

people who today may not have a job. We are going to rebound this economy. It is going to head back.

I believe that the President, working with this Congress, will have a lot of success. That is what this is about. That is our hidden agenda. Our hidden agenda is simple. It is about jobs. It is about economic growth and the opportunity for people to get a job, keep a job and know that they can have more take-home pay.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

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

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

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic voting on adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 218, nays 191, not voting 25, as follows:

[Roll No. 49]

YEAS—218

Aderholt	Duncan	Issa
Akin	Dunn	Istook
Armedy	Ehlers	Jenkins
Bachus	Ehrlich	Johnson (CT)
Baker	Emerson	Johnson (IL)
Ballenger	English	Johnson, Sam
Barr	Everett	Jones (NC)
Bartlett	Ferguson	Keller
Barton	Flake	Kelly
Bass	Fletcher	Kennedy (MN)
Bereuter	Foley	Kerns
Biggart	Forbes	King (NY)
Billakis	Fossella	Kingston
Blunt	Frelinghuysen	Kirk
Boehlert	Galleghy	Knollenberg
Boehner	Ganske	Kolbe
Bonilla	Gekas	LaHood
Bono	Gibbons	Latham
Boozman	Gilchrest	LaTourette
Brady (TX)	Gillmor	Leach
Brown (SC)	Gilman	Lewis (CA)
Bryant	Goode	Lewis (KY)
Burr	Goodlatte	Linder
Burton	Goss	LoBiondo
Callahan	Graham	Lucas (OK)
Camp	Granger	Manzullo
Cannon	Graves	McCrery
Cantor	Green (WI)	McHugh
Capito	Greenwood	McInnis
Castle	Grucci	McKeon
Chabot	Gutknecht	Mica
Chambliss	Hall (TX)	Miller, Dan
Coble	Hansen	Miller, Gary
Collins	Hart	Miller, Jeff
Combest	Hastings (WA)	Moran (KS)
Cooksey	Hayes	Morella
Cox	Hayworth	Myrick
Crane	Hefley	Nethercutt
Crenshaw	Herger	Ney
Culberson	Hilleary	Northup
Cunningham	Hobson	Norwood
Davis, Jo Ann	Hoekstra	Nussle
Davis, Tom	Horn	Osborne
Deal	Hostettler	Ose
DeLay	Houghton	Otter
DeMint	Hulshof	Oxley
Diaz-Balart	Hunter	Paul
Dreier	Isakson	Pence

Peterson (PA)	Schaffer	Terry
Petri	Schrock	Thomas
Pickering	Sensenbrenner	Thornberry
Pitts	Sessions	Thune
Platts	Shadegg	Tiahrt
Pombo	Shaw	Tiberi
Portman	Shays	Toomey
Pryce (OH)	Sherwood	Upton
Putnam	Shimkus	Vitter
Quinn	Shuster	Walden
Radanovich	Simmons	Walsh
Ramstad	Simpson	Wamp
Regula	Skeen	Watkins (OK)
Rehberg	Smith (MI)	Watts (OK)
Reynolds	Smith (NJ)	Weldon (FL)
Riley	Smith (TX)	Weldon (PA)
Rogers (KY)	Souder	Weller
Rogers (MI)	Stearns	Whitfield
Rohrabacher	Stump	Wicker
Ros-Lehtinen	Sullivan	Wilson (NM)
Roukema	Sununu	Wilson (SC)
Royce	Sweeney	Wolf
Ryan (WI)	Tancredo	Young (AK)
Ryun (KS)	Tauzin	Young (FL)
Saxton	Taylor (NC)	

