination.

Provisions that will help participants to more successfully transition from welfare to work include: an increase in the standard deduction to adjust for family size and will provide larger families with additional benefits and increasing the length of time that a household can receive transitional benefits when they stop receiving TANF cash assistance. The title also includes provisions that help us to reach out to other people with

needs. For example, the bill prohibits cutting off benefits for participants, like the elderly, who tend to be eligible for a small amount of benefits and may want to save them up for up to 6 months before using them. It also allows able-bodied adults without dependents to participate in the Food Stamp Program for 6 out of 24 months, rather than the current 3 out of 36 months, to give them more time to successfully find employment but the bill also eliminates the provision that 80% of all education and training funds made available through the program be made available for this population only. Pilot programs to improve on outreach and access are also included in the bill.

The quality control system used to assess the states' performance is revamped to be less punitive. The bill does institute new sanction procedures and rewards based on low error rates, compliance with a number of deadlines, and a state's enrollment of working families. Other provisions in the Food Stamp subtitle include expanding the definition of food products to include vitamin-mineral supplements, eliminating federal cost-neutrality rules for Electronic Benefits Transfer (EBT) systems, and several administrative provisions.

The Personal Responsibility and Work Opportunity Act of 1996 eliminated the ability of most legal aliens to participate in the Food Stamp Programs. Over time, a number of bills have restored some of these benefits to some children, older adults, and disabled adults who were in the United States prior to August 22, 1996. This bill concentrates on particularly vulnerable groups by restoring benefits to all legal alien children and the disabled. It also removes a 7 year cap on the ability of refugees/asylees to participate in the program. Finally, it reduces, from 40 to 16 quarters, the length of time that individuals have to work in this country before they are eligible to participate in the Food Stamp Program.

The title also reauthorizes a number of programs like the Food Distribution on Indian Reservations, the Commodity Supplemental Food Program, the Community Food Projects, it consolidates the American Samoa block grant and the Puerto Rico Nutrition Assistance Programs and reauthorizes them, and it reauthorizes and increases the funding by \$40 million per year, for the Emergency Food Assistance Program. A Congressional Hunger Fellowship is established, a pilot program through which some schoolchildren will receive free fruits and vegetables is conducted. A separate title includes funding for the Senior Farmers' Market Program as well as for additional commodities for the School Lunch Program.

#### TITLE V—CREDIT

The credit title reauthorizes all USDA farm direct and guaranteed loan programs and increases the loan authorization levels: \$3.75 billion for each fiscal year; with \$750 million for direct loans annually—\$200 million for farm ownership (FO) loans and \$550 million for farm operating (OL) loans; and \$3 billion for guaranteed loans—\$1 billion for FO loans and \$2 billion for OL loans.

The main emphasis of the title is to make credit more accessible to beginning farmers and ranchers. Among other things, the title broadens the eligibility for direct ownership loans to those who have participated in the business operations of a farm operation for at least three years, as opposed to being the sole manager of the operation. The title provides the Secretary the authority to refinance "bridge loans" made by a commercial

lender to a beginning farmer or rancher who has been approved for a USDA farm ownership loan but is awaiting funding. The title increases the limit on direct farm ownership debt for a beginning farmer or rancher from \$200,000 to \$250,000 and indexes the amount to inflation. The title provides that as part of the down payment program for beginning farmers and ranchers, USDA shall finance 40 percent of the loan (current law is 30 percent) and provide a repayment term of 20 years (current law is 10 years). The title directs the Secretary to create a pilot program in which the Secretary will guarantee loans made by a private seller of a farm or ranch to a qualified beginning farmer on a contract land sale basis. The title provides that beginning farmers and ranchers receive an additional 1 percent interest rate subsidy (capped at 4 percent) over non-beginning farmers (capped at 3 percent) who participate in the program and increases the maximum amount of funds for this program to \$750 million and provides that 25 percent of the program's subsidized funds are reserved for assisting beginning farmers and ranchers until April 1 of each fiscal year.

The title also makes other changes to provisions of the Consolidated Farm and Rural Development Act to improve the USDA farm lending programs. Among other things, the title allows the Secretary to waive term limits for a farmer or rancher, one time only, for a period of two years. The title allows the Secretary to waive term limitations for Native American farm operations on tribal lands if she determines that commercial credit is not generally available for such operations. The title expands USDA's authority to allow the interest rate on a direct loan that is being rewritten to be the rate in effect on the date that a borrower applies for servicing. The title reduces paperwork requirements by raising the low documentation loan amount for a guaranteed loan from \$50,000 to \$100,000. The title makes permanent the interest rate reduction program. The title provides that the Secretary work with the State Conservationists to consider selling or granting easements on inventory land for the purpose of farmland preservation. The title also provides those who owe recapture amounts on shared appreciation agreements or those who have amortized the recapture amounts, the option of providing farmland protection and conservation use easements on their land in return for forgiveness of the recapture amount.

Finally, the title amends the authorities provided to Farmer Mac and the Farm Credit System. The title increases the number of Farmer MAC Board of Directors from 15 to 17 and provides that the chairperson of the board will be elected by the board. The title provides the Farm Credit System authority to finance agriculturally related equipment and goods overseas irrespective of whether these goods will be used on the farm in the importing country. The title provides the Farm Credit System Insurance Corporation the ability to recognize the lower risk associated with the certain guaranteed loans and to adjust premiums charged to the Farm Credit System accordingly. The title also eliminates certain "territorial concurrence" requirements on Farm Credit System lenders so that the lenders can participate in syndicated or "participation" loans in other Farm Credit System geographic territories without seeking the permission of the Farm Credit System lender in that territory.

#### TITLE VI—RURAL DEVELOPMENT

The Rural Development Title focuses on need to improve the ability of rural busi-

nesses to acquire capital, particularly equity capital. It provides considerable assistance to help communities develop and economic development strategies and it provides for improved facilities, particularly to make broadband access far more available in Rural America. I am particularly pleased to include a provision to provide for training for fire fighters and first responders.

The limited availability of equity capital is a significant obstacle to business development and growth in rural communities. The Rural Development Title addresses this problem by establishing two new programs to spur equity investment in rural America. First, the National Rural Cooperative and Business Equity Fund provides up to \$150 million in federal funds, to be matched by funds from private investors. The Secretary of Agriculture will guarantee 50% of the investments by private investors up to a total guarantee of \$300 million. The Fund will make equity and semi-equity investments in a variety of rural businesses, with a significant share of those being smaller enterprises.

Second, the Rural Business Investment Program is modeled on the Small Business Administration's Small Business Investment Program. It creates Rural Business Investment Companies. It also provides grants for technical assistance.

Both new equity investment programs are based on business development programs administered by SBA, which have been successful in spurring economic growth but have not adequately addressed the needs of rural communities. Both new programs make use of SBA expertise by requiring the Secretary of Agriculture to work with SBA to administer the programs.

The Rural Development Title expands eligibility for Value-Added Agricultural Market Development Grants and provides \$75 million a year in funds from the Commodity Credit Corporation to carry out the grant program. It also creates a 5% reserve within the program for certified organic agricultural products. It broadens the business and industry loan guarantee program. It funds a new microloan program to assist rural entrepreneurs in starting new businesses with small loans and continuing technical assistance. It establishes a simplified "low documentation" application process for certain rural development loan and grant programs to reduce administrative burdens for participants. It insures continued funding for the Rural Economic Development Loan and Grant Program, which provides loans and grants to Rural Electric Cooperatives, through fees on guarantees of RUS qualified bonds. It authorizes grants to multigovernmental organizations to provide assistance to local governments.

This Title also promotes improvements in rural infrastructure and emergency response capabilities by: providing \$100 million a year in funding for loans and grants to improve access to broadband in rural areas, and \$75 million over the life of the bill to improve access to local television in rural areas; providing full funding to eliminate the backlog in pending applications for certain rural development loan and grants; creating a Rural Endowment Program that provides initial planning and development grants to rural areas that develop long-range, comprehensive community development strategies to improve infrastructure and promote economic development; reserving funds within the community facilities program for day care and senior care facilities; authorizing grants to regional development organiza-

tions; and providing \$30 million a year in funding for training of firefighters and emergency medical personnel.

#### TITLE VII—RESEARCH

The Research Title extends existing research authorizations until 2006. Examples of these programs include: grants and fellowships for food and agricultural sciences education, education grants programs for Hispanic-serving institutions, funding for policy research centers, and research equipment grants. The special authorization for bio-security planning and response is amended to create a special account for appropriations for agricultural research, education, and extension activities for biosecurity planning and response. Under this section funds may be used under any authority available to the Secretary in order to reduce the vulnerability of the United States food and agricultural system to chemical or biological attack.

The Research Title increases funding for the Initiative for Future Food and Agriculture Systems. This program directs research funding to agriculture priority areas through a competitive grant system.

The Research Title creates a new program for Rural Research funded at \$15 million a year. The program authorizes a fund for rural policy research on topics such as: rural sociology, effects of demographic change, needs of groups of rural citizens, rural community development, rural infrastructure, rural business development, rural education and extension programs, and rural health. These programs will help discover the policy tools necessary to create a solid foundation within rural communities which will sustain long-term growth.

The Research Title creates a new program for beginning farmers and ranchers at a level of \$15 million a year. The program will provide competitive grants to support new and established local and regional training, education, outreach, and technical assistance initiatives aimed at beginning farmers or ranchers. Among other advantages, this program will allow new farmers or ranchers to acquire entrepreneurial, financial, and other business skills; conservation assistance; risk management education; innovative farm and ranch transfer strategies; and basic livestock and crop farming practices. In addition, 25 percent of the funds are set aside to be used to support programs and services that address the needs of limited resource and socially disadvantaged beginning farmers or ranchers.

#### TITLE VIII—FORESTRY

Federal forestry assistance for non-federal landowners has been a part of US Department of Agriculture programs for more than a century. We continue the Department's longstanding commitment to provide important forestry assistance to private landowners in the forestry title of the farm bill.

With over nine million non-industrial private forest landowners owning over 330 million acres nationwide, their ability to have access to technical, financial, and educational assistance from government sources will largely determine the quality of those forests and associated public benefits such as clean water and watersheds, wildlife preservation, recreational resources, soil quality, reduced erosion, and forest health and productivity.

There are several new programs to address a wide array of private forest land issues. The sustainable forest management program will provide cost-share assistance to non-industrial private forest landowners around

the country. The program is administered by the Secretary, acting through the State foresters, and in coordination with the State stewardship committees. The program affords states flexibility to address a variety of multiple resource objectives, including soil, air and water quality, soil erosion, agroforestry, fish and wildlife habitat, the control of invasive species, forest health and productivity and the threat of forest fragmentation and catastrophic wildfire.

There is also a new program to assist in the development of sustainable forestry cooperatives at least 50% farmer or rancher owned. The program will create new income streams for farmers or ranchers by allowing them to pool their limited forest resources, and sell value added forest products.

Other important initiatives include a community and private land fire assistance program to focus federal efforts in firefighting at the Federal, State and local levels and a watershed forestry assistance program to prevent water quality degradation, and address watershed issues on non-federal forest land.

#### TITLE IX—ENERGY

Today we face major national problems of low farm income, energy shortages and price spikes, and environmental problems of air pollution and global warming. Renewable energy from farms will play a major role in solving all three problems. Moreover, renewable energy and energy efficiency programs will enhance the nation's energy security, reduce our dependence on foreign oil supplies, and promote rural economic development across the country.

The federal government has a major role to play in the transformation to reliance on domestic farm and rural based alternative energy. The energy title establishes several new programs providing incentives to farmers, ranchers and rural small businesses to develop renewable energy and biomass energy supplies on their lands and to increase energy efficiency.

A competitive grant program is established to have eligible entities provide farmers, ranchers, and rural small businesses energy audits which will provide cost-effective recommendations for energy savings and to examine the potential for renewable energy development.

A complementary grant and loan program is also established so that farmers, ranchers, and rural small businesses can purchase renewable energy systems and make energy efficiency improvements. Energy savings of 30% or more can often be achieved through implementing energy audit recommendations, and renewable energy systems, such as wind turbines, photovoltaic systems and methane digesters can significantly reduce energy costs and help clean up the environment.

The title includes a federal agency biobased products purchasing requirement if they are comparable in price, performance, and availability to traditional products. In addition, the Agriculture Department will develop a labeling program for biobased products based on the successful Energy Star program for energy efficiency. This initiative will stimulate the demand for biobased products, such as soybeans, corn, and other commodities and at the same time provide environmental benefits.

A competitive grant program is also established to support the commercialization of new and emerging technologies for the conversion of biomass into petroleum substitutes. Just as we refine petroleum into gasoline, diesel, propane, and other products,

we can refine agricultural wastes into ethanol, plastics, hydrogen fuel, and perhaps products not yet invented.

A new research and development program to promote understanding of carbon sequestration in agriculture and forestry is also a part of the title. It includes plans to establish benchmarks and best measurement techniques, and includes funding for demonstration projects for monitoring carbon sequestration. This will allow farmers and others to better understand how to store dangerous greenhouse gases, perhaps earning extra income to provide this public benefit.

#### TITLE X—COMPETITION

The Competition Title amends the Agricultural Fair Practices Act of 1967, the Packers and Stockyards Act of 1921, and the Agricultural Marketing Act of 1946.

The Competition Title includes a subtitle that makes a number of amendments to the Agricultural Fair Practices Act (AFPA) to address unfair and deceptive practices in agricultural commerce. The subtitle establishes the Office of Special Counsel for Competition Matters within the USDA to investigate, prosecute, and promulgate regulations under the AFPA and any other Act the Secretary deems appropriate. The subtitle requires covered persons with annual sales of over \$100,000,000 to annually file with the Secretary a report that describes strategic alliances, ownership, joint ventures, subsidiaries, brand names, and interlocking boards of directors in other covered persons. The subtitle defines "covered persons" to include a dealer, handler, contractor, processor, or commission merchant of agricultural commodities with sales of over \$10,000,000 per year. The subtitle prohibits unfair and deceptive practices on the part of covered persons in the marketing, purchasing, and contracting of agricultural commodities. The subtitle prohibits covered persons from engaging in specific practices in bargaining with producers and producer associations, such as restraining, coercing, retaliating against, or refusing to deal with any producer who exercises his or her right to join and participate in a producer association. The subtitle provides minimum standards in agricultural contracting, including: a requirement to act in good faith in the performance and enforcement of agricultural contracts, and a requirement to include a cover sheet that discloses provisions of the contract including, among other things, duration, factors in payment, renewal and renegotiation standards, and responsibility for environmental liability. The subtitle provides requirements specific to production contracting, including: the right to cancel a production contract within three business days after the date at which the production contract is executed; allowing contract producers to file production contract liens and to receive a security interest in the agricultural commodity or other property of the covered person as allowed in the applicable State law provisions based on Article 9 of the Uniform Commercial Code; requiring the contract producer who made at least a \$100,000 investment because of the production contract receive at least 90 days for the contract producer to cure an alleged breach before the covered person terminates the contract, and prohibiting a contractor from requiring additional investments during the term of the contract unless the additional investments are offset by additional consideration and the contract producer agrees in writing that there is an acceptable and satisfactory consideration. The subtitle provides that any aggrieved person may seek injunc-

tions for acts or practices prohibited by the Act; allows any person injured in the business or property of the person by reason of any violation of this Act may sue for a violation to recover damages and recover an additional penalty of up to \$1000 per violation. The court allows the court to provide reasonable attorney's fees to the prevailing party, and sets the statute of limitation at two years. The subtitle provides that when the Secretary has reasonable cause to believe that any covered person has engaged in any act or practice that violates the Act, she may bring a civil action in the U.S. district court to request preventative relief. The subtitle provides that a producer of an agricultural product or service may execute, as a clause in an agricultural contract, an assignment of dues or fees to an association of producers authorized by contract and requires the covered person to deduct the portion from the contract and make a payment to the producer association on behalf of the producer.

The Title amends the Packers and Stockyards Act to provide the Secretary with jurisdiction over live poultry dealers who deal in all types of poultry, not just poultry for slaughter and provide the Secretary the authority to bring administrative actions against live poultry dealers. The title also allows the Secretary to seek outside counsel in the enforcement of the Packers and Stockyards Act.

The Title includes a subtitle to amend the Agricultural Marketing Act of 1946 to require that retailers notify consumers at the final point of sale of the country of origin for beef, pork, lamb, ground beef, ground pork, ground lamb, perishable agricultural commodities, and whole farm-raised fish. The subtitle provides that the Secretary may require that any person that prepares, stores, handles, or distributes a covered commodity for retail sale maintain a verifiable record-keeping audit trail that will permit the Secretary to ensure compliance with regulations promulgated by the Secretary. The subtitle provides that section 253 of the Agricultural Marketing Act of 1946 shall be the enforcement provision of the subtitle.

The Title also requires the Secretary to conduct a referendum among persons covered by an order in effect under a commodity promotion law to determine whether the persons favor the termination of the order at least once every five years. The referenda would be conducted in accord with the terms and conditions of the applicable order and commodity promotion law consistent with this section. The title allows eligible persons to vote in a referendum by mail ballot or by such other method, instead of in-person voting, prescribed by the Secretary as will reduce the burden on voters and ensure the integrity of the referendum.

The Title also amends the Perishable Agricultural Commodities Act to allow the Secretary to initiate investigations of alleged violations of PACA.

#### By Mr. DASCHLE:

S.J. Res. 28. A joint resolution suspending certain provisions of law pursuant to section 258(a)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985; to the Committee on the Budget.

#### S.J. RES. 28

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress declares that the conditions specified in section 254(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 are met and*

the implementation of the Congressional Budget and Impoundment Control Act of 1974, chapter 11 of title 31, United States Code, and part C of the Balanced Budget and Emergency Deficit Control Act of 1985 are modified as described in section 258(b) of the Balanced Budget and Emergency Deficit Control Act of 1985.

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**EXECUTIVE SESSION**

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**EXECUTIVE CALENDAR**

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider Executive Calendar No. 529, the nomination be confirmed, the motion to reconsider be laid upon the table, any statements relating to the nomination be printed in the RECORD, the President be immediately notified of the Senate's action, and the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nomination was considered and confirmed as follows:

**SOCIAL SECURITY ADMINISTRATION**

Jo Anne Barnhart, of Delaware, to be Commissioner of Social Security for the term expiring January 19, 2007.

**LEGISLATIVE SESSION**

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

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**ORDERS FOR MONDAY, NOVEMBER 5, 2001**

Mr. REID. Madam President, I ask unanimous consent that the Senate stand adjourned until 3 p.m. on Monday, November 5; that on Monday immediately following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired and the time for the two leaders be reserved for use later in the day; that the Senate then proceed to a period for morning business until 5:45 p.m., with the time equally divided and controlled between the two leaders or their designee; that at 5:45 p.m. the Senate proceed to executive session to consider Calendar No. 515, Larry Hicks, to be a United States district judge; that there be 15 minutes for debate on the nomination with the time equally divided and controlled between the chairman and ranking member or their designees; that at 6 p.m., without intervening action or further debate, the Senate vote on confirmation of the

nomination; that following the vote, the motion to reconsider be laid upon the table, 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.

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**ADJOURNMENT UNTIL 3 P.M. MONDAY, NOVEMBER 5, 2001**

Mr. REID. Madam President, pursuant to the previous order, I ask unanimous consent that the Senate stand adjourned.

There being no objection, the Senate, at 12:24 p.m., adjourned until Monday, November 5, 2001, at 3 p.m.

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**CONFIRMATION**

Executive nomination confirmed by the Senate November 2, 2001:

**SOCIAL SECURITY ADMINISTRATION**

JO ANNE BARNHART, OF DELAWARE, TO BE COMMISSIONER OF SOCIAL SECURITY FOR THE TERM EXPIRING JANUARY 19, 2007.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

## EXTENSIONS OF REMARKS

## POLAR BEARS PLIGHT

## HON. NEIL ABERCROMBIE

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mr. ABERCROMBIE. Mr. Speaker, I rise today to bring attention to the plight of seven polar bears languishing in a traveling animal show called the Suarez Brothers Circus. The circus is based in Mexico and travels around Central and South America, throughout the year, with its menagerie.

In May 2001, the USFWS, in consultation with USDA, decided to issue a permit to allow the circus into Puerto Rico. This permit was issued over the objection of the Marine Mammal Commission. The Commission warned that the provenance of the bears was questionable and that there were serious deficiencies in the required paperwork for the bears. In June, Dr. Terry Maple, Director of Zoo Atlanta, contacted USDA and asserted that at least one of the bears had been imported under a false identity. The use of doctored or fabricated records is grounds for denying the circus a permit to exhibit.

In August, during the hottest days of summer, the Puerto Rico Department of Natural Resources filed animal cruelty charges against the circus for keeping the bears in 113 degree heat without access to water or air conditioning. Additional charges have been added for maintaining the bears in "dirty or parasitic conditions". Their trial date is scheduled for January 22, 2002.

In October, the Marine Mammal Commission again wrote to USFWS and APHIS and outlined the numerous violations of federal law and expressed a fundamental concern about the appropriateness of using polar bears outdoors in a tropical climate. In their letter, the Commission noted violations of the Animal Welfare Act reported by APHIS on eight separate inspections. These violations included serious charges including inaccessibility to water and fans, a lack of structural integrity in the holding pens, and a lack of veterinary care.

Just two weeks ago, APHIS testified before the Resources Committee that it has inspected the circus at least eleven times since June—as compared to the average number of inspections being one per year. The USDA has documented a clear pattern of non-compliance with the bare minimum standards of the Animal Welfare Act.

Mr. Speaker, these polar bears are clearly suffering and need relief. These animals should be confiscated and placed in facilities that are capable of caring for their unique needs. Members of the House and Senate, including the Delegate from Puerto Rico, are circulating letters to colleagues and to the federal agencies requesting urgent action in this case, including an investigation and confiscation of the polar bears.

Puerto Rico is no place for polar bears.

## RECOGNIZING EAST SAN DIEGO COUNTY'S HEROES

## HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mr. HUNTER. Mr. Speaker, I rise today to recognize some real heroes from my district. Since the terrorist attacks on September 11, America has witnessed the best that our Nation has to offer. Men and women from every walk of life and every background have come together to help those in need and to comfort those who have experienced loss.

A group of individuals from my district have contributed to this effort. These men and women, from firefighting agencies all over East San Diego County, recently traveled crosscountry to New York assisting in efforts to rescue victims in the World Trade Center attacks. For four and a half days, these brave firefighters gave help wherever it was needed.

My fellow colleagues, join me in recognizing Jeff Beeler, Daryn Drum, Ted Kakuris, Marco Maldonado, Scott Springett, Paul Mascoso, Don Anderson, Steve Swaney, Mike Scott, Gerry Brewster, Mike Blood, Beverly Harrell-Bruder, Paul Hyde, Rich Leap, Brian Kidwell, Buz Miller, Jon Handley, Perry Peake, Steve Peters, Jerry Sadler, David Tegardine, Eric Swanson, and David Williams for all their efforts and sacrifices.

Firefighters across this country serve their communities every day with the unofficial motto of, "Leave Nobody Behind." Regardless of who you are, these individuals risk their lives to protect those in danger. Today, more than ever, the children of our Nation are saying with pride that they would like to be firemen and women when they grow up. On behalf of San Diego County, I want to thank these firefighters from our community whose actions serve as a strong reminder that America has a good heart and that we will continue to take care of those in need.

## HONORING THE CITY OF WESTMINSTER'S ROCKY FLATS COORDINATOR MARY HARLOW

## HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mr. UDALL of Colorado. Mr. Speaker, I rise today to acknowledge the important work of Mary Harlow, the Rocky Flats Coordinator for the City of Westminster, Colorado.

Mary, known to her friends and colleagues as "Mickey", is leaving this post after nearly

seven years of service to her community on the vast array of issues regarding Rocky Flats—the Department of Energy's former nuclear weapons production facility located just west of Westminster. I join with her friends and co-workers in wishing her well in her future endeavors, which I understand may involve retiring to North Carolina.

The site was originally used for processing plutonium and other materials to fashion triggers for nuclear weapons in a nearly 400 acre industrial complex surrounded by a 6,000 acre open buffer zone. That mission now is done, and DOE is working to clean up Rocky Flats so it can be closed. This is a complex, highly technical, and politically charged project—one of the more extensive cleanup efforts in Colorado and the nation, and one that poses unique and serious challenges. Mickey has met these challenges and developed a mastery of the issues and effective strategies to influence the decisions affecting the cleanup to ensure protection for the citizens of Westminster and people throughout the Front Range region.

She also has been very effective in building coalitions with other surrounding communities and citizen groups to address pressing issues. Many have relied on her to sift through the thick, technical documents and provide input. Her work has resulted in better plans and approaches to the cleanup and closure and enhanced citizen involvement at the site—not to mention the valuable advice she has provided to Westminster officials.

Mickey began her work on Rocky Flats for the city in 1994. Since then she has recorded many accomplishments. Among other things, she served as an official with the Rocky Flats Citizens Advisory Board, represented Westminster on a task force to determine potential future uses of the industrial area of the site, and helped create a focus group to evaluate the cleanup agreement governing the site. In addition, she co-chaired the oversight panel that evaluated the proper and safe level for the cleanup of radioactive contamination of the soil at the site. On the national level, she participated with representatives from other nuclear weapons sites to develop long-term stewardship of DOE nuclear weapons sites, examine the effects of low-level radiation, and promote development and use of innovative cleanup technologies.

For all of this and more, especially her positive outlook and personable demeanor, Mickey has been a valuable asset in our efforts to ensure a thorough, effective and safe cleanup of Rocky Flats. Her legacy of service will help Colorado and the nation to transform Rocky Flats from a problem into an open space and wildlife asset for generations to come.

● 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.

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TRIBUTE TO SISTER NANCY MORRIS, RSCJ ON BEING AWARDED THE 2001 ST. MADELEINE SOPHIE BARAT AWARD

**HON. ANNA G. ESHOO**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Ms. ESHOO. Mr. Speaker, I rise today to honor Sister Nancy Morris, RSCJ, a distinguished citizen and a resident of San Mateo County, who is being honored on November 6, 2001 by the Sacred Heart Schools of Atherton, California, with the 2001 St. Madeleine Sophie Barat Award.

Sister Nancy Morris, RSCJ was born and raised in Piedmont, California and is a graduate of the University of California at Berkeley. She entered religious life and the Society of the Sacred Heart in 1951. She began her illustrious career in school administration in 1961 when she became Principal at Sacred Heart Broadway in San Francisco. Five years later she was named head of the San Diego College for Women which is now the University of San Diego. In 1971, Sister Morris became the Director of Schools in Atherton, a position she held with distinction for eighteen years. During her tenure, the boarding school was closed, and in 1984 Sacred Heart Preparatory admitted boys for the first time in its history.

She continues to be an active, vital member of the Sacred Heart community, preserving its history and traditions for today's students and their families. She is widely revered as a woman of uncompromising integrity who has the highest standards for anyone who works with children, including herself. Her understanding of the spirit of St. Madeleine Sophie Barat is unmatched and her knowledge of the history of Sacred Heart Schools Atherton is unequaled.

Mr. Speaker, it is a great privilege to honor Sister Nancy Morris as she receives the 2001 St. Madeleine Sophie Barat Award. I ask my colleagues to join me in saluting her and thanking her for her extraordinary service to our community which has strengthened our country.

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### DOMESTIC VIOLENCE AWARENESS MONTH

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**HON. ROBERT A. UNDERWOOD**

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mr. UNDERWOOD. Mr. Speaker, in recognition of Domestic Violence Awareness Month, I rise to speak on this social disease and the harm it imposes on our communities.

Domestic violence is an unyielding presence in our society and has extended past the status of a law enforcement issue into a global health problem with far-reaching effects. Domestic violence triggers a seemingly endless string of physical, sexual, and psychological strain that occurs regardless of race, class, age, sexual orientation, and religion, and tends to transmit patterns of violent behavior to children who witness or are victims to domestic violence.

### EXTENSIONS OF REMARKS

The numbers of victims involved are staggering. Last year six out of ten rapes were committed by an intimate male partner, relative, friend or an acquaintance. A woman is raped every 6 minutes and is physically abused by her husband every 9 seconds. Each year, approximately 1.5 million women are raped and may be physically assaulted by an intimate partner. In 1999, 1218 women were killed by a current or former partner. According to the Department of Justice, nearly half of the violent crimes against women are not reported to the police. Victims of domestic violence are often economically dependent on their offenders and are forced to remain with them and endure abuse. Many women who flee abusive homes and turn to shelters are turned away due to lack of resources. Even wealthier women may find their personal funds inaccessible after leaving a violent situation.

Domestic violence particularly plagues our children. One in five child murders was committed by a family member. An estimated 70 percent of men who abuse their female partners also abuse their children. Children of battered women are 12 to 14 times more likely to be abused sexually by their mother's partner. In homes where spousal abuse occurs, children are abused at a rate 1500 percent higher than the national average. These figures may be shocking statistics to some of us, but for many Americans domestic violence is a harsh reality.

In Guam, of the 2,090 violent offenses reported to the Guam Police Department, 661 arrests were made for family violence. In 1999, the Guam Child Protective Services received 1,908 referrals, and between 1997 and 1999, the Guam Adult Protective Services received 907 referrals for the elderly and persons with disabilities.

Domestic violence is an epidemic that we can no longer afford to tolerate. Every woman, man, and child has the right to a healthy and safe environment. Numerous national and state organizations have contributed to efforts in raising awareness, conducting programs encouraging preventive mechanisms, providing counseling services, and building centers or shelters for victims and their families.

In recognition of this growing concern and the need to address this issue, October has been declared "Family Violence Awareness Month" by the Governor of Guam. This annual proclamation and commemoration has included a Silent Witness Ceremony in honor of domestic violence victims, a "Hands Across Guam Rally" for island-wide community outreach, a Family Violence Conference for the general public and professional staff, and a Poster Exhibition for Elementary Schools including children's artwork on family and love.

Guam has also benefitted from the \$300 million in Services, Training, Officers and Prosecution (STOP) Violence Against Women grant funds, which were awarded by the U.S. Department of Justice's Violence Against Women Office to 4,715 grant recipients nationwide. Of these funds, 51 grants were awarded to agencies and organizations in Guam, totaling more than \$2.5 million.

Domestic violence is a widespread and growing problem needing urgent and constant attention. Together we must all work to educate and eliminate domestic crimes so that

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women, children, and families can live in a safe and nurturing home environment. Therefore, I urge my fellow colleagues to stand together in support of this issue for all victims of domestic violence and for the health and safety of our entire Nation.

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### PROCLAMATION FOR JOEL LIPSY

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**HON. STEVE ISRAEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mr. ISRAEL. Mr. Speaker, it is with great pride that I rise today to recognize one of New York's outstanding young men, Joel Lipsy. The Boy Scouts of his troop will honor him as they recognize his achievements by giving him the Eagle Scout honor on Sunday, November 18th.

Since the beginning of this century, the Boy Scouts of America have provided thousands of boys and young men each year with the opportunity to make friends, explore new ideas, and develop leadership skills while learning self-reliance and teamwork.

This award is presented only to those who possess the qualities that make our nation great: commitment to excellence, hard work, and genuine love of community service. Becoming an Eagle Scout is an extraordinary award with which only the finest Boy Scouts are honored. To earn the award—the highest advancement rank in Scouting—a Boy Scout must demonstrate proficiency in the rigorous areas of leadership, service, and outdoor skills.

I ask my colleagues to join me in congratulating the recipients of these awards, as their activities are indeed worthy of praise. Their leadership benefits our community and they serve as role models for their peers.

Also, we must not forget the unsung heroes, who continue to devote a large part of their lives to make all this possible. Therefore, I salute the families, scout leaders, and countless others who have given generously of their time and energy in support of scouting.

It is with great pride that I recognize the achievements of Joel Lipsy, and bring the attention of Congress to this successful young man on his day of recognition. Congratulations to Joel and his family.

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### INTRODUCTION OF THE ACCIDENTAL SHOOTING PREVENTION ACT

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**HON. JAMES R. LANGEVIN**

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mr. LANGEVIN. Mr. Speaker, today I am joined by 43 of my colleagues in introducing the "Accidental Shooting Prevention Act" to address the large number of firearm injuries and deaths that occur when users mistakenly fire guns they believe are not loaded. This sensible bipartisan legislation would require that all semiautomatic firearms manufactured after January 1, 2005, which have removable

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magazines, be equipped with plainly visible chamber load indicators and magazine disconnect mechanisms.

As with many other consumer products, fire-arm design can reduce the risk of injury. But unlike other products, gun design decisions have been largely left to manufacturers. Fortunately, firearms manufacturers have already produced many guns with safety devices, such as chamber load indicators and magazine disconnect mechanisms, which can help reduce the risk of accidental injuries.

A chamber load indicator indicates that the gun's firing chamber is loaded with ammunition, but to be effective, a user must be aware of the indicator. Generally, chamber load indicators display the presence of ammunition via a small protrusion somewhere on the handgun. Unfortunately, most chamber load indicators do not clearly indicate their existence to untrained users or observers. We must ensure these indicators are easily visible to all gun users, and my legislation will do just that.

By comparison, a magazine disconnect mechanism is an interlocking device which prevents a firearm from being fired when its ammunition magazine is removed, even if there is a round in the chamber. Interlocks are found on a wide variety of consumer products to reduce injury risks. For example, most new cars have an interlocking device that prevents the automatic transmission shifter from being moved from the "park" position unless the brake pedal is depressed. It is common sense that a product as dangerous as a gun should contain a similar safety mechanism.

This is an issue of great importance to me. At the age of sixteen, I was left paralyzed when a police officer's gun accidentally discharged and severed my spine. Had the gun involved in my accident been equipped with a chamber load indicator, the officer would have known that the weapon was loaded. Clearly, mistakes can happen even when guns are in the hands of highly-trained weapons experts, which is why safety devices are so critical.

I urge my colleagues to join me and the 43 original co-sponsors of this bill in reducing the risk of unintentional shootings. Please co-sponsor this responsible measure, and help make guns safer for consumer use while protecting those unfamiliar with the operation of guns.

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#### TRIBUTE TO MR. AL SMITH

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#### HON. ED WHITFIELD

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mr. WHITFIELD. Mr. Speaker, I rise in recognition of the contributions to Kentucky Journalism one of the great citizens and most notable journalists of the Commonwealth of Kentucky, Mr. Al Smith.

Al Smith has been a major player in Kentucky Journalism since 1958 when he arrived in our Commonwealth after having covered New Orleans government. His first position was editor of the Russellville News-Democrat in Logan County. He learned about grassroots politics by spending time with the wing of the Kentucky Democratic Party headed by Logan

#### EXTENSIONS OF REMARKS

Countian Emerson 'Doc' Beauchamp, who was the political enemy of Governor A.B. Chandler.

In 1968 Smith and some partners started their own newspaper, the Logan Leader, in competition with the News-Democrat. In a few weeks they owned both papers and began bi-weekly publishing. Then came the purchase of newspapers in Morgantown, Cadiz, and Leitchfield as part of Al Smith Communications.

Smith served as chairman of the Kentucky Oral History Commission and the Kentucky Arts Commission. He also became moderator of Kentucky Educational Television's "Comment on Kentucky" which he still heads 27 years later.

Mr. Speaker, Al Smith had grown up an admirer of the Tennessee Valley Authority and actively sought a seat on its board. Instead, he was named federal co-chairman of the Appalachian Regional Commission by President Jimmy Carter. He also served in that capacity temporarily under President Ronald Reagan.

Upon his return to Kentucky, he purchased the Sentinel Echo in London and moved there. After the sale of Al Smith Communications to Park Newspapers in the mid-80's, he and his wife Martha Helen moved to Lexington where he produced and was host of the statewide radio talk show AOK Primeline. He continues to live in Lexington and one of his home towns, Sarasota, Florida.

Al Smith has been honored by several groups, awarded an honorary doctorate by Cumberland College, and named to the Kentucky Journalism Hall of Fame.

Mr. Speaker, on Thursday, November 1, 2001 Logan County will honor Kentucky's most notable journalists featuring Al Smith and those he has been a mentor to including The Courier Journal's Al Cross who is now national president of the Society of Professional Journalists; Larry Craig, President of the Kentucky Press Association and a Hall of Fame journalist; his daughter Catherine Hancock, who became a reporter for the Tennessean before going to law school; and News-Democrat & Leader Editor Jim Turner, who has won over 62 awards in the journalism profession.

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#### PERSONAL EXPLANATION

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#### HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Ms. WOOLSEY. Mr. Speaker, I inadvertently did not vote on Roll Call #414 during its vote series yesterday. Had I voted, I would have voted "yes."

Mr. Speaker, I ask that this statement be inserted in the CONGRESSIONAL RECORD at the appropriate place.

TRIBUTE TO LORRAINE C. HORN  
ON BEING AWARDED THE 2001 ST.  
MADELEINE SOPHIE BARAT  
AWARD

#### HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Ms. ESHOO. Mr. Speaker, I rise today to honor Lorraine C. Horn, a distinguished citizen and resident of San Mateo County, who is being honored on November 6, 2001, by the Sacred Heart Schools of Atherton, California, with the 2001 St. Madeleine Sophie Barat Award.

An alumna of Sacred Heart School, Atherton, and San Francisco State University, Lorraine Horn served as Chair of the Board of Trustees of Sacred Heart School, Atherton from 1987 until 1991. In 1998, she gave generously of her time and talents to the Sacred Heart community as Chair of the yearlong centennial celebration of the School's founding. Lorraine is an active and vital participant in numerous community service projects, including the Peninsula Bridge Program, Families in Transition and the Peninsula Auxiliary of the Medical Mission Sisters. Lorraine Horn is passionately committed to education. She is the devoted mother of three and the doting grandmother of two. Lorraine and her husband Albert have earned well-deserved reputations as outstanding volunteers and philanthropists within our community.

Mr. Speaker, it is a great privilege to honor Lorraine C. Horn as she receives the 2001 St. Madeleine Sophie Barat Award. I ask my colleagues to join me in saluting her and thanking her for her extraordinary service to our community and our country.

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RAINBOWS FOR ALL CHILDREN—  
GUAM

#### HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mr. UNDERWOOD. Mr. Speaker, grieving is a natural process brought about by emotional loss. Unexpressed grief usually takes its toll with problems surfacing in a person's behavior, academic performance, as well as his or her physical and emotional condition. It is for this reason that an international not-for-profit organization was instituted to offer training and curricula for establishing a peer support group for children and adults who are undergoing painful transitions in their family life. Rainbows For All Children has helped guide individuals through the initial feelings of hurt towards a stage of healing in order to foster a feeling of hope. The objective of this program is to furnish participants with an understanding of their new family unit, to assist in building a stronger sense of self-esteem and to direct them towards a healthy resolution of the changes that have taken place in their personal lives.

For the past thirteen years, the organization's local chapter, Rainbows For All Children—Guam, has been able to help thousands of children, youth, and adults in my

home island of Guam. Throughout this period, the chapter's director, Mrs. Marie Virata Holloran, a registered nurse, has trained over four hundred volunteers assigned to Guam's public schools.

The individual problems encountered by the volunteers usually stem from a difficult transition in life caused by the loss of a loved one caused by a wide range of situations such as death, divorce, separation, abandonment, incarceration, illnesses and accidents. Administered free of charge, the program consists of fourteen to eighteen week sessions gradually guiding individuals through the process of grief and loss.

Through lean times caused by lack of funding, the Rainbows organization managed to carry on their admirable work. As the group mainly relies upon privately donated funds and volunteer service, the list of coordinators and facilitators oftentimes fluctuates. At present time 250 committed and caring Rainbow volunteers donate their time to help grieving children on Guam. In the past year alone, Rainbows has helped 880 children from thirteen public schools.

Mr. Speaker, I would like to take this opportunity to recognize the Guam Chapter of Rainbows For All Children. I commend them for excellent work and their contributions to our island. I would like to submit for the RECORD, the names of Certified Site Coordinators currently involved with Rainbows in Guam's public schools.

#### RAINBOWS FOR ALL CHILDREN—GUAM

Marie Virata Holloran, RN, Registered Rainbows Local Director, Elaine Eclavea, Early Intervention System.

Certified Site Coordinators: Annie Arevalo, Tamuning Elementary School; Rosalie Sgambelluri, Lyndon B. Johnson Elementary School; Hernalin Analista, Harry Truman Elementary School; Regina Ragan, Agueda Johnston Middle School; Alma Neglerio, Marcial A. Sablan (Agat) Elementary School; Anna Marie Toves, Ordot Chalan Pago Elementary School; Frank Meno, F.B. Leon Guerrero Middle School; (Yigo) Tess Borja, Upi Elementary School; Marie Salas, Agana Heights Elementary School; Cathy Escalera, M.U. Lujan Elementary School; Nichol Tanaka Napoleon, Carbullido Elementary School; Amy Leddy, Wettengel Elementary School; Josepha Lizama, Mt. Santa Rosa Elementary School; Diana Dungca, Astumbo Elementary School; Debbie Abrenica, J.Q. San Miguel Elementary School and Michelle dela Rosa, George Washington High School.

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#### RECOGNIZING JIM GALLAGHER FOR OUTSTANDING PUBLIC SERVICE

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**HON. MIKE THOMPSON**  
OF CALIFORNIA

**HON. LYNN C. WOOLSEY**  
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mr. THOMPSON of California. Mr. Speaker, we rise today to recognize Jim Gallagher, who is retiring after 33 years of public service with the Sonoma County Assessor's Office.

#### EXTENSIONS OF REMARKS

Mr. Gallagher joined the Assessor's Office in May of 1968. After fully familiarizing himself with every aspect of the office, he ran for County Assessor in 1986. He did such an outstanding job during his first term in office that he ran unopposed in 1990, 1994 and 1998.

During his tenure as County Assessor, the office graduated from manual processing of documents to electronic processing. Through his leadership, he ensured that the department was always on the leading edge of electronic technology.

He and his staff created a public service program that earned them the reputation as "Being the Exception to the Public's Perception of Government Service."

In addition to his duties as County Assessor, Mr. Gallagher has been an active participant in a multitude of community organizations, including the Sonoma County Foster Parents Association, the Sonoma County Mental Health Organization, the Catholic Youth Organization, the Santa Rosa Democratic Club, the Young Men's Institute, the Santa Rosa Chamber of Commerce, the Sonoma County Real Estate Appraisers Association, the California Assessors Association and the Knights of Columbus, among others.

Mr. Gallagher is the proud father of Theresa, Heidi, Jeanne-Marie and Brian and the grandfather of Todd and Trevor.

Mr. Speaker, because of Jim Gallagher's innovative approach to county government, his many contributions to his community and his devotion to his family, it is appropriate that we honor him today.

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#### HONORING THE AMERICAN LUNG ASSOCIATION'S HEALTH ADVO- CATES OF THE YEAR

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**HON. DALE E. KILDEE**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mr. KILDEE. Mr. Speaker, I rise today to pay tribute to the American Lung Association of Michigan-Genesee Valley Region's 2001 Health Advocate of the Year honorees. The awards will be presented to the Corporate Health Advocate and the Individual Health Advocate at a banquet to be held on November 7th.

McLaren Health Care Corporation is the recipient of the Corporate Health Advocate Award. In addition to being recognized in the Top 10 integrated health networks in the United States by Modern Healthcare Magazine, McLaren's Pulmonary Rehabilitation Program was the first in Michigan to be accredited by the American Association of Cardiovascular and Pulmonary Rehabilitation.

The Pulmonary Program is part of a five year National Emphysema Therapy Trial through the University of Michigan, studying the surgical benefits of Lung Volume Reduction surgery for emphysema. Concurrently, the McLaren Pulmonary Program partners with several lung transplant programs to provide pre and postoperative care to transplant patients.

McLaren's community involvement encompasses their participation in a mini-grant pro-

*November 2, 2001*

gram to teach youngsters about the dangers of smoking, participating in the Freedom from Smoking classes sponsored by the American Lung Association, working with the American Lung Association of Michigan Asthma Committee, the SMART Coalition, the Greater Flint Health Coalition, Open Airways for Schools, Kids on the Block, and a having a representative on the American Lung Association of Michigan Regional Board of Directors.

Dr. Cory Cookingham is the recipient of the Individual Health Advocate of the Year Award. Dr. Cookingham met the criteria to be honored with this award by his continued involvement and advocacy for health lung issues.

After graduating from medical school in 1953, Dr. Cookingham served internships and residencies in Hawaii, Flint and Ann Arbor. In 1958 he completed an allergy residency and went on to found the Allergy Clinic at Mott Children's Health Center. He continued his work at Mott Children's Health Center for several years until he entered private practice in 1961. During this time he was the Allergy Fellow at the University of Michigan Hospital as an instructor in the Department of Pediatrics.

In 1963 Dr. Cookingham started the first Smoking Withdrawal Clinic. Since that time, he has been certified by the Pediatric Allergy Board, and the American Board of Allergy and Immunology. He has served as the President of the Genesee Valley Lung Association, the Director of the Michigan Lung Association, the President of the Flint Rotary Club, a Clinical Associate Professor at the Department of Pediatrics and Human Development—Michigan State University and as a Clinical Professor with the same school.

Dr. Cookingham has published several articles and professional papers during his medical career. He has expanded his private practice and now serves patients in four locations, Flint, Clarkston, Frankenmuth and Port Huron. He has worked tirelessly to promote better care for patients with compromised pulmonary function. His advocacy on behalf of his patients has sensitized many to the need for preventive care and an improved environment.

Mr. Speaker, I ask the House of Representatives to join me today in honoring both McLaren Health Care Corporation and Dr. Cory Cookingham along with the American Lung Association. We owe them a debt of gratitude for the tremendous work they perform every day improving the quality of life for all Americans.

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#### HONORING MS. JANE TEMOSHOK FOR HER PARTICIPATION IN THE NOAA/NSF TEACHER AT SEA PROGRAM

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**HON. JAMES P. MORAN**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mr. MORAN of Virginia. Mr. Speaker, I rise today to recognize the accomplishments of Jane Temoshok for her successful completion of the NOAA/NSF Teacher at Sea program.

As a resident of Alexandria, Ms. Temoshok has made everyone in the Eighth District proud of her achievement as one of two

teachers nationwide to be chosen for this program. Ms. Temoshok, a science teacher at Lyles-Crouch Elementary in Alexandria, left on October 2nd from Huatulco, Mexico flying aboard the NSF C-130, a research plane, heading for the Galapagos Islands. There she joined the EPIC Research Cruise to Arica, Chile aboard the vessel the RON BROWN. She returned to Washington, DC on October 27th.

Ms. Temoshok's purpose during her voyage revolved around interviewing scientists and interpreting their research in a way that can be understood by students. From her findings she constructed lesson plans for her pupils. Ms. Temoshok continued to instruct her students during the trip via the Internet, posting daily photos, journal writings and a questions and answers forum.

The NOAA/NSF Teacher at Sea program has afforded Ms. Temoshok an unparalleled opportunity to provide her students with a hands on education, grounded in her unique experience. The lessons learned on the NSF C-130 and the RON BROWN will stay with Ms. Temoshok for the rest of her teaching career, acting as an inspiration from which she will always be able to draw strength and creativity.

CONFERENCE REPORT ON H.R. 2590,  
TREASURY AND GENERAL GOVERNMENT APPROPRIATION ACT,  
2001

SPEECH OF

**HON. SHEILA JACKSON-LEE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 31, 2001*

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise this morning to express my support of the Treasury Postal Appropriations Conference Report, but would like to note several exceptions.

The first provision that I support is the contraception coverage for employees under the Federal Employees Health Benefits (FEHB) plan. This provision, which passed as an amendment in 1998, has been threatened every year. This year, President Bush eliminated this provision in his Budget Blueprint. Fortunately, this Congress realized its significance and worked to keep it in this conference report.

The Federal Government is the nation's largest employer and the FEHB program is the basic health plan for federal employees and their families. The contraception coverage provision is an important component of this plan because family planning is a vital family issue.

Family planning should not be a political issue, but a personal issue. Contraception coverage helps women to plan their families responsibly. Adequate contraception access makes planned pregnancies possible.

Contraception access is also crucial to preventing the risk of contracting a sexually transmitted disease and unintended pregnancies.

Approximately 1.2 million women rely on this program for their medical care. Women of reproductive age spend more in out-of-pocket health care costs than men.

Also Mr. Speaker, I support the provision that bars the use of funds made available for

EXTENSIONS OF REMARKS

the Customs Service in this Act to allow the importation of any good produced or manufactured by forced or indentured child labor.

Another important provision includes the Breast Cancer Research Stamp Act of 2001, which allows the reauthorization of the issuance of the breast cancer research postage stamp at a special rate of postage.

It is important to recognize and support the September 11 Heroes Stamp Act of 2001, which this bill does. Through this stamp, assistance will be provided to the families of emergency relief personnel killed or permanently disabled in the line of duty in connection with the terrorist attacks against the United States on September 11, 2001. In the same vein, I introduced H. Con. Res. 228 to expedite Federal services and benefits to the children who lost a parent or guardian as a result of the attacks.

I also support the provision appropriating \$1.3 million to implement the African Growth and Opportunity Act.

One exception to this Conference Report is the provision that prohibits the use of federal funds to pay for an abortion through FEHB. I strongly oppose this.

For those who rely on the FEHB program for their medical care, they are unable to take advantage of the same reproductive health care services that are available to private sector employees.

The current provision discriminates against women in public sector service. Federal employees should not be denied this legal health procedure simply because of the political nature of abortion. For a government employee faced with the decision about a serious fetal health condition, this provision leaves her with few options.

Although the provision contains exceptions for cases of rape and incest or cases where the life of the mother is in danger, this language contains no health exception. This omission places many women in the painful decision to continue a potentially health-threatening pregnancy.

Mr. Speaker, my biggest disappointment concerning this legislation is its failure to address the real crisis facing the Postal Service today. There are Members of Congress who have joined together in a bipartisan fashion to draft legislation that address critical security issues facing the Postal Service.

I sit on the Homeland Security Task Force and serve as Vice-Chair of the Domestic Law Enforcement Working Group of this Task Force. Our legislative initiative, the Bioterrorism Protection Act of 2001 (BioP Act) will be introduced this week.

The BioP Act authorizes \$250 million dollars to address the threats to the operation of our mail delivery system. The Act's proposed solutions include developing and deploying faster scanning technologies that can be widely implemented in local sorting facilities.

Another solution to these biological threats is the implementation of improved mail tracking abilities to track suspicious packages to their source, and to investigate "treating" mail with radiation or other methods to reduce or mitigate threats posed by mail.

The Act strongly encourages the Administration to respond urgently to the needs of the Postal Service and its employees.

Mr. Speaker, we live in dangerous times. We must do our best as legislators to be proactive. I urge my colleagues to support passage of the Treasury and Postal Operations Conference Report.

TRIBUTE TO DONNA GILBOA ON BEING AWARDED THE 2001 ST. MADELEINE SOPHIE BARAT AWARD

**HON. ANNA G. ESHOO**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Ms. ESHOO. Mr. Speaker, I rise today to honor Donna Gilboa, a distinguished citizen and a resident of San Mateo County, who is being honored on November 6, 2001, by the Sacred Heart Schools of Atherton, California, with the 2001 St. Madeleine Sophie Barat Award.

A graduate in history from Ohio State and Columbia Universities, Donna Gilboa went on to teach at various educational institutions, including a private school in Detroit, Michigan, Portland Community College, and Portland University in Oregon. She became a member of the faculty of Sacred Heart Preparatory in 1975. For twenty-five years, Donna Gilboa served as Chair of the Social Sciences Department at Sacred Heart, instilling in her students a love and a deep appreciation of history.

Donna Gilboa is best known at Sacred Heart for her legendary World Civilization course. Delivered with uncompromising detail and a witty sense of humor, her lectures never fail to inspire. My daughter Karen, now Academic Dean at St. Joseph's School, credits Donna Gilboa with instilling in her a lasting love of history, leading her to ultimately choose education as a career. Karen considers herself exceptionally fortunate to teach with her today.

Mr. Speaker, it is a great privilege to honor Donna Gilboa as she receives the 2001 St. Madeleine Sophie Barat Award. I ask my colleagues to join me in saluting her and thanking her for her extraordinary service to our community. We are indeed a better community, a better county, and a better country because of her.

RECOGNIZING THE ACCOMPLISHMENTS OF IVEY RANCH ELEMENTARY SCHOOL

**HON. DARRELL E. ISSA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mr. ISSA. Mr. Speaker, I rise today to recognize and congratulate the Ivey Ranch Elementary School and the Oceanside Unified School District for its achievement in earning recognition as a National Blue Ribbon School. Ivey Ranch Elementary is the first school in the Oceanside Unified School District to receive National Blue Ribbon recognition. This makes their achievement all the more significant and remarkable, and I am pleased to

have this opportunity to share the news of their success with my colleagues in this distinguished body.

Ivey Ranch Elementary is a model of excellence in my district, the state of California, and the nation. It has consistently demonstrated a strong commitment to educational excellence for all students. Ivey Ranch is the first school in the Oceanside Unified School District to surpass the state's goal of an 800 Academic Performance Index for all schools. Ivey Ranch students have raised their standardized test scores significantly in the past four years. Math scores at the fourth grade level increased from the 50th percentile in 1998 to the 82nd percentile in 2001. Third-graders are currently scoring above the 86th percentile in math. Overall, the school's Academic Performance Index has increased from 759 in 1999 to 829 in 2001.

In granting National Blue Ribbon status, the Secretary of Education has recognized the dedication and commitment of the administrators, teachers, support staff, and parents to the continued improvement and excellence of this school. In the midst of all the recent news that is so often discouraging, it is imperative that we acknowledge this superb effort by the team that has made Ivey Ranch Elementary a National Blue Ribbon school. While there may be evil in this world, we know that there are many more people who are committed to making this world and our country a better place. Ivey Ranch Elementary is evidence that there are good people out there, doing very good work, and providing an excellent education to the children who represent our nation's future. Mr. Speaker, I am honored and proud to represent the students, teachers, administrators, and parents who contributed to this achievement. These good people deserve strong recognition of their achievements. May Ivey Ranch Elementary remind all of us that ours is a nation of hard workers and good people. Well done Oceanside Unified School District; great work Ivey Ranch Elementary.

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TRIBUTE TO OFFICER FERDINAND  
J. IBABAO

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**HON. ROBERT A. UNDERWOOD**

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mr. UNDERWOOD. Mr. Speaker, I would like to take this occasion to recognize a former student of mine, Ferdinand J. Ibabao. A former police officer on Guam, Ferdinand recently distinguished himself by doing a heroic act while stationed in Kosovo.

I have personally known this man for a long time and I can attest that he was a great asset while serving at the Guam Police Department. Upon his retirement from the island's police force, he secured an assignment as a police officer for the United Nations mission in Kosovo. While serving at this post, Ferdinand and a partner were assigned to provide security for an Austrian judge who presided over war crimes and high level criminal cases.

The incident happened late at night as the officers escorted the judge to her home. As his partner led the judge towards her quarters,

EXTENSIONS OF REMARKS

Ferdinand noticed a suspicious looking individual moving towards the judge's direction. Upon being confronted by Ferdinand, the man gruffly claimed he spoke no English. Without a second thought, Ferdinand pushed him away from the judge and patted him down for weapons.

A scuffle ensued after Ferdinand ascertained that the individual had a loaded gun. Quickly, he managed to warn his partner of the impending danger. Upon Ferdinand's warning, his partner was able to quickly usher the judge safely to her residence. Ferdinand was able to subdue the armed man who was almost twice his size. His partner was able to assist him as soon as he made sure that the judge was safely inside her house.

Meanwhile, a crowd had gathered to watch the commotion. Although he had fears of an accomplice within the growing group of bystanders, Ferdinand and his partner were able to contain the crowd until the Kosovo Police Service, the local police, arrived to place the individual under custody.

For his actions, he received a commendation from the Deputy Regional Commander of the United Nations Mission in Kosovo Civilian Police Force. His commendation partly read: ". . . the detection and arrest of an armed suspect close to the home of the VIP that you were escorting [has enhanced and improved] the image of UNMIK CivPol and the Kosovo Police Service . . . You should be proud that you have brought honor and credit to yourself, your uniform and above all the country that you represent."

At present Ferdinand and his family have relocated to Arizona where his wife is working towards a bachelor's degree in Criminal Justice at Arizona State University. She plans to attend law school in the near future while Ferdinand is looking forward to being selected for the Sky Marshal Program.

Mr. Speaker, I take great pride and pleasure in commanding the acts of Ferdinand Ibabao. He represents the best of what the island has to offer. I wish him the best of luck in his endeavors and urge him to keep up the good work.

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H.R. 3206, THE HOME OWNERSHIP EXPANSION AND OPPORTUNITIES ACT OF 2001

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**HON. MARGE ROUKEMA**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mrs. ROUKEMA. Mr. Speaker, today, I introduced H.R. 3206—The Home Ownership Expansion and Opportunities Act of 2001. It is my intent, by introduction of this bill, to create a healthy and vibrant debate about the future home ownership opportunities for our citizens pursuing the American dream. While the home ownership rate is at its highest level ever—nearly 68 percent, there are pockets in our community who hover around the 40th percentile, because of geography, income or other factors. These unconquered pockets are the last frontier to be explored through what I believe could be public and private home ownership partnership initiatives.

*November 2, 2001*

H.R. 3206 is just one example of perhaps how Congress can explore new ways of thinking. It goes without saying that new sets of challenges require new ideas and different solutions.

H.R. 3206 would provide authority to the Government National Mortgage Association (GNMA) to guarantee securities of certain conventional mortgages above an 85 percent loan-to-value ratio, up to the conventional mortgage loan limits already established by existing law. This guarantee is conditioned on these hybrid mortgages meeting certain guidelines established by GNMA and insured both by private sector mortgage insurance and the Federal Housing Administration (FHA). These mortgages would meet rigorous underwriting and insurance guidelines to ensure that no undue and unresponsible risk is placed on the Federal government.

I also note that Senator WAYNE ALLARD of Colorado and Ranking Member of the Senate Subcommittee on Housing and Transportation will introduce a companion bill in that chamber today as well. While the concept in both bills is similar, differences exist.

This concept is unique and has not been tested before. If we as a legislative body believe, however, that we must further public policy to advance increased home ownership opportunities, than we must also agree to certain paradigm shifts, whether it is this idea or another put forth.

There is no question that this country has the best home ownership system in the world, having created a secondary market to provide needed capital to meet both consumer/buyer demands and finance costs. Moreover, FHA, designed to meet the needs of those credit-worthy home owners locked out of the conventional markets, is a great supplement to the private mortgage finance system.

However, we can do better. This bill is not intended to carve out winners and losers, but to spark a debate on the future of our mortgage finance system and how we can penetrate those markets that, up until now, have not been impacted, even with the best home ownership initiatives we have. Out of this debate, I am confident that new ideas will percolate and move all of our citizens onward and upward toward the American dream.

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RECOGNITION OF MEN AND WOMEN OF THE UNITED STATES ARMED FORCES AND THE 3RD ANNUAL MILITARY APPRECIATION MONTH

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**HON. JEFF MILLER**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mr. JEFF MILLER of Florida. Mr. Speaker, I rise today to honor the men and women of the United States Armed Forces and to recognize the 3rd annual Military Appreciation Month in Northwest Florida.

The events begin tonight with the Kickoff ceremony at the National Museum of Naval Aviation and continue throughout the month with events such as the Blue Angel Homecoming Air Show, Veterans Day Parades

November 2, 2001

across the Panhandle, and a performance by "The President's Own" United States Marine Band.

The strength of the United States is a direct result of the vigilance of the United States Armed Forces throughout the years. It is important for our nation to reflect on the sacrifices of so many throughout our history and also to pay respect to and be grateful for those who currently serve. While we always appreciate the men and women of the military, it is altogether fitting that we set aside time to do so publicly. Recognizing the contributions of members of the United States Armed Forces will increase our awareness, and in doing so our admiration, of the sacrifices they and their families have made to preserve the freedoms and liberties that we as Americans hold so dear.

I thank the members of our Armed Forces and their families for their service, sacrifice and dedication to our nation and the values that we hold so dear; and I commend the Chambers of Commerce, business owners, and the numerous organizations and volunteers throughout Northwest Florida for their efforts to recognize the brave men and women of the United States Military.

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HONORING THE VOLUNTEERS OF  
THE MICHIGAN VIETNAM MONU-  
MENT COMMISSION

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**HON. MIKE ROGERS**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mr. ROGERS of Michigan. Mr. Speaker, the Michigan Vietnam Monument Commission (MVMC) was established by the Michigan Legislature in 1988 to conceptualize, design, fund and build a fitting monument on a site donated by the state of Michigan near the Capitol in Lansing. The project has been a collaboration between the public and private sectors in honoring and celebrating the patriotism of the 2,654 Michigan citizens who served, suffered, died, were imprisoned or are missing because of America's longest war. Plans to build the monument began in July of 1988 and will culminate on November 11, 2001, Veterans Day, with a formal dedication.

The volunteers who comprise the MVMC have raised more than half of the \$3.4 million in project costs from private donations. The Michigan Legislature, in cooperation with Governor John Engler, appropriated \$1.5 million in support of the monument. Other major contributors include several private businesses and labor unions.

As a veteran and former Chairman of the Michigan Senate Labor, Human Resources and Veterans' Affairs Committee, I am thrilled that the families of those who made the ultimate sacrifice for their country will have a monument to visit in memory of their loved ones. I look forward to participating in the dedication of the monument on Veterans Day which promises to be a fitting tribute to those who have served and are serving our great country.

EXTENSIONS OF REMARKS

THE VITAL ROLE OF TRAVEL  
AGENCIES

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**HON. STEVE ISRAEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mr. ISRAEL. Mr. Speaker, I rise in support of H.R. 2945, the Ancillary Airline Industry Relief Act of 2001.

Soon after the September 11th attacks, this body passed a bill to save the airline industry from economic disaster. I supported that legislation because of the impact airlines have on our national infrastructure. But while the airlines received billions in aid, other related industries have been left to pick up the scraps.

Among those groups are the travel agents. Industry leaders say as many as 100,000 could lose their business. These men and women are the backbone of our tourism industry. They arrange for most of the air travel and almost all of the packaged tours and cruises. Even considering travel web-sites, airlines simply cannot manage the burden of arranging travel without travel agents.

Immediately following the attacks, travel agents were indispensable to their clients—helping thousands of stranded passengers. We should not leave them behind now. If we are to get America traveling again, we need to address the needs of America's travel agents. I urge my colleagues to support this legislation.

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BREAST CANCER AWARENESS  
MONTH

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**HON. ROBERT A. UNDERWOOD**

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mr. UNDERWOOD. Mr. Speaker, I rise today in recognition of Breast Cancer Awareness Month. Breast cancer is a serious health concern for all women.

With the exception of skin cancer, more women in the United States are diagnosed with breast cancer than any other cancer each year. This year alone approximately 192,200 new cases of invasive breast cancer will be diagnosed among women, as will nearly 47,100 additional cases of in situ or noninvasive breast cancer.

After lung cancer, breast cancer is the second leading cause of cancer-related deaths among women. This year, 40,200 women are expected to die from the disease. However, few know that breast cancer also affects men. Approximately 1,500 men will be diagnosed with this type of cancer and 400 will have a terminal form of the disease.

In my district of Guam, 44 new cases of breast cancer were reported last year, for an incidence rate of 54.4 persons per 100,000 population. Since 1984, 391 women on Guam have been diagnosed with breast cancer according to the Guam Cancer Registry.

The good news is that since 1985, breast cancer incidence rates among women have continued to decline at an average of 1.3 percent each year. This decline has been attrib-

**21561**

uted to both improvements in breast cancer treatments and the benefits of mammography screening. As more breast cancers are diagnosed while in situ, we should continue to see a decline in the rates of diagnosis and of fatalities.

Although there is no proven method for reducing the incidence of breast cancer, the best line of defense for the prevention of breast cancer for women is to have regular mammograms, increase physical activity, minimize alcohol intake, and avoid obesity. Women and men are encouraged to remain vigilant about early detection.

The American Cancer Society, the Susan G. Komen Breast Cancer Foundation, Avon Breast Cancer Crusade, and several other organizations offer a host of resource programs for breast cancer patients and their families. These organizations have also played an extensive role in conducting valuable research and raising awareness about this killer disease and should be recognized and commended for their valuable proactive work.

Advances in treatment and early detection methods have made significant improvements in the health of women and men affected by breast cancer. A decade ago, a breast cancer diagnosis was often viewed as a terminal illness. Ten years later, more patients are conquering breast cancer than ever before. There are now more than two million breast cancer survivors in the United States today.

Therefore, I urge my colleagues to join in celebrating and commemorating the battle against breast cancer and support initiatives that help Americans across our nation survive the challenges of this deadly disease. Let us reach out across the nation in support of Breast Cancer Awareness Month for all American families throughout the country who have been affected by or are at risk of breast cancer and pay tribute to those who's lives have been cut short by this disease.

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CONGRATULATING JUSTINA  
BORBA

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**HON. GEORGE RADANOVICH**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mr. RADANOVICH. Mr. Speaker, I rise today to congratulate Justina Borba for receiving a 2001 Common Threads Award. This award is presented to women in agriculture who have made a remarkable contribution to their community through volunteer work and philanthropy.

Justina Borba has been involved in her family's farm on the Westside of California's Central Valley since the early 1940's. She and her husband, Ross, raised three children who run the farm today. She has been involved with several community organizations, including the Girl Scouts, American Cancer Society, American Heart Association, Marjaree Mason Center, Agricultural Education Foundation, American Epilepsy Foundation, Valley Children's Hospital, and Community Hospitals of Fresno. St. Agnes Hospital awarded Justina the "Christ the Healer" award for her community involvement.

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Mr. Speaker, I rise today to congratulate Justina Borba for earning a 2001 Common Threads Award. She has shown outstanding involvement, not only in agriculture, but also in strengthening her community. I urge my colleagues to join me in wishing Ms. Borba a bright future and continued success.

HONORING THE CHURCH OF OUR LADY OF THE DIVINE SHEPHERD IN TRENTON, NEW JERSEY ON THEIR 60TH ANNIVERSARY CELEBRATION

**HON. CHRISTOPHER H. SMITH**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mr. SMITH of New Jersey. Mr. Speaker, I rise today to honor Our Lady of the Divine Shepherd Roman Catholic Church in Trenton, New Jersey, as they celebrate their 60th Anniversary.

In 1941, 60 years ago, in response to a petition by the African-American community, The Most Reverend William A. Griffin, Bishop of Trenton, established Our Lady of the Divine Shepherd Church to accommodate the spiritual needs of a local Trenton community who sought solace and guidance in their Roman Catholic Faith and black heritage.

This new Parish had its beginnings in the former Masonic Temple on Pennington Avenue, where it remains today. On June 14, 1941, Bishop Griffin blessed the new Church and officiated the first Mass. Since its beginning, the Society of the Divine Word has staffed Our Lady of the Divine Shepherd Church. The Society of the Divine Word has the great distinction of being the first congregation to create seminary opportunities for black men. At present, there are about 6,000 members in the Society of the Divine Word working in 62 countries around the world.

One of the hallmarks of this vigorous religious family is its international character and multi-cultural congregation. Teams of missionaries are made up of members from many different nations and cultures working together for the Kingdom of God as a concrete sign for our divided world that such cooperation is both possible and desirable.

Mr. Speaker, for 60 years, Our Lady of the Divine Shepherd has faithfully served its parishioners, ministering and providing services to the community. I ask all of my colleagues to join with me in congratulating Our Lady of the Divine Shepherd and to thank them for all of their contributions to the rich heritage and culture of Trenton, the Capital city of New Jersey.

HONORING ST. GEORGE SERBIAN ORTHODOX CHURCH

**HON. BARBARA LEE**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Ms. LEE. Mr. Speaker, I rise today to honor and celebrate the 75th Anniversary of the St.

## EXTENSIONS OF REMARKS

George Serbian Orthodox Church in Oakland, California.

During World War I, many Europeans, including Serbians, faced the unspeakable horrors of war. Some were fortunate to escape a world of intolerance and hatred. It isn't surprising that many Serbians came to the United States, a symbol of hope and freedom, in search of a better life and future for themselves and their children.

New to the San Francisco Bay Area, Serbian men and women valued a strong sense of community and continued and maintain the Orthodox faith, Serbian language and culture. They affiliated themselves with the central office in Sarajevo, Bosnia, and their constant communication enabled them to maintain a connection to their homeland.

The leaders of Oakland's Serbian community understood the need to retain cultural traditions and Serbia's history as a nation, particularly since many young Serbian children were immersed in popular American culture. In an effort to preserve and pass on the rich Serbian culture and history to future generations, a local school was established for Serbians. This school was named the Serbian Society of Education in Oakland.

On February 29, 1924, the Society sought to purchase a piece of church property in order to realize their mission to retain and further cultivate their orthodoxy. This church was named the St. George Serbian Orthodox Church.

For over seventy-five years, St. George has been the home for Serbian families, immigrants and refugees. The Church and its members also formed the Saint George Athletic Club, Women's Auxiliary and St. George's Church Choir. These groups are regarded for their contributions to social campaigns and political activism.

The St. George Serbian Orthodox Church encourages and nurtures love and peace among its members and instills a strong sense of family in our community. Today I stand with Oakland's Serbian community as we celebrate 75 years of service to the community by St. George Serbian Orthodox Church. We honor their rich history and strong faith and trust in God. May St. George continue to kindly lead its members in the spirit of peace, love and equality.

IN HONOR OF THE CHILDREN'S DISCOVERY MUSEUM

**HON. MICHAEL M. HONDA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mr. HONDA. Mr. Speaker, I rise today to honor the Children's Discovery Museum of San Jose for being awarded the 2001 National Award for Museum Service, as announced in Washington DC on Monday, September 17, 2001.

The Institute of Museum and Library Services, a Federal agency, annually presents the National Awards for Museum and Library Services, honoring three museums and three libraries that demonstrate extraordinary service to their communities. Recipients have innovative approaches to public programming, reaching beyond the expected levels of community outreach and traditional services. These awards are presented by the First Lady to demonstrate the level at which these institutions are enriching lives and connecting people to one another and to the world.

In receiving this award, the Children's Discovery Museum of San Jose joins just 21 museums in the Nation which have been bestowed this honor since its inception in 1994. The Children's Discovery Museum is the only museum in California to receive this prestigious award, clearly demonstrating San Jose's leadership in creating cultural resources that truly enrich the learning and lives of its children, families and schools.

This award establishes San Jose's beloved "purple" museum for children as a premier institution in the Nation and as a leader in the museum and library service fields. It honors the community of San Jose, which deeply cherishes and supports the Museum's services, and inspires the dedicated and talented Museum staff to continue their work in creating bright futures for the children of San Jose.

## JOB WELL DONE

**HON. ROBERT T. MATSUI**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mr. MATSUI. Mr. Speaker, I rise today to express my sincere appreciation for the tremendous job that the Chairman of the Energy and Water Appropriations Subcommittee Representative SONNY CALLAHAN and Ranking Member, Representative PETER VISCOSKY, and the conferees have done in preparing the FY 2001 Energy and Water Appropriations Conference Report. Congress is certainly no stranger to the constant public safety threat that potential floods pose to my constituents and I am most thankful for the continued support of this body in helping to greatly reduce these risks. Thanks to your efforts and the efforts of this Committee, Sacramento remains on track with providing improved flood protection.

Sacramento's immediate flood risk consistently ranks highest among major metropolitan areas in this nation. A catastrophic flood in Sacramento would impact \$40 billion of property, including the California State Capitol, six major hospitals, 26 nursing home facilities, over 100 schools, 3 major freeway systems, and approximately 160,000 homes or apartments. As Congress continues to determine the best long-term solution, I remain grateful that this year's conference report is consistent with capability estimates developed by the Army Corps of Engineers and the Sacramento Area Flood Control Agency.

While this legislation provides continued funding for a number of crucial flood protection projects, I am particularly grateful for the inclusion of construction funds for the South Sacramento Streams Project. This "new start" is of vital importance as the 100,000 people and 41,000 structures that reside in this area are extremely susceptible to devastating floods.

*November 2, 2001*

These funds will enable this area to eventually increase its woefully inadequate 50-year protection level to an acceptable 500-year protection level.

Increasing Sacramento's mere 85-year level of protection is a daunting task, but the support of my colleagues to protect my constituents has been unwavering and strong. Time and again, the federal commitment has risen to the occasion. On behalf of my constituents, and myself I thank you for recognizing the grave danger that Sacramento faces and acting to alleviate those threats.

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**REGARDING H.R. 3204, THE "INTELLECTUAL PROPERTY PROTECTION RESTORATION ACT OF 2001"**

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**HON. HOWARD COBLE**

OF NORTH CAROLINA  
IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mr. COBLE. Mr. Speaker, today Representative HOWARD BERMAN and I are introducing H.R. 3204, the "Intellectual Property Protection Restoration Act of 2001." Senator LEAHY is also introducing the same legislation in the Senate today. This important legislation takes a balanced and minimal approach to solving the complex problem of preventing the individual States from infringing intellectual property with impunity. This bill simply prevents the award of damages for infringement of intellectual property owned by a State if that State has not waived its immunity under the Eleventh Amendment. Currently, private parties are unable to sue and receive damages for infringement by States. H.R. 3204 will level the playing field without curtailing States' rights. It is my hope that H.R. 3204 will be enacted into law during the 107th Congress.

Finally, Mr. Speaker, on July 27, 2000, in the 106th Congress, the Subcommittee on Courts and Intellectual Property held a hearing on this issue. My statement from that hearing is included below.

**STATEMENT OF HON. HOWARD COBLE, CHAIRMAN, SUBCOMMITTEE ON COURTS AND INTELLECTUAL PROPERTY REGARDING STATE SOVEREIGN IMMUNITY AND PROTECTION OF INTELLECTUAL PROPERTY**

Good Morning. The Subcommittee will come to order. Today, we will discuss state sovereign immunity and protection of intellectual property.

To the great benefit of the United States, the authors of the Constitution understood how the creative arts and sciences would be valuable to the American people, both financially and culturally. The Constitution gives Congress the power to enact laws that give authors and inventors rights in their respective creations for a limited time. Congress has enacted such laws since 1790, resulting in the development of American intellectual property that is the envy of the world. It is one of the top U.S. exports, generates billions of dollars in revenue, creates jobs, and enriches the lives of the American people and the world.

Since the enactment of the first intellectual property laws, it was universally understood that these laws applied to the states, which would be subject to suit in federal court for damages resulting from infringement. Historically, Congress assumed its Ar-

**EXTENSIONS OF REMARKS**

title I powers enabled it to abrogate states sovereign immunity under the 11th Amendment. However, after the Supreme Court ruled that the intent to abrogate based on Article I must be explicitly evident in the relevant statute, some district courts held that the 1976 Copyright Act did not effectively abrogate state sovereign immunity.

To close this loophole, Congress enacted three laws between 1990 and 1992 to abrogate state sovereign immunity: the Copyright Remedy Clarification Act; the Patent and Plant Variety Protection Remedy Clarification Act; and the Trademark Remedy Clarification Act.

In 1993, the Copyright Remedy Clarification Act was challenged. Before the 5th Circuit made a final ruling, the Supreme Court handed down several decisions that had a direct impact on the case. In *Seminole Tribe of Florida v. Florida*, the Court overruled previous case law and held that Congress could not use its Article I powers to abrogate state sovereign immunity. In *Florida Prepaid Postsecondary Education Expense Board v. College Savings Bank*, the Court voided the Patent and Plant Variety Protection Remedy Clarification Act. While the Court held that abrogation was possible under the Enforcement Clause of the 14th Amendment, the Act was not a proper exercise of that power. Finally, in *College Savings Bank v. Florida Prepaid Postsecondary Education Expense Board*, the Court voided the Trademark Remedy Clarification Act to the extent it abrogated state immunity with regard to false advertising claims. Based on these rulings, the 5th Circuit subsequently held that the Copyright Remedy Clarification Act was unconstitutional.

The import of these decisions is very serious for intellectual property owners, since states now have the ability to infringe copyrights, patents, and trademarks with impunity. These potential infringements add up to millions of dollars of lost revenue to intellectual property owners. Adding to the unfairness of the situation is the fact that states can and do own copyrights, patents, and trademarks. A state may bring an infringement suit in federal court against a private individual but a private individual may not sue that state for the same transgression. This result creates an uneven playing field and otherwise conflicts with the spirit of Article 1, Section 8 of the Constitution.

In conclusion, this hearing is not intended to focus on a definitive solution to this problem, rather, it represents the first step in doing so. The hearing is intended to educate the Subcommittee about this important issue: its background, the implications of current case law on the subject, and those efforts to find a solution to the problem of consistently protecting intellectual property rights in a constitutionally permissible manner.

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**HONORING JAN C. MENNIG**

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**HON. GEORGE RADANOVICH**  
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mr. RADANOVICH. Mr. Speaker, I rise today to honor Jan C. Mennig for his extensive career in public service. Mr. Mennig has decided to retire after serving in many capacities in the public and private sectors.

Mennig has a notable educational background. He graduated with honors from the University of Southern California with a degree in Public Administration. He went on to earn his M.S. and Ph.D. degrees. He also completed many advanced courses while a Colonel in the United States Army Reserve. Mennig is a U.S. Army Certified Logistician and received an Honorary Doctor of Laws Degree from August Vollmer University.

While living in Southern California, Mr. Mennig served as Assistant Chief and Chief of Police in the Culver City Police Department for over twenty years. While in Culver City, he served on many boards, including the Executive Committee for the California Police Chiefs Association and the Los Angeles County Regional Criminal Justice Planning Board. Mennig also served as President of the Culver City Lions Club and Chairman of the Board of Culver Palms Family YMCA.

In 1987, Mennig retired from the Culver City Police Department and the U.S. Army Reserve and moved to Mariposa, California. Since relocating to Mariposa, Mr. Mennig has served in many positions, including President of the Mariposa Wine Grape Growers Association and as a member of the Mental Health Board of Mariposa County. Mr. Mennig retired as the Executive Director of the Mariposa County Chamber of Commerce on June 30, 2001.

Mr. Speaker, I wish to congratulate Jan C. Mennig for his extensive career as a public servant. I urge my colleagues to join me in wishing Jan C. Mennig a happy retirement and continued success.

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**THE WORLD OF AFGHAN WOMEN**

**HON. ELIJAH E. CUMMINGS**  
OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mr. CUMMINGS. Mr. Speaker, imagine a world where you are: banned from revealing any skin and are required to be fully covered even in stifling heat; and banned from wearing white shoes because it is the color of your nation's flags; or shoes that are high heels because they may make noise.

Imagine a world where you are: unable to leave your home without permission; and where working and gaining education are illegal.

Imagine a world where a woman is: banned from men-only hospitals, even in the severest of medical emergencies and the hospitals that are available have no oxygen, clean water, intravenous equipment, medicine, or x-ray machines.

Imagine a world where: you attend a sporting event but cannot display any emotion and may experience the interruption of the event for the purpose of a "public execution" of a woman; possibly carried out by her own family member and witnessed by her children and other children in attendance.

Finally, imagine a world where: it is taboo to read the religious book that is used to set these rules.

For some people this is not an imaginary world. For Afghan woman this is their reality. Women in Afghanistan have suffered an assault on their human rights during more than

20 years of war and under the repressive rule of the Taliban, which emerged as a military force in 1994 and declared itself the government of Afghanistan.

Taliban decrees have basically restricted women in all aspects of their lives. These restrictions are religiously and institutionally sanctioned and include: (a) Dress codes; (b) prohibitions against work and education; and (c) various acts of violence against women. In fact, violence against women in Afghanistan has reached pandemic proportions. Women and girls are systemically subjected to rape, kidnaping, forced marriage or prostitution. As expected, the mental health of these women has severely deteriorated and some have committed suicide.

Many women were educated before the Taliban took power and they represented 70 percent of all teachers, 50 percent of civil servants, and 40 percent of medical doctors. These same women can no longer practice their trades or work at all and have been basically relegated to non human status.

I am sure it is difficult for many Americans to imagine the existence of these women. But we must attempt to understand their pain. America is a land that stands for justice and human rights and as the leaders of this great nation, I ask my colleagues to be committed to maintaining these principles in our nation and around the world. We must work to safeguard women's human rights and ensure that individuals, terrorist groups, government forces and armed groups are prevented from committing human rights violations. That is why I commend my colleague in organizing this Special Order to bring this grave and serious issue to light.

September 11, 2001 has changed all of our lives. We are fighting a war against terrorism and in defense of our homeland. However, we must remember that terrorism comes in various forms and includes violations of human rights. The Afghan women are currently being terrorized by the Taliban. It is my hope that, as we fight this war we are not only fighting against the Taliban because they may harbor terrorists, but also because their restrictions and atrocities against women in Afghanistan are, in fact, terrorist acts.

It is my hope that we will one day be able to imagine a world where Afghan women are able to live freely as first class citizens of a progressively democratic society, a world where we are free of terrorism, and a world where peace is the norm. I urge my colleagues and the international community to unite towards this goal and make it a reality.

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**CONGRATULATING GUAM LITTLE LEAGUE AND GUAM SENIOR LEAGUE ALL STARS**

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**HON. ROBERT A. UNDERWOOD**

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mr. UNDERWOOD. Mr. Speaker, as this year's baseball season comes to a close, I would be remiss if I failed to make mention of the accomplishments of a number of impressive young individuals from Guam. This year

**EXTENSIONS OF REMARKS**

Guam's Little League and Senior League competed in the World Series tournaments of their respective leagues. Guam's Little League All Stars finished third in the annual tournament held in Williamsport, Pennsylvania while their Senior League counterparts finished fourth in the tournament held at Kissimmee, Florida. Both tournaments were held last August.

After winning the Guam Major Little League All-Island Tournament, Guam's Central Little League All Stars went on to represent the island in the Pacific Tournament held in Hong Kong between July 26, and August 3, earlier this year. Guam emerged from this tournament as the Pacific champions earning this group of enthusiastic ballplayers a trip to the annual Little League World Series in Williamsport, Pennsylvania. By beating the Philippines at the 2001 Major Little League Pacific Tournament at Tsingyi Sports Ground in Hong Kong with a score of 15-0, the Central All Stars earned for Guam its first ever berth in the Little League World Series. This evoked much pride for the island as the young men competed at a higher level of competition.

The Guam team made an impressive debut as they beat Mexico with a score of 6-5 in their opening game. Their next game was a shut out—beating the European champions, Russia with a score of 5-0. They went on to overcome a 3-run deficit in their third game to beat Canada 6-5. After advancing to the semi-finals with a 3-0 record, the Central All-Stars were defeated by Curacao to finish third in the series. Although there were some feelings of disappointment among this group of little leaguers, they have come to a consensus that their performance was nothing short of exceptional.

Their Senior League counterparts also have a reason to hold their heads up high. Already the five-time defending Far East champions, Guam's Senior League team, earned its fifth consecutive trip to the Annual Senior League Baseball World Series by beating the Commonwealth of the Northern Mariana Islands in a best-of-three series during the Senior League Far East Tournament. Out of the nine teams that participated, Guam, representing the Far East, finished fourth.

Upon their homecoming, the young men received a heroes' welcome at the A.B. Won Pat International Airport. For their performances in and out of the ballfield, they were hailed as goodwill ambassadors for the island. They came back as better players after having been exposed to a higher level of competitions while, at the same time, being acquainted with extra-ordinary discipline, gaining self respect, and learning how to perform under pressure in front of thousands of spectators. Under the direction of former Mayor Greg Calvo, the Guam Little League Baseball, Inc., along with the support of the teams' managers, coaches, family members and the community should be commended for all of their support and commitment to the local baseball program.

Baseball is truly the American past time. This is best demonstrated by young men playing the game competitively while still untainted by cynicism and commercialization. As illustrated by the Senior League and Little League World Series Tournaments, the game brings friends, families, communities, and the world together. I am both proud and pleased that

*November 2, 2001*

young men from my home island of Guam are able to contribute and participate in this experience and in the end take pride in their performance.

Mr. Speaker, I commend and congratulate these young men along with their managers and coaches for their accomplishments and for giving the island of Guam additional reasons to be proud of their island. I would like to submit for the RECORD the team rosters of the 2001 Far East Senior League Champions and the 2001 Pacific Little League Champions.

**2001 GLL SENIOR DIVISION**

Central LL President: Frank J.C. Camacho.

Central LL Vice-President: Lurline White. Manager: Tony Calvo.

Head Coach: Joe Hernandez.

Assistant Coach: Andy Quintanilla.

Players: Michael Dene Aguon, Jaylon Alvarez, Keith Castro, Eric Cepeda, Joshua Cruz, Chris Duenas, Joe Guerrero, Tommy Hernandez, Brian Manibusan, R.J. Miner, Mark Reyes, Luis San Nicolas, Gerald Santos, Miller Santos.

**2001 CENTRAL DIVISION ALL-STARS (LITTLE LEAGUE)**

Manager: Ramon C. Aguon.

Head Coach: Michael R. Aguon.

Assistant Coach: Stephen Barcina.

Players: Derwin Aguon, Eugene Aguon, Matthew Barcina, Freddie Cepeda, Derek Daga, Darryl Delgado, Alejandro Diaz, Kurt Diaz, Kristopher Kaneshiro, Michael Peredo, Samuel Roberto, Henry Salas, Aaron Sanchez, Robert Weekly.

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**COMBATING ILLEGAL GAMBLING REFORM AND MODERNIZATION ACT**

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**HON. BOB GOODLATTE**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mr. GOODLATTE. Mr. Speaker, I am pleased to introduce today legislation that represents a bipartisan effort to address the ever increasing problem of illegal Internet gambling in our Nation.

The Internet is a revolutionary tool that dramatically affects the way we communicate, conduct business, and access information. As it knows no boundaries, the Internet is accessed by folks in rural and urban areas alike, in large countries as well as small. The Internet is currently expanding by leaps and bounds; however, it has not yet come close to reaching its true potential as a medium for commerce and communication.

One of the main reasons that the Internet has not reached this potential is that many folks view it as a wild frontier, with no safeguards to protect children and very few legal protections to prevent online criminal activity. The ability of the World Wide Web to penetrate every home and community across the globe has both positive and negative implications—while it can be an invaluable source of information and means of communication, it can also override community values and standards, subjecting them to whatever may or may not be found online. In short, the Internet is a challenge to the sovereignty of civilized communities, States, and nations to decide what is appropriate and decent behavior.

Gambling is an excellent example of this situation. It is currently illegal in the United States unless regulated by the States. As such, every state has gambling statutes to determine the type and amount of legal gambling permitted. With the development of the Internet, however, prohibitions and regulations governing gambling have been turned on their head. No longer do people have to leave the comfort of their homes and make the affirmative decision to travel to a casino—they can access the casino from their living rooms.

Since 1868, the federal government has enacted federal gambling statutes when a particular type of gambling activity has escaped the ability of states to regulate it. For over one hundred years, Congress has acted to assist states in enforcing their respective policies on gambling when developments in technology of an interstate nature, such as the Internet, have compromised the effectiveness of state gambling laws.

The negative consequences of online gambling can be as detrimental to the families and communities of addictive gamblers as if a bricks and mortar casino was built right next door. Online gambling can result in addiction, bankruptcy, divorce, crime, and moral decline just as with traditional forms of gambling, the costs of which must ultimately be borne by society.

Gambling on the Internet is especially enticing to youth, pathological gamblers, and criminals. There are currently no mechanisms in place to prevent youths—who make up the largest percentage of Internet users—from using their parents' credit card numbers to register and set up accounts for use at Internet gambling sites. In addition, pathological gamblers may become easily addicted to online gambling because of the Internet's easy access, anonymity and instant results. Dr. Howard J. Shaffer, director of addiction studies at Harvard, likens the Internet to new delivery forms of addictive drugs: "As smoking crack cocaine changed the cocaine experience, I think electronics is going to change the way gambling is experienced." Finally, Internet gambling can provide a nearly undetectable harbor for criminal enterprises. The anonymity associated with the Internet makes online gambling more susceptible to crime.

I have long been a champion of the Internet and an advocate of limited government regulation of this new medium. However, that does not mean that the Internet should be a regulatory free zone or that our existing laws should not apply to the Internet. I think we can all agree that it would be very bad public policy to allow offline activity deemed criminal by states to be freely committed online and to go unpunished simply because we are reluctant to apply our laws to the Internet.

Gambling on the Internet has become an extremely lucrative business. Numerous studies have charted the explosive growth of this industry, both by the increases in gambling websites available, and via industry revenues. A study by the research group Christiansen/Cumming Associates estimated that between 1997 and 1998, Internet gambling more than doubled, from 6.9 million to 14.5 million gamblers, with revenues doubling from \$300 mil-

## EXTENSIONS OF REMARKS

lion to \$651 million. More recently, Bear, Stearns & Co. Inc. reported that there were at that time as many as 1,400 gambling sites, up from 700 just a year earlier. Other estimates indicate that Internet gambling could soon easily become a \$10 billion a year industry.

Most of the more than 1,400 Internet gambling sites are offshore. Virtual betting parlors accepting bets from individuals in the United States have attempted to avoid the application of United States law by locating themselves offshore and out of our jurisdictional reach. These offshore, fly-by-night Internet gambling operators are unlicensed, untaxed and unregulated and are sucking billions of dollars out of the United States.

In addition, the FBI and the Department of Justice recently testified that Internet gambling serves as a vehicle for money laundering activities and can be exploited by terrorists to launder money. The FBI currently has at least two pending cases involving Internet gambling as a conduit for money laundering, as well as a number of pending cases linking Internet gambling to organized crime.

Current law already prohibits gambling over telephone wires. However, because the Internet does not always travel over telephone wires, these laws, which were written before the invention of the World Wide Web, have become outdated. My legislation simply clarifies the state of the law by bringing the current prohibition against wireline interstate gambling up to speed with the development of new technology.

In addition, my legislation will add a new provision to the law that would prohibit a gambling business from accepting certain forms of non-cash payment, including credit cards and electronic transfers, for the transmission of illegal bets and wagers. This provision provides an enforcement mechanism to address the situation where the gambling business is located offshore but the gambling business used bank accounts in the United States. The bill also provides an additional tool to fight illegal gambling by giving Federal, State, local and tribal law enforcement new injunctive authority to prevent and restrain violations of the law.

The legislation I am introducing will return control to the states by protecting the right of citizens in each State to decide through their State legislatures if they want to allow gambling within their borders and not have that right taken away by offshore, fly-by-night operators. The regulation of intrastate gambling is within the jurisdiction of the states, so the bill leaves the regulation of wholly intrastate betting or wagering to the states with tight controls to be sure that such betting or wagering does not extend beyond their borders or to minors.

The 104th Congress created the National Gambling Impact Study Commission and charged it with conducting a comprehensive legal and factual study of gambling, including an assessment of the interstate and international effects of gambling by electronic means, including the use of interactive technologies and the Internet. The Commission recommended to Congress that federal legislation is needed to halt the expansion of Internet gambling and to prohibit wire transfers to

known Internet gambling sites, or the banks who represent them.

As the National Gambling Impact Study Commission has documented, and Senate and House hearings have confirmed, Internet gambling is growing at an explosive rate. It evades existing anti-gambling laws, endangers children in the home, promotes compulsive gambling among adults, preys on the poor, and facilitates fraud. The "Combating Illegal Gambling Reform and Modernization Act" will put a stop to this harmful activity before it spreads further. I urge my colleagues to support this very important legislation.

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## TRIBUTE TO JOE ZUCCA ON BEING AWARDED THE 2001 ST. MADELEINE SOPHIE BARAT AWARD

### HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Ms. ESHOO. Mr. Speaker, I rise today to honor Joe Zucca, a distinguished constituent of the 14th Congressional District of California, who is being honored on November 6, 2001, by the Sacred Heart Schools of Atherton, California, with the 2001 St. Madeleine Sophie Barat Award.

Joe Zucca has given generously of his time and talents to educating children for fifty years. A science teacher at Carlmont High for many years, he came out of retirement in 1981 to become a member of the faculty of St. Joseph's School. Joe Zucca has left a lasting impression upon generations of students including my daughter Karen, now Academic Dean at St. Joseph's, and my son, Paul. The founder of Zucca's Institute, a five day trip to Yosemite National Park for eighth graders, Joe Zucca created the program to give students the opportunity to learn more about the biology and geology of the park.

Joe Zucca has also worked tirelessly to educate members of our community on the ecological richness of our surroundings. The publisher of An Encyclopedia of Plants and Animals on the Sacred Heart Campus, he is currently developing the Butterfly and Hummingbird Garden on the St. Joseph campus.

In addition to his extraordinary contributions in the field of education, Joe Zucca has also served as an active participant in local government. A former Mayor of Belmont, he has also served as a Trustee for the Belmont Elementary School District.

Mr. Speaker, it is a great privilege to honor Joe Zucca as he receives the 2001 St. Madeleine Sophie Barat Award. I ask my colleagues to join me in saluting him and thanking him for his extraordinary service to our community. We are indeed a better community, a better county and a better country because of him.

## 21566

EXPRESSING PROFOUND SORROW OF THE CONGRESS FOR DEATH AND INJURIES SUFFERED BY FIRST RESPONDERS IN AFTERMATH OF TERRORIST ATTACKS ON SEPTEMBER 11, 2001

SPEECH OF

**HON. ALCEE L. HASTINGS**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 30, 2001*

Mr. HASTINGS of Florida. Mr. Speaker, it is with a heavy heart that I rise today in strong support of House Concurrent Resolution 233. Indeed, on September 11, the lives of every American, and every person in the world for that matter, changed forever. To those who lost loved ones, I can only express my deepest and sincerest sympathy. I can also assure the family, friends, and loved ones of these victims that their actions and memories will live on in the American spirit forever.

No one will ever forget where he or she was on the fateful morning of September 11. No one will ever forget what the firefighters, police officers, paramedics, and rescue workers were doing when the two towers of the World Trade Center collapsed and just minutes after the Pentagon was hit by a hijacked plane. No one will ever forget the selfless acts of heroism that occurred on United Airlines flight 93, as the actions of several individuals possibly saved the lives of thousands. No one will ever forget the compassion, patriotism, comradery, unity, and grief that can be felt in our country today.

There is an old saying that the worst often brings out the best in us. Well, Mr. Speaker, I think the same can be said for September 11. As the events of that fateful morning continued to unfold, the first things that came to my mind, like many of you, quickly turned to my family and loved ones. Once I knew that my mother and children were safe, I quickly began to focus on the safety of the rest of our country.

Looking back, I guess that you could say I went through a process, a checklist if you will. First to my family and loved ones, then to my district. The checklist was nothing more than instinct. And in an emergency such as September 11 when chaos overwhelms order, many of us depend on instinct.

For the more than 20,000 firefighters, police officers, paramedics, and rescue workers, they too relied on nothing more than their instinct. They came from near and far in New York, New Jersey, Connecticut, Virginia, Washington, DC, Maryland, and Pennsylvania. While we all know that they were thinking of their families as they did their jobs, they never let us know. Their instinct told them to get into the World Trade Center and the Pentagon, and do what ever they could to get people out of these buildings—alive.

As reports were coming in that the towers in New York were about to collapse, rescue workers continued helping people out of the burning buildings because that is what their instinct told them to do. As reports were coming in that the Pentagon might crumble, rescue workers continued working to pull survivors out of the rubble because that is what their in-

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stinct told them to do. And when it became apparent that the only way to beat the hijackers was to crash their plane with them inside of it, the heroic passengers of United Airlines flight 93 put the lives of thousands in front of their own because that is what their instinct told them to do.

Mr. Speaker, today we honor and remember the true American heroes of September 11. For 50 days, these incredible individuals have been working at ground zero, in New York, Virginia, and Pennsylvania. On behalf of the people of Florida's 23rd District, I say thank you to these heroes. More so, I ask them to continue doing what they are doing, not only out of instinct, but out of passion and conviction, and for the American people.

The work that America's rescue workers have done in the past 50 days, and will continue to do in the days, weeks, months, and years to come, serves as an example to the rest of our country. The irony of the terrorist attacks of September 11 is that the same terrorists who succeeded in destroying our buildings only made stronger the spirit that they had really hoped to break.

I know that this is true not only because my instinct tells me, but because my head and heart do as well. In the homes, offices, schools, and streets of this great country, the American spirit is stronger today than it has ever been in my lifetime. The actions of those at ground zero on September 11, and the actions of this country in the past 50 days, send a clear message to the rest of the world that America will not back down from anyone or anything. It never has, and it never will.

I urge my colleagues to support this resolution, and may God bless America.

## RECOGNIZING JUDGE RICHARD LEE McMECHAN

**HON. GEORGE RADANOVICH**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mr. RADANOVICH. Mr. Speaker, I rise today to recognize Richard Lee McMechan, retiring Superior Court Judge of Mariposa County.

Judge McMechan began his education at Fullerton Junior College, and soon after, earned a Bachelor of Science degree in Police Science from California State University of Long Beach in 1960. He proceeded to earn his law degree from Western State University College of Law in Anaheim in Orange County. During and after law school he served as a detective and traffic officer in Garden Grove from 1958–62. From 1962–72 he served as a Claims Manager/Supervisor at Kemper Insurance Company in Santa Ana. Judge McMechan also proudly served his country from Private to Sergeant in the U.S. Army and U.S. Army Reserve from 1956–62.

Judge McMechan was admitted to the California Bar Association on January 5, 1972. From 1972 to 1974 he handled insurance defense for Hunt, Liljestrom & Wentworth. Between 1974 and 1982 he was a sole practitioner for San Juan Capistrano and Santa Ana, in California. McMechan also served as

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the Deputy District Attorney, part time, in Mariposa County from 1979–82. He served as Judge of the Sierra Judicial District Justice Court in Madera County from July 13, 1982 to November 16, 1987. On October 29, 1987 Judge McMechan was appointed to the position of Superior Court Judge and was officially elected Superior Court Judge on June 7, 1988.

Judge McMechan was born October 15, 1937 in Brea, California. He married Carol A. Wojciechowski on May 12, 1962. The couple have four successful children: Diedre, Kirsten, Darin and Bryan.

Mr. Speaker, I rise to recognize Judge Richard Lee McMechan for his tremendous contributions to his community. I urge my colleagues to join me in wishing Judge Richard Lee McMechan many more years of continued success.

## TRIBUTE TO THE HARVARD LIVING WAGE CAMPAIGN

**HON. HOWARD L. BERMAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mr. BERMAN. Mr. Speaker, I want to commend to my colleagues a beautifully written article by Benjamin L. McKean recounting the success earlier this year of the Harvard Living Wage Campaign.

Mr. McKean is a remarkable young activist who joined with many of his classmates in support of the campaign of low-wage workers at Harvard University to improve their wages, benefits, and working conditions. At a university which prides itself on training future leaders for the world at large, Mr. McKean and his young classmates decided to exercise leadership right at home on behalf of the less privileged in the Harvard community.

I submit Mr. McKean's article for insertion into the CONGRESSIONAL RECORD.

[From the Crimson, May 9, 2001]

THE BEGINNING OF THE END

(By Benjamin L. McKean)

We have organized and won something tremendous in Harvard Yard these past three weeks. Since I entered Massachusetts Hall on April 18, workers at Harvard have seen countless victories. As part of the sit-in settlement, our janitors will begin negotiating a new contract more than a year early and any future pay increases will be retroactive to last week. The University committed to a good contract for our dining hall workers. The administration completely backed off from its threat to reclassify more than 100 of our dining hall workers at the Business School. They agreed to increase access to its English as a Second Language program and to immediately consider health care premiums for low-wage workers. Harvard agreed to a moratorium on outsourcing directly hired employees to subcontractors—and outsourcing has been the primary way the University has slashed wages and benefits for years. Alumni have donated more than \$10,000 to the Harvard Workers Center, which provides free legal aid and support to Harvard's poverty wage employees. And the University agreed to a committee to discuss the living wage with student and worker representation. Whatever concerns I have about

this committee, it makes a big difference knowing that some of the people on the receiving end of Harvard's poverty wages will be there to tell the other members of the committee exactly what that's like.

Perhaps most importantly, it is no longer possible for power to operate at Harvard without acknowledging the principle that people deserve a living wage. Our community has a responsibility to treat all its members decently, and we have told the people who thought they led our community that they must do that. Everyone in the Harvard Living Wage Campaign—workers, students, faculty, alumni, area residents—said no to indecent treatment, and to poverty wages. We said stop. All of us.

The past 21 days are not significant just because dozens of people occupied the President's office. The past 21 days are significant because of what happened outside of this building. Dining hall workers electrified Harvard Yard; worker-student solidarity is so strong that they want to have one of us help bargain their new contract. Faculty came together; about 400 of Harvard's famously individualistic professors together signed a letter calling for a living wage, and supporting the sit-in. Undergraduates turned out in record numbers for the largest rallies that the Yard has seen in decades, and students from every single graduate or professional school organized themselves in support in a completely unheralded way. Thousands of alumni called University President Neil L. Rudenstine, and even temporarily occupied the Harvard Club of New York. And our janitors and custodians organized rallies, trained themselves in civil disobedience and demanded decent treatment. And we all did it together. And so in the last 21 days we have won two victories; one in the form of substantive gains for Harvard workers, and the second a promise made today by this community—a promise to continue to fight for a living wage.

But our extraordinarily modest and simple demand for \$10.25 an hour makes a world of difference. On this campus, in this country, people have long fought for the principle that people should be treated without regard to race or to gender or to sexuality. That's because respecting the dignity of all people is the fundamental principle of any community, especially of an educational community. We think an education is valuable because we think people are valuable enough to educate. And for the past 21 days, this whole community came together to say that every one of us is valuable. Every one of us deserves a living wage. And all of us together, in solidarity as never before, told the people who said no that they must say yes.

We—all of us—have made this a time when power stopped. For 21 days, we occupied the offices of the people who thought they could block the consensus of our entire community. We asked power to justify its operation, and power found that it couldn't. For 21 days, the people who thought they could run this place without regard for students, for workers, for faculty, for alumni and for the Cambridge-area community—those people did not have a clue what to do. For 21 days it was not business as usual in the halls of power. We should have no illusions: this sit-in was all about coercion. We all decided that we would not go along with the Corporation's coercive power any more, that we would not let them force indecent poverty wages on members of our community.

While this tremendous victory marks the end of one phase of our campaign for a living wage, we do not expect the Corporation's co-

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ercive power to disappear, and we do not expect this fight to end. We do not need to harbor a utopian fantasy in order to recognize that Harvards' administrators can and must treat people better and pay them better. So today's victory cannot be anything but partial.

Recognizing that, all of us should look ahead together to the day when we have won a living wage for all Harvard workers, and to the fights beyond that. Together, we can change not just the dialogue, but the reality of the conditions of Harvard's workers. We can turn the coercive power of the Corporation with the force of our collective yes. Together, in solidarity, we can make Harvard's power productive, make it a positive force and take it for workers. We have organized and won something tremendous here in Harvard Yard, because we have organized and won each other. And to keep winning—to win a living wage for all Harvard employees—we've got to keep organizing. Workers, students, faculty, alumni, parents, all community members energized from this victory should together build from here until everyone joins us in saying: Living wage now!

## TRIBUTE TO THE MUSIC AND ENTERTAINMENT COMMUNITY FOR EFFORTS IN FUNDRAISING TO BENEFIT THE HEROES AND VICTIMS OF SEPTEMBER 11

### HON. MARK FOLEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mr. FOLEY. Mr. Speaker, I come to the well of the House to congratulate the many people whose hard work and sacrifice resulted in a series of successful concerts to benefit the heroes and victims of the September 11th tragedies.

Last month, the music and entertainment worlds joined forces to raise funds to help those affected by the September 11th tragic events. On October 20th, Madison Square Garden hosted "The Concert for New York City." On October 21st, a second all-star benefit concert, "United We Stand," was held here in our nation's capital while a third concert, "The Country Freedom Concert" was hosted in Nashville.

These three concerts raised well over \$20 million in ticket sales, viewer pledges, and other donations. Proceeds from these shows will benefit the American Red Cross, the Pentagon Relief Fund, the Salvation Army and the Robin Hood Relief Fund.

This weekend of concerts joined many of the world's greatest performers with Clear Channel Entertainment to raise money in support of the recovery efforts from the September 11 attacks. These concerts in New York, Washington and Nashville featured appearances by Billy Joel, Paul McCartney, Bono, Elton John, the Backstreet Boys, James Taylor, Michael Jackson, NSYNC, Eric Clapton, James Brown, Ricky Martin, John Mellencamp, Marc Anthony, Aerosmith, Mariah Carey, Tim McGraw, Vince Gill, George Strait and countless others.

These concerts offered America another chance to help in our recovery efforts and national healing. I am proud to join these individ-

uals in standing up for America. I urge my colleagues and all Americans to watch the re-broadcast of the "United We Stand" concert tonight on ABC at 8 pm EST. Finally, I support this effort and commend the efforts of those in the music and entertainment community for their efforts.

## INTRODUCTION OF THE SECURING AMERICA FOR EFFECTIVE TRANSPORTATION ACT

### HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mr. PAUL. Mr. Speaker, today I am introducing the Securing America For Effective Transportation, or Safety, Act. This legislation is in stark contrast to the bureaucracy laden approaches of other bills. My bill would not create new federal spending nor new federal bureaucracies. The actions taken by this legislation fit into a few broad categories. First, it would give airline pilots the right to defend themselves, their aircraft, and their passengers by permitting them to bear arms. Second, it would clearly define the act of skyjacking as an act of piracy and provide appropriate punishment for any such act, up to and including capital punishment. Next, this legislation would provide appropriate strengthening of regulation of airline security in a fashion consistent with our constitutional framework. This would be done by requiring, for example, that law enforcement personnel be posted at screening locations rather than simply in the confines of an airport, and by requiring the production of passenger manifests for international flights. Finally, this bill would give airlines a strong incentive to improve passenger security, not by giving them taxpayer funded grants nor by creating new bureaucracies tasked with making administrative law, but rather by providing a tax incentive to airlines and other companies performing screening and security duties.

One example of my approach is how it treats employees. Rather than the Senate approach federalizing the work force or the House approach of subsidizing private security firms via federal contracts, my bill raises the take-home pay of airline security personnel by exempting their pay from federal income taxes.

Mr. Speaker, the House bill, while a slight improvement over the Senate version, is still a step in the wrong direction. By authorizing a new airline ticket tax, by creating new federal mandates and bureaucracies, and by subsidizing the airline industry to the tune of another \$3 billion dollars, this bill creates a costly expense that the American people cannot afford. We appropriated \$40 billion dollars in the wake of September 11, and I supported that measure as legitimate compensation for individuals and companies harmed by the failure of the federal government to provide national defense. Soon thereafter we made another \$15 billion available to the airlines, and now we have a House bill that further victimizes the taxpayers by making them pay for another \$3 billion dollars worth of subsidies to the airline industry.

We need to stop this spending spree. President Bush correctly has indicated that the best way to deal with economic stimulus is not to spend more federal dollars but rather to engage in tax cuts. Yet, by creating this new airline ticket tax, we are going in the opposite direction. I oppose this new tax and it is not included in my bill. Instead, the approach taken in my bill uses tax reductions to ensure airline safety and promote further economic growth. By granting tax incentives for safety initiatives, we gain the advantages of new security precautions without creating onerous new regulations or costly and burdensome new bureaucracies. I proudly offer this bill for consideration.

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#### SAFE DRINKING WATER ACT

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##### HON. HEATHER WILSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

**Mrs. WILSON.** Mr. Speaker, I rise today to introduce the Safe Drinking Water Act.

The U.S. Environmental Protection Agency yesterday announced plans to increase arsenic standards in drinking water from 50 parts per billion (ppb) to 10 ppb.

I've always shared the concerns of the operators of our water systems throughout New Mexico that the high costs of complying with stricter new standards could raise water bills so high that New Mexicans can no longer afford treated water. The federal government must help cover the cost of these new standards.

Mayors throughout the western states, including Albuquerque Mayor Jim Baca, have repeatedly expressed their concern about the effects higher standards will have on consumers and on city coffers that are already stretched.

Today I am introducing the Safe Drinking Water Act to ensure that communities throughout the United States can continue to enjoy safe and clean drinking water. My legislation will provide grants to communities that need to come into compliance with the new drinking water standards announced today by the Bush administration.

We all want, expect, and deserve safe and clean drinking water that is affordable. Through a combination of the EPA's new standards and federal assistance, I believe we'll continue to get just that.

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#### TRIBUTE TO CONGRESSMAN GERALD B.H. SOLOMON

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##### HON. JACK QUINN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

**Mr. QUINN.** Mr. Speaker, I rise today in memory of our good friend and colleague, Congressman Gerald B.H. Solomon.

From 1979-1999, Congressman Solomon served his country in the United States House of Representatives. Like so many Members here today, I am truly thankful for the example and leadership that Congressman Solomon

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demonstrated every day on behalf of his constituents.

A successful businessman, decorated Veteran, and leader both here and in his community, he set an enduring example of commitment, integrity, and service. His career was one that truly made a difference in the lives of those he represented. He was a zealous advocate on behalf of our American Veterans, a leader in scouting, and a foremost expert on education issues.

That outstanding commitment was an important reason that Congressman Solomon was named Chairman of the House Rules Committee. He used the authority afforded that position to fight for Veterans' benefits, a strong military, sound foreign policy, and fiscal responsibility here in Washington. Back home, he fought equally hard to promote pride, patriotism, civic duty, and volunteerism.

I am truly saddened by my friend's passing. But I will work hard here in Congress to carry on his fight for Veterans, and will work hard every day to emulate his overwhelming commitment to service and leadership. We are truly blessed to have known him, and truly fortunate to have the unique opportunity to carry on his proud tradition of advocacy and patriotism.

Mr. Speaker, today I join with the New York delegation, Members from both sides of the aisle, and indeed, a grateful Nation to honor Jerry Solomon for his outstanding service and leadership. I know I join with every Member in extending to Freda and his entire family my deepest sympathies, and would ask that my colleagues in the House of Representatives join with me in a moment of silence.

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#### HONORING KIM SUTTERS

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##### HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

**Mr. RADANOVICH.** Mr. Speaker, I rise today to honor Kim Sutters for being named "Registered Nurse of the Year" by the Central Valley Coalition of Nursing Organizations. Sutters will receive the award in the Advanced Practice category.

Kim is known as the "pain guru" of Valley Children's Hospital. Staff, physicians, pharmacists and patients rely on her expertise in this area and she is regularly called upon to consult in pain management. She has developed a pain brochure, which was translated into 3 different languages. Kim currently serves on multiple committees, including the Restraints Task Force, Infection Control Committee, Nursing Practice Team, Pain Management Sub-Committee, I.V. Procedures Task Force, Clinical Nurse Specialist Job Performance Standards Committee and the Medical/Surgical Core Curriculum Revision Task Force.

Kim is currently an Adjunct Assistant Professor at the University of California, San Francisco, Department of Physiological Nursing. She has also taught at California State University of Fresno's Nursing Program. Kim is well recognized as a published author in multiple journals. She is currently the principal

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investigator in a study with the National Institutes of Health titled "Home Care Management of Pediatric Pain."

Mr. Speaker, I rise to congratulate Kim Sutters for being named "Registered Nurse of the Year" in the category of Advanced Practice by the Central Valley Coalition of Nursing Organizations. I urge my colleagues to join me in wishing Kim Sutters many more years of continued success.

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#### TRIBUTE TO RIVERSIDE URBAN SEARCH AND RESCUE TEAM

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##### HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

**Mr. CALVERT.** Mr. Speaker, the tragedies that befell our country on September 11, 2001 claimed many lives. The impact of this loss of life rippled out across this great land of ours. These ripples brought back waves of support from our friends and allies across the world. However, the sweat and labor of those who toiled to rescue our fallen, take care of the injured and clean up the destruction left behind in the aftermath belong primarily to the good people of America.

The communities of Riverside County, California, have always had a giving spirit. The attacks of September 11 brought out the members of the Urban Search and Rescue (USAR) Task Force 6 from our own communities of Riverside County. One of eight task forces commissioned by the Federal Emergency Management Agency and coordinated through the California Governor's Office of Emergency Services, Riverside USAR Task Force 6 consists of highly motivated and expertly trained search, medical, rescue and technical specialists and are utilized as resources to local communities and work directly for the local fire department commanders.

Riverside can be proud of its USAR Team, which was part of the first Task Force groups to arrive at "Ground Zero" in New York City. They departed from March Air Reserve Base at 10:45 the evening of September 11 to assist the rescue efforts. Riverside USAR arrived at McGuire Air Force Base in New Jersey and were immediately escorted by police to New York City.

These men and women belong to a very special group, and the memories unique to their experience at Ground Zero will remain with them all their lives. They will always remember those who paid the ultimate price. I pray that we will never forget the profound debt of gratitude we owe to them, and to all who responded by giving their best in this time of the Nation's great need. Their acts of bravery and their commitment to the Nation and to their fellow men exemplify the highest and best tradition of fire and rescue workers everywhere.

Now that they are safely home in Riverside County, I join the community in paying them special tribute. We as a nation commend Riverside USAR Task Force 6 and thank them for their selfless courage. They have made us proud.

Therefore, it is with great pride that I submit the following names of volunteers from the

Riverside Urban Search and Rescue Task Force 6 Team: Division Chief Dave Austin, Riverside Fire Department (RFD); Engineer James Avina, Norco; Eng. Fred Bayer, RFD; Captain Steven Beach, California Department of Forestry and Fire Protection (CDF); Capt. Gary Beese, RFD; Eng. Walt Bleszczad, RFD; Eng. Greg Bluma, RFD; Capt. Steve Brooker, CDF; Firefighter/Paramedic Tim Buckley, CDF; FF Anthony Burciago, RFD; Eng. Raymond Center, Corona; FF/Paramedic Darryl Cleveland, Corona; Eng. Roland Cook, PSPFD; FF/Paramedic B. Scott Dall, Norco; Capt. Frank deBoer, Norco; Capt. Richard F. Egerman, CDF; Battalion Chief Mike Esparza, RFD; Eng. Greg Feinberg, RFD; Eng. Todd Fetters, Hemet; Shana Gattas, OES; Capt. Mark Gilman, Norco; Eng. Todd Gooch, RFD; David Graves, REC; FF/Paramedic Peter Habib, RFD; Div. Chief George Hall (Retired); Paul S. Haynie, AMR; Eng. LaWayne Hearn, RFD; FF Wayne Hess, RFD; Eng. Tim Heying, RFD; Capt. Clarence Homer, CDF; FF Scott Huchting, RFD; FF Scott Hudson, Hemet; Bill Hughes, BECHTER; Capt. Dirk Jensen, RFD; Capt. Steven Jeremiah, RFD; Eng. Jorge Juarez, CDF; Capt. Mike Koury, RFD; Capt. Gary Lane, Hemet; FF Andy Lanyi, RFD; Capt. Don Lee, RFD; Capt. Dave Lesh, RFD; Eng. Robert Linden, RFD; John Linstrom, FRWORD; Eng. Charles Luna, RFD; Capt. Randy Malacarne, RFD; Joe Manzo; Dr. Landy Mazur; Eng. Dave McClellan, RFD; Sheila McKee, OES; FF/Paramedic Steven McKinster, RFD; Eng. Lauren S. Miller, Corona; Eng. Tim Rise, RFD; Capt. Jerry Rodman, CDF; Dr. Peter Sanders; Karl Sauer; FF Steven Scotti, RFD; Batt. Chief James Snodgrass, Hemet; Eng. Charles Tasker, CDF; Eng. John Thomas, Murrieta; and, Scott Underwood.

Thank you, my friends, for your kindness, decency, sweat and tears. You are patriots in your own right. God bless.

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**CAROLL W. FLORES, 2002 GUAM  
TEACHER OF THE YEAR**

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**HON. ROBERT A. UNDERWOOD**

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mr. UNDERWOOD. Mr. Speaker, I would like to congratulate Caroll W. Flores for having been selected as the 2002 Guam Teacher of the Year, an honor annually bestowed to the island's top teacher. This program is part of the prestigious National Teacher of the Year Program which honors teachers across the country.

Having been a teacher for over two decades, Caroll is a firm believer that a teacher is given a considerable and unique chance to have a profound impact on her students. Throughout the years, she developed the ability to nurture the minds, bodies, and souls of the students placed under her guidance. This is a task as well as a gift that Caroll gladly accepts and highly appreciates.

As the instrumental music instructor and band director at F.B. Leon Guerrero Middle School for the past seventeen years, she has committed to making a positive impact on

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each and every child who has been in her band program. She has taken the role of a leader in an educational adventure wherein she is able to instill a strong sense of belonging and teamwork for her students. Her classroom is designed to provide opportunities for students to assume a variety of roles and responsibilities. In addition to their music lessons, Caroll's students take part in important tasks such as taking attendance, handling class funds, and making minor repairs to their musical instruments.

Caroll also tries to make a positive influence in her students' outside activities. She has taken advantage of her unique role to encourage students to participate in community affairs. Together with students and family members, Caroll has been a longtime member of the "Voices for God" Choir. She is also actively involved with the local chapter of Mothers Against Drunk Driving and the Territorial Band Board of Directors. In addition, she also finds time to teach Catechism to adults at the Santa Barbara's Catholic Parish in Dededo, Guam.

Along with Caroll, a number of other special teachers also deserve mention. John Randolph Coffman of P.C. Lujan Elementary, Maria Cummings of Simon Sanchez High School, Alpha Espina of F.B. Leon Guerrero Middle School and Barbara Roberto of John F. Kennedy High School were named as finalists for Teacher of the Year. Mr. Speaker, I commend these people for their exemplary work. I would like to take this opportunity to extend my congratulations for a job well done.

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**RECOGNITION OF LIBERTY  
COMMON SCHOOL**

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**HON. BOB SCHAFER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mr. SCHAFER. Mr. Speaker, I rise today to recognize and honor Liberty Common School in Ft. Collins, Colorado, for its recent designation as a John Irwin Colorado School of Excellence. Liberty Common School, an elementary and junior high charter school, has received the John Irwin School of Excellence award for two consecutive years—an outstanding achievement for any school and a true testament to the high academic performance of the growing number of charter schools across the country.

Administered by the Colorado Department of Education, the John Irwin Colorado Schools of Excellence award program rewards schools with exemplary academic records. Recipients of the award are recognized for achievement in five categories: (1) performance on the Colorado Student Assessment Program (CSAP); (2) multiple local measures of academic growth; (3) effective strategies for closing achievement gaps; (4) other accreditation indicators related to academic excellence; and (5) parent/community satisfaction. The John Irwin School of Excellence award is truly a distinguished honor as only nineteen schools in Colorado, including Liberty Common School and five other charter schools, received the award this year.

Founded in 1997, Liberty Common School students have consistently performed near the top of state test scores in almost all grades and subjects. The third grade CSAP reading scores for 2001 placed 100 percent of all Liberty Common School third graders at or above proficiency. In comparison, only 72 percent of the state's third graders and 81 percent of the school district's third grade students achieved similar levels of reading proficiency.

Liberty's success can be attributed to its locally controlled educational program, dedicated teaching staff and committed parents. The school bases its academic curriculum on the Core Knowledge Sequence, a classical liberal curriculum encompassing the subjects of language arts, history, geography, mathematics, science and fine arts. Liberty parents are given the opportunity to help shape specific curriculum components and class requirements—a level of parental involvement not found in most traditional public schools. I commend Liberty Common School's Headmaster, Joe Ricciardi, and the school's committed board of directors, teachers and parents for their dedication and sacrifice, which has been critical to the school's success.

Mr. Speaker, thank you for this opportunity to celebrate the recent recognition of Liberty Common School as a recipient of the John Irwin School of Excellence award. Liberty Common School's academic achievement serves as an example to this body of why we should continue to promote greater educational choices for parents and children across this country.

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**80TH BIRTHDAY OF MRS. JEAN  
PAULE**

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**HON. DARRELL E. ISSA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mr. ISSA. Mr. Speaker, I rise today to recognize Mrs. Jean Paule of Los Angeles, California. I would like to acknowledge Jean Paule on the occasion of her 80th birthday. After completing a distinguished career at Occidental College in Los Angeles, she made a historic journey across America.

She has visited the birthplace and library of every United States President. I would like to commend her on this most historic and patriotic journey. In addition to her travels throughout the United States, she has visited every continent of the world, including Antarctica.

I wish her well in her future journeys as she continues to travel and serve as the Historian of Occidental College.

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**TRIBUTE TO THE PEOPLE OF THE  
REPUBLIC OF KAZAKSTAN**

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**HON. ROBERT WEXLER**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mr. WEXLER. Mr. Speaker, I want to congratulate the people of the Republic of Kazakhstan who celebrated their tenth year of

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independence as a nation on October 25, 2001. This important occasion highlights Kazakhstan's economic, political, and cultural growth over the past decade. In light of the many difficulties facing the people of Kazakhstan following the collapse of the Soviet Union, this resourceful nation of over fourteen million people has persevered by overcoming numerous obstacles to emerge as one of Central Asia's most dynamic nations.

As the people of Kazakhstan continue the process of building their nation on the foundation of democracy and economic liberalization, they should know that the United States will be there to assist them in their efforts. Following the barbaric attacks on the United States on September 11, 2001, the government of Kazakhstan immediately offered its unconditional assistance to the United States in our fight against the international scourge of terrorism. Their heartfelt support for the American people in our greatest time of need has only served to strengthen United States-Kazakhstan relations.

The future success of a democratic and free Republic of Kazakhstan will directly benefit the United States by helping to create stability and increased prosperity in the Central Asian region. Many of the nefarious international terrorist organizations, like al Qaeda, that seek to inflict harm on the United States and our allies are also trying to destabilize Central Asian nations like Kazakhstan. The United States and the international community must not miss this opportunity to assist Kazakhstan as she takes courageous steps to build a democratic society with an open market economy in a region of the world that is rife with terrorism and discord.

Fortunately, Kazakhstan has brought much needed stability to the region. As a moderate and tolerant Muslim nation, Kazakhstan, has already joined like-minded nations in Central Asia and the Middle East in opposing the use of Islam for terrorist purposes. As Kazakhstan's President Nursultan Nazarbayev said on October 24th before the eighth session of the Assembly of the Peoples of Kazakhstan, "In the current situation, it is more important to separate Islam from terrorism. The terrorists whatever slogans they use have nothing in common with Islam, its basic commandments, including non-violence, justice, tolerance and equity."

Mr. Speaker, I wish the people and government of the Republic of Kazakhstan the best success as they build on their impressive accomplishments of the past decade. As a Member of the House International Relations Committee, I join many Americans in celebrating the tenth year of Kazakhstan's independence and look forward to increased cooperation and relations with this emerging Central Asian nation.

## COMMENDING THE JEFFERSON COUNTY POLICE DEPARTMENT

HON. ANNE M. NORTHUP

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2001

Mrs. NORTHUP. Mr. Speaker, I rise today to commend the hard work and dedication of

the Jefferson County Police Department as they received the 2001 "Civil Rights Award for Racial Profiling" from the International Association of Chiefs of Police.

The Jefferson County Police Department has served as an outstanding example to our community and the rest of Kentucky as they have fought to make Louisville a safe and secure environment. With the help of new In-Car Video cameras, made possible by the generosity and confidence of this Congress, the police officers of Jefferson County have carried out their duties faithfully and reliably and have earned the international recognition they were awarded yesterday in Toronto, Ontario.

While In-Car Video Cameras have truly enhanced the police work conducted in Jefferson County, cameras were only the first step. It has been the diligent work of Chief Carcara and his department that has improved overall cooperation between the police and the community. They have implemented a proactive program that has successfully sought to reduce civil rights violations while promoting public trust and confidence in policing. Their efforts have even been recognized by the local paper, the Louisville Courier-Journal, stating, "The willingness of the Jefferson County police department to monitor itself for evidence of racial profiling is heartening . . . ."

Now more than ever, it is important that we, as a Congress and as a nation, recognize and applaud the efforts of local police departments, such as that in Jefferson County, who work tirelessly every hour of every day to make our communities as safe as possible. As our nation strives to define a new "normal" and seeks ways to cope with the tragedies that have befallen us in the last two months, we must remember and commend those who choose to spend their lives protecting all Americans. They are the true heroes, and deserve our unbridled gratification.

Thank you, Jefferson County Police Department, for all you do for our community. You have earned this award, as well as our trust and gratitude.

## H.R. 3204. THE INTELLECTUAL PROPERTY PROTECTION RESTORATION ACT OF 2001

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2001

Mr. BERMAN. Mr. Speaker, today, I join Representative COBLE in introducing the Intellectual Property Protection Restoration Act of 2001. Introduction of this legislation coincides with introduction of a companion bill in the Senate by our distinguished colleague, Senator PATRICK LEAHY. These bills will rectify a serious inequity in intellectual property protection resulting from recent Supreme Court decisions.

These recent decisions held that, under the Eleventh Amendment of the United States Constitution, states have sovereign immunity in state and federal courts against money damages suits for intellectual property infringements. The Supreme Court came to this conclusion despite unequivocal Congressional in-

tent to abrogate state sovereign immunity through enactment of the Copyright Remedy Clarification Act (CRCA), Patent Remedy Act (PRA), and Trademark Remedy Clarification Act (TRCA) in 1992.

While immune from suit for money damages when they infringe the intellectual property rights of others, states can still secure protection for their own patents, copyrights, and trademarks under federal law, and can sue infringers of their rights for money damages. I believe it is a serious inequity to allow a State to sue infringers of its intellectual property rights when the State itself can infringe the rights of others with impunity.

Last month, the GAO released a study entitled "Intellectual Property: State Immunity in Infringement Actions." This report provides strong evidence of the need for the legislation we introduce today.

Since 1985, at least 58 intellectual property lawsuits have been brought with a State as one of the defendants, and a larger number have been settled out of court. It is important to note that when these suits occurred, it was largely assumed, or explicitly mandated in federal law, that states were subject to suit for intellectual property infringement. While I do not believe states will become rampant, willful infringers as a result of the recent Supreme Court decisions, it is reasonable to assume that the incidence of State infringements will increase. Conversely, the dramatically growing patent, copyright, and trademark portfolios of State entities foretell a corresponding increase in intellectual property suits brought by States. In other words, the facts indicate that the inequity will increase as time progresses unless Congress takes action.

As I noted, Congress previously passed legislation to correct the inequity created by State immunity from suit for intellectual property infringements, and the Supreme Court struck down these Acts on constitutional grounds. The legislation my colleagues and I introduce today represents a well-considered attempt to correct the identified inequity in a constitutionally permissible manner.

Senator LEAHY, Chairman of the Senate Judiciary Committee, and his staff deserve the greatest measure of credit for their hard work in developing this legislation. Also deserving credit are the many constitutional scholars, policy advocates, and government agencies that contributed their time, thoughts, and drafting talents to this effort.

I am pleased that a consensus emerged among the various collaborators in support of the "waiver" approach embodied in the legislation. During a hearing before the House Judiciary Subcommittee on Courts and Intellectual Property last summer, I opined that the "waiver" approach appeared the best mechanism to rectify the inequity in our intellectual property laws. By creating a "waiver" requirement—that is, requiring a State to waive its sovereign immunity from suits for intellectual property infringement in order to secure the ability to bring such suits itself—we avoid constitutional pitfalls and still manage to create an even playing field for all intellectual property owners.

Though we developed this bill in a highly collaborative and deliberative manner, I by no means maintain that it is a "perfect" solution.

November 2, 2001

Thus, I will remain open to suggestions for amending the language to improve its efficacy or rectify any unintended consequences. However, I am firmly committed to moving this legislation during the remainder of the 107th Congress.

TRIBUTE TO THE SHEET METAL WORKERS LOCAL #20 OF GARY, INDIANA

HON. PETER J. VISCLOSEKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2001

Mr. VISCLOSEKY. Mr. Speaker, it is my distinct honor to congratulate some of the most dedicated and skilled workers in Northwest Indiana. On November 2, 2001, in a salute to their workers' durability and longevity, the Sheet Metal Workers Local #20, of Gary, Indiana, will honor their members with fifty, forty, and twenty-five years of continued service. These individuals, in addition to the other Local #20 members who have served Northwest Indiana so diligently for such a long time, are a testament to the proto-typical American worker: loyal, dedicated, and hard-working.

The men and women of Local #20 are a fine representation of America's working families. I am proud to represent such dedicated men and women in Congress. The Sheet Metal Workers Constitution states, ". . . to establish and maintain desirable working conditions and thus provide for themselves and their families that measure of comfort, happiness and security to which every citizen is entitled in return for his labor, from a deep sense of pride in our trade, to give a fair day's work for a fair day's pay." For fifty years, the following individuals have followed this creed: Robert Molnar, Eugene Rucker, and Leland Thompson. In 1961, Donald Odell and Gerard Wardell began their own forty years of membership in the Sheet Metal Workers trade union. In addition to the great service and dedication displayed by the fifty and forty-year Sheet Metal Workers Local #20 members, the individuals with twenty-five years of continued service that will be honored include: Bruce Bassett, Richard Beres, Michael R. Birk, Randall Bohn, George Fedorchak, Joseph P. Lain, Nancy Fields, James P. Fredianelli, Jeffrey R. McClelland, Paul Popa, Jay K. Potesta, Mark E. Williams, and James A. Zimmer. I would also like to congratulate those individuals that graduated from the Residential Apprentice program. These individuals include: William Aicher, Jason Atwood, Brian Bajda, Daniel Elkins, Daniel Geeding, Timothy Howard, Richard Mann, Rober McGuire, David Mostello, Daniel Nelson, Shawn Novak, Mark Rehtorik, and William Wolfe.

Mr. Speaker, I ask that you and my distinguished colleagues join me in congratulating these dedicated, upstanding members of the Sheet Metal Workers Local #20 for their hard work in fulfilling the "American Dream." I offer my heartfelt congratulations to these individuals, as they have worked ardently to make this dream possible for others. They have proven themselves to be distinguished advocates for the labor movement, and they have

## EXTENSIONS OF REMARKS

made Northwest Indiana a better place in which to live and work.

AN AMERICAN YOUTH DAY CELEBRATION—ANCIENT CITY KIDS' DAY, ST. AUGUSTINE, FLORIDA

HON. ANDER CRENSHAW

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2001

Mr. CRENSHAW. Mr. Speaker, in April, I introduced a resolution to encourage communities nationwide to observe an annual American Youth Day. In June the U.S. House of Representatives passed that legislation by unanimous vote.

American Youth Day seeks to promote local and national activities that fulfill the five promises of America's Promise—the Alliance for Youth, which was founded by Secretary of State Colin Powell. America's Promise calls for a concerted effort from every segment of society to address the most notorious difficulties facing the youth of America. The five promises to America's youth include (1) fostering ongoing relationships with caring adults; (2) providing safe places with structured activities during non-school hours; (3) building a healthy start and future; (4) teaching marketable skills through effective education; and (5) providing opportunities to give back through community service.

This past Saturday, the Fourth Congressional District hosted its own version of American Youth Day as part of St. Augustine's Ancient City Kids' Day in St. Augustine, Florida. St. Augustine's Ancient City Kids' Day brought together children's service agencies and businesses in celebration of the St. Johns County's commitment to the well-being of its children. Our nation's oldest city showed its youngest citizens how special they are.

I was proud to join over 50 organizations that provided information for parents and fun and games for the children. Ronald McDonald was there to make us laugh. Lisa Mack emceed entertainment provided by Pak's Karate Club and the Saints Cheerleading Squad. The Puppet Man put on shows, the Junior Women's Club helped children make hats, and the Communities in Schools program held a basketball tournament and read stories to youngsters.

The St. Johns County Sheriff's Office, the Fire Department and EMS all had equipment displays for the more than 3,500 visitors to view and admire. Other groups, like EPIC Community Services and Project Northland, had marble painting, baseball tosses and an obstacle course. It was a carnival atmosphere founded on family fun.

St. Johns Ancient City Kids' Day is exactly the type of event that we need across America to highlight our children and the groups and individuals who give of their time and money to guide them.

I salute our nation's oldest city on their unselfish commitment to our youth and challenge all the great cities in America to establish their own youth day celebrations.

21571

AMERICAN LIVER FOUNDATION DISTRICT OF COLUMBIA CHAPTER'S 3RD ANNUAL LIVER WALK

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2001

Mrs. MORELLA. Mr. Speaker, I rise today, in honor of the American Liver Foundation, District of Columbia Chapter's 3rd Annual Liver Walk. The walk is designed specifically to raise awareness and funds necessary to combat liver diseases such as hepatitis and bilateral atresia. I ask my colleagues to join me in support of the American Liver Foundation and their tireless work and dedication to eliminate liver disease.

The American Liver Foundation is a national, voluntary nonprofit organization dedicated to the prevention, treatment, and cure of liver disease through research, education and advocacy. Nearly 4 million Americans are infected with Hepatitis C and 8,000 die each year as a result and the number of fatalities is expected to reach 30,000 annually within the next two decades. In 1998, 573 liver transplants were performed on children in the United States and over 80 percent were under the age of two years old. A child's liver transplant will cost \$200,000 to \$300,000 during the first year of care. An increase in research can make it possible to develop improved treatments and find cures and a major effort is necessary to control the increase in liver diseases.

Mr. Speaker, it is estimated that 1 in 10 individuals in the Washington, D.C. metropolitan area suffer from liver disease. Broad-based chapter support and activities generate support in our communities that will result in more effective treatment and prevention, improved care to those afflicted, and cures for those who now have only hope. The Greater Washington DC Chapter of the American Liver Foundation offers hope and assistance to the many suffering with liver disease and their families through programs such as their upcoming "Liver Walk." I applaud their efforts and I am proud to lend my support to this program.

SIXTH DISTRICT IS PROUD OF AMERICAN EXPRESS

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 1, 2001

Mr. COBLE. Mr. Speaker, after the terrorist attacks on September 11, 2001, approximately 150 Telephone Service Center representatives who work at the American Express Service Center in Greensboro, North Carolina, demonstrated their strong sense of caring and compassion for their displaced, unsettled colleagues at the American Express Company Headquarters in New York City. The entire Sixth District of North Carolina is proud of their efforts.

The Greensboro Telephone Service Center team began a telephone calling initiative to locate approximately 4,700 of their New York

colleagues who were forced to evacuate their offices in the World Financial Center the morning of the attacks. The purpose of the initiative was to check on the welfare and safety of as many of the headquarters staff (at their home phone numbers) as possible.

During the initiative, the representatives' commitment was steadfast. Sometimes they could not get through because telephone lines were down, or because they received a busy signal or no answer. The representatives, however, continued to return calls, day and night, as often as necessary until contact was made. Eventually, they were able to locate all but 11 New York employees who had been working in a client's offices on the 94th floor of 1 World Trade Center.

A group of specially trained American Express employees contacted the family members of these employees. Their role was to offer any assistance to the families of those 11 employees during this difficult time. Several days later, the Greensboro representatives were assigned to contact all of their N.Y. colleagues by phone again to invite them to an afternoon town hall meeting, hosted by American Express Chairman and Chief Executive Kenneth I. Chenault, at Madison Square Garden on September 20.

The response to the phone calls was overwhelmingly positive. Some New York employees were so moved by the gesture that they wept tears of joy. A few of them had no family members, so they were especially grateful to receive the calls. All of them commented on how much they appreciated the caring, reassuring calls from other members of the American Express extended family hundreds of miles away.

Employees at the American Express Service Center in Greensboro further demonstrated their concern for their New York colleagues in another way. They signed large banners with personal messages of hope, love and support. A few employees illustrated their messages with tiny American flags and hearts. On October 15, Greensboro employees shipped the colorful banners to the new quarters that the American Express Headquarters staff recently occupied in New York, New Jersey and Connecticut. As you can imagine, they were well received.

The Sixth District of North Carolina has always been proud to be one of the homes of American Express. That pride is even stronger now that we know about the caring employees who work there. Congratulations to everyone in the American Express family for sticking together during difficult times.

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#### TRIBUTE TO DAVID BOISE HUDSON AND LOIS CUNNINGHAM HUDSON

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#### HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mr. PAYNE. Mr. Speaker, I would like my colleagues here in the United States House of Representatives to join me in paying tribute to a very special couple, David and Lois Hudson, who will be honored this weekend in Newark, New Jersey. Mr. Hudson has recently cele-

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brated his 90th birthday and Mrs. Hudson her 85th birthday.

Married for over six decades, David and Lois Hudson are the proud parents of Dorothy Lee Bacon of Colonia, New Jersey and Betty Louise Smalls of Great Falls, Virginia and Fort Lauderdale, Florida and proud in-laws of Roscoe C. Bacon and Douglas T. Smalls. They also take great joy in their three grandchildren: Douglas Timothy Smalls, Jr. of Great Falls, Virginia; Sabrina Lynne Bacon of Randallstown, Maryland; and Kyle Erik Bacon of Owings Mills, Maryland.

I had the pleasure of getting to know Mr. Hudson a number of years ago in the 1950s when we worked side by side at Port Newark, as I followed in the tradition of my father and grandfather who had both worked there during the late 1940s and throughout the next few decades. Mr. Hudson was a popular co-worker who established an excellent professional reputation as the best Big Fork Lift Operator in the business. It was always great to see him and his wonderful wife Lois throughout the years. I was also fortunate to form a friendship with their daughter, Dorothy Lee Bacon, when we were both active in the NAACP Youth Councils and College Chapters. I also had the privilege of knowing Betty and Doug Smalls for many years and we reestablished our close ties when I came back to Washington, D.C.

Mr. Hudson was born on October 29, 1911 to William and Katie in Killian, South Carolina and raised in Blythewood, South Carolina. His early education took place in a two-room schoolhouse until the Great Depression required that he remain at home to help out. He became an active member of Bethel Baptist Church, serving as Sunday School Superintendent, Choir Leader, Deacon, and member of the Usher Board. In 1937, he joined the Tabernacle Baptist Church in Newark, where he served as President of the Choir, President of the Gospel Chorus, and Chairman of the Deacon Ministry. His career at the Atlantic Terminal in Port Newark, where he served on the Local Union 825 Negotiating Committee, began in March of 1937 and continued until his retirement in 1976. He was a member of the St. James Lodge, The Royal Arch Chapter #4, the Shriners Temple and The Rebecca Court.

Mrs. Hudson was born in Blythewood, South Carolina where she attended Bethel Baptist Elementary School. After her marriage, she was also active in the Tabernacle Baptist Church, serving on the Young Women's Guild; the Gospel Chorus; the Missionaries; the Willing Workers, the Women's Ministry; and in the position of Church Clerk and currently, Deaconess. Trained as an Operation Room Technician, Mrs. Hudson worked at Union Hospital in New Jersey for seven years, the second African American to hold that position. For several years, Mr. and Mrs. Hudson owned and operated Watson Avenue Seafood Market in Newark and were also the proprietors of DavLo's Restaurant. She contributed her time and talent to her community through volunteer work in positions such as Air Raid Warden, Finger Printing Technician, ambulance driver for the Roselle Volunteer Ambulance Corporation and member of the Roselle Service Women's League.

*November 2, 2001*

Mr. Speaker, let us send our congratulations and best wishes to this remarkable couple, Mr. and Mrs. Hudson, and wish them continued health and happiness.

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#### TRIBUTE TO FIFTH AND SIXTH GRADERS AT BERLIN MEMORIAL SCHOOL

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#### HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mr. McGOVERN. Mr. Speaker, I rise today to honor the fifth and sixth grade students and faculty members at the Berlin Memorial School. In memory and recognition of the thousands of men and women who have bravely served our country, they are holding a special Veteran's Day program on November 2, 2001.

The students, teachers, and Principal Ellen Power have dedicated a lot of time and energy into making the program a truly special event. The students have learned more about our veterans by interviewing men and women who have served our country in the Armed Forces during World War II, the Korean War and the Vietnam War. Many of the students have chosen to interview grandparents and other family members and in doing so have learned so much about, not only their country, but about their own family as well.

This program has enabled the community of Berlin to come together and celebrate Veteran's Day with posters and displays involving the students, Girl Scouts, Boy Scouts, the school band and the veterans. Berlin Postmaster Heidi Salmon will unveil the new U.S. Veteran's Day Postage Stamp as well. The program will be a fitting tribute to those that have served.

It is with great pride that I recognize the students and faculty at the Berlin Memorial School for all of their effort and hard work in honoring our veteran's and the dedication they have made to our country.

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#### TRIBUTE TO CAPTAIN TIM WILLIFORD

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#### HON. KAREN L. THURMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mrs. THURMAN. Mr. Speaker, I am here to pay tribute to the work of Captain Tim Williford who serves in the Florida division of the Salvation Army. In the wake of the September 11th attacks, he was called upon to assist his country. From September 20th until October 2nd, Captain Williford served his nation by overseeing food distribution at a portion of the Pentagon crash site called Camp Unity. He also assisted the rescue workers at the site by procuring any supplies that they might need.

For the past ten years, Captain Williford has helped those affected by disaster by serving as a member of the Salvation Army's Disaster Emergency Response Team (DERT). As a member of this team, he is called upon to assist anyone affected by crises. He has served

in the aftermath of disasters such as the ValuJet crash in Southern Florida, as well as floods, fires, tornados, and hurricanes.

In order to fully capture Captain Williford's amazing contribution to the Pentagon relief effort, I would like to submit an article written by reporter Joy Davis-Platt of the Hernando Times, published on October 15, 2001.

**SALVATION ARMY HAILS CAPTAIN'S  
HOMECOMING**

(By Joy Davis-Platt)

BROOKSVILLE.—Complete with an all-American picnic in the park, Hernando County's Salvation Army welcomed home one of its own on Sunday.

Capt. Tim Williford, head of the Salvation Army's Hernando County corps, recently spent two weeks in Washington, D.C., helping with terrorism relief efforts.

Besides returning to his wife, Denise, and daughters, Lindsey, 7, and Caitlyn, 2, on Oct. 2, Williford came back to the congregation at the Salvation Army's church where he preaches. "The support I've gotten has been really great," said Williford, who is expected to receive a proclamation from Hernando County commissioners and a congressional recognition from U.S. Representative KAREN THURMAN. "The support and thanks were more than I could have ever imagined."

Standing on the park's white band shell, Williford recounted the time he spent in the nation's capital helping to keep six mobile canteen trucks stocked and ready to feed 6,000 relief workers three meals a day.

After several days of helping feed relief workers, Williford's assignment changed to procurement.

Much like the Grape Nehi-drinking Cpl. Walter "Radar" O'Reilly in the television series M.A.S.H., Williford said he was charged with finding all manner of necessary items for law enforcement and military personnel. During his tour, he scrounged everything from tool belts to sunglasses to industrial fans.

"People started calling me Radar," he said. "Anything they told me to get, I'd find a way to go out and get it."

Unlike other disasters during which he has joined relief efforts such as the storm of March 1993 and the ValuJet crash in South Florida, Williford said this assignment left him and his family feeling apprehensive.

When his daughters ask if he is going to fight in a war, Williford, 38, said he tells them he is too old to fight in battle, but not too old to do his part. Their part, he tells them, is to support him and wait for him to come home.

"This one is much more emotional," said Williford's wife, Denise, who is also a captain with the Salvation Army. "It's not like any other natural disaster."

Williford expects to be called to help with recovery efforts in New York sometime after Easter. When he goes, his wife said, she will take care of things at home.

"We're preparing for that," she said. "That's all we can do."

Salvation Army volunteer Les Varwig was up at 4 a.m. on Sunday making sure the turkey was ready for the afternoon picnic. During his two years in Brooksville, Williford has gained the love and admiration of his congregation, Varwig said.

"We are all awfully proud of the captain," he said. "He's a real go-getter."

For three years, Salvation Army volunteer Harriet Varwig has helped out with local emergencies like sinkholes and fires and said she understands why Williford feels compelled to help.

**EXTENSIONS OF REMARKS**

"It's such a blessing to be able to help people," she said. "In many ways, we get more out of it than the people we serve."

Williford said the image that will stay with him is of the Washington Monument lit against the nighttime sky. Nearby, the Pentagon building was lit with bright lights while investigators continued their efforts into the night.

"Driving past, there was a moment when the monument looked as if it was rising out of that gaping hole in the side of the Pentagon," he said. "It was the ultimate symbol of power next to the ultimate symbol of freedom. That's when you see what the cost of freedom really is."

Mr. Speaker, please join me in honoring this man, who stepped in to help others in need. Captain Tim Williford truly represents the very best of our great, loving, kind, and giving nation.

**APPLAUDING THE GAO**

**HON. ERNIE FLETCHER**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mr. FLETCHER. Mr. Speaker, The challenges this country has faced in recent months are unlike any in our history, and have called on all Americans to answer challenges they never expected to face. The GAO and its employees have performed above and beyond their mission, and deserve Congressional recognition. I encourage my colleagues to join me in applauding their efforts.

The GAO website states that it "exists to support the Congress in meeting its Constitutional responsibilities and to help improve the performance and accountability of the federal government for the American people. GAO examines the use of public funds, evaluates federal programs and activities, and provides analyses, options, recommendations, and other assistance to help the Congress make effective oversight, policy, and funding decisions. In this context, GAO works to continuously improve the economy, efficiency, and effectiveness of the federal government through financial audits, program reviews and evaluations, analyses, legal opinions, investigations, and other services."

The service the GAO and its employees have provided likely goes far beyond what was ever imagined by "other services". In these past few weeks, 130 Members of the House of Representatives, various House Committees and their staffs have been relocated from their offices in the Longworth House Office Building. In order to create space for these displaced Congressional offices, hundreds of GAO employees have been moved. In allowing Congressional staffs into their personal offices, these public servants have significantly inconvenienced themselves, sacrificing some of their personal space to further their commitment to good governance.

My staff and I would especially like to thank Greg Carroll, Linda L. Harmon, Chet Janik, Patricia J. Manthe, Karia J. Springer-Hamilton, and William Updegraff. We sincerely appreciate what an inconvenience it is to not have access to your own office, and thank them for their efforts, and the efforts of all the GAO, to

make us comfortable enough to continue to do our work for the American people.

I would like to thank and publicly recognize the employees of the U.S. General Accounting Office who have been relocated in order to create office space for Congressional members and staff. My staff and I truly appreciate their efforts and are thankful for their dedication to this nation help.

**PERMANENT ENDOWMENT CEREMONY OF FRED LEBOW STATUE, FOUNDER OF NEW YORK CITY MARATHON**

**HON. JOSE E. SERRANO**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mr. SERRANO. Mr. Speaker, it is with joy and pride that I rise today to pay tribute to the permanent endowment ceremony of the Fred Lebow monument, to honor the late founder of the great New York City Marathon, the world's greatest marathon which will take place on November 4, 2001.

Seven years ago, Mr. Daniel S. Mitrovich spearheaded the effort to honor Fred Lebow, founder of the New York City Marathon, by erecting a statue of the visionary athlete. I was honored to have been a part of the monumental event that commemorated the creator of this great race. Fred Lebow, as Director of the New York City Road Runners Club, Inc., founded the marathon and nurtured it from a 126-runner race to one the largest and most well-known marathons in the world. This year, the grand monument will be waiting at the finish line to greet weary runners and will later find a permanent home at the 67th Street entrance to Central Park, fulfilling the promise Mr. Mitrovich made 10 years ago when he said that he would ensure that a statue of Fred Lebow would someday stand in Central Park.

Mr. Speaker, I am grateful for the continued dedication of the New York Road Runners Club, Inc. and the New York City Marathon Tribute Committee. Their work is essential to maintaining the spirit of the New York City Marathon and helps fuel the great spirit of the city itself. The New York City Marathon has never been more important than it will be this year. Organized under the theme "United We Stand," this race of endurance and power represents the will and essence of the city, New Yorkers, Americans, and of peace-loving people all over the world. We are all indebted to Mr. Lebow, who lost his battle with brain cancer on October 9, 1994, for organizing and fostering a great athletic and humanitarian event and the permanent endowment of his likeness in Central Park is fitting and worthy of celebration. Also, as proof of his accomplishments, Mr. Lebow was inducted in the 2001 National Distance Running Hall of Fame.

The New York City Marathon has united people across all walks of life since its inception 31 years ago because it is both a test of perseverance and a celebration of life. Runners vary in athletic ability, age, race and religion but share a common desire to run New York City. This year, runners will share something else as well. They will share an understanding that they are integral parts of New

York's resurrecting spirit and perhaps that knowledge will energize flagging feet as they cover the great length of New York City. The sense of unity among the human family will be invincible when over 30,000 runners from around the world join in New York City to bond with it as only runners can do.

I ask my colleagues to join me in honoring Fred Lebow's life achievements and the permanent endowment of his statue in Central Park, as well as commanding the continued efforts of Daniel Mitrovich to preserve the integrity and excellence of the New York City Marathon.

**COLLIER ELEMENTARY EXCELS AS BLUE RIBBON SCHOOL**

**HON. CIRO D. RODRIGUEZ**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mr. RODRIGUEZ. Mr. Speaker, educators from Collier Elementary School, which is located in my congressional district, recently visited Washington, D.C. to accept the 2000-2001 Blue Ribbon School of Excellence Award. At this time, in particular, we must remember and honor the many men and women who daily are entrusted to enrich the lives of our children. Collier earned this prestigious award because of its unique dedication to academic excellence, quality teaching, parental involvement, and community support.

Collier Elementary is located in the heart of a working class community in the Harlandale Independent School District in southeast San Antonio. As a former Harlandale school board member, I understand the social and economic challenges facing students, teachers, and administrators. I am greatly pleased that Collier is a model neighborhood school where children can master the basics with adequate textbooks and equipment in an environment that is safe, disciplined, and drug-free.

Schools are a reflection of our community and it takes everyone working together to make them quality institutions. The administration, teachers, staff, students and their families should be commended for their hard work and dedication to making Collier an exemplary school. The entire Collier Elementary community deserves due praise for being designated by the Department of Education as a Blue Ribbon School of Excellence.

**HONORING MS. JENNIFER RICHARDS OF VISTA, CA, FOR COMPLETING BACK-TO-BACK VOYAGES AS A NOAA/NSF TEACHER AT SEA**

**HON. RANDY "DUKE" CUNNINGHAM**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mr. CUNNINGHAM. Mr. Speaker, I am proud to rise today to recognize one of my

**EXTENSIONS OF REMARKS**

constituents, Ms. Jennifer Richards of Vista, CA, for recently completing back-to-back voyages as a National Oceanic and Atmospheric Administration/National Science Foundation Teacher at Sea (NOAA/NSF Teacher at Sea).

The NOAA/NSF Teacher at Sea program places a school teacher on a NOAA research vessel to participate in the scientific research being conducted on board and to record their experience. Jennifer is a High School Earth Science Teacher at Guajome Park Academy, Vista, California, who recently participated in the first leg of the EPIC Research Cruise on the NOAA vessel, the *Ronald H. Brown*. She departed from San Diego, California on September 5, 2001, and sailed to the Galapagos Islands completing her cruise on October 6, 2001. She then stayed in the Galapagos Islands conducting research until October 11, 2001. Throughout her cruise Jennifer provided lessons concerning her cruise varying in topics from longitude and latitude to signal flags. Jennifer also kept daily logs describing her trip to her students back home in Vista.

The Teacher at Sea program receives an average of 165 applications for 35 voyages, which is approximately the same ratio of competitive grants that are funded by NOAA and NSF. Jennifer was selected from a competitive pool of approximately 35 elementary and secondary education teachers who were interested in this particular voyage. To qualify, Jennifer was required to complete an application which includes 2 professional recommendations and questions regarding the applicant's ability to use this voyage as a teaching tool to benefit her students and colleagues.

As a former teacher, I understand how tough it is to engage children as active participants in their lessons. Jennifer's proven creative ability to communicate science and research to her students was the reason that she was selected for this research voyage. I applaud Jennifer Richards for dedication to her students and her efforts to improve science education.

**THE CHARITY ACCOUNTABILITY ACT, H.R. 3192**

**HON. BENJAMIN A. GILMAN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 1, 2001*

Mr. GILMAN. Mr. Speaker, I rise today to introduce H.R. 3192, the Disaster Relief Charities Accountability Act.

Mr. Speaker, seven weeks have passed since the barbaric attacks on the World Trade Center, the Pentagon, and the thwarted hijacking attempt in Pennsylvania, yet victims and their families have not received the funding they desperately need.

Initial reports have indicated that more than \$1.2 billion has been collected by 196 charitable organizations.

While this overwhelming support by Americans has been gratifying, there is a great deal

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of concern that the funds raised may not be going directly to the intended beneficiaries—the victims and their families—and instead are being diverted or, worse yet, miss their intended goal.

More than 100 families in my congressional district have been affected by the horror of the September 11th attack in New York. Many of these families have been calling my office requesting information and assistance on how and where to go to receive these donated funds.

Accordingly, I am introducing H.R. 3192 to provide a full accounting of:

All funds received to date;

The amount spent and distributed and for what purpose;

The criteria used for disseminating these funds;

The percentage of funds donated that will actually go to the victims; and

The administrative costs for allocating these funds.

In addition, the Charity Accountability Act will provide both the victims and their families, as well as those wanting to donate, with a clearinghouse of all charitable organizations participating in this important fund-raising initiative.

It is my intention that this legislation will insure that the money raised to assist Americans during any disaster event will go to the intended beneficiary.

Specifically, this legislation will establish a five member board to: (1) Collect and provide information to assist both the victims and those wishing to contribute to various disaster funds; (2) collect and maintain an on-going accounting of all funds collected and disbursed; (3) obtain and review the criteria used by the various relief funds to pay out these funds; and (4) report to both the President and the Congress on the status of these funds.

The outpouring by the American people to the disastrous events of September 11th should not be wrought with confusion or cynicism on how the funds are being distributed or possibly misdirected. It is obvious that Americans want their donated funds to go directly to the victims and their families. Any funds collected for this intended purpose and spent otherwise would place a black mark on the entire philanthropic community, dissuading and jeopardizing any future donations.

Accordingly I encourage my colleagues to review this important legislation and welcome their support.