

(2) In the case of official travel of members and staff of a subcommittee to hearings, meetings, conferences, facility inspections and investigations involving activities or subject matter under the jurisdiction of such subcommittee to be paid for out of funds allocated to the Committee, prior authorization must be obtained from the subcommittee Chairman and the full Committee Chairman. Such prior authorization shall be given by the Chairman only upon the representation by the applicable subcommittee Chairman in writing setting forth those items enumerated in clause (1).

(3) Within 60 days of the conclusion of any official travel authorized under this rule, there shall be submitted to the Committee Chairman a written report covering the information gained as a result of the hearing, meeting, conference, facility inspection or investigation attended pursuant to such official travel.

(4) Local currencies owned by the United States shall be made available to the Committee and its employees engaged in carrying out their official duties outside the United States, its territories or possessions. No appropriated funds shall be expended for the purpose of defraying expenses of Members of the Committee or its employees in any country where local currencies are available for this purpose; and the following conditions shall apply with respect to their use of such currencies:

(i) No Member or employee of the Committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in applicable Federal law; and

(ii) Each Member or employee of the Committee shall make an itemized report to the Chairman within 60 days following the completion of travel showing the dates each country was visited, the amount of per diem furnished, the cost of transportation furnished, and any funds expended for any other official purpose, and shall summarize in these categories the total foreign currencies and appropriated funds expended. All such individual reports shall be filed by the Chairman with the Committee on House Administration and shall be open to public inspection.

#### RULE XII.—AMENDMENT OF RULES

These rules may be amended by a majority vote of the Committee. A proposed change in these rules shall not be considered by the Committee as provided in clause 2 of House Rule XI, unless written notice of the proposed change has been provided to each Committee member two legislative days in advance of the date on which the matter is to be considered. Any such change in the rules of the Committee shall be published in the Congressional Record within 30 calendar days after its approval.

#### THE FEDERAL BUDGET

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

Mr. PRICE of North Carolina. Mr. Speaker, I and a number of colleagues wish to address this body and the American people this evening on our country's fiscal situation and the decisions facing Congress as we propose a budget for the 2004 fiscal year. We speak with some urgency, and I think colleagues will sense that, because our situation has worsened drastically, and

we are convinced that the President's 2004 budget would move our country dramatically in the wrong direction. In the minutes to follow, we will elaborate on our concerns and explain on the alternative course that we should be taking.

Mr. Speaker, just 3 years ago, the Federal budget achieved its first surplus that did not rely on either the Social Security trust fund surplus or the Medicare surplus in many, many years. In fact, in the last years of the Clinton administration, we actually paid down \$400 billion of the publicly held debt. This first chart tells the story: the deepening deficits in the 1980s, the climb out of deficit spending that occurred after the historic 1993 budget vote, and then, in the last years of the Clinton administration, a surplus, almost unheard of in this postwar period. This surplus enabled us to pay down a portion of the publicly held debt and to look forward to being able to meet the obligations of Social Security and Medicare as the baby boomers retire.

This situation, unfortunately, has now drastically reversed. As this chart indicates, we have in this second Bush administration a plunge into deficit spending that breaks the record set in the first Bush administration and promises red ink as far as the eye can see. After just 2 years in office, the Bush administration would spend the entire Medicare surplus, the entire Social Security surplus, and would pile up trillions in the debt we once set out to retire. Never in our country's history have we had a fiscal reversal of this magnitude. The next charts will make that especially clear.

We had, at the start of this administration, a projected \$5.6 trillion surplus over the next 10 years. That surplus now is not only gone—and you see here the successive projections as our fiscal situation worsened. Now we are looking at no surplus and, in fact, at a \$2.1 trillion deficit for that same 10-year period. That is a fiscal reversal of almost \$8 trillion, unprecedented in our country's history. The deficit for 2003 is projected to be over \$300 billion and for 2004 around \$307 billion. The next chart shows those same figures with the Social Security and Medicare surpluses removed. Of course, that makes the situation even more alarming, because when you remove the cushion of the Social Security and Medicare surpluses which the Bush budgets would spend in their entirety over the next 10 years, the hole is even deeper. Where we were formerly looking at a \$3 trillion on-budget surplus over the next 10 years, we are now looking at a \$4.4 trillion deficit.

This chart indicates what happens to trust fund revenues. The red bars are the Social Security surplus. The yellow bars are the Medicare surplus. The olive bars are the deficit beyond these surpluses. The Bush budget plans to spend those surpluses entirely and to borrow considerably beyond that. All this is going to add to the national

debt. We are going to add some \$2 trillion to the national debt in the next 5 years.

Some Members will recall that at the end of the Clinton administration, we were talking about actually retiring the publicly held debt by 2008. There was even some debate about whether we could fully pay it down. Well, you can forget about that debate, because now we have a \$5 trillion publicly held debt predicted for 2008. As many speakers have already said this evening, that will not only be a huge burden on future generations but it will also sap our annual budgets, because we are going to have to pay an additional \$1.5 trillion in money down the rat hole in interest on that publicly held debt.

□ 1830

This will amount to a debt tax, d-e-b-t tax of more than \$200 billion a year for the foreseeable future. That comes to about \$4,500 per year for the average family, and it is rising. This chart indicates how that debt tax, the accumulated debt taxes, will grow by \$1.5 trillion by virtue of these projected Federal deficits and the piling up of debt.

Unfortunately, in the face of the worst fiscal reversal in the Nation's history, what is the response of the Bush administration? The response is actually to propose more of the same failed policies. The budget proposes \$1.5 trillion in new tax cuts, every penny of which is funded by increased government debt, and when we add the interest costs, those new tax proposals, on top of the old ones, come to almost \$2 trillion. These tax cuts mainly benefit the wealthiest taxpayers in this country. They will not only increase the deficit, but they will restrict the money available for education, for the environment, and for transportation, health care, and law enforcement.

In fact, Mr. Speaker, this Bush budget gives us the worst of both worlds. It take us over the cliff fiscally, but then it actually underfunds critical domestic priorities.

We know, for example, that our States are flat on their back fiscally. Our next speaker will elaborate on that.

The No Child Left Behind Act passed with great bipartisan enthusiasm. But it is not funded in the President's budget proposal, leaving the states to their own devices. Homeland Security has been underfunded in the 2003 budget. The President promised \$3.5 billion in additional funding for first responders, but then taking the money away from conventional law enforcement grants, leaving the states with less than a billion dollars in new money.

