

Members are reminded to refrain from references to Members of the Senate or to characterizations of Senate action or inaction.

Mr. KINGSTON. I thank the gentleman. I stand corrected. And I want to commend the freshman sitting in the Chair for his very careful and thorough job tonight, and being patient with frustrated Members like me.

We have had a very productive year on the House side of the branch of the legislature, and we just hate to go home, at Christmas time nearly, and do it incompletely when there is an opportunity still to pass so many great pieces of legislation that will help real people in the real world get jobs, get jobs back, get benefits, secure benefits that they have, obtain a good food supply, good energy supply, and an education program that works.

There are just so many things that are within our legislative grasp to do something about, and it is so frustrating to have only part of that done. There is just one area in the legislative branch where there seems to be a gap. We have the executive branch all ready with the ink pen full of ink ready to sign the legislation to get America moving again.

We have worked hard here, Democrats and Republicans alike on the House side. We have had great leadership under the Speaker of the House, the gentleman from Illinois (Mr. HASTERT), and the recently-announced retiree, the gentleman from Texas (Mr. ARMEY), even though that will not be for a year from now. And of course the gentleman from Oklahoma (Mr. WATTS) and the gentleman from Ohio (Mr. BOEHNER), chairman of the Committee on Education and the Workforce.

So many great things. The gentleman from Florida (Mr. YOUNG), chairman of the Committee on Appropriations, who I do not think has been home since August in terms of working overtime to try to get these appropriation bills passed. The gentleman from California (Mr. THOMAS) of the Committee on Ways and Means moving on trade and health care bills and so forth.

Mr. JONES of North Carolina. Well, I know we are getting close to the closing, and I am going to leave in just a second, but I have really enjoyed being with the gentleman, and I think he has done a great service really not only for his district but for the American people.

There is one thing about it, and the gentleman might be somewhat restricted as to his statements tonight, but there is one thing about it, and I am sure the gentleman has, as I have, a lot of speaking opportunities back in his district, and I am proud to tell those people in my district what we in the House have done. And in that forum, you can certainly call names and you can make references to what has or has not happened.

So I want to thank the gentleman. He helped me with my time talking

about school prayer. I appreciate the gentleman's friendship, his leadership, and thank him for allowing me to be a small part of this tonight.

□ 2045

Mr. KINGSTON. Mr. Speaker, I thank the gentleman from North Carolina (Mr. JONES).

ANTIBALLISTIC MISSILE TREATY

The SPEAKER pro tempore (Mr. ROGERS of Michigan). Under the Speaker's announced policy of January 3, 2001, the gentleman from Colorado (Mr. MCINNIS) is recognized for 60 minutes.

Mr. MCINNIS. Mr. Speaker, this evening, there are two subjects I want to focus my attention to. One is especially parochial to the State of Colorado, and especially important to me in regards to the State of Colorado, but it is parochial.

The other issue I want to talk about is of national interest, and it is not parochial. In fact, it is something that is vitally important for every citizen of America. It is a subject of which we will see lots of publicity in the upcoming days. It is a subject of which this House, each and every one of us, needs to stand up and support our President on the position that he is going to take, and that is on missile defense. I want to go through this evening the importance of missile defense, exactly what the anti-ballistic missile treaty is all about, the age of the treaty, and what the extraordinary circumstances are that now threaten the security interests of the United States of America, as well as allies of the United States of America; and I would include within those comments Russia.

Let us begin first of all by saying to all Members exactly what our current defense system is in this Nation. Many Members assume if a missile were launched against the United States of America, that we would very quickly detect it. So the question is if a missile were launched anywhere in the world against the United States of America, do we currently have the capabilities to pick up that missile launch?

The answer to that question is, yes. Actually the location of those facilities is well known throughout the country. The NORAD Space Command Center in Colorado Springs, Colorado, we have extraordinary capabilities to detect a missile launch. We can determine within seconds, in some cases before the launch takes place from the activity on the launch pad; but once that missile is launched, we can determine anywhere in the world exactly what time the missile was launched, the direction of the missile, where the most likely target of the missile is, what the estimated time of arrival of the missile is, what kind of missile it is, what kind of detonation or missile load or explosive load that missile usually carries. So very quickly, within seconds, we can assess if a missile threatens the United States of America.

But what most people do not understand is that once the United States detects that a missile has been launched against it, it has no defense. We have no missile defense, no security blanket to protect the borders of the United States of America.

Tonight as I make my comments, I want to make it especially clear that when I speak of the United States of America, I also speak of our allies, of our friends in the world, who also are subject to a missile attack. When I speak about the need for this country to defend its citizens, I also think that our country has an obligation to help the citizens of our friends across the world. In fact, I firmly believe that a missile defense system could easily avoid what could be a world war.

Let me explain that last comment before I proceed discussing the current status of a security blanket, i.e., a missile defense system in this country, how could it possibly avoid another war. Remember, there are two types of missile launches. One is an intentional missile launch, an attack against the United States of America. The second missile launch would be an accidental missile launch. In other words, by accident a missile is launched against the United States or its interests. Now, some might say that an accidental missile launch against the United States is highly unlikely. I would beg to differ, and I beg to differ in a very strong way.

