

or her vote to be recorded thereon. By written notice to the Chairman of the Subcommittee any time before the record vote on the measure or matter concerned is taken, the member may withdraw a proxy previously given. All proxies shall be kept in the files of the Committee.

#### RULE 4. WITNESSES

[a] Filing of statements.—Any witness appearing before the Committee or Subcommittee [including any witness representing a Government agency] must file with the Committee or Subcommittee [24 hours preceding his or her appearance] 75 copies of his or her statement to the Committee or Subcommittee, and the statement must include a brief summary of the testimony. In the event that the witness fails to file a written statement and brief summary in accordance with this rule, the Chairman of the Committee or Subcommittee has the discretion to deny the witness the privilege of testifying before the Committee or Subcommittee until the witness has properly complied with the rule.

[b] Length of statements. Written statements properly filed with the Committee or Subcommittee may be as lengthy as the witness desires and may contain such documents or other addenda as the witness feels is necessary to present properly his or her views to the Committee or Subcommittee. The brief summary included in the statement must be no more than 3 pages long. It shall be left to the discretion of the Chairman of the Committee or Subcommittee as to what portion of the documents presented to the Committee or Subcommittee shall be published in the printed transcript of the hearings.

[c] Ten-minute duration. Oral statements of witnesses shall be based upon their filed statements but shall be limited to 10 minutes duration. This period may be limited or extended at the discretion of the Chairman presiding at the hearings.

[d] Subpoena of witnesses. Witnesses may be subpoenaed by the Chairman of the Committee or a Subcommittee with the agreement of the Ranking Member of the Committee or Subcommittee or by a majority vote of the Committee or Subcommittee.

[e] Counsel permitted. Any witness subpoenaed by the Committee or Subcommittee to a public or executive hearing may be accompanied by counsel of his or her own choosing who shall be permitted, while the witness is testifying, to advise him or her of his or her legal rights.

[f] Expenses of witnesses. No witness shall be reimbursed for his or her appearance at a public or executive hearing before the Committee or Subcommittee unless such reimbursement is agreed to by the Chairman and Ranking Member of the Committee.

[g] Limits of questions. Questioning of a witness by members shall be limited to 5 minutes duration when 5 or more members are present and 10 minutes duration when less than 5 members are present, except that if a member is unable to finish his or her questioning in this period, he or she may be permitted further questions of the witness after all members have been given an opportunity to question the witness.

Additional opportunity to question a witness shall be limited to a duration of 5 minutes until all members have been given the opportunity of questioning the witness for a second time. This 5-minute period per member will be continued until all members have exhausted their questions of the witness.

#### RULE 5. VOTING

[a] Vote to report a measure or matter. No measure or matter shall be reported from the Committee unless a majority of the Committee is actually present. The vote of the

Committee to report a measure or matter shall require the concurrence of a majority of the members of the Committee who are present.

Any absent member may affirmatively request that his or her vote to report a matter be cast by proxy. The proxy shall be sufficiently clear to identify the subject matter, and to inform the Committee as to how the member wishes his vote to be recorded thereon. By written notice to the Chairman any time before the record vote on the measure or matter concerned is taken, any member may withdraw a proxy previously given. All proxies shall be kept in the files of the Committee, along with the record of the rollcall vote of the members present and voting, as an official record of the vote on the measure or matter.

[b] Vote on matters other than to report a measure or matter.—On Committee matters other than a vote to report a measure or matter, no record vote shall be taken unless a majority of the Committee are actually present. On any such other matter, a member of the Committee may request that his or her vote may be cast by proxy. The proxy shall be in writing and shall be sufficiently clear to identify the subject matter, and to inform the Committee as to how the member wishes his or her vote to be recorded thereon. By written notice to the Chairman any time before the vote on such other matter is taken, the member may withdraw a proxy previously given. All proxies relating to such other matters shall be kept in the files of the Committee.

#### RULE 6. QUORUM

No executive session of the Committee or a Subcommittee shall be called to order unless a majority of the Committee or Subcommittee, as the case may be, are actually present. Unless the Committee otherwise provides or is required by the Rules of the Senate, one member shall constitute a quorum for the receipt of evidence, the swearing in of witnesses, and the taking of testimony.

#### RULE 7. STAFF PRESENT ON DAIS

Only members and the Clerk of the Committee shall be permitted on the dais during public or executive hearings, except that a member may have one staff person accompany him or her during such public or executive hearing on the dais. If a member desires a second staff person to accompany him or her on the dais he or she must make a request to the Chairman for that purpose.