The most obvious way to help the States from the federal level would be to increase the cost sharing percentage temporarily on Medicaid. But just this week the President reiterated that he has no intention of doing that. So the States can forget it when it comes to any relief from their fiscal distress. We may be faced with a situation of cutting taxes here at the Federal level and

having like amounts reimposed by the States to meet their obligations, and that of course would mean that the net stimulative effect was zero.

So, Mr. Speaker, by proposing a budget that mandates enormous deficits into the indefinite future while cutting important domestic priorities, this administration utterly fails to meet the fiscal challenges facing our Nation, and I and my colleagues participating in this special order wish to elaborate on where the Bush budget would take us.

First we will hear from a new Member of this body who has significant experience in politics and in government and is already making his mark, the gentleman from Illinois (Mr. EMANUEL).

Mr. EMANUEL. Mr. Speaker, I thank the gentleman from North Carolina for yielding.

Mr. Speaker, President Kennedy once said, "To govern is to choose." I think it is very interesting, in the very week that the President was telling the Governors that we had no more money for their health care, Medicaid plans, their education, college, every State is raising tuition on middle-class families who are affording college and higher ed, the Leave No Child Behind. The very week that the President of the United States said to our Governors, I am sorry, there is not another penny for them, is the very week that we upped and sweetened our bid to Turkey; so we have now given Turkey \$24 billion.

I want to meet the person that was negotiating for Turkey. They have done themselves a wonderful job. We finally got ourselves a job plan and economic growth package. The problem is it is for Turkey, not for the United States. And we have done ourselves, I think, a world of damage here. And I believe personally that we need a northern front in our fight if we are going to war in Iraq and I do not think we should spare anything to save our lives; so clearly having a northern front in this war is going to be important. But I want my colleagues to think about the fact that in the very week that we told our Governors and, most importantly, the citizens of our States that there would not be another penny for higher ed, there would not be another penny in assistance on health care, that we could not fully fund the Leave No Child Behind on the education program, is the very week that we sweetened our offer to the nation of Turkey.

To all the police departments that need money for fire, for all the cities that need assistance for police departments and fire for training on terrorism, I want them to now know Istanbul has their money. So I have come to the conclusion that maybe our States need to apply to Turkey for foreign aid. They have our money.

When it comes to making sure that all our police departments and fire departments are fully trained for dealing

with terrorism, they do not have the resources to deal with that. We do not have all the money that they need. They are not going to get all the training they need to deal with terrorism. And when we have an act here at home, which everybody knows that this war will instigate as further terrorism here in the United States, our police and fire departments do not have all the resources they need to act on that.

I want my colleagues to think about the choices here, because as I have said early on, that President Kennedy once said there are choices. The amount of money that we have now guaranteed for Turkey, \$24 billion, is twice the money we spend on Pell grants. We spend \$11 to \$12 billion a year. It is twice the money for Pell grants. The loan guarantees for Turkey, the same amount of money that we have now given Turkey, we could make two thirds of the existing tuition free at public universities.

These are choices we are making. So as we make this assistance, as we tell our Governors we do not have money for them and there is not another penny for them and yet we tell Turkey here is another \$2 billion, the same week we did that, I would like the left hand of the administration to meet the right hand of the administration, because somebody has not got a clear plan; and we are giving money away to Turkey while we are telling our own people here at home we do not have enough money for them.

How did we get there? I have a chart here that shows the last 50 years of fiscal and economic management by Presidents. It goes back to the second term under Truman, and it goes through all the Presidents and tells how they did in managing the economy. And our present President, our President, has the most anemic economic growth of any President in the last 50 years. And since we are in the mood of quoting former Presidents, Ronald Reagan once said, "Facts are a stubborn thing." And since the 2000 election, we have lost 2½ million jobs in this economy; 925,000 manufacturing jobs in the years 2001, 2002; 4 more million Americans are without health insurance; nearly a trillion dollars' worth of corporate assets have been foreclosed on, and 2 million more Americans have left the middle class for poverty.

Facts are a stubborn thing. That is the record of this present President and the economic management at this time. And what has he chosen to do and what has the administration chosen to do? Having argued for a tax cut 14 months ago to get the economy moving, the net result has been the worst anemic growth of any President in 50 years: More people unemployed, more people without health insurance, more businesses closed, and more people joining the ranks of poverty. He has decided to put his foot on the accelerator and pushed further for more tax cuts. He is the only President in history, in

a time of war, who has decided to have tax cuts. So we will ask our men and women to sacrifice, that those in the wealthiest corridors of our country will not be sacrificing and joining the rest of us as we do sacrifice.

This is the wrong way to economic management. We can have a bipartisan approach that puts our fiscal house in order, invests in our future, and defends our interests overseas. As a person and individual Member of this Chamber who does support in some capacity military action, I think the notion of the last 2 weeks in Turkey where it was let us make a deal, unfortunately Turkey has walked away with the resources that our kids need, our police departments need, and our doctors and nurses need to provide health care.

Mr. PRICE of North Carolina. Mr. Speaker, I especially appreciate the gentleman's pointing out the plight of the States and the tongue-in-cheek advice to how the States might improve their situation. Of course we had the Governors here in Washington this week, the Governors from both parties. Is there any indication they got any satisfaction at all from the President?

Mr. EMANUEL. Mr. Speaker, no. But I am thinking of recommending to the Governors Association that they hire the person who was negotiating for Turkey and maybe he could do them a good job. So there is no indication of that. In fact, what has happened is if the gentleman will read the Wall Street Journal report out of the meeting that the President had with the Governors, in fact he told them there will be no more assistance in that area. And mind you, this is not a partisan issue. It is the worst fiscal condition of all 50 States since World War II.

Mr. PRICE of North Carolina. Mr. Speaker, I ask the gentleman, is it not true that a number of the items under discussion were things that the Federal Government has mandated?

Mr. EMANUEL. Correct.

Mr. PRICE of North Carolina. Mr. Speaker, for example, the education reforms under No Child Left Behind.

Mr. EMANUEL. Right.

Mr. PRICE of North Carolina. Mr. Speaker, of course there has been a good deal of help promised in the homeland security area, particularly for upfitting and getting better equipment, better communications capacity for first responders, for fire and emergency medical and police. The Republican Governors went to the White House and apparently came away empty-handed. It seemed even they had a hard time putting a good face on this.