NAYS—191

Ackerman	Gutierrez	Moran (VA)
Allen	Hall (OH)	Murtha
Andrews	Harman	Nadler
Baca	Hastings (FL)	Neal
Baird	Hill	Oberstar
Baldacci	Hilliard	Obey
Baldwin	Hinche	Olver
Barcia	Hinojosa	Ortiz
Barrett	Hoefel	Owens
Becerra	Holden	Pallone
Berkley	Holt	Pascarell
Berman	Honda	Pastor
Berry	Hooley	Payne
Bishop	Hoyer	Pelosi
Blumenauer	Inslee	Peterson (MN)
Bonior	Israel	Phelps
Borski	Jackson (IL)	Pomeroy
Boswell	Jackson-Lee	Price (NC)
Boucher	(TX)	Rahall
Boyd	Jefferson	Rangel
Brady (PA)	John	Reyes
Brown (FL)	Johnson, E. B.	Rivers
Brown (OH)	Jones (OH)	Rodriguez
Capps	Kanjorski	Roemer
Capuano	Kaptur	Ross
Cardin	Kennedy (RI)	Rothman
Carson (IN)	Kildee	Rush
Carson (OK)	Kind (WI)	Sabo
Clay	Klecza	Sanders
Clayton	Kucinich	Sandlin
Clement	LaFalce	Sawyer
Clyburn	Lampson	Schakowsky
Conyers	Langevin	Schiff
Costello	Larsen (WA)	Scott
Coyne	Larson (CT)	Serrano
Cramer	Levin	Sherman
Crowley	Lewis (GA)	Shows
Cummings	Lipinski	Skelton
Davis (CA)	Lowe	Slaughter
Davis (FL)	Lucas (KY)	Smith (WA)
Davis (IL)	Luther	Snyder
DeFazio	Lynch	Spratt
DeGette	Maloney (CT)	Stark
Delahunt	Maloney (NY)	Stenholm
DeLauro	Markey	Strickland
Deutsch	Mascara	Stupak
Dicks	Matheson	Tanner
Dingell	Matsui	Tauscher
Doggett	McCarthy (MO)	Taylor (MS)
Doyle	McCarthy (NY)	Thompson (CA)
Edwards	McCollum	Thompson (MS)
Engel	McDermott	Thurman
Eshoo	McGovern	Tierney
Etheridge	McIntyre	Towns
Evans	McKinney	Turner
Farr	McNulty	Udall (CO)
Fattah	Meehan	Udall (NM)
Ford	Meek (FL)	Velazquez
Frank	Meeks (NY)	Visclosky
Frost	Menendez	Watt (NC)
Gephardt	Miller, George	Waxman
Gonzalez	Mink	Weiner
Gordon	Mollohan	Wu
Green (TX)	Moore	Wynn

NOT VOTING—25

Abercrombie	Cubin	Lantos
Bentsen	Dooley	Lee
Blagojevich	Doolittle	Lofgren
Buyer	Filner	Millender
Calvert	Hyde	McDonald
Condit	Kilpatrick	Napolitano

Roybal-Allard	Traficant	Wexler
Sanchez	Waters	Woolsey
Solis	Watson (CA)	

□ 1222

Messrs. LARSON of Connecticut, DINGELL, BARRETT of WISCONSIN, ALLEN, FORD, HINOJOSA and ISRAEL changed their vote from “yea” to “nay.”

Mr. REGULA changed his vote from “nay” to “yea.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall No. 49, I was conducting official business in my San Diego, California, district. Had I been present, I would have voted “nay.”

Ms. SOLIS. Mr. Speaker, during rollcall vote No. 49 on ordering the previous question I was unavoidably detained. Had I been present, I would have voted “nay.”

Mr. ABERCROMBIE. Mr. Speaker, earlier today, I was unable to cast my vote on two rollcall votes. Had I been present, I would have voted as follows: Rollcall 48, Approval of the Journal: “aye”; rollcall 49, Previous Question: “nay.”

The SPEAKER pro tempore (Mr. FOSSELLA). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Any record votes on postponed questions will be taken after disposition of House Concurrent Resolution 275 relating to mourning doves.

#### CONGRATULATING THE UNITED STATES MILITARY ACADEMY AT WEST POINT ON ITS BICENTENNIAL ANNIVERSARY

Mr. MCHUGH. Mr. Speaker, I move to suspend the rules and pass the Senate joint resolution (S.J. Res. 32) congratulating the United States Military Academy at West Point on its bicentennial anniversary, and commending its outstanding contributions to the Nation.

