

1950 we saw a small group of sea otters, and today that population has grown to about 1,000. It is threatened, but on the other hand, what it has done is increased tourism because people come out and look for that creature.

So this bill that the Defense Department is asking for aims to make critical habitat designation only when it is necessary and not when it is prudent and determinable as the law now currently requires.

When would it be necessary to designate a critical habitat? I am not sure necessary is defined in the bill. So basically the Secretary of the Interior and the Secretary of Commerce will be able to make a decision with no set criteria.

The Bush administration has clearly stated its belief that critical habitat provides no protection, and as such, this provision could result in more species without homes and breeding areas, and the list goes on and on.

The Marine Mammal Protection Act not only guts that, but it puts whales and dolphins in jeopardy by changing the Marine Mammal Protection Act, and my colleagues have already heard from several Members who have spoken on it. The intent of the Act is to prevent the harassment of marine mammals. The language in this bill weakens the definition of harassment, not just for DOD-related activities but also for all the people who use our oceans and coasts.

The waters of Monterey Bay in my home District have been designated by the Federal Government as a national marine sanctuary. It is the home to sea otters, sea lions and harbor seals and serves as a migratory route for the majestic humpback and blue whales. These animals are important for economic resources because people visit the coastline to see watchable wildlife. They go to see the sea birds, the sea lions, the whales and so on.

Likewise, the people travel to see the orcas in the waters off the Puget Sound in Washington or the whales off the gulf of Maine or the manatees along the coast of Florida, and we all know as Members from those Districts we do everything we can to protect those.

Currently, the Marine Mammal Protection Act language aims to protect these animals from being harassed, being injured and even from being killed, but the bill drastically weakens this protection and would allow an increasing number of harmful interaction, such as oil and gas exploration, high intensity sonar testing, and such increase in harassment and harm to marine mammals would go largely unchecked by wildlife agencies and left unmonitored and unmitigated.

Struggling sea otters are currently dying at record levels in the State of California. We do not know the exact cause, but we are going to be looking for that and hopefully trying to remedy it.

This bill does not help us with those remedies. We ought to take pride in the fact that the military has led in a lot of our environmental areas. The navy has been the first and most remarkable

agency at recycling at sea, of taking all their garbage on ship and treating that. The navy painted their ships with safe paint. So the military has been a good environmental steward. There is no need to change that position with the passage of this legislation.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 10 a.m.

Accordingly (at 9 o'clock and 42 minutes a.m.), the House stood in recess until 10 a.m.

□ 1000

AFTER RECESS

The recess having expired, the House was called to order at 10 a.m.

PRAYER

The Reverend Dr. David Anderson, Pastor, Faith Baptist Church, Sarasota, Florida, offered the following prayer:

Our Heavenly Father, with humble spirits we thank You for Your faithfulness to our Nation. We trust in You, not in our might. We depend upon Your blessings and not upon our resources. We rely upon Your providence in both good times and bad, and we submit to Your chastisement. We bow before Your infinite power, wisdom, truth, mercy, and love.

Strengthen our weakness by wielding Your power. Calm our fears by manifesting Your presence. Forgive our sin by bestowing Your grace and restore our virtue by imputing Your righteousness. Remind us, once again, of what You intend us to be, one Nation under God.

Grant unto the men and women of this House wisdom beyond their experience, courage beyond their resolve, vision beyond their sight, and truth beyond their learning. May they uphold Your law so our country can reflect Your goodness and correct its wrongs. Protect our troops and bring them home soon.

With the faith that has carried us for generations we ask, "May God bless America. In the name of the Lord Jesus Christ, I pray. Amen."

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Texas (Mr. LAMPSON) come forward and lead the House in the Pledge of Allegiance.

Mr. LAMPSON led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Repub-

lic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed a concurrent resolution of the following title in which concurrence of the House is requested:

S. Con. Res. 44. Concurrent Resolution recognizing the contributions of Asian Pacific Americans to our Nation.

The message also announced that in accordance with sections 1928a-1928d of title 22, United States Code, as amended, the Chair, on behalf of the Vice President, appoints the following Senators as members of the Senate Delegation to the North Atlantic Treaty Organization Parliamentary Assembly during the First Session of the One Hundred Eighth Congress, to be held in Prague, Czech Republic, May 23-26, 2003:

The Senator from South Carolina (Mr. HOLLINGS).

The Senator from Connecticut (Mr. DODD).

The message also announced that in accordance with sections 1928a-1928d of title 22, United States Code, as amended, the Chair, on behalf of the Vice President, appoints the following Senators as members of the Senate Delegation to the North Atlantic Treaty Organization Parliamentary Assembly during the First Session of the One Hundred Eighth Congress, to be held in Prague, Czech Republic, May 23-26, 2003:

The Senator from Alabama (Mr. SESSIONS).

The Senator from Ohio (Mr. VOINOVICH).

The Senator from Texas (Mr. CORNYN).

DEPARTMENT OF EDUCATION ON THE RIGHT TRACK

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

Mr. PITTS. Mr. Speaker, the Department of Education has had its share of problems with the money this body gives it. Many of us have followed the stories of waste and fraud that have plagued the Department. Some \$450 million were recently used for purposes other than educating children. Credit cards were used to purchase products from pornographic Web sites. Several employees were caught buying luxury SUVs and even buildings with money supposed to go to South Dakota schools.