Mr. EMANUEL. Mr. Speaker, what we have decided is we just do not have the same sense of urgency. And let me add one other point that I lost in here is that today there was a story, I think in the Wall Street Journal again, that States have borrowed more money this year than at any time in the last 50 years for the States, greater I think in times by a magnitude of 3 in borrowing

more money, and again they are making cuts again at the same time, the most severe cuts in the areas of health care and education; and we are basically mandating they have to meet certain obligations, not giving them the assistance and resources they need to meet those obligations.

What are those obligations? They are in the area of health care where we have a health care crisis; 42 million Americans who work full time without healthcare. We do not have an agenda or plan to help them meet that obligation.

We have not had a raise in the Federal level in the Pell grant to help people go to college. In over 4 years, the tuitions on average are going up 9, 10 percent this year. So we have put not only a burden on our States and our Governors, our State legislatures, to fund requirements that we pass here, most importantly we are putting demands and further burdens on middle-class, hard-working families who are trying to raise their kids right, with the right sense of values and get on to college so that they can succeed in life, and yet we are not giving them the resources they need.

And that is why I brought up this point about both the Pell grant or public universities and the choices we make. We make choices. We have said that Turkey in that effort over there is more important. We have given Turkey now, in one year, twice the money we have given in Pell grants in this country to help middle-class and lower-middle-class children go to college. If we took the same type of resources, we could make free two thirds of public university education to kids. These are American children. We have a commitment to do right when we win this war, if we are going to go to war. I want our troops to succeed, but we have an obligation over here, and the truth is if we had a balanced deal we would not have to make a choice. These are not either/or choices.

Mr. PRICE of North Carolina. Mr. Speaker, I thank the gentleman.

Now I am happy to recognize the gentleman from Virginia (Mr. SCOTT), a Member who has long studied Federal budgets and understands very well the dire situation that we are facing.

Mr. SCOTT of Virginia. Mr. Speaker, I thank the gentleman for yielding. I think it is helpful just to use the charts because the charts tell the story better than anything else. I mean, we have all this rhetoric about how good the economy is, how good this is, and whether or not there is going to be a deficit. But one does not produce numbers and charts like this by accident.

If we look at when President Reagan came in, my colleagues will remember that his budget passed pretty much as he introduced it. He had enough support in Congress to get his budget passed. And we see what happened to the deficit after Johnson, Nixon, Ford, Carter, what happened to the deficit under Reagan and Bush. It was essentially their budgets that passed.

When President Clinton came in, it was his budget that passed. Very narrowly without a single Republican vote in the House or the Senate, his budget passed, and we saw the deficit declining year after year. When the Republicans took over, it was still President Clinton's budget, because he vetoed the budgets passed by Congress several times. My colleagues will remember that the Republicans shut down the government because they would not accept President Clinton's budget. They sent him a budget. He vetoed it. They closed the government down, he kept vetoing the bills. Finally, the budget kept going with continuing resolutions and otherwise, but essentially it was President Clinton in charge of the budget.

□ 1845

He had enough support in Congress to sustain his vetoes, and it was essentially his budget that created the situation where there were smaller and smaller deficits, up to the point where there was, in fact, a surplus. This is the nontrust fund, so this is the surplus after you secure Social Security and Medicare, save them for Social Security and Medicare; and we still had a surplus.

President Bush comes in, and it is his budget that is adopted; and we see what happens to the deficit this first year. September 11 is within 3 weeks of the end of the fiscal year, so most of this happened before September 11, and we see as far as the eye can see what is happening to the budget.

When we look at the President's proposal, we see that, according to his budget, we started out 2000 with the surplus; the first year, 2001, we spent all of Medicare and some of Social Security; 2002, all of Medicare, all of Social Security, and about \$160 billion more in debt. The budget year we are in now looks to be worse than that. The budget projection for as far as the President's budget goes, according to his budget, he is recommending all of these deficits.

Now, I think you have to put those numbers in some kind of context. This is the President's budget out to 2008. The on-budget deficit for this year is going to be \$468 billion. In the 2004 budget, the one he is recommending, it is going to be \$482 billion. It is offset somewhat by Social Security, so it is not quite as bad as it looks. But the on-budget, after you have taken just the on-budget part, before you offset it by spending the Social Security and Medicare, it is \$468 billion and \$482 billion.

Now, the President says if we just would not spend as much, maybe the budget would go into balance. It has already been pointed out that the entire non-Social Security/Medicare/defense part of the budget, nondefense discretionary budget, is about \$425 billion. In other words, we would have to eliminate all of education, all of transportation and roads, all of the Department

of Justice, FBI, prisons, all of NASA, all of foreign aid, all the veterans benefits, eliminate all of government outside of Social Security, Medicare and defense, and we still would not have the budget in balance. So when he says just cut a little spending, look at the numbers.

The next chart is when you run up deficits, it is not free. This bottom line is what the Federal payment on the national debt would be and what it was supposed to be when the President came in. We would have paid off almost the entire national debt by 2011 to 2015. Instead, we are running up debt. So we have to pay more in the debt tax.

Mr. PRICE of North Carolina. If the gentleman will yield, the debt tax was on the way down because the interest payments on the national debt naturally go down as the debt itself is paid off. We had begun paying the debt off. But as that chart seems to indicate, those are on the way right back up, over \$200 billion a year in money that I think all of us could think of more productive ways to spend than paying interest on the debt.

Mr. SCOTT of Virginia. We were about to pay off the entire national debt, so there would have been no interest on the national debt. Even if you do not pay off any of the debt, you still have to pay the interest. These are big numbers. Let us divide it and see what it means to a family of four.

For a family of four, dividing the population into the interest on the national debt, we have gotten it down to \$4,500. As you saw, it would have gone down to virtually zero. It was \$4,500 for a family of four, headed toward zero. But instead, it is going to be \$6,500 by 2008, and going up at a rate of about \$500 a year as far as you can see. By 2008 it will be \$6,500 just interest on the debt before you have got any government at all.

Now, as it gets worse and worse and the debt tax gets worse and worse, we are trying to prepare for the baby boomers and Social Security. This is the chart of the Social Security surplus. Social Security, we are bringing in more than we are sending out; and we have a surplus, temporarily. In 2017 it will be about even, and then it gets worse and worse, and we will have almost \$1 trillion in deficit out here in 2037.

Now, if we had banked all this money and invested it, we would be able to pay this. In fact, we could have covered all of the Social Security deficit out 75 years with one-half of the tax cut that has already been implemented. In other words, if they had cut taxes only in half and allocated the other half to the Social Security problem, we would have had a solvent Social Security system for 75 years. But instead, they spent all of the Social Security surplus.