#### RULE 8. COINAGE LEGISLATION

At least 67 Senators must cosponsor any gold medal or commemorative coin bill or resolution before consideration by the Committee.

#### EXTRACTS FROM THE STANDING RULES OF THE SENATE—RULE XXV, STANDING COMMITTEES

1. The following standing committees shall be appointed at the commencement of each Congress, and shall continue and have the power to act until their successors are appointed, with leave to report by bill or otherwise on matters within their respective jurisdictions:

[d][1] Committee on Banking, Housing, and Urban Affairs, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Banks, banking, and financial institutions.
2. Control of prices of commodities, rents, and services.
3. Deposit insurance.
4. Economic stabilization and defense production.
5. Export and foreign trade promotion.
6. Export controls.

7. Federal monetary policy, including Federal Reserve System.

8. Financial aid to commerce and industry.

9. Issuance and redemption of notes.

10. Money and credit, including currency and coinage.

11. Nursing home construction.

12. Public and private housing [including veterans' housing].

13. Renegotiation of Government contracts.

14. Urban development and urban mass transit.

[2] Such committee shall also study and review, on a comprehensive basis, matters relating to international economic policy as it affects United States monetary affairs, credit, and financial institutions; economic growth, urban affairs, and credit, and report thereon from time to time.

#### COMMITTEE PROCEDURES FOR PRESIDENTIAL NOMINEES

Procedures formally adopted by the U.S. Senate Committee on Banking, Housing, and Urban Affairs, February 4, 1981, establish a uniform questionnaire for all Presidential nominees whose confirmation hearings come before this Committee.

In addition, the procedures establish that:

[1] A confirmation hearing shall normally be held at least 5 days after receipt of the completed questionnaire by the Committee unless waived by a majority vote of the Committee.

[2] The Committee shall vote on the confirmation not less than 24 hours after the Committee has received transcripts of the hearing unless waived by unanimous consent.

[3] All nominees routinely shall testify under oath at their confirmation hearings.

This questionnaire shall be made a part of the public record except for financial information, which shall be kept confidential.

Nominees are requested to answer all questions, and to add additional pages where necessary.

#### HEALTH CARE IN THE 108TH CONGRESS

Mr. SMITH. Mr. President, this Congress will address a number of very serious issues this year, but there is perhaps no issue we will discuss with greater long-term implications than health care.

Last year, my colleagues and I came to the Senate floor to talk about and debate the pressing need for an affordable, universal, and voluntary prescription drug benefit for America's seniors. Unfortunately, our efforts were not successful, and our Nation's seniors continue to live in fear that the loss of their health could lead to the loss of their homes.

For the past several years, I have also tried to address the growing problem of the uninsured: Every day, 41 million Americans live, work, and go to school without health coverage. While the economic downturn this past year has caused many families to tighten their belts, it has had more serious results for almost 2 million men, women, and children who have lost their health insurance along with their jobs.

Last year, the Senate Budget Committee chairman's mark included a \$500 billion health fund, to be used to modernize Medicare with the addition of a

prescription drug benefit, and to reduce the number of uninsured in this country. With annual prescription drug cost inflation, any legislation to address the long-neglected need of Medicare seniors for an affordable prescription drug benefit this year will consume at least as much. Additionally, growing State fiscal woes coupled with the increase in the number of uninsured Americans will require a substantial Federal response.

With the threat of war and ongoing economic downturn, it may be difficult to consider new initiatives this year. But we must. The current economic climate is all the more reason to focus attention and resources on covering the uninsured now, when the need is great. In addition, every year that passes without adding a prescription drug benefit to Medicare, seniors continue to suffer, and the cost of adding such a benefit increases substantially. We must make every effort to provide a very real benefit for our Nation's seniors and uninsured, and I urge my colleagues to support a sufficient sum to make these goals a reality this year.

#### TAX CUTS AND JOBS

Mr. HATCH. Mr. President, I rise today to make a suggestion about how we can work more effectively to get the engine of our economy running on all of its cylinders again.

We have heard a great deal this week about the current state of our economy and whether the President's growth plan, which he released this past Monday, will be effective in putting Americans who have lost their jobs back to work. Many of my colleagues on the other side of the aisle are questioning whether there is a link between high taxes and jobs.

The current debate has featured quotations and commentary from some of the most prominent economists and tax experts in America. Both sides rely on knowledgeable and learned authorities to make their case that the Bush growth plan will or will not be effective in creating jobs. And, as the old saying goes, you can find an expert to prove any point you wish.

But too often, I think we tend to overlook the wisdom of people on the front lines of the U.S. economy. Sometimes these people can provide answers with clarity and common sense.