Mr. Speaker, take a look at what happened shortly after the September 11 tragedy that hit this country. Take a look at what happened in the Black Sea during a military exercise. A missile was accidentally launched against a civilian airliner, and it blew that airliner out of the sky. Remember that missile out of Ukraine? That is exactly what I am talking about. We never thought it would be possible. We never thought about it, that planes would be used as missiles against our buildings, the World Trade Center or the Pentagon. But I think it would be a short-fall of our duty, it would be a dereliction of our duty if we did not look into the future and into the security interest of our homeland, of protecting our borders and our people in this Nation. I think it would be a very serious mistake, a serious dereliction of duty for us not to assume that at some point in the future, and hopefully in the distant future, but at some point in the future a missile will be launched against the United States of America.

I think we owe it to our citizens, colleagues, to assure our citizens that we buy the insurance ahead of time. And the insurance that I am talking about is a missile defense system. Let us say, for example, that a country like Russia that we do not see as an enemy right now, and Russia could be a good ally in the future, but let us say Russia or some other country out there by accident, not intentionally, but by accident launches a missile against the United States. If that missile were a nuclear missile and if that missile were

destined to hit a major city, let us say New York City, God Lord, they have suffered enough, but some city in the United States, if we had the capability to shoot that missile down, imagine the kind of chaotic, horrible tragedies that we would have avoided, including the threat of a retaliatory strike against the country that launched against us if we had the capability to stop that missile before it came into the air space of our country.

Mr. Speaker, to me it is a pretty basic defense. Mind you, I use defensive missile system throughout my language. We are not talking about building a brand new offensive missile system. It is a security bubble in the air over the United States. It is not an offensive missile system. It is not designed to be that. It is designed with one purpose in mind, and that purpose is to solely protect the people of the United States against a missile attack.

Well, let us look at the history of the anti-ballistic missile treaty. The anti-ballistic missile treaty was signed by President Nixon and Leonid Brezhnev, the leader of the Soviet Union, May 26, 1972. This is an important date. 1972 in Moscow. It was ratified by the United States Senate in 1972 and entered into force on October 3 of the same year. It is a relatively short treaty consisting of 16 articles that fit single spaced onto five sheets of paper. So colleagues, I know that some of us take a look at the treaty books that we have in our offices, the treaties of the United States, those books are very thick.

Before I first read the anti-ballistic missile treaty, I prepared myself for a long treatise, a long document, many, many changes of very complicated language discussing treaty obligations between the United States and the USSR. Remember that is where the agreement was made. To my surprise, it was six pages. Six pages.

So, colleagues, if Members have not read the anti-ballistic missile treaty, you must read it tomorrow. Why do I say tomorrow? Because the President of the United States rightfully and, frankly, I think it is his responsibility, which he has shouldered very well, but rightfully he intends this week or very shortly to announce that the United States of America under the terms of the treaty, under those six pages, under the agreement contained in those six pages, that the United States of America will withdraw from the treaty.

There will be lots of constituent questions here in the next few days. There will be lots of commentary in the news. There will be lots, maybe not lots but some dissension. I think it would benefit Members to pull out that six-page treaty and read it. But tonight I am going to brief Members. It would take us 4 or 5 minutes to read all six pages, but I would like to highlight key provisions. This treaty was in 1972. We are in 2001. We have 29 years. This treaty is 29 years old. I think we need to go back to the point in time 29 years ago

and talk about the treaty and what threats existed 29 years ago when Richard Nixon, as President of the Nation, felt it was in the best interest of the Nation to sign this treaty.

Twenty-nine years ago there were only two nations in the world that really had the capability of delivering a nuclear missile or a ballistic missile across an ocean into the borders of another country. Those two nations were the United States of America and the USSR. There was a lot of academia about how do we avoid an arms race between the USSR and the United States of America; how do we limit how many missiles are going to be out there.

The academia at that time came up with the conclusion that the best way to avoid proliferation of missiles and the best way to avoid a war between the USSR and the United States of America would be an unusual and unique approach, and that unique and unusual approach was that both countries would agree not to defend themselves. Understand what I am saying. The USSR and the United States of America would agree not to defend themselves against a missile attack by the other country. Now to me that sounds insane. Twenty-eight years ago I would not have agreed with the academia any more than I agree with them today.

□ 2100

I would not have agreed that the way to stop or avoid a missile attack against your country is to have a treaty with one country that you cannot build a ballistic missile defense system against any country in the world. But let us go back again to 29 years. The thought was that there are only two nations in the world that have this capability, the USSR and the United States of America. They put together this treaty.

While I disagree with the substance of the treaty or the theory of the treaty, that being that the best way to avoid a missile attack is that you would not be able to defend yourself, so therefore, you would not start a fight with the USSR nor would the USSR start a fight with the United States of America because both countries knew they did not have the capability to stop a retaliatory strike against them. That is the theory. But fortunately the people who put this together, the people that put this treaty together, understood that things change. In the technological world of 29 years ago, they thought change was pretty rapid. So they wanted to include in this treaty a special provision. I think it is very important that we look at the provision in the treaty.

They had the foresight to understand that there could be changes and not simple changes but changes that met a much, much higher standard, substantial changes, extraordinary changes, and that if the world changed sometime in the future, both the USSR and the United States of America wanted

within the four corners of that agreement, within the antiballistic missile agreement, both parties wanted the ability to withdraw from the treaty so that they could appropriately address the extraordinary circumstances that might occur.

There are some extraordinary things. The world is extraordinarily different today in regards to missiles, proliferation of missiles, proliferations of nuclear capability, proliferation of attacks of terrorists, as we unfortunately have felt in a very deep and hurtful wound just a couple of months ago.