Now, people ask, what is our plan? They have ruined the budget. What is our plan? I remind them that our plan is right here in green. When Democrats

controlled the budget, the deficit was less and less, into surplus, going towards the end of the national debt. That was our plan.

This is President Bush's plan. Now, when we were leading, this is how we led. I do not think you can escape this chart. You do not create a chart like this by accident.

Mr. PRICE of North Carolina. Mr. Speaker, I thank the gentleman for a very convincing demonstration of where we have been and where, unfortunately, it appears we are going, unless we take corrective action.

The gentleman from Maryland (Mr. VAN HOLLEN) is one of our new Members, who is already actively participating in the work of this body. We are happy to have him as part of this Special Order here tonight.

I yield to the gentleman from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. Mr. Speaker, I thank the gentleman from North Carolina for yielding.

Mr. Speaker, this is actually the first time I have made remarks on this floor; and I deliberated, as I am sure many new Members do, over what subject I should address first, and I can think of no more important matter facing this Congress than the future economic health of our Nation and what investments we decide to make for the common good.

The actions we take here this session will affect the well-being of Americans for generations to come. We need to adopt an economic plan that will put America back to work and a budget that reflects the priorities of the American people.

The budget plan submitted by the President a few weeks ago, it is a long document filled with thousands of numbers. Like most budgets, it is not exciting reading unless you like to put on the green eye shades. But it is probably the most important document we will work with this year as Members of Congress, because just as each family has to make many tough decisions about their household budgets, so must we make the tough decisions for our entire American family. And how we decide to invest our collective resources should tell us a lot about what we care about as a people and who we are as a people. The budgets and economic plans we adopt here this session I hope will reflect the priorities of the American people.

Mr. Speaker, I have listened carefully to the people in my district, and I think that their priorities are the same as priorities of Americans around this country. They want a country where every child has the opportunity to get a great start in life with a first-rate education. They want a country where every American has access to quality health care. They want an America where every American and every individual who is ready to roll up his or her sleeves and go to work can find a job. And they want to know that their government is taking all reason-

able steps to protect our homeland and be prepared to respond to national emergencies.

These are simple things that we all want for our families. We want them for our neighbors; we want them for our fellow Americans. We are a great Nation, and we can do these things. But to do so we are going to have to work with the President to change the course that he has charted with the economic plan he has submitted and the budget that he has proposed to Congress.

Just a few weeks ago I had the privilege to attend and sit in this Chamber when the President delivered his State of the Union address. I was sitting right over there. I was very eager to hear what he had to say.

Very early in his speech, he made the following statement: "We will not deny, we will not ignore, we will not pass along our problems to other Congresses, to other Presidents, to other generations."

I must say, when I heard that statement I nearly fell out of my chair, because the budget and the economic plan proposed by the President does exactly what he says he does not want to do. It does ignore our problems; and, if we do not fix those problems, we will simply be passing the buck to future Congresses, to future Presidents, and to future generations.

Let us look at education. Last year with great fanfare the President signed the Leave No Child Behind Act. But the ink was barely dry before the administration submitted a budget that fell well short of the promised funding. When you leave the funding behind, you also leave millions of children behind, and leave them with nothing but broken promises. The President's budget for the coming fiscal year promise falls \$9 billion short of what had been authorized, and it is a terrible message to send to our school children and to our teachers.

Let us look at health care. The President has made no meaningful proposal to address the problem of the 41 million Americans who have no health insurance. Apparently, the Bush administration proposes to leave this problem to future Congresses, to future Presidents and future generations.

And how about domestic security? The President's proposed budget ignores the needs outlined by the heads of his own agencies. The U.S. Customs Service, the Coast Guard, the Department of Energy, they have all said that they need more resources to meet the threat than the President has proposed in his budget.

So what has the President proposed? What is the President's top domestic priority? We have heard tonight, another huge tax cut that overwhelmingly benefits the superwealthy. Apparently the administration has decided that the most pressing domestic problem, the one issue that cannot wait, is that the superwealthy are paying too much in taxes. And this comes on the

heels of the \$1.4 trillion tax cut in 2001 that disproportionately benefits already the very wealthy.

And don't be fooled by averages. Sure, when you combine the estimated tax break of \$325,000 that Bloomberg News says Vice President Cheney will receive, and others with very high incomes with the small tax breaks that most will receive, you get an average refund of over \$1,000. That's like saying if Bill Gates were elected to the House of Representatives, on average, all 435 members in this chamber would be multi-millionaires. It's a great statistic, but nobody is really any better off.

What is the result? What is the result of the President's tax plan? Even the administration officials have conceded it will do virtually nothing to help get the economy going right now, to help stimulate our economy, to get people back to work; and the real result, as we have seen, will be rivers of red ink and rising interest rates.

The President's plan would result in a \$304 billion deficit this year, and his plans will lead to the sharpest reversal in America's fiscal fortunes in history. We have gone from a projected \$5.6 trillion surplus over 10 years to a projected \$2.1 trillion deficit, and that does not even include the cost of war in Iraq and the aftermath.

As our colleague from Illinois stated, just this week we have promised Turkey \$24 billion, and that before the conflict has even begun. This administration has not begun to come clean on the costs of war.

So who is going to pick up this mountain of debt? In the end, it is the American people who will always be left holding the bag. And there are only two ways to deal with the debt in the long term. We all know that. Either you raise taxes on our children in the next generation, or you deeply cut expenditures. And as our colleague from Virginia just pointed out, where you have to go to cut expenditures to make up these deficits are Medicare and Social Security. There is no other way to do it.

The President is already using the funds from the Social Security trust funds to pay for his tax cuts. The lockbox we all heard so much about, well, it was picked so long ago, and the raid is on. The President's plan is a guided missile aimed at Social Security and Medicare, and it is not just the money in the trust fund that will be lost; we are also going to lose the trust of the American people.

So, Mr. Speaker, I am very concerned with the reckless economic course that the President has set. It does exactly what he said he did not want to do. It ignores our very real needs and passes on the burdens of tax cuts to Social Security, Medicare, future congresses and future generations.

I believe his plan is out of touch with the true hopes and aspirations of the American people. We have an obligation to confront these issues squarely, as we are talking about tonight. We need to talk straight to the American

people; and I hope this Congress, before we get out, will adopt an economic plan and a budget that reflects the true priorities of the American people and does not pass the buck to future generations.