The Clerk read as follows:

S.J. RES. 32

Whereas establishing a military academy to teach the technical arts of war was a desire of many of our founding fathers, particularly George Washington;

Whereas Congress passed legislation on March 16, 1802, to establish such a military academy to be located at West Point, New York, a site that Washington called the key to the continent because of its strategic importance during the Revolution;

Whereas President Thomas Jefferson signed the legislation establishing the United States Military Academy at West Point, an institution dedicated to promoting scientific education to benefit the Nation and to attracting a diverse array of young citizens to the Nation's military leadership;

Whereas Sylvanus Thayer, who served as Superintendent of the Academy from 1817 to 1833, established the foundation of the Academy's strong academic program, strict adherence to discipline, and emphasis on moral and ethical conduct;

Whereas, under Douglas MacArthur's leadership as Superintendent from 1919 to 1922, the Academy was modernized to prepare its graduates for the challenges of the 20th century;

Whereas the Academy, the first school in America to teach engineering, produced graduates who were responsible for the construction of the Nation's first railroad lines and many of its early harbor improvements, bridges, roads, and canals;

Whereas Academy graduates introduced engineering education to numerous colleges and universities, and carried out such monumental engineering projects as the construction of the Panama Canal project;

Whereas Academy graduates have also distinguished themselves in the leadership of such innovative scientific research and development projects as the development of atomic bombs in the Manhattan Project during World War II;

Whereas Academy graduates have served with character and distinction in all of America's wars and military actions since the War of 1812;

Whereas 74 Academy graduates have earned the Nation's highest military honor, the Medal of Honor;

Whereas 2 Academy graduates, Ulysses S. Grant and Dwight D. Eisenhower, served both as distinguished general officers and as the President of the United States, and many other graduates have served in all levels of government;

Whereas dozens of Academy graduates have been astronauts, including the Academy graduate who is the first American to walk in space and 2 Academy graduates who walked on the moon;

Whereas hundreds of Academy graduates have utilized their talents in the private sector, to provide managerial and technical expertise that is responsible, in part, for nurturing and sustaining a system of enterprise that is admired around the world;

Whereas the Academy has provided an opportunity for men and women of all races, religions, and cultures to receive a college education and to begin a life of service to the Army and the Nation; and

Whereas the motto of the Academy, "Duty, Honor, Country", exemplifies the spirit of this Republic: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That Congress congratulates the United States Military Academy on its bicentennial anniversary, recognizes it as an outstanding leadership development institution that upholds and promotes the highest virtues of American society, and commends all those who have led and taught at the Academy for inculcating its 58,000 graduates with moral, ethical, and intellectual values and skills that are the foundations for the dedicated service so honorably given by those graduates to the Army, the Nation, and friends of freedom and liberty around the world for 200 years.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. McHUGH) and the gentlewoman from California (Mrs.

TAUSCHER) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. McHUGH).

#### GENERAL LEAVE

Mr. McHUGH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on S.J. Res. 32.

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

There was no objection.

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

Mr. Speaker, S.J. Res. 32 celebrates the bicentennial anniversary of one of our Nation's most valued institutions, the United States Military Academy at West Point.

I should say, Mr. Speaker, this is a particularly proud moment for me personally. As an 8-year member of the Board of Visitors at that illustrious institution and as a 10-year member of the Committee on Armed Services, I have come to know firsthand the amazing contributions and the invaluable role that West Point has played, both in our Nation's history and in our Nation's present.

The Military Academy has performed its primary objective of educating military officers with unparalleled excellence throughout its history. To understand the value of West Point, one only has to look back on the long line of great men that have led our forces in war who were the products of this tremendous institution. Perhaps the most important achievement of West Point is the "long gray line," the many graduates beneath the great names of history who have formed the foundation of the officer corps that is the bulwark of the United States Army in peacetime, as well as war.

Throughout its history, the Military Academy has molded the best and the brightest of our youth into leaders with skills, character and commitment to not just defend America, but to make it a better place throughout their lives. In my experience, the contributions and achievements of the graduates of the Military Academy extend well beyond their lives as military officers. Academy graduates have historically made and continue to make contributions to local government, business, and academia across the Nation.

Through their leadership talents and commitment to service, they have been successful in making their bedrock values, duty, honor, country, part of every community they touch.

The effectiveness of their influence is most evident in Washington, D.C., here at the seat of government. I would venture to say there is not a single government agency here in Washington that does not directly benefit from the presence of a West Point graduate.