It is my premise tonight that extraordinary events have occurred. So now I think we should revert back to one of the articles within that six-page treaty and see exactly what it says about withdrawal from the treaty, because the President has put the Nation on notice. He did this in his election. He said that it is an outdated treaty. He is absolutely right. The President and his Cabinet, his Vice President, Condoleezza Rice, Secretary of Defense Rumsfeld, these people have made it a commitment of their responsibility to this Nation to protect the security of the people of this Nation. In order to do that, one of their high priorities is the capability of this Nation to stop a missile from coming in within its borders. So they have looked at the treaty. Tonight I want us to look at the treaty to see whether or not the President will be justified in saying that extraordinary events that threaten our national security interests have occurred, which therefore allow our Nation and this Congress to support our President, that would allow our Nation, as led by our President, to withdraw from that treaty.

The ballistic missile treaty, they call it the ABM treaty. Those are the initials they use for it. This treaty shall be of unlimited duration. Each party shall, and notice the word "shall," shall in exercising its national sovereignty, have the right. Remember, it is a right. There is no breaking the treaty. I have read some of the media reports on this, and I am sure some of the commentary coming up in the next few days are going to talk about how the United States of America broke the Antiballistic Missile Treaty. We are not breaking any treaty. We are not walking away from any responsibilities in any treaty out there, especially the Antiballistic Missile Treaty. In fact, within the four corners, within the corners of this treaty, it is a right to withdraw from this treaty. What the President has correctly said is that the United States of America intends to exercise that right and withdraw from the treaty.

But let us see what it takes. What does it take? Let us see what it does take to be able to exercise that right to pull away from the antiballistic missile treaty and allow your Nation to build a missile defense system to protect its citizens.

Let us repeat the sentence. Each party shall, in exercising its national

sovereignty, have the right to withdraw from this treaty if it, not the opinion of other countries, not the opinion of the other party to the treaty, but if it, if our Nation, our Nation decides that it is in the interest of this Nation to withdraw from this treaty, it is a right that we have. The power of that decision does not rest with France or Europe or the USSR. It rests with the United States of America. If it decides that extraordinary, and this is a very important term, extraordinary events related to the subject matter, missiles. Missiles, that is our subject matter.

So we have met that. The subject matter of this treaty have jeopardized its supreme interests. This is the key paragraph. This paragraph is a paragraph which in the next few days we will hear lots of commentary about it. I hope we have good discussion on this House floor, because this is a vital paragraph to the future of America. If we want to provide a security blanket for this Nation, which I think we have a fundamental responsibility to do as Congressmen, if we want to provide a missile defense, we have to be able to utilize this paragraph. We have to be able to justify to our partner, the USSR, which although it does not exist as the USSR, it has kind of melted into Russia, to Russia that we are within our rights to pull out of this treaty. It is in our interests to begin to provide a missile defense system for this country.

Of importance, notification, it shall give notice of its decision to the other party 6 months prior to the withdrawal of the treaty. Such notice shall include a statement of the extraordinary events the notifying party regards as having jeopardized its supreme interests.

So we know it is a 6-month period of time, and what date the President decides to use, I do not know yet, but I am confident that the President will make a firm announcement within the next couple of days that, in fact, the United States intends to withdraw from the treaty under the rights of the treaty and that the United States at that time will give the date of inception for the 6-month notice.

These are important, but the key paragraph is this: Number one, we as a population, we have to figure out, okay, what is extraordinary? In the last 29 years, what has happened that we could properly define under any definition of a dictionary, the term extraordinary events? I want to show you what I think are the extraordinary events. That is question number one, extraordinary events. And, number two, they have to meet a qualifier, and, that is, they have jeopardized our, its, us, the United States, they have jeopardized our interests.

Let me show my colleagues a poster that I think should really get their attention. It is what has happened in the last 29 years. Remember when you look at the last 29 years, you have to figure

out the technological rate of growth. As we know, every year that goes by, we see a disproportionate increase in the amount of technological knowledge, in the amount of technological gain. So it is not an even graph. You are not going to have a graph whose line looks like this. You have a graph over 29 years that goes like this and all of a sudden it is increasing at an increasing rate. That is the technological advancement. Let us take a look at what extraordinary events have possibly occurred in the last 29 years that would allow our President and this Nation and my colleagues and I to stand up and say the treaty is outdated, and for the interests of our partner, Russia, and for the interests of the United States, we should exercise this article, this right within the treaty.

Nuclear proliferation. Take a look at what has happened in the last 29 years. It really does not serve as any kind of surprise to my colleagues, because we all know it is happening. These are the countries that now possess nuclear weapons. Remember, it used to be the United States and it used to be the USSR.

Now take a look at what we have got, all the various countries: Britain, India, Russia, China, Israel, France, Pakistan, Iran, Iraq, North Korea, Libya, Turkey. There are some on here that I do not even have listed. There is no question that an extraordinary event has occurred. Not a good event, but nonetheless let us be realistic. The extraordinary event is that we have seen a tremendous amount of nuclear proliferation. If you read today's papers, and I am sure most of my colleagues have, you noticed in there that two nuclear scientists spent an entire day, maybe more than a day advising and talking about nuclear weapons with Osama bin Laden. This is a dangerous situation. At some point, somebody will attempt to use a nuclear weapon against the United States of America.

Would you call that an extraordinary event? I certainly do. I think the insurance is something we better start securing today. The insurance for the future, the insurance we owe not only to our generation, but the insurance we owe for future generations is to provide a security blanket around the United States of America and its allies so that at least we have the capability of preventing a nuclear missile attack against the United States.