□ 1900

Mr. PRICE of North Carolina. Mr. Speaker, I appreciate the recollection of the President's quote about not passing along problems to future generations. We had a little more candid quote from the director of OMB the other day, Mr. Daniels, who said, "We have returned to an era of deficits, but we ought not hyperventilate about this issue."

Well, I do not see anybody hyperventilating here tonight, but what I have heard tonight from the gentleman from Maryland is a passionate and persuasive case for confronting this budget issue and getting our fiscal house in order, getting back on the right track, so I appreciate very much his contribution to our discussion.

I am happy to yield to the gentlewoman from Santa Barbara, California (Mrs. CAPPS), a treasured colleague, for her remarks on this situation that we are facing.

Mrs. CAPPS. Mr. Speaker, I thank the gentleman from North Carolina, and it is a pleasure to be here with my colleagues. I could be no place else. We are really at a crossroads in this country, facing a budget such as we have received from the President to deal with.

I want to echo what my esteemed colleagues are talking about with respect to the budget, and I have asked that this chart be left here. It has been referred to already, but it points out clearly the huge deficits, as far as the eye can see is the way we phrase it, and this, after we finally did bring our Federal budget into line in the late 1990s.

Maybe this is a good time to mention a quote by the Fed Chairman, Alan Greenspan, last fall. "History suggests that an abandonment of fiscal discipline will eventually push up interest rates, crowd out capital spending, lower productivity growth, and force harder choices upon us in the future."

The administration has no plans to address this budget deficit and, in fact, in this latest budget is proposing to make it much worse. The reckless tax cut that we cannot afford that will not help to restart the economy and, for the most part, goes to precisely the people who do not need it, is what they are proposing.

I must be up front and admit that a couple of years ago I did vote for the tax cut, the big one. I believed then and I continue to believe now that it had some good provisions: increasing the child care tax credit, getting rid of the marriage penalty, dealing with estate taxes. At that time we were told we had a \$5.6 trillion surplus and that we could afford a tax cut. Clearly, things have changed. Everything, that is, except the administration's approach.

I believe it is so irresponsible to propose these kinds of tax cuts to a Nation at war. We are at war in Afghanistan and in other parts of the world against terrorism. We are asking all Americans to sacrifice, and yet this tax cut will fatten the wallets of a few. This is not shared sacrifice. The tax cut that the President is proposing will cripple our ability to deal with an important part of the war on terrorism: our homeland security. We are facing a possible war with Iraq for which there is no mention in the President's budget, and we have ongoing needs such as some I will address in my time today: health care needs of our senior citizens, and others. These are some real problems that we are facing of economic security in our land, of health security, environmental security.

I want to talk about just one small example, and I brought it up today with our Secretary of Health and Human Services, Tommy Thompson. Our country has a huge shortage of nurses, all kinds of nurses. They are the backbone of our health care system. They are critical to our efforts to provide everyday health care to millions of Americans, and they are on the front lines of our efforts to fight bioterrorism. They will be the ones to identify victims, to vaccinate the healthy, to assist doctors in treatment. We have 19,000 nurses in Armed Forces Reserves. We are going to face a continued crisis as they are called up.

So last year, Congress passed my Nurse Reinvestment Act. It was a bipartisan effort by my committee chairman, the gentleman from Louisiana (Mr. TAUZIN), the gentleman from Michigan (Mr. DINGELL), the gentleman from Florida (Mr. BILIRAKIS), and lots of Members worked hard on it, the President signed it into law, Tommy Thompson raved about it and was glowing about it. I want to just read two sentences from his "Budget in Brief: Fiscal Year 2004" from the Department of Health and Human Services addressing the national nursing shortage:

"The Nation continues to face a nursing shortage. In 2000, the estimated national demand for registered nurses was over 100,000, 6 percent more than the supply. Demand for nurses is rapidly increasing as a result of a growing and aging population that needs more health care as well as continued medical advances that heighten the need for nurses. The nursing supply is not keeping pace with demand due to a decline in nursing school graduates and an aging of the work force."

At the time that the bill was signed into law, the omnibus bill of last year, the amount of the budget was increased to a nice size; but then, in this year's budget, it is again reduced. So these are empty words, empty rhetoric, that have come from the administration, just one piece of our complex but very important health care delivery system.

This budget request that we are facing this year has a 13 percent cut in the

nurses' education and training fund. It slashes funding for advanced practice nursing in half, and it defunds programs to train nurse faculty and geriatric nurses. I talked with Secretary Thompson about this today. I like him; I think he is an innovative thinker and committed to the issues. I asked him about these cuts and his response was, "Well, yes. We will be sticking with this proposal to cut funding for these programs," despite their assessment that the nurse supply is not keeping pace with the demand. They are just not going to do anything about it.

I believe, I say to my colleagues, that this is plainly irresponsible. We need to provide the funds to train new nurses, which we desperately need both for our ongoing medical needs and health needs, but also in the event of a bioterrorist attack. We should not be cutting this important program. I urge my colleagues who worked with me to get this Nurse Reinvestment Act to step up where the administration has not.

I told Secretary Thompson that we were going to adjust the budget to include sufficient funds for the nurse program. I apologize for making this sidebar. It is part of an overall budget that is way out of kilter, but I think it speaks in a precise way to a matter of great concern to the health and security, really, of our Nation at this time in our history.

Mr. PRICE of North Carolina. Mr. Speaker, there is no Member better qualified than the gentlewoman from California to speak to the nursing shortage and to the deficiencies in this budget with respect to nursing education. So she has done all of us a service in pointing this out, and we appreciate very much her contribution.

It is now my pleasure to yield to the gentleman from Virginia (Mr. MORAN), a member of the Committee on Appropriations and the Committee on the Budget.

Mr. MORAN of Virginia. Mr. Speaker, there are so many reasons why these tax cuts that have been proposed in the President's budget are irresponsible. One of them, obviously, is the fact that just as the budget deficits and the public debt balloons in 2008 and thereafter is when the baby boom generation, our generation, starts to retire. So we are no longer making money, helping to solve the problem; we become the problem. When I say "we," I refer to the fact that most of the Members of Congress are members of the baby boom generation. We are going to double the retirement numbers, and yet what we would be doing with this tax cut is to use every last dime of the Social Security and Medicare Trust Funds to pay for these tax cuts. Mr. Speaker, \$4.4 trillion over the next decade. That is the first element of irresponsibility.

Second, of course, is that we do not know what the costs are really going to be from other parts of the budget. We had an analysis in The New York Times yesterday. They consulted the

Congressional Budget Office, any number of distinguished economists, all of the best sources, to figure out what might be the cost of war in Iraq and of fulfilling the responsibilities that the President said that he would make us responsible for once we go in. They estimated the costs would be between \$100 billion and roughly \$569 billion. The point is, we do not know what the cost is, yet we are going to go ahead with these tax cuts when we do not know how much money we are going to have available. So we have no idea how much we are going to be borrowing from the next generation.

The third that has been aptly discussed is the fact that the money is going to the very wealthiest people in this country, the people who needed the tax cut the least and who are the least likely to spend it immediately to stimulate the economy. So it does not make a whole lot of economic sense when what we are really trying to do is to pull this country out of a lingering recession.

The last issue that I would like to address is some of the foregone alternatives that are caused as a result of the tax cut. Today we heard from the Secretary of Health and Human Services. The administration has a prescription drug plan. They are touting it. They should be ashamed of it, because the fact is that it is woefully inadequate. Medicare beneficiaries are going to spend more than \$1.8 trillion on prescription drugs over the next 10 years, and even if every dollar of the President's proposal went to our prescription drug coverage, which it will not, there is really only about \$300 billion that actually goes to covering prescription drugs, the plan would only cover 22 percent of beneficiaries' medication needs. Seniors who spend more than \$5,500 of their own money would get only 20 percent reimbursement for their drug costs.

But it seems to me that when we look at a plan like this, we really ought to consider what we get as Members of Congress, and there is where the deficiency is most pronounced. The President wants seniors to pay a \$275 deductible each year. Most Members of Congress pay no deductible. The President wants seniors to pay 50 percent coinsurance for the first \$3,000. Members of Congress only pay 25 percent. The President wants seniors to have a gap in coverage where they pay 100 percent of the cost when their need is between \$3,000 and roughly \$7,000. Most Members of Congress have no gaps in prescription drug coverage, and yet the administration says that they want it modeled after the Federal Employees Health Benefits Plan.

Mr. Speaker, it is not just the prescription drug coverage that is going to be necessarily inadequate. The Medicaid program is going to be capped with block grants. We look at programs like housing programs, HOPE 6 that the President has touted and, in fact, HOPE 6 is eliminated in this

budget. This budget cuts education, it cuts 36,000 seniors from Meals-on-Wheels, not to mention No Child Left Behind which was the President's principal domestic initiative, and it is \$619 million less than what is needed just to offset inflation. I could go down a long list. I am not going to do that.

Mr. Speaker, the fact is that the President's budget and the President's economic plan does the American people an injustice. It needs to be defeated.

Mr. PRICE of North Carolina. Mr. Speaker, I thank the gentleman from Virginia for a very useful look at a number of critical items in the President's 2004 budget.

I yield to the gentleman from Massachusetts (Mr. TIERNEY), our esteemed colleague.

Mr. TIERNEY. Mr. Speaker, I thank the gentleman for his hard work in putting this time together.

Mr. Speaker, I rise today to discuss President Bush's 2004 budget which, unfortunately, and I think disturbingly, at a time of continued economic insecurity and global instability, fails to put America's priorities ahead of politics and ideology. The President continues to pursue an irresponsible economic policy that focuses solely on multiyear tax cuts for our wealthiest citizens, while offering little assistance to countless working individuals and families that need it the most. One of my colleagues said it best earlier today: This is the most irresponsible fiscal situation of an administration since the days of Nero.

□ 1915

All this is going on while the same wealthy individuals and corporations that have already pocketed the lion's share, the disproportionate share of \$1.6 trillion in tax cuts for 2001 and 2002, are out there, while the number of unemployed workers, white-collar and blue-collar, are higher than they have ever been in decades.

Further, although the President says he supports education, homeland security, prescription drugs for seniors, and a myriad of other responsible needs, his budget reflects otherwise. There is a clear disconnect between what the President promises and what he produces. His rhetorical support for many critical domestic processes is simply not reflected in the budget's numbers and figures. The reality is that children will be left behind. Our first responders, those that protect our borders and ports, will not be adequately funded; and our senior citizens will be short-changed.

On top of all of this, we are having the biggest defense buildup in the past 20 years. The costs of disarmament or a potential war with Iraq are not even included within the President's budget or within those Department of Defense numbers. While the White House speaks of little else besides Iraq these days, the one place they are conspicuously silent is in the budget.

Today's report in the Washington Post says the President is going to request a supplemental spending bill of as much as \$95 billion to pay for any military action in Iraq. Why is that not in the 2004 budget? Why is it not being talked about with the American people today as the cost of what we are looking at here?

They have already offered \$26 billion to Turkey for the use of our bases on their northern front against Iraq. All of this, the \$95 billion, the \$26 billion to Turkey, God knows how much else to other countries whose silence or participation is being bought with respect to the invasion of Iraq, is in addition to the \$400 billion in the fiscal year 2004 budget already proposed for the Department of Defense for our military, and there is no end in sight.

Estimates for the cost of war, even if it is successful in military terms, and Iraq's reconstruction are between \$50 billion to \$200 billion. At the same time, we are continuing to spend 650 to \$750 million a month in Afghanistan to try to rebuild that country. We are going to continue to do that for the foreseeable future.

We have to put this budget in perspective. When we add all of that up, without the cost of Iraq, this \$5.6 trillion budget surplus we looked at at the beginning of this Presidential term has already been replaced by a \$2.1 trillion deficit. This is close to an \$8 trillion turnaround in just 2 years, and the numbers are staggering.

At the same time, there are record job losses and poor economic growth. Two million jobs have been lost since January of 2001. The stock market has gone down while the unemployment rate has gone up. Consumer confidence is at its lowest level in nearly 10 years.

Meanwhile, in response to all of this, all this administration can do is to continue to promote and advance the narrow economic plan of tax cuts for the few without regard to the plight of the many.

There are consequences for this flawed fiscal policy, and our vital domestic programs on which many people depend are what are going to suffer. They were underfunded even before we started talking about what is going to happen in Iraq, and they are going to be even more severely underfunded after that.

No Child Left Behind will leave many children behind. It is \$9 billion beneath the amount that the President promised.

After-school programs, a cut. Two million children will be left without the benefit of those programs. In April of 2002, the President went to New Mexico and told us all about his support for Even Start, but he cuts that program; and he cuts the Head Start program, as well.