A few months ago, a small business owner in Moab, UT, Jeffrey Davis, sent me a very heartfelt letter, and his sentiment has stuck in my mind. I want to share it with my colleagues here today.

Moab is a relatively small town in southeastern Utah whose economy is greatly dependent on tourism. Within just a few miles of this town lies some of the most spectacular scenery on Earth. However, the people who make Moab their home face the same economic realities with which everyone else in America deals.

Mr. Davis owns and operates a restaurant in Moab, and over the years he

has tried his hand at a few other retail businesses as well. From his letter, it is obvious he has faced both good times and bad times with his businesses. Unfortunately, the recent trends have not been positive. He currently employs between 13 and 20 people, depending upon the season, and he worries that these people, who depend on him, might find themselves out of a job if conditions do not soon improve. Mr. Davis understands all too well the pressures that face all small business owners.

In his letter to me, Mr. Davis makes a point that is extremely important to the current debate on taxes and jobs—that if high taxes force the small business person to go out of business, the U.S. Government will not get any tax money.

As simple and obvious as that concept sounds, I fear it might be one who is sometimes lost on those of us in Congress. Taxes and other government requirements have a real cost on small businesses in this country, many of which are right at the edge of viability. In the case of businesses in many towns in Utah and around the country, things have been really tough for the past couple of years. The one-two punch of a slowing economy and the greatly reduced travel resulting from the events of September 11 have moved many thousands of small businesses in Utah and around the Nation right to the edge of going out of business. This is especially true of businesses in towns that depend heavily on tourism, such as Moab.

Tax cuts, such as the President is proposing, can make the difference between a small business surviving and it closing its doors. We must keep in mind that a high percentage of small businesses pay taxes at the individual rates.

As we debate the best way to deal with our slow recovery over the next weeks, we will surely hear a great deal more from economists and experts on the macro effect of various plans and how gross domestic product will be affected by enacting one idea or another.

These opinions and analyses are a very much needed and welcome part of the political process. But I urge my colleagues to not forget to also consider the wisdom of those back home in their States, who, like Jeffrey Davis of Moab, UT, face the real world effects of our decisions.

#### ADDITIONAL STATEMENTS

##### 30th ANNIVERSARY OF THE TURTLE MOUNTAIN COMMUNITY COLLEGE

• Mr. CONRAD. Mr. President, I rise today to congratulate the Turtle Mountain Community College located on the Turtle Mountain Indian Reservation in my State of North Dakota on its 30th anniversary.

Turtle Mountain Community College was one of the six original tribal col-

leges formed to meet the higher education needs of American Indians. Without the college, the dream of a college education would have been out of reach for so many on the reservation.

It is quite exciting to see how this college has evolved over the past 30 years. The college started from very humble beginnings. On the third floor of an abandoned Catholic convent, with fewer than 60 students and only 3 full-time faculty members, the college offered its first course to those on the reservation. Today, the college has grown to serve over 650 students, with more than 150 courses and 65 full- and part-time faculty members. Additionally, the college serves more than 250 adults who are working to earn their general equivalency degree.

Turtle Mountain Community College was the first tribal college to be granted 10-year accreditation by the North Central Association of Colleges and Schools and was the one of the first to fully integrate traditional culture throughout the curriculum.

By far one of the largest accomplishments for the college was the opening of its new campus building in 1999. The college worked for years to raise the needed funds to construct this facility. Located on a 234-acre site, the 105,000-square-foot facility includes state-of-the-art technology, general classroom space, science and engineering labs, a library, learning resource center, and a gymnasium.

Over 2,000 tribal members have graduated from the college since its creation, a truly commendable accomplishment. Nearly half of the graduates have gone on to other institutions to earn a 4-year degree. Last spring, the college graduated the first group of students to earn a bachelor of science degree in elementary education.

For the past 30 years, the college has also played a critical role in reservation life, supporting tribal business development, worker training to meet the needs of local industries, and year-round activities for elementary, middle, and high school students.

I congratulate the college, its faculty, and students on this momentous occasion and wish them much success in the next 30 years.●

#### ARTHUR ASHE

• Mrs. CLINTON. Mr. President, Arthur Ashe said: "True heroism is remarkably sober, very undramatic. It is not the urge to surpass all others at whatever cost, but the urge to serve others at whatever cost." This is more than an eloquent definition of heroism; it was how Arthur Ashe lived his life.

Ashe emerged from segregated Richmond, VA, to become one of the finest individuals to play the game of tennis. He shattered barrier after barrier and showed the world that anyone who worked hard enough and trained could rise to the top. Ashe's triumphs began in Maryland in 1957 when he was the