It has been my experience that West Point graduates are more often focused on the challenges of a job and society's

need for that job to be done than they are on the personal financial rewards and recognitions that any employment slot may offer. They do not shy away from the difficulties and the sacrifices we are required to work with within government, but rather they embrace the challenges and seek the reward of knowing they have made a difference in that important mission.

Mr. Speaker, our Nation has benefited in many ways from these remarkable citizens. While we treasure the graduates, we must also honor the institution that gave these wonderful Americans the opportunity to learn and grow.

Mr. Speaker, I would particularly like to extend a word of thanks to the gentleman from Illinois (Mr. SHIMKUS) for his leadership and for his hard work in helping to bring this resolution to the floor. We are all deeply in his debt.

So, Mr. Speaker, S.J. Res. 32 correctly congratulates the United States Military Academy on its 200th anniversary as a leadership institution that upholds and promotes the highest virtues of American society. I would like to also add my personal thanks to the men and women, past and present, who have made it a bastion of learning in which students may witness and assimilate the individual qualities that we have come to hold dear and view as authentically American; and specifically I speak of the professors, the faculty, the staff, and, of course, the administrative staff, who have really led this institution and have helped form it and in the process helped to form so many great young American men and women to fill an invaluable role, both in our military and our society in general.

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

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

Mr. Speaker, I rise in support of Senate Joint Resolution 32, which recognizes the bicentennial of the United States Military Academy, commonly referred to as West Point.

The United States Military Academy has been nurturing and developing a spirit of duty, honor, country in our Nation's Army cadets for 200 years since its founding in 1802 by President Thomas Jefferson. As a member of West Point's Board of Visitors, it is an American tradition of excellence I am honored to be proud of. During the Revolutionary War, General George Washington considered West Point to be the most important strategic position in America.

Nestled on nearly 16,000 acres in West Point, New York, along the Hudson River, the United States Military Academy is dedicated to attracting diverse young men and women to our Nation's military leadership. For 2 centuries, West Point has been both home and training academy to thousands of cadets who have committed themselves to serve our Nation and the virtues of duty, honor, and country.

□ 1230

Among the graduates of this distinguished institution are: Presidents Ulysses S. Grant and Dwight D. Eisenhower, "Stonewall" Jackson, Robert E. Lee, John J. Pershing, Douglas MacArthur, George S. Patton, Omar Bradley, Edwin E. "Buzz" Baldwin, Brent Scowcroft, and H. Norman Schwarzkopf.

Other honorable graduates include: Dennis Hart Mahan, a distinguished educator and writer who taught the science of war; Henry O. Flipper, the first African American graduate in 1877; Henry H. "Hap" Arnold, a pioneer of Army aviation; astronauts Frank Borman, who commanded the first circumlunar flight; Edward White II, the first American to walk in space and who tragically perished in the Apollo spacecraft fire; and Michael Collins, who participated in the first manned lunar landing; Roscoe Robinson, Jr., the first African American four-star Army general; Andrea Lee Hollen, the first woman to graduate from the Academy and a Rhodes Scholar; and Kristin Baker, the first woman brigade commander of the U.S. Corps of Cadets.

These and many other well-known and not so well-known graduates of West Point have made an impact on our Nation's history.

The United States Military Academy's mission is "to educate, train, and inspire the Corps of Cadets so that each graduate is a commissioned leader of character committed to the values of Duty, Honor, Country; professional growth throughout a career as an officer of the United States Army; and a lifetime of selfless service to the Nation." For 200 years, the Academy has faithfully and dutifully carried out the "West Point Experience" by challenging intellect, requiring rigorous physical stamina, and developing the military and moral and ethical character of cadets.

I urge my colleagues to join me in congratulating the United States Military Academy on its bicentennial and support S.J. Resolution 32.

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

Mr. McHUGH. Mr. Speaker, let me first commend my fellow Board of Visitors member, the gentlewoman from California (Mrs. TAUSCHER), for both her work on this resolution and for her very eloquent statement in support. I think she very effectively outlined the specific contributions of this great institution.

Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Mrs. KELLY); not just from New York but a very special part of New York who, beyond being also a member of the Board of Visitors, has the honor of representing in her congressional district this fine institution.

Mrs. KELLY. Mr. Speaker, I, too, have been a member of the Board of Visitors of West Point for 8 years.