The President cuts vocational and technical funding. Even though 34 percent of our children are all that go on to higher education for 4 years, he is cutting money from vocational and



technical programs that might give other children the chance to go on and have a well-prepared background for a life that gets them ready for the future.

I could go on and on, but I know other Members want to speak. I would simply say this budget is totally irresponsible, and it has yet to put in the amount of money we are going to be spending in Iraq and in occupying Iraq.

I think the President owes the American people an explanation of just what that amount is and what are the costs, not only in terms of human life of Iraqis and United States individuals, and others, but what is the cost in treasure, and what are we giving up for his decision not to go ahead and contain this country, and not to go through the United States Security Council to bring that matter to a resolution, but rather to go in unilaterally and peremptorily invade at a significant cost. That is what the American people have to know and debate.

Mr. PRICE of North Carolina. Mr. Speaker, I am pleased to yield to my colleague, the gentleman from North Carolina (Mr. ETHERIDGE), who served as our superintendent for instruction and therefore knows our education budget very, very well, but also has been a very strong spokesman in this body for fiscal responsibility.

Mr. ETHERIDGE. Mr. Speaker, I thank the gentleman for yielding to me, and I thank him and the gentleman from South Carolina for pulling this Special Order together.

Mr. Speaker, I have been working hard to get Federal support for our schools. Although this White House talks a good game about education, when it comes to the budget, the devil is always in the details; and the details of the Bush budget certainly provide tremendous cuts to vital education aid in my military communities.

I want to talk about just one area tonight: those communities. Mr. Speaker, President Truman established Federal support known as Impact Aid for school districts that are impacted by heavy Federal presence because they do not pay property taxes. In my district, Forts Bragg and Pope are two major bases; and other people can talk about theirs, where thousands of soldiers, airmen, and their families are based. Because these Federal entities do not pay taxes, we provide for something called Impact Aid to help with books, teachers' salaries, buildings and the like. Impact Aid was designed to compensate for the revenue losses.

Well, in these areas across the country, they have seen devastating cuts this year because of State budgets being put in trouble because of this administration's policies. In this budget they are proposing to cut \$173 million from Impact Aid, a 14.5 percent cut, at the very time when we are asking our men and women to deploy and go overseas, and leave their children back home for an education. This is just terrible.

By not allowing federally connected school districts to count children where parents reside off base, this is what they said in Cumberland County, the President is ignoring 240,000 children who attend the schools in the areas around these bases. Abandoning these children is not only a mistake; it is absolutely immoral.

Last week the Fayetteville Observer reported that under the Bush budget, funding for 14,600 children living off the post there would be eliminated for funding. Mr. Speaker, my State's economy is hurting because of this administration's economic policies. Other States are seeing the same. State budgets are being slashed.

We cannot allow, in one of the largest deployments, at a time when impending war is here, allow these men and women to be concerned about their children being educated at home. Rather than being compassionate, these cuts in Impact Aid are absolutely cold cruelty, and I urge my colleagues to restore these devastating cuts.

Mr. Speaker, I rise tonight to join my colleague from South Carolina, Mr. SPRATT, and Mr. PRICE of North Carolina to talk about the serious consequences of President Bush's misguided budget proposals. I want to thank my friend for his unsurpassed leadership in this vital area.

As the former Superintendent of North Carolina's public schools, I have made federal support for education my top legislative priority as a member of the U.S. House. Although this White House talks a good game about education, when it comes to budgets the devil's in the details. And the details of the Bush budget contain an inexcusable cut to vital education aid for our military communities.

Mr. Speaker, President Truman established federal support known as "Impact Aid" for school districts that are impacted by a heavy federal presence. For example, in my Congressional District, we have Fort Bragg and Pope Air Force Base where thousands of soldiers, airmen and their families are based. Because these federal entities do not pay local property taxes, the school districts are deprived on their normal source of revenue for books, teacher salaries, school buildings and the like.

Impact Aid was designed to compensate for some of that revenue loss. In areas like Cumberland County, NC, Impact Aid is a crucial component of the annual budget, and if it's not there, that community will face massive property tax increases, devastating cuts to schools, police and fire and other vital services.

Under its proposed budget for next year, the Bush Administration has proposed cutting \$173 million for Impact Aid. That's a 14.5 percent cut.

In addition, the Administration proposes to end Impact Aid for children of military families who live off base. Earlier this month, the head of the National Association of Federally Impacted Schools said, "By not allowing federally connected school districts to count children whose parents reside off-base . . . , the President is totally ignoring over 240,000 children who must attend these schools." Abandoning these children is not only a mistake, it's immoral.

Last week, the Fayetteville Observer reported that under the Bush budget, funding for

14,600 children living off the post would be eliminated.

Mr. Speaker, my state's economy is hurting because of this Administration's terrible economic policies. The state government has been forced to slash funding. At the same time, military families are dealing with large-scale deployments for the looming war against Saddam Hussein. And the communities that support these military facilities already face devastating losses of commerce and tax base.

Rather than being compassionate, these cuts in Impact Aid are cold cruelty. I urge my colleagues to restore these devastating cuts, and I thank my colleague Mr. PRICE for his leadership on budget issues and for organizing this Special Order.

Mr. PRICE of North Carolina. Mr. Speaker, I thank the gentleman for his contribution with respect to Impact Aid, a subject we have heard about tonight. That certainly is a deficiency in the President's budget.

I am happy to yield the remainder of our time to the gentleman from South Carolina (Mr. SPRATT), the chairman of our Committee on the Budget, for whom I am substituting tonight. He has been tied up in a meeting. We are glad to have him here on the floor to wrap up this Special Order with his own insights.

Mr. SPRATT. Mr. Speaker, I thank my friend and colleague, the gentleman from North Carolina (Mr. PRICE), for taking charge of this Special Order and making this information available. It is awfully difficult to get all of this detail and all of its complexity out so that everybody can understand why we are so concerned. This is not just political rhetoric we are going through tonight.

I have one chart here which runs the risk of being a little complex, but it tells a great deal about where we are. First of all, it shows the surplus that we thought we had that OMB estimated in January of 2001 as \$5.637 trillion. A few weeks ago, OMB came back to us, the Office of Management and Budget, and says, whoops, we were wrong. We have to make economic adjustments to that surplus of \$3.174 trillion. What that means is that the adjusted surplus, the real surplus in economic reality now is \$2.463, not \$5.63 trillion.

Then if we look at these enacted policies, and these are things done today, legislated, which have committed the available surplus, we will find they add up to mostly the tax cuts, \$2.6 trillion. As a consequence, we have already committed all of the available surplus still remaining after economic adjustments from the \$5.6 trillion surplus last January. In fact, we are \$19 billion over and above that surplus if we do not do another thing, just sit still and do not increase any policies.

However, the administration, knowing that, is proposing nearly \$2 trillion in additional action, the lion's share of which goes to additional tax cuts, two tax cuts that come to about \$1.4 trillion. As a consequence, they are adding

\$2.1 trillion to the national debt, which, with cumulative deficits between 2002 and 2011, will come to \$2.1 trillion.

Here in one chart, very graphic, is why we are concerned. Now we are living in this sweet spot. Those are the peak years of the baby boomers when they are doing better and paying into the Social Security and building up a surplus, for now. As this chart shows graphically with these red bars here below the line, in 2017 that gravy train comes to a halt. Social Security goes cash negative, and it is that that we should be getting ready for right now. We are doing just the contrary of what we should be doing to prepare for those years when the baby boomers will be retiring.

Mr. PRICE of North Carolina. Mr. Speaker, I thank the gentleman for contributing to the Special Order.

#### UNFAIR DELAY IN CONFIRMING APPOINTMENT FOR MR. MIGUEL ESTRADA

The SPEAKER pro tempore (Mr. PORTER). Under the Speaker's announced policy of January 7, 2003, the gentleman from Florida (Mr. MARIO DIAZ-BALART) is recognized for 60 minutes as the designee of the majority leader.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, it is an honor to be here in this wonderful Chamber to discuss what I think is a rather puzzling situation that has taken over our government, our legislative branch of the government, and in particular, the legislative branch on the other side of the Rotunda.

We have seen that a number of people have tried to do anything and everything to avoid, to stop a brilliant young attorney who has been nominated by the President of the United States to be on the Appellate Court for the District of Columbia.

I say he is a brilliant young attorney because everybody has had to recognize his brilliance. Those that have worked with him have had to recognize his brilliance. He has worked not only as a prosecutor from the great State of New York; he has also worked in the office of the Solicitor General with two administrations, a Republican administration and also a Democrat administration.

All the people who have worked with him from both parties in both administrations have publicly recognized the brilliance, the decency, the integrity of this brilliant young attorney; a man who got here to the United States at age 17, Mr. Speaker, barely speaking English, and he got here and worked and studied, and was able to graduate with honors just a few years later from that most prestigious university, Columbia University; with honors, I repeat.

Then he went on to study law, but not just in any law school, in Harvard Law School, probably, I guess, among

the most prestigious law schools in the entire country; I would rather say in the entire world.

He also graduated from that university, that law school, with honors. While he was studying, he was also the editor of the law journal there, the law review in that prestigious law school. He graduated with honors and went on to become a prosecutor in the State of New York. That was after he was prosecutor, I am sorry. He went on to work with the Solicitor General's office under President George Bush, Senior; and then he also worked for President Clinton's administration in the Office of the Solicitor General; an incredible, impeccable record.

I am trying to see if I can get some of my colleagues here to maybe try to explain to me what is going on here. Why is it that this brilliant young man, this brilliant Hispanic lawyer, is being treated differently than others who have had similar records, similar experiences, who have gone on to become judges and have not received the obstacles, have not been attacked the way Mr. Miguel Estrada is being attacked today? And this attack has been going on now for a long, long time.

I brought just a calendar to kind of let us know how long it has been. It has been almost 2 years, 2 years since this young brilliant, talented, effective man of integrity has been held hostage. As we see here, not only has Miguel Estrada been held hostage, but diversity in our court system has been held hostage.

□ 1930

I just do not get it. I see here the gentleman from Florida (Mr. FEENEY).

I do not know if the gentleman has an explanation as to why it is that the minority party in the other Chamber insists on not letting this man even come up for a vote, to the point where they are using all sorts of procedural matters to not permit this man to even have the opportunity for his nomination to be voted up or down.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would request Members refrain from improper references to the Senate.

Mr. FEENEY. Mr. Speaker, I thank my dear friend from South Florida and, indeed, a colleague in the Florida legislature, a mentor, advisor, and a dear friend of mine for many years. And I want to congratulate the gentleman for his leadership, because as long as I have known the gentleman from South Florida (Mr. MARIO DIAZ-BALART) when he sees wrongdoing going on, he speaks out and he does so with a passion and a fervor.

The gentleman understands the difference between freedom and oppression because of his background on the Communist state of Cuba and the freedom he enjoys and fights for every day and hour of his waking life here in America. And I want to thank the gentleman for being such a great friend

not just of mine but, more importantly, to freedom.

The gentleman has asked me to explain the inexplicable: why a man like this would be held hostage; why diversity would be held hostage by his critics; he has asked me to explain why somebody with incredible merits, impeccable academic background, incredible moral background, a hard-working gentleman who came to America as a 17-year-old and has led and proven the American dream.

The gentleman has asked me to explain why enormous integrity is actually held against an applicant for the United States Federal bench, and I cannot explain the inexplicable even though I am a politician, while there will be some politicians that will try. Being punished for having all the enormous merit that Miguel Estrada has is something that I find very personally offensive. I think it is offensive to the American way. I think it is offensive to the entire notion of an independent judiciary.

And I will state for those of the American public that are watching tonight, maybe they do not understand all the details of what it takes to succeed and get to the Federal bench. I want to boil it down.

I am a former practicing attorney in business in the real estate field. I want to boil it down so I think that normal people, people that really are not politicians or lawyers, can understand. There are really two basic qualifications, I think every American would agree with this, in order to get appointed to and succeed on the Federal bench:

Number one, you need to be fit. You need to be fit morally. You need to be fit intelligently. You need to be fit academically.

Number two, you need to adhere to the United States Constitution and to the rules of law.

I would suggest to my great friend that the sin that Miguel Estrada is being accused of is that he is enormously well fit and he is enormously dedicated to adherence to the Constitution and the rule of law. And that bothers some people because they want to pull it aside. They want to twist the Constitution. They want to rewrite the Constitution.

I will tell you that one of the things that the gentleman is being held up for is because when he was asked specifically how he would rule on specific cases that might come before him as a United States Supreme Court Justice, he said that he would have to decline to say specifically, because the entire notion of an independent bench is not to make promises.

It is not like the political world that we live here in the Congress. It is not like the executive branch. In the executive branch and the legislative branches we share our biases with the voting public. We say we are for this and we are against that. People get to vote in a representative democracy in