That is extraordinary event number one. Let us talk about extraordinary event number two. Look long and hard at this poster. This is ballistic missile proliferation. Remember, 29 years ago, there were only two nations in the world, the United States of America and the USSR, that had the capability of an intercontinental missile, of a ballistic-type missile. Look what has happened in 29 years. This is the map as it looks today. These are countries that now possess ballistic missiles. Take a look at them. Afghanistan, Algeria, Argentina.

I will just skip to Croatia, China, Egypt, France, Iran, India, North Korea, South Korea, Saudi Arabia, Russia, Ukraine, United Kingdom, Vietnam, Taiwan, Syria, South Africa. Take a look at the map. That is what we are trying to get an insurance policy against. That has happened in 29 years. Today it is increasing at an even faster rate. It is not unrealistic at all to imagine that 10 years from now, there will be a lot less white on this map than there is right now. You may have most of the world covered in blue. If we do not prepare today, if our Nation does not exercise its right to protect itself by providing a security blanket for this Nation against the missiles of these parts of the world, remember, today a friend, tomorrow they may not be. Today an enemy, tomorrow they may still be an enemy.

My point is this, and let us go back to our original provision. Just those two events alone, nuclear proliferation and ballistic missile proliferation, qualify in my opinion as an extraordinary event that is related obviously to missile defense that have jeopardized our supreme interests. If my colleagues do not call the proliferation of ballistic missiles or the proliferation of nuclear capability serious jeopardization of our supreme interests, then you are not awake.

□ 2115

The fact is, this country faces a threat; a threat, in my opinion, that could be much more devastating, if we could imagine, much more devastating than the horrible events that took place in this country two months ago.

So my purpose in appearing tonight is to tell you I could go through some other extraordinary events. Look at where terrorism has come from. I mean, look how much more active it has become in this world. The world has realistically become much smaller, and the hatred in this world now is easier to spread through weapons of mass destruction.

This Nation has the capability to protect itself, and that is the next question we want to ask ourselves. You will hear from some of my colleagues, some might say, oh, my gosh, we could never do it. We do not have the technology available.

We do not have it today, because the treaty does not allow us to have it today, but we are well on our way towards overcoming the technological barriers that stand in front of us. Remember, you have a couple of missiles. You have to bring them together at 5,000 miles an hour. We have got to have a satellite system for detection and for laser intercept. There are lots of things that have to happen.

But do not think for one minute that the car you drive today was the car that we originally started with 100 years ago. Do not for one minute think those fighter aircraft that are fighting over Afghanistan protecting our interests, the bombers, or the Jeeps or the

vehicles or the weapons or the laser items we are using, was what we started with in the beginning. Obviously we progress.

It is incumbent, and I could not say this strong enough, it is absolutely our responsibility, it is incumbent upon us to push ahead with the technology to protect this Nation, to push ahead with the security blanket that this Nation will some day need.

I do not know how any of my colleagues today could stand up and look their constituents in the eye and say, I am going to oppose building a missile defense system for this Nation. Do not go out there and use as an excuse to your constituents, well, it is a big waste of money. I am telling you something: If we do not build a missile defense system, those are statements that some day will come back to haunt you in such a way you will not even be able to look in the mirror.

I do not mean to overstate my position. Obviously I believe very strongly, and I have a very deep, deep commitment, that this Nation's security is the highest priority, it is the most important part of our job. Sure, there are a lot of important issues. Education is important, health care is important, our transportation system is important, our judiciary system is important. But if you cannot protect yourselves, if you do not have the capability to keep the enemy from entering your garden, you are in big trouble.

I can think of no higher priority for an elected representative of the people than that of protection of the people that he or she represents. That is exactly the question we face, whether we support the President or whether you do not support the President.

The President will this week announce that he intends to give notification that under the provisions of the Antiballistic Missile Treaty the United States of America will exercise its right to withdraw from the treaty and proceed to build a system that will protect this Nation from a missile attack.

Now, I want you to know that many of our allies have expressed support. Italy, for example, Taiwan, Korea, there are a number of other countries out there. What will happen, once we get through this next few weeks, I think you are going to find all of a sudden a lot of other countries saying, hey, do you mind if you share a little of that technology with us?

I think the United States ought to be willing to share the technology, because I think it is a good way to avoid future conflict. I think it is a way to help limit nuclear proliferation. I think it is a way to help limit proliferation of ballistic missiles.

So, Members get a week. This week. Every one of us in this Chamber, every one of us in these Chambers, is going to be asked by our local media whether or not you are going to support the President's move to withdraw from the anti-ballistic missile treaty? For those Members who have chosen to say no,

and, by the way, I hope the media puts you right on the spot, either yes or no, no cloudy area; you either support a ballistic missile defense system for this Nation, or you do not support it. There are no if's. So I hope the media says, wait a minute, do you or do you not? Just yes or no. Do you or do you not? That is the answer, yes are no. The choice is simple.

This week, and I am not saying this to be harsh, I am not saying this to be offensive in any manner, but it is fact, it is reality, this is probably one of the most important questions of our political career. Are you going to support President Bush in his quest to build a security blanket against missile attack for United States of America? If the answer is yes, then give us your full support. If the answer is no, I hope you really, really think about that answer before you give it, and I hope you think about not only your generation, but your obligations to future generations. Because, if you do, if you think about your generation, our generation, our Nation and our future generations, if you really think about it, I do not understand how you could possibly say no, that the United States should continued to obligate itself to a treaty that says we should not build a system to defend ourselves against either an intentional or an accidental missile launch.

