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House of Representatives

The House met at 10 a.m.

Dr. Calvin C. Turpin, National Chaplain, The American Legion, Hollister, California, offered the following prayer:

Our Father and our God, ruler of all nations, recognizing that this is a day that Thou hast made, we rejoice in the blessing it brings. We thank thee for giving us this great and good land for our heritage. Bless America with noble industry and successful business, productive educational institutions, and kind and gentle manners.

Spare us from violence, discord, and confusion. Grant to us the ability to preserve the liberties that come from Thee. Make of us one united people, with justice and fairness that prevails without question; that there be peace among all nations and all people. Bless President Bush. Guide those who legislate, and grant wisdom to those who judge. Help America become the greater Nation she is capable of becoming. 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 Pennsylvania (Mr. PLATTS) come forward and lead the House in the Pledge of Allegiance.

Mr. PLATTS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOME TO DR. CALVIN C. TURPIN

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

Mr. FARR of California. Mr. Speaker, I am honored and privileged today to introduce Dr. Calvin Turpin, who just gave us our prayer. Dr. Turpin hails from my district, from the city of Hollister, which is one of California's oldest counties. Actually, Hollister is the earthquake capital of the world. Even though it is a small county and a county seat, it has very powerful people.

Dr. Turpin is truly a citizen of the world. He has traveled the world over, inspiring service men and women to maintain their faith in God and country, even during the darkest hours of battle. He is a servant to all who have served their country in good times and bad, and looked for the comfort of a counsel.

Currently Dr. Turpin fulfills his mission to God as the national chaplain of the American Legion. He does us all proud in this role. But it is I who am proudest today to say that Dr. Turpin shares his wisdom and his grace with us, fresh from my district. I thank him for being here and for bringing a solid sense of duty and integrity to this Chamber.

Mr. Speaker, I include a biography of Dr. Turpin to be printed in the Extension of Remarks section of the RECORD.

WGAL TV OF LANCASTER, PENNSYLVANIA

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

Mr. PITTS. Mr. Speaker, today I recognize WGAL TV based in Lancaster, Pennsylvania. For years, WGAL has done a great job of providing local news and community programming for Lancaster and all of central Pennsylvania. Radio and TV stations air public service announcements from time to time as a service to their communities.

I learned this week that WGAL donated a total of 1,062 spots of valuable air time to Ad Council public service announcements. That is about three a day, just for Ad Council.

I want to congratulate WGAL on its dedication to its community. Around Lancaster, Channel 8 is known as the hometown station. They have that reputation by caring for our community, doing their part to make the world a better place.

On behalf of Lancaster and central Pennsylvania, I want to say thank you to all the good people at WGAL TV, Channel 8, in Lancaster.

PRESIDENT BUSH'S TAX CUT

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

Mr. PASCRELL. Mr. Speaker, the President's tax cut plan is not only contrary to the goals and the needs of the American people, but it actually flies in the face of the facts of the promises we made here in the 106th Congress.

The fiscal year 2000 budget resolution, do Members remember that? It passed the House 221 to 208 on an almost entirely party-line vote. This budget resolution specifically promised that tