

years of their existence, compared to 10 percent for other IRAs. In order to prevent accountholders from unknowingly rolling their IRA funds into SIMPLE IRAs and being surprised by an increased early retirement penalty, current law prohibits rolling funds over into a SIMPLE IRA from other retirement accounts.

However, SIMPLE IRAs have the same early withdrawal penalty as other IRAs after that initial 2-year period, and consumers and financial planners have struggled with the rollover restrictions as they attempt to consolidate accounts.

This week, I will introduce legislation to allow for rollovers into SIMPLE IRA accounts that have met the 2-year threshold. The Joint Committee on Taxation has previously estimated this legislation would have a negligible effect on Federal tax revenues. This bill will simplify retirement planning and ensure a complex Tax Code does not prevent sensible financial planning decisions. Individuals should be able to consolidate their retirement funds in a way that best meets their needs.

This legislation is a small but important first step in the long road to ensuring our tax system works for Americans, not against them.

#### SHORT-TERM HIGHWAY FUND EXTENSIONS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from the District of Columbia (Ms. NORTON) for 5 minutes.

Ms. NORTON. Mr. Speaker, 2-year short-term highway fund extensions have become one of Congress' most costly habits. Kudos to the Senate Committee on Environment and Public Works, which has marked up the highway portion and may come to the floor this week with a 6-year bill.

That bill is not yet paid for, but the Senate is at least making progress toward a 6-year bill, the kind that is needed to make a dent in the backlog of our construction projects in the States.

We should not be deterred by the likelihood of another short-term bill, perhaps going to the end of the year. The goal before the year is out must be a long-term bill.

Congress has taken to authorizing the highway trust fund for 2 years, knowing full well that the trust fund, collecting gas user fees at 1993 levels, would run out even before those 2 years are out; then the waltz begins with endless short-term bills.

The States are disgusted and exhausted. MAP-21 ran out before the end of its 2-year lifetime. The last short-term bill extension was so useless that it has lasted longer than expected because the States could not apply the funds to the backlog of now endless rescheduled projects; 6-month extensions have yielded 6-month projects, usually only patchwork.

This poster goes beyond showing that the short-term extensions have been

useless to the States. These short term bills and extensions are having negative effects on the pocketbooks of our constituents. The highway user fee, which has not been raised for 22 years, costs drivers \$97 a year. The bad roads that are the result cost those same drivers \$515 per year.

Find your State for the cost to your constituents. Here is a random sample: Louisiana, \$514 per year; Oklahoma, \$763 per year; New Jersey, \$685 per driver; Ohio, \$446 per driver; California, \$762 per driver; and Pennsylvania, \$471 per driver.

All the figures are high, regardless of State or region of the country, and those high dollar amounts go out of the pockets of our constituents to patch bad roads, instead of putting the funds into fixing those roads, bridges, and transit.

Congress' short-term attention to our roads, highways, transit and bridges is breaking the bank, not for the Federal Government, but for our constituents. It is no longer the old adage "you can't get something for nothing" rather, not funding the highway trust fund for 6 years costs the people we represent not nothing, but \$515 per driver.

We have got to fund our transportation projects or ask our constituents to pay for their bad roads. The costs to the American people make our options clear what the best thing to do is.

#### THE DEPARTMENT OF JUSTICE IS DENYING JUSTICE TO VICTIMS OF SEXUAL ASSAULT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, the Department of Justice is failing rape victims.

Across America, an estimated 400,000 untested rape kits sit on shelves. Government officials long blamed a lack of resources to test the kits; so Congress fixed this problem in the reauthorization of the Violence Against Women Act, VAWA, as it is called.

VAWA included the Sexual Assault Forensic Evidence Reporting Act, or SAFER, which allows and mandates that 75 percent of Debbie Smith DNA Backlog Grant funds go directly to test the long backlog of rape kits.

The bottom line, money has been allocated to fund the backlog of 400,000 rape kits. Funds are required to be made available for audits, so we could find the true number of languishing kits throughout different States and then test them.

The goal of SAFER was to ensure that no rape kit went untested, so all victims had answers and all rapists were brought to justice; yet, Mr. Speaker, it has been 2 years. Kits remain in basements on dusty shelves, and nothing has changed.

The money is there; the law is written, but the DOJ, the Department of Justice, shamelessly ignores this man-

date leaving sexual assault victims waiting for justice. Meanwhile, untested rape kits create an unfair treatment of victims. One thing it does is it allows the guilty outlaws to go free and prevents the innocent from being exonerated.

Also, the statute of limitations may expire. Then, when the criminal is captured, he may escape justice because the kit was analyzed too long after the crime was committed. That is a travesty of justice. It is an insult and shameful treatment of sexual assault victims.

To quote an old legal maxim, "the criminal goes free because the constable has blundered" or, in this case, the constable is incompetent.

Without this SAFER Act, which allowed the implementation of funds to analyze backlogs of rape kits, we would still be in a problem that we had 2 years ago.

□ 1215

But these funds are available for the States to analyze and get the kits tested. Once tested, the results would allow the apprehension of criminals.

This is not occurring. The Department of Justice has yet to even offer the SAFER audit grants to the States. The DOJ cannot show that 75 percent of the funds are going to direct testing and lab capacity enhancement, as required by the law.

To give rape victims justice, DNA often holds the critical key and the only key to learning the identity of the perpetrators. Without this, justice is often delayed or denied forever.

Ignoring SAFER is an affront to sexual assault victims. Mr. Speaker, victims deserve to know who assaulted them. They need to know for peace of mind. It is mental turmoil for rape victims not to know the identity of the perpetrator while sometimes they still fear for their own safety. A rape kit DNA test may prove to be their best and last and only hope in knowing the identity of the rapist.

Bureaucrats should do their job. Quit making excuses for not implementing the law.

In my 30 years as a prosecutor and criminal court judge, I talked to and met a lot of sexual assault victims. Sexual assault, or rape, is, to me, the worst crime in society. And rape victims, more than anything else, want to know who did it. They want to know who did it.

We have the capability of helping rape victims know who the perpetrator is in 400,000 cases. Why aren't we doing it?

Not knowing the identity of a rapist is haunting to their victims. It is traumatizing. And to know that the rapist still may be on the loose because the testing kit was not done is inexcusable incompetence.

Each day that goes by, we are running out the clock on the statute of limitations, increasing the chance that criminals may escape the long arm of the law. It is time to analyze the

400,000 rape kits and capture the rapists.

The Department of Justice must live up to its name. Enforce the SAFER Act and follow the law. The Department of Justice must ensure justice for victims. Until then, many rape victims see no justice.

Our country deserves better; sexual assault victims deserve better; and, Mr. Speaker, justice deserves better. Because, justice is what we do in this country.

And that is just the way it is.

#### ANTIQUITIES ACT ABUSE

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. LAMALFA) for 5 minutes.

Mr. LAMALFA. Mr. Speaker, last week, the President announced his plans to designate, once again, over 300,000 acres, this time of mountains, meadows, and other areas that stretch over 100 miles in northern California, including parts of Yolo, Solano, Napa, Lake, Mendocino, Glenn, and Colusa Counties, as a monument.

This designation now marks the 19th time this President has created or expanded, since taking office, resulting in over 260 million acres of designated lands and waters in monuments or wilderness areas.

This move actually exemplifies the President's complete disregard for the legislative process and his lack of hesitation on using every single political tool to carry out even more of his executive power grabs.

Indeed, the one in Snow Mountain was a bipartisan effort underway, with legislators working on how that might become a designated area. Instead, that has now been usurped by one more round of executive power, kind of like we have seen recently with the Supreme Court exercising its power usurping the legislative process where we, the legislators, are subject directly to we, the people.

Using the Antiquities Act as justification to designate over a third of a million acres in my State overnight is not only a serious abuse of power, it is a serious misrepresentation of the intent of the law itself. This law, the purpose of this law, which was enacted after archeologists years ago noticed small artifacts disappearing or ending up in private collections across different countries, was meant as an emergency option to curb looting in small archeological sites in the Southwest.

The short and what would seem like simple text of the law actually directs the President to limit any designation to the smallest area compatible with proper care and management of the resource or the objects to be protected.

Now, when you see 330,000 acres designated here or 700,000 designated in Nevada or, a few years ago, when President Clinton declared 1 million acres in Utah, are we really protecting a par-

ticular area or zone or is this a widespread power grab?

Indeed, what are we protecting it from? Well, you will hear from the left, from oil and gas development, from timber, from mining, or from all sorts of things that would be devastating to the environment.

Have you noticed how hard it is to get a permit to do any one of those things, by the time you get through the EPA, U.S. Fish and Wildlife, and the whole litany of others that are in the way of doing things that could be done with good environmental stewardship at the same time as developing the resources that people in this country still need? They still need fuel; they still need oil; they still need gas; they still need paper products. Heaven knows, we use enough paper products in this building.

But we need development in this country. We do it more responsibly than anywhere else in the world. Yet these wilderness area designations, these monuments, they don't seek to really protect anything. They just make it off limits to all Americans, even if you just want to go in for hiking or hunting or a little off-roading and, indeed, those that would develop the resources.

This is so absurd, it even has made it difficult for fire suppression in our forested areas, for our various fire agencies to go do the job they need to do, to have the roads in the areas that are needed so they can attack the fires.

And even more so, as we have seen what happened with the loss of life with illegal immigrants in this country, like Kathryn Steinle in San Francisco, illegal immigration, the effort to stop that at the border was made even more difficult, I believe, down in New Mexico when the President designated a bunch of the area along New Mexico as a monument, making it where the Border Patrol can't even patrol the areas because it is now an environmentally protected zone. That is ridiculous, and I think Americans, when they hear about this, say, "What is going on?"

So this is, again, a power grab that is completely inappropriate. It bypasses the legislative process where the legislators are directly accountable to the people.

It is about time that we change the Antiquities Act, or at least if we had somebody in the White House that knew the balance between designating just a small area that actually helps protect a resource and archaeological site versus hundreds of thousands or millions of acres that makes it just off limits to the type of use the public needs and actually makes the assets a safer and healthier one, for example, with our forests, where we can do the work that needs to be done to keep them healthy.

Local residents have very little input, if any, on a designation happening in their backyard. Is this a transparent process? No.

It is power in Washington, once again, ruling over the people, ruling over the stakeholders in those communities that know best how to manage the resource, what that resource needs, and what that could mean to the local economy, whether it is hunting or fishing or hiking, off-roading, even a little gold mining.

We can do these things. We know how to do them environmentally responsibly, and yet we get run over time and time and time again by left-leaning folks using the Antiquities Act as something for their environmental dreams.

Mr. Speaker, I am highly frustrated by this, and I hope the American public will get behind an effort to help us change the Antiquities Act and make it something that actually works for the American public and protects what needs protecting, not everything else.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 23 minutes p.m.), the House stood in recess.

□ 1400

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DENHAM) at 2 p.m.

#### PRAAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: We give You thanks, O God, for giving us another day.

We ask Your blessing upon this assembly and upon all to whom the authority of government is given.

Encourage the Members of this House, O God, to use their abilities and talents in ways that bring righteousness to this Nation and to all people. Ever remind them of the needs of the poor, the homeless or forgotten, and those who live without freedom or liberty. May they be instruments of justice for all Americans.

May Your spirit live with them and with each of us, and may Your grace surround us and those we love that, in all things, we may be the people You would have us be in service to this great Nation.

May all that is done within the people's House this day be for Your greater honor and glory.

Amen.

#### THE JOURNAL

The SPEAKER pro tempore. 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.