With that, Mr. Speaker, I would like to move on to my second subject. The second subject I want to speak about is totally and completely away from the first part of my comments this evening. I want to speak about a very parochial interest. I want to talk about the State of Colorado and the interests of the State of Colorado.

Obviously there are only six Congressmen from Colorado. There are probably only six Congressmen on this House floor that are going to be interested in my comments in regards to the State of Colorado, and, guess what, the redistricting process.

As we know, every 10 years, based on a census across the Nation, every one of our States redraws their Congressional districts. Now, the easiest States for that decision to be made in are States that only have one Congressman.

Because of the census, because of the population having gone up, but some populations in respective States have gone down, or in other respective States have gone up, there has to be a balancing act. As my colleagues know, some States gain Congressional seats; other States lose Congressional seats. In this particular case, the State of Colorado because it has gained population, moves from six Congressional seats to seven Congressional seats.

Now, to get to that seventh Congressional seat, to give it a geographical area within the borders of the State of Colorado, that means that the other six, obviously, the other six Congressional districts have to give up geographic and populated mass.

Where do you fit that seventh seat in, with the least amount of disruption, the least amount of disruption, to the current voices that the State of Colorado has?

Now, in Colorado, which is where the Republicans, by the way, have a heavier registration advantage than the Democrats, so in Colorado we have, logically, four Republicans and two Democrats. Now, that can vary, but that is pretty representative of what the population base looks like in Colorado.

Mr. Speaker, I am not an expert on the other Congressional districts in Colorado, other than my Congressional district. I say "mine," it is really the one I am privileged to represent, the Third Congressional District of the State of Colorado.

I think it is important that I define it. Some people define it as the western slope of Colorado, but that really does not include all of the Third District of Colorado. The mountains, the western slope of Colorado, really is well-known throughout the Nation primarily for its mountains, but, again, it does not include all the mountains and it does not include all the Third Congressional districts.

Some people say, well, the Third District is the San Luis Valley. That is a very critical part of the Third Congressional District. It is a part of the district that is very compatible with what some people say is the western slope of the district. But the San Luis Valley standing alone is not the Third Congressional District.

What the Third Congressional District really is composed of and the easiest way to think of it is it is primarily almost all of the mountains in the State of Colorado.

Let me give you some statistics about the Third Congressional District. As it stands today, it is the highest district in elevation in the Nation. In other words, there are no higher points in the United States for a district on a mean average. We have 67 mountains in the United States that are over 14,000 feet. Of those, 53 of those mountains are in the Third Congressional District, 53 mountains over 14,000 feet.

So the Third District, really a fair representation of what the Third District looks like or should be described as is the mountain district. When you go to Colorado, or when you go anywhere in the Nation, since the mountains of Colorado are highly popular and highly visited, when you go to people and you say, well, I represent the mountains of Colorado, or you are in the State of Colorado and say I have the mountain district, nobody has to think for more than two seconds exactly what district you represent, because it is unique by geography, it is unique as compared to anywhere else in Colorado, and it is certainly unique as compared to any other district in the Nation.

Now, within the borders of Colorado, the Third District stands out in Colorado for its uniqueness. What are those

unique factors in the State of Colorado? Let us go through a few of them.

Let me begin by saying that at the conception of our country many, many years ago, there were purchases made by the United States to expand and to grow our country. The Louisiana Purchase is one that is probably the best known. And most of our population in the United States was heavily concentrated on the East Coast.

So our leaders, our great leaders back then, thought, well, how do we expand our country? We have purchased land, but having a deed, having a deed to a piece of property as we did after we purchased the Louisiana Purchase, having a deed did not mean too much. If you wanted to own land back in those days, you really needed to have a six-shooter strapped on your side and you needed to possess the land. You needed to be on it.

So our Nation has just acquired new lands. Put yourself back in their place. We just bought new lands. Now we have to get people out to those new lands. But the people that we represent are very comfortable in their homes on the Eastern Coast. How do we get them to move in to the center of the United States, into the Rocky Mountains, over to the Pacific Ocean? How do we get them to move to that direction?

You know, every American has a dream, and that dream is to own land. So our leaders decided to use a tool that had been used in the Revolutionary War. It is called land grants, homestead. It actually was used in the Revolutionary War. Our leaders said to soldiers of the British, if you defect, we will give you free land. Come to our new country. We will give you free land. You will own it.

They decided to employ that tool again, the tool of homesteading. In other words, tell people that if they will go out into the Louisiana Purchase, those vast lands, and they farm 160 acres or 320 acres, and they do it for a certain period of time, it is their's, and it is their's forever.

Well, they ran into a problem. In most of the lands in the East, and certainly the lands actually up to the boundaries of about the Third Congressional District in the State of Colorado, you could easily, for example, clear up here in Eastern Colorado, Nebraska, Missouri, any of those States, 160 acres, you could support a family off it. It was very fertile land, and 160 acres was plenty of land to support a family. But when you hit the mountains of Colorado, and it also pertains to the mountains of Wyoming, Montana or New Mexico, when you hit the mountains, 160 acres, that does not even feed a cow. You cannot get by on 160 acres.

So they go back to Washington to our leaders and say, there is a problem. We are getting the population to move out into our new land, to grow our country.

□ 2130

But they are stopping when they get to the Rocky Mountains. They cannot

make a living of it. So somebody pops up and says, well, let us give them more land. If it takes 160 acres in eastern Colorado; now, again, I want to be parochial about my discussion tonight and kind of focus in on Colorado, and it takes only 160 acres on the other side of the third district boundary for a family to survive, what does it take on the western side of that boundary, 3,000 acres? Let us give them 3,000 acres.

But what had happened is that this was a period of time where the government, where our leaders were under harsh criticism because the people were saying, you gave too much land away to the railroads. This Intercontinental Railroad that you wanted to build across the Nation, you gave away too much land. There was a scandal. Too much land has been given away by the government to these big railroad corporations. So our leaders were very sensitive, very sensitive about giving any more land away.

So they said, well, what we ought to do is let us just, for the formality, let us let the government keep the title to the land and we will let the people use the land. That is the concept of multiple use. The government owns the land, they are called public lands, but the people are allowed to use them.

Now, remember, when we take a look at a map of the United States, we will see across the Nation that up to the borders, literally, the borders, in Colorado up to the border of the third district, we will see very little public land. Out here in eastern Colorado, take a look at it. This is Bureau of Land Management lands. They are probably the largest holder of government land in the West. Look at how little land they own. Look where it starts. It starts right on that boundary of the third congressional district. The third district of Colorado is the public lands districts, and there are lots of issues with public lands, whether it deals with water, whether it deals with access, whether it deals with the concept of multiple use, whether it deals with wilderness areas.

We do not have wilderness areas out here. Our wilderness areas are focused on the public lands, and in Colorado they are public lands, here, as shown by this diagram to my left, the public lands are the Bureau of Land Management, they rest in the mountain district, the third district, the mountain district. Let us look further.

The U.S. Forest Service, again, another large holder, another large agency, or an agency that has large holdings of government land. U.S. Forest Service lands in Colorado. Look at the black line as depicted on this map to my left, that line is the third congressional district. That is the mountain district of Colorado. These green lands represent land owned by the government. We can see that outside the mountain district, out here in these other 5 congressional districts, there is very little land owned by the government, very little Forest Service land.

In fact, in some of these communities when they talk about public land, we think they are talking about the courthouse, because literally in these counties, that is all the public land there is. So there are fundamental differences between the mountain district and the rest of Colorado when it comes to government lands. I think I have demonstrated that with the Forest Service and the Bureau of Land Management.

However, there are other differences. For example, our national parks. The national parks are primarily located in the mountain district. Most of Rocky Mountain National Park, or a big chunk of it, the Mesa Verde National Park, our national monuments, the Black Canyon National Park, the national parks in Colorado are primarily located in the mountain district. The same thing applies to our monuments. The majority of monuments, national monuments in the State of Colorado are located in the mountain district. The interests of the mountain district, the community of interest revolves around public lands. Public lands is a huge community in the mountain district of Colorado.

Now, it is not a community of interest in eastern Colorado, it is not a community of interest in Denver, Colorado, and it is not a community of interest in anywhere, frankly, other than the mountain district. But we can go on, we can go on from public lands and continue to study the uniqueness of this mountain district. Take a look at the head waters of the State of Colorado.

Now, we will remember earlier in my comments I mentioned that this district, the mountain district, is the highest district in the Nation elevation-wise. That includes the mountains, it includes the mountains of the San Luis Valley, it includes the plateaus of the San Luis Valley, just as much as it includes the plateaus of the Grand Mesa. These plateaus are all high. We get lots of snowfall every year, hopefully we get lots of snowfall every year. A little plug for skiers: we have lots of snowfall this year, but we usually have lots of snowfall.

Now, in the mountain district of Colorado, we get very little rain. I never saw a rainstorm until I got back to the east. Our rains out there maybe last 20, 25 minutes. It is a very cold rain, it usually comes in and moves out very rapidly. Where do we get our water? We depend very heavily on the snowfall for our water. Then, when the snow melts, that is when we are able to store it. If we cannot store water in Colorado, and primarily, that water has to be stored in the mountains of Colorado, if we cannot store water in Colorado, we do not get it, except for about 60 days of the runoff.

So water is a critical factor in the mountain district. It is not a critical factor just to the mountain district, but the mountain district, logically, because it is the highest point in the Nation, has more head waters in it

than any other district in the country. It is what they call the mother district of rivers, that mountain district. We have the Colorado River, we have the Rio Grande River, we have the South Platte River, we have the Arkansas River. Take a look. Here is the third district. Take a look at the head waters that it has and the water basins.

Now, let me add that the head waters of the river, that is where the river starts. The head waters of a river have a different community of interest than a user of the river downstream. They are completely different communities. They do have in common that they use water out of that river. But where the river starts is a lot different than the location where the water simply runs through. Both of those communities have differing interests. Both of those communities have differing utilization of those water resources. Both of those communities have differing environmental factors to consider. So water is a critical issue.

In Colorado, there is one spokesman, there is one congressional district that can speak for those head waters. Now, the only way that we could increase, have more than one Congressman for the mountain district is to split the mountain district. But if we split the mountain district of Colorado in an effort to provide land for the seventh district, this seventh seat, if we split this district up, what happens is, let us say we did it like this, to the left, or let us just say we came down here and tried to take out the valley, which is very illogical, because the valley is locked in to these mountain communities. The valley is the mountain community. Just because it is a plateau, it is like the Grand Mesa, we could be on the Grand Mesa and think we are at 13,000 feet.

But my point here is that if we split this district up, that is right, we would have two Congressmen, and I say that generically, we would have two Congressmen instead of one. But because, in order to justify the population, we would have to go east, east of the mountains. We would have to leave the mountains and go out of their community of interest into the flat areas, into the planes, into the large cities of Colorado to get the population that is necessary to justify that congressional seat.

What does that mean? That means when election time comes around, the numbers, the largest percentage of population is not in the mountains; the largest percentage of population is in the cities or in the plains of Colorado. They then determine who is going to represent the interests of the mountains of Colorado.

Now, remember when it comes to water, the mountains in Colorado provide 80 percent of the water. Eighty percent of the water in Colorado is in the mountains. Eighty percent of the population is outside the mountains in Colorado. We have an inherent conflict. We have one portion of Colorado that is

rich in resource and another part of Colorado, by far a big part of Colorado, that is rich in need. They need that resource. So there is a constant tug of war. There is nothing more that the people in need of the water would like than to have control of the mountain congressional seat. That is what I am concerned about on this redistricting process.

When we take a look at the mountain district, it is true that we have to give up about 106,000 people. Fortunately, the district, it is almost like it was made for this process, because in this district we have a community called Pueblo, Colorado. It is a strong community. It is a community that has been a leading example across the Nation of economic recovery. But the community has about 130,000, 135,000 in their county.

We can actually go in without any kind of severe disruption. Since we have to find 106,000 people, we really have two choices. We can go into Pueblo, Colorado and pick up out of the city, right there, 106,000 right out of Pueblo. But if we do not take that 106,000 out of a relatively small area and, by the way, it would be about the size of, the head of my pointer would be about the size of the area that we would take out of this district. Let us put up a better graph; it would probably be right here. Right down here would be Pueblo, the gray head of this pointer, right here. That is about the area. If we took that area out, we could satisfy the requirements for the new congressional seat.

But if we do not take it out of Pueblo, Colorado, if we do not move the City of Pueblo, to find 106,000 people in these mountains, we are going to have to take huge chunks of land. We are going to have to interrupt, we are going to disrupt the community of interest in regards to national parks, in regards to water, in regards to national forest land, in regards to Bureau of Land Management land; even in regards to the tribal lands. All of the tribal lands in Colorado are in the mountain district. This district is so unique that there is an obligation, I think, of the legislature and of my colleagues to keep this district intact, to let this district have one voice.

Now, some would say, well, that is kind of interesting, coming from you, because you are the one that is the Congressman. Is this not a little self-serving? Let me tell my colleagues, I will win any race I have out there. The geographical area of my district is not of concern to me for my own political interests. The critical key here is, I am the one that is expected to speak up for this district when this redistricting occurs.

So as the spokesman for the district, I have to look into the future. I have to say into the future, what is important for the interests of the people of the mountain district of Colorado? Is it important, for example, that the heaviest population be outside the mountains,

the water consumers, instead of the water suppliers? It would be a disaster for the mountain district. Is it important to keep all forestlands unified as they are right now? You bet it is. Is it important that the public lands in Colorado, to the extent possible, which, by the way, is about 98 percent, is it important that 98 percent of the public lands be in the mountain district where they are located with one unified voice?

The answer is, you bet it is. Is it important that our Forest Service lands right here stay in that district? You bet it is. The community of interest of the third mountain district, the third congressional district is overwhelming. We have a problem. We have too many people. We have to move 106,000 people. I do not want to move anybody. I do not want to lose one single soul, not one single soul out of the mountain district. But look, the law says, hey, the third district, the mountain district, is going to have to give up 106,000 people. Where are you going to come up with them?

So with great regret, the only logical place to find 106,000 people is Pueblo. Now, I think Pueblo should be protected in its own way. Pueblo should be the predominant community in its own district. So Pueblo can be taken care of, and it is very important to me personally and as their Congressman that Pueblo be taken care of. But it is illogical, illogical to come out here and divide the mountain district, by either taking the valley out; which taking the valley out of the mountain district is like taking the heart out of the patient and saying, look, the patient is still pretty whole, we just take the heart out.

We cannot take the valley out of the mountain district. Look at the water issues, the mountain issues, the public lands, the national forest, the Forest Service lands, the agriculture, the timber industry, the mining industry, all of these are unique to this district in Colorado.

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We do not have logging out there in eastern Colorado; we do not have ski areas. We have 26 ski areas in Colorado, and 24 of them are right here. Our major ski areas are right here. We do not see any ski towns in Denver, out here in the eastern plains, for obvious reasons.

The community of interest, there is a huge community of interest in our ski community and our ski towns that have to deal with employee housing, that have to deal with public land issues, that have to deal with wilderness areas, that have to deal with any multitude of management of Federal lands, that is all unique to this district.

The mountain district, in my opinion, is one of the most unique districts in all of the United States. There are 435 districts. It is probably one of the most well-known districts in the

United States because of the resorts: Aspen, Vail, Steamboat, the beauty of the San Luis Valley, the mountains. You name it, a lot of people who have traveled, a lot of people who have traveled in our Nation and been fortunate enough to travel have been to the mountain district of Colorado.

It would be a shame, it would be wrong, but it would also be a shame to go into Colorado and divide that mountain district, divide its unified voice, divide its ability to elect its representative from the mountains.

If we divide this district up in any significant way, we are going to shift the political power out of the mountains into the big cities, or out of the mountains into the plains. There is not a community of interest there.

Obviously, we feel very proud of the fact that we are all Coloradans, and we love those Colorado Buffaloes. There are a lot of things on which we feel as a State we are unified. But within the family, some parts of the family have assets and the other parts of the family have different assets. We all bring to the table our own unique strengths.

It would be a mistake within the family to take one of our family member's strengths, and I am speaking of the districts, and to split it up. What we should do is try and maintain the strength of each member of our family. We have six members in our family. We are bringing in a seventh member. What we need to do is, with the least amount of disruption, to provide for the seventh member of the family.

We can do that by protecting the interests of Pueblo, for example, and yet protecting that community of interest which bears out so strongly, so strongly in Colorado.

Again, let me just repeat, and I could go on in much more explicit detail, and I am sure that I will be doing that within the immediate future, but my point is this: the mountain district of Colorado, which includes the headwaters of the rivers of Colorado, which includes the San Luis Valley and the vast mountain ranges of the San Luis Valley and the plateaus, the high plateaus, and the western slope, what some people have called the western slope, that all combines now to make a very well-suited, a very strong and a very commonsense district when we consider the community of interest.

Again, that community of interest is everything from ski areas to tourist traffic, the heaviest tourist communities. People go to Colorado to see the mountains. They go to Colorado primarily to see the mountain district. Now, sure, they love to go see the Air Force Academy, that is gorgeous, and things like that. But overall, when we speak of Colorado, we think of mountains. That is the mountain district.

So it is not only ski areas, it is not only tourism, it is the water. Remember that I said earlier that the mountain district has 80 percent of the water. The other five districts have 80 percent of the consumers. It is the na-

tional forests. By far, the mountain district probably has 98 percent of the national forests. It has probably three and a half of the four national parks. It has almost all the national monuments.

When we take a look at it, and in fact, if we think about it, the sports teams, even the sports teams here, they do not go out of the mountains to play other sports teams, they play within it.

So I urge that we keep the mountain district unified.

H.R. 1, NO CHILD LEFT BEHIND ACT, A GOOD BEGINNING WHICH REQUIRES ADDED RESOURCES TO ASSURE AN EDUCATED POPULATION

The SPEAKER pro tempore (Mr. BOOZMAN). Under the Speaker's announced policy of January 3, 2001, the gentleman from New York (Mr. OWENS) is recognized for 60 minutes.

Mr. OWENS. Mr. Speaker, tomorrow or the next day we will have on the floor the long-awaited H.R. 1, Leave No Child Behind Act, an education bill initiated by the President shortly after he was sworn in, inaugurated.

It is a landmark event. It is a history-making event. We should all look forward to it. It is an example of intensive bipartisan cooperation. It does break new ground, and we should see it as a commencement, a second commencement.

Lyndon Johnson began the Federal role in elementary and secondary education more than 40 years ago when he initiated the first Elementary and Secondary Education Assistance Act, primarily designed to help poor school districts, poor children in poor school districts. This is a continuation of that, a reauthorization of it; but I think it has many elements which will move us forward. It has a lot of bipartisan agreement.

We have moved from a situation which existed about 8 years ago where one party was calling for the abolishment of the Department of Education, and I think the Contract with America set forth by Speaker Gingrich called for an end to the Federal role in coordinating education. We had a very intense year of debate on that; and we fought an attempt to cut school lunch programs, we fought an attempt to cut Head Start. It was the depths of bipartisan conflict on education.

Fortunately, the American people let their voices be heard, and they made it clear through the polls and through the focus groups that they considered education to be a high priority, and they wanted more Federal participation in education.

By 1996, in the process of reauthorizing or setting forth a new budget, the end of 1995, actually, the party in power here in the House, the new party in power, the Republican Party, saw the light, and suddenly they began to support the Federal role in education.

The appropriation process I think indicated that when we got a big increase, a more than \$4 billion increase in education as a result of the majority Republicans responding to the will of the people. It would have been very disastrous if they had not recognized it and stopped the call for the dismantling of the Department of Education.

So we are at a point now where the perception of the public, according to recent polls, is that Republicans and Democrats are pretty much the same in terms of their support for Federal involvement in education, in terms of their support for education. Whether I agree with that perception or not, that is the perception of the public. This bill shows that the two parties can reach agreement about the same thing, and it is a positive achievement. But in my opinion, it ought to be a second commencement.

Now we agree on the basic role, and now we set some basic new directions where I think one of the parties can certainly distinguish itself at this point by recognizing the great need for more resources. I hope it is my party.

I hope we wake up to the fact that all that we have done is important, and nobody should minimize the importance of the bill that will be on the floor, but the great flaw in the bill is that it lacks resources. It does not have the resources to do the job that has to be done.

Let us just stop for a moment and consider some of the activities that are taking place in this first year of the 107th Congress. We have a monumental challenge. September 11 certainly heightened and escalated the nature of the challenge, but we had a challenge already in terms of a faltering economy.

Things have been happening here which require some very difficult decisions to be made. In this democracy of ours, keeping the economy going, reacting to a new kind of threat, waging a new kind of war requires an educated population.

I think governance of any modern industrialized society, that is far more difficult than nuclear physics. The governance of a modern society requires first of all an educated population. The most important resource we can have is an educated population.

So the achievement of Congress, the two parties, in reaching the agreement that has been reached that will be on the floor here is not just a passing matter. Education is not just an ancillary kind of operation, off to the side, ancillary because, after all, the Constitution does specifically say that the Federal Government is not responsible for education, that it is the responsibility of the States and local governments. We have participated sort of as a stimulus and a catalyst to make things happen faster and better, but we are not really responsible. We do not understand it to be a major function of the Federal Government.

I thoroughly disagree with this, and I think that in our new commencement