Secretary Paige has cracked down on these activities. For only the second time ever, the Department received recently a clean audit from the GAO, and all of the \$450 million has been accounted for.

But this is more than just bureaucrats spending money the wrong way. It is about defrauding our children and our schools. If it expects schools to be accountable, the Department has to be accountable. Secretary Paige must continue to stand up for children and oppose bureaucrats eager to waste money, education money, for their own personal gain. We need to get the money into the classroom where it belongs.

ADVOCATING INCREASED OPENNESS IN GOVERNMENT

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

Mr. LAMPSON. Mr. Speaker, with all that has been happening in the State of Texas, the Texas 51, the turmoil with people feeling that there is not an open process in the Texas legislature and why the House members there chose to send a message that we must open up our government, we find it interesting now that there is a report that the Department of Homeland Security is refusing to turn loose tapes that gave an indication of who requested an effort on the part of the Homeland Security agency of the United States Government to track the plane of State Representative Pete Laney in Texas.

We have got to have an open government, one that the people feel confident in and be able to know that we are not hiding something, not trying to keep secrets from the public. Let us open this process up and include all of the people in America so that they can have a voice not just here in the United States House of Representatives but in the State House of Representatives in Texas and every other State in our Union.

CONGRATULATING THE UNIVERSITY OF NORTH TEXAS LADY EAGLES

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

Mr. BURGESS. Mr. Speaker, I rise today to recognize the University of North Texas Lady Eagles for setting school history by winning the 2003 Sun Belt Conference Outdoor Track and Field Championships. This win is especially sweet for these hard-working ladies. They won their first-ever women's outdoor conference track championship with 179.66 on their home turf, Fouts Field, in Denton, Texas.

Rick Watkins, the University's director of track, was also named the league's women's coach of the year for the third time in the last 4 years. The University of North Texas women won gold medals in three field events on the final day, with a total of five first-place finishes. A 1-2 finish in the women's shotput by Latrecia Taylor and Ciji Brooks provided the biggest boost for the Lady Eagles, with Taylor win-

ning the event with a school-record effort, and Brooks took second.

Lakisha Gentry recorded the second-longest javelin throw in the school. Ananka Clark raced to the second place in the 100- and finished third in the 200-meters. Tiffanie Jordan won the women's triple jump by more than a foot. Rhonda Williams won the long jump.

I hope my colleagues will join me in honoring these with young ladies and congratulating them on a season of hard work and commitment.

WORLDCOM/MCI

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

Mr. MEEKS of New York. Mr. Speaker, I rise this morning to bring an urgent matter to the attention of my colleagues in the House. After recording the largest corporate fraud in United States history, costing thousands of jobs and \$176 billion in losses to investors, representing three times that of Enron, WorldCom is back, just rebranding themselves to their former name MCI.

As a supporter of reforming our bankruptcy laws, I am shocked how MCI or any other company can be rewarded for cooking the books, cheating and stealing, and stand to gain by their criminal behavior. Reorganization under the bankruptcy laws should not apply when the assets are the product of criminal activities. Bankruptcy should not be the vehicle for laundering stolen goods. This is the case with MCI, even though they have changed their name and recently rolled out a new marketing campaign to distance themselves from their "criminal stigma." What an artificial advantage for MCI, our bankruptcy laws.

In conclusion, here is an idea how MCI can market themselves. They can market by saying: MCI stands for massive corporate indiscrepancies.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later today.

VETERANS' MEMORIAL PRESERVATION AND RECOGNITION ACT OF 2003

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 330) to further the protection and recognition of veterans' memorials, and for other purposes.

The Clerk read as follows:

S. 330

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Veterans' Memorial Preservation and Recognition Act of 2003".

SEC. 2. CRIMINAL PENALTIES FOR DESTRUCTION OF VETERANS' MEMORIALS.

(a) IN GENERAL.—Chapter 65 of title 18, United States Code, is amended by adding at the end the following:

"§ 1369. Destruction of veterans' memorials

"(a) Whoever, in a circumstance described in subsection (b), willfully injures or destroys, or attempts to injure or destroy, any structure, plaque, statue, or other monument on public property commemorating the service of any person or persons in the armed forces of the United States shall be fined under this title, imprisoned not more than 10 years, or both.

"(b) A circumstance described in this subsection is that—

"(1) in committing the offense described in subsection (a), the defendant travels or causes another to travel in interstate or foreign commerce, or uses the mail or an instrumentality of interstate or foreign commerce; or

"(2) the structure, plaque, statue, or other monument described in subsection (a) is located on property owned by, or under the jurisdiction of, the Federal Government."

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 65 of title 18, United States Code, is amended by adding at the end the following:

"1369. Destruction of veterans' memorials."

SEC. 3. HIGHWAY SIGNS RELATING TO VETERANS CEMETERIES.

(a) IN GENERAL.—Notwithstanding the terms of any agreement entered into by the Secretary of Transportation and a State under section 109(d) or 402(a) of title 23, United States Code, a veterans cemetery shall be treated as a site for which a supplemental guide sign may be placed on any Federal-aid highway.

(b) APPLICABILITY.—Subsection (a) shall apply to an agreement entered into before, on, or after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

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

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on S. 330, the Senate bill currently under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in support of S. 330, the Veterans' Memorial Preservation and Recognition Act of 2003. Attacks against Federal cemeteries and veterans' memorials uniquely affront the memory of those who have sacrificed for our freedom and undermine