Mr. Speaker, the freedom of this Nation was bought through the ideas of

democracy and independence of our Founding Fathers, but those ideas would never have come into a reality without a commitment of men to fight for those ideals.

Throughout our country's history, we have been led through tumultuous times by the men and women of the military who are motivated by a deep patriotism and a willingness to put their lives on the line to defend our Nation and keep us safe. It is no secret that many of the great leaders of these brave men and women have been trained on the hallowed grounds of West Point.

As mentioned before, George Patton, Dwight D. Eisenhower, Ulysses Grant, and Douglas MacArthur are just a few of the names on a long list of the leading American soldiers who obtained the tools to become great American leaders as cadets on the banks of the Hudson River at West Point. Our Nation owes a continuing debt of gratitude to strong men and women who are at The Point and who have graduated from The Point and are leading our armies even now. I am proud that this illustrious institution is in my district.

The history of The Point, dating from the very first days of the revolutionary war to the present, is one of heroism and leadership. I wish a happy anniversary to the U.S. Military Academy and congratulate all of those who have had an association there on 200 years of dignified service to this Nation.

I congratulate the men and women who teach at The Point and those who have taught there. Thank you for training generations of young people to understand just what the motto "Duty, Honor, Country" stands for.

Congratulations to all of our West Point grads, past and present and future. Our Nation is grateful to you for your selfless service.

Mrs. TAUSCHER. Mr. Speaker, I yield 4 minutes to the gentleman from New York (Mr. McNULTY).

Mr. McNULTY. Mr. Speaker, I thank the gentlewoman for yielding me this time.

I am delighted to join with my colleagues in congratulating the Military Academy of West Point on the occasion of its bicentennial celebration. The reason I like West Point so much is because West Point produces veterans. If we remember to keep our priorities straight, we will remember that, had it not been for the men and women who wear the uniform of the United States military through the years, we would not have the privilege of going around bragging, as I often do, about how we live in the freest and most open democracy on the face of the earth.

Freedom is not free. We have paid a tremendous price for it, and I try not to let a day go by without remembering with deep gratitude all of those who, like my brother, Bill, made the supreme sacrifice and all of those who served and were willing to put their lives on the line as servicemen and

women are doing right now, for all that we hold dear. That is why, Mr. Speaker, when I get up in the morning, the first two things I do are to thank God for my life and veterans for my way of life.

So on this special day I salute and pay tribute to all of the graduates of the Military Academy at West Point through the years, including my own Albany County Executive, Mike Breslin, who went on to serve as a company commander in the Vietnam War, all the way to Colleen O'Malley, who will graduate this year. West Point is a great national treasure. May it endure for many generations to come.

Mr. McHUGH. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. SHIMKUS), the gentleman I mentioned earlier, a graduate of West Point and someone who, to this day, returns on a regular basis and instructs in the classrooms and helps to mold those leaders that all of us have been speaking about and are in such deep admiration of. Also, of course as I mentioned, the gentleman is the primary driving force behind having this resolution before us today.

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

Mr. SHIMKUS. Mr. Speaker, many of our Founding Fathers, particularly George Washington, wanted to establish a military academy to teach the technical arts of war. On March 16, 1802, Congress passed legislation to establish such a military academy to be located at West Point, New York. Thomas Jefferson signed this bill into law.

The Academy daily fulfills its mission: "To educate, train and inspire the Corps of Cadets so that each graduate is a commissioned leader of character, committed to the values of Duty, Honor, Country; professional growth throughout a career as an officer in the United States Army; and a lifetime of selfless service to the Nation."

The Academy was the first school in America to teach engineering, produce graduates who were responsible for the construction of the Nation's first railroad lines and many of its early harbor improvements, bridges, roads, and canals.

Graduates of the Academy have served with character and distinction in all of America's wars and military actions since the War of 1812.

For 200 years, the military academy has educated and trained some of the best and brightest in the Nation.

The "West Point Experience" includes a challenging academic program in the arts and sciences, military training, physical education, and moral and ethical development.

From the day of its founding, West Point has remained committed to the task of producing commissioned leaders of character for America's Army.

The Academy continues to provide men and women of all races and cultures to receive a college education

and begin a life of service to the Army and to the Nation, and this resolution highlights some of the leaders that we know about from our history books.

But I want to give my colleagues a snapshot of just one class, and that is my class, the graduating class of 1980 that entered in 1976, the first class at West Point with women. We admitted 1,366 men, 119 women, for a total of 1,485 cadets. Of that, upon graduation in 1980, 855 male graduates, 62 female graduates, a total of 917. Of that class, four were Olmstead Scholars, one was a Rhodes Scholar, and one went on to be an astronaut.

In September of 2001, of that graduating class of 1980, after our 20 years of service had expired, we still have 188 males serving in the active Army of our country and 12 females serving in the active Army of our country; and we are very, very proud of all of those graduates. That is a snapshot of just a class from West Point.

But I also want to expound on those characters and attributes of those who are not always remembered and those who are not named. Dennis Michie introduced football to the military Academy and trained the first Army football team. When war broke out with Spain in 1898, Lieutenant Michie proved he was every bit of a soldier as he was an athlete. Acting as a runner with messages for the far right of the U.S. line during the battle of San Juan Hill, he traversed the entire length of the front during the morning of July 1. Somewhere along the way back from the forward battalion, Dennis Michie was killed. He was only 28 years old.

Thomas Truxtun excelled in both soccer and lacrosse. When he was not on the playing fields, Truxtun was leading the Corps of Cadets. During World War II, near Tabio on June 6, 1945, Lieutenant Colonel Truxtun went forward with the infantry unit his battalion was supporting, he commanded a field artillery battalion, to ensure the fire his men provided was doing what the infantry needed. Far forward in an exposed position, he was shot and killed by a Japanese sniper. He was only 31 years old.

Thomas Shea was born in Virginia. After serving as an Infantryman, he got an appointment to the Academy. He then excelled in track. He then made a life-changing decision upon his graduation. He had the opportunity to train as a track runner for the upcoming Olympics or continue his military training and go to Korea. He went to Korea.

On July 6, 1952 Lieutenant Shea's company was stationed on Pork Chop Hill and was attacked by a numerically superior Communist force. Shea personally led a counterattack against the enemy and held the enemy back. On July 8, the Communists came again and, despite additional wounds, Shea led the counterattack. He died in hand-to-hand combat with the enemy. Richard Shea was only 26 years old.

Thomas Hayes was an athlete and a leader at West Point. Lieutenant Hayes

called for covering fire, left his covered position and ran through concentrated fire to a wounded soldier and pulled him to safety. Lieutenant Hayes then began directing his platoon's fire against the well-entrenched enemy. Lieutenant Hayes died during this fight when a Viet Cong sniper opened fire and mortally wounded Hayes. Hayes' actions that day saved the lives of two of his soldiers. Thomas Hayes was only 25 years old when he was killed in action in 1968.

More than 1,250 Academy graduates have been killed in action or died from battle wounds. At least another 500 were the victims of nonbattle deaths in military actions of our country. This is why we hold so dear our alma mater which says, in the last verse, "And when our work is done, our course on earth is run, may it be said, 'well done, be thou at peace.' E'er may that line of gray increase from day to day. Live, serve, and die, we pray, West Point for thee."

We have a national treasure in the upper highlands of the Hudson Highlands in New York. It is fitting that we recognize its bicentennial and its commitment to our country: "Duty, Honor, Country."

Mrs. TAUSCHER. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from New York (Mr. HINCHEY), another member of the Board of Visitors.

Mr. HINCHEY. Mr. Speaker, I thank the gentlewoman from California for yielding me this time.

Mr. Speaker, I am very proud to join with my colleagues in sponsoring this House Resolution to recognize the United States Military Academy on its bicentennial. This venerable institution was chartered by Congress 200 years ago on March 16, shortly after the birth of the Nation.

Known most commonly by the name of the town where it is located, West Point, New York, the United States Military Academy was born out of the experience of our Founding Fathers during the Revolutionary War. Many of the key battles in the fight for independence were fought along the banks of the Hudson River. At the time, the Hudson was the main artery of transportation and commerce as well as security in the Nation.

George Washington chose a site at the bend in the river on the bluffs overlooking the west bank about 50 miles north of New York City to establish an academy to train the military leaders of our country. Today, the view from West Point is one of the most breathtaking sites in America. Two hundred years ago, it was one of the most militarily strategic locations in America.

I grew up near West Point, near its halls. It is an important part of the Hudson valley, and the contributions that it makes are mighty to all of our communities.

□ 1245

It is more than just West Point football games in the fall. It is also the

academy support for local cultural institutions, schools, and athletic programs that make it such a fine neighbor.

"Duty, honor, country," the school's motto, is the foundation of West Point education. West Point graduates have served our country with distinction. They have led our troops into battle in every war, military conflict, and police action, from the war in 1812 through the current conflict in Afghanistan. Seventy-four have won a Congressional Medal of Honor. Countless others have received numerous decorations for bravery and valor on the battlefield.

More than waging war, West Point graduates have also negotiated peace treaties and served in our Diplomatic Corps. School of Engineering West Point graduates built the infrastructure of our Nation. They constructed the first harbors, bridges, canals, roads, and railroads. They made manifest destiny a reality as America expanded westward.

West Point graduates have led our country as Presidents, Governors, Senators, Members of the House of Representatives. My colleague, the gentleman from Illinois and the sponsor of this resolution, is a fine example.

West Point graduates have walked on the Moon, headed up major corporations, written best-sellers, competed in the Olympics, and excelled in every walk of life. Every year it produces more winners of Rhodes, Truman, Fulbright, and Marshall International scholarships than nearly every other school in the country.

I am proud to serve this institution as one of the newest members of the Board of Visitors. As West Point celebrates its bicentennial, I look forward to helping lead it into the future.

Again, I wish to thank the gentleman from Illinois for sponsoring this legislation and the leadership for placing it on the calendar today. This is a fitting tribute for an institution that has served our Nation long and well. I know that everyone in this House will support this resolution.

Mrs. TAUSCHER. Mr. Speaker, I urge my colleagues to vote for this resolution, and I yield back the balance of my time.

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

Mr. Speaker, I have a final word of praise for all those Members who are here today, and to the gentleman from Illinois for his special effort in urging our fellow Members to join us in commemorating this very worthy resolution on this 200th anniversary.

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

The SPEAKER pro tempore (Mr. SHIMKUS). The question is on the motion offered by the gentleman from New York (Mr. McHUGH) that the House suspend the rules and pass the Senate joint resolution, S.J. Res. 32.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of

those present have voted in the affirmative.

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

The yeas and nays were ordered.

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

#### ENCOURAGING THE NEGOTIATED SETTLEMENT OF TRIBAL CLAIMS

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1857) to encourage the negotiated settlement of tribal claims.

The Clerk read as follows:

S. 1857

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

#### SECTION 1. SETTLEMENT OF TRIBAL CLAIMS.

(a) IN GENERAL.—Notwithstanding any other provision of law, for purposes of determining the date on which an Indian tribe received a reconciliation report for purposes of applying a statute of limitations, any such report provided to or received by an Indian tribe in response to section 304 of the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4044) shall be deemed to have been received by the Indian tribe on December 31, 1999.

(b) STATEMENT OF PURPOSE.—Subsection (a) is solely intended to provide recipients of reconciliation reports with the opportunity to postpone the filing of claims, or to facilitate the voluntary dismissal of claims, to encourage settlement negotiations with the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman from West Virginia (Mr. RAHALL) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

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

Mr. Speaker, this bill is a bill to encourage the negotiated settlement of tribal claims. S. 1857 allows Indian tribes to postpone the filing of lawsuits against the United States for either the loss of money held in trust for the tribe or the mismanagement of those funds, such as the loss of interest income or the crediting of the wrong tribal trust fund account.

Under present law, the statute of limitations does not run against such claims until each tribal account holder receives an accounting "from which the beneficiary can determine whether there has been a loss." Although the United States began to provide Indian tribes with reconciliation reports in early 1996, no one knows for sure whether these reports commenced the running of the statute of limitations.

The Government Accounting Office has given Congress real reason to doubt that these reports constitute a sufficient accounting to satisfy the Federal Government trust obligation. However, if, as many Indian tribes fear, the report serves to trigger the statute of

limitations, a tribe may feel obligated to file a lawsuit to protect its interests. S. 1857 will help prevent a flood of litigation and the costs it will incur.

I commend my friend, the gentleman from Michigan (Mr. KILDEE), for introducing a House companion bill, H.R. 3815, of which I am an original cosponsor. As we have learned from the ongoing class action lawsuits that began as *Cobell v. Babbitt* in 1996, we will all be best served if there are as many of these trust fund accounting claims as possible settled through negotiation without litigation.

S. 1857 will give the Federal Government until December 31, 2005, to create a process for settling these claims. I applaud the administration for its foresight in assisting with these efforts.

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

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

Mr. Speaker, the mismanagement of the Indian trust funds is truly one of the worse embarrassments of this Nation. Sadly, we have become the United States of broken promises to many of our first Americans.

Today, as we consider S. 1857, there is a multi-billion dollar lawsuit pending where the court has already ruled that the Interior Department is in breach of its trust responsibility to Indian account holders. Two cabinet Secretaries have already been held in contempt of court, and a third may also be found in contempt at any time.

The Federal Government has held monies in trust for the American Indians since 1820, and almost immediately the criticism started on how funds intended for the benefit of Indians were handled. In 1828, Henry Rowe Schoolcraft, a noted negotiator of several Indian treaties, wrote, "The derangements in the fiscal affairs of the Indian department are in the extreme. One would think that appropriations had been handled with a pitchfork."

In 1834, the House Committee on Indian Affairs filed a report which characterized the administration of Indian Affairs as being "expensive, inefficient, and irresponsible."

Were these warnings heeded? No. Let us fast forward almost 160 years to 1992, when the House Committee on Government Operations released a report on the mismanagement of Indian trust funds. The report detailed numerous basic problems, including the inability of the Department of the Interior to give account holders proper account balances, the lack of uniform written policies governing how accounts are to be managed, the insufficient training of personnel needed to carry out the duties required, and the inadequate automated and recordkeeping systems.

Some of us remember our response to that 1992 report. We sat down with tribal and individual Indian account holders, the Department of the Interior, banking and trust management experts, and the computer experts and together developed legislation to address these problems.

Well, Mr. Speaker, it is unfortunate but true that even after that legislation was signed into law and sent to the Department of the Interior for implementation, as of today the four basic problems I just outlined still exist. Indeed, there are no written uniform policies. Personnel charged with such an important job are not given sufficient training. The promise of a greater computer system has become a multi-million dollar disaster, and the Department cannot provide account holders with a full and complete accounting of their funds.

This last point brings me to the issues raised by the pending legislation, S. 1857. Congress appropriated \$20 million, which was contracted to Arthur Andersen to provide each Indian tribe with an accounting of their federally held trust fund accounts. It was clear when these reports were sent to Indian tribes in 1996 that they were not a full and accurate reconciling of the tribal accounts.

Now, 6 years later, Indian tribes fear that a statute of limitations could run out on them and they could be precluded from challenging the accuracy of those Arthur Andersen reports.

While I think it is unlikely any court would find in favor of the government in any such case, we need to allay the concerns and put off this deadline. S. 1857 would extend the statute of limitations for another 3 years in order to give an extension of time for negotiations between Indian tribes and the Federal Government over trust fund account balances.

I am an original cosponsor of the companion legislation in the House, and I urge my colleagues to support this bill and head off dozens of additional lawsuits filed against Secretary Norton.

This is an important step to take, but it is only a temporary one. We must settle the issue of all Indian trust fund account balances, and we must set up a system where future Congresses are not quoting us when describing a still-continuing problem.

Let me be clear: the Federal Government cannot give a full and accurate historical accounting of Indian trust funds to the account holders. Members do not have to take my word for it. Numerous reports exist detailing trust fund documentation that are too damaged to read or are lost entirely. Members can read testimony from BIA employees of storing documents in a barn in Oklahoma, only to toss them out to make room for new documents. Members can ask Secretary Gale Norton, who admitted as much before the House Committee on Resources just last month.

Just this past November, Secretary Norton announced the establishment of a new agency within the Department of the Interior to handle Indian trust activities. She made a dreadful mistake by not working with the account holders before bursting forth with this proposal. I know she realizes that now, but not after precious time has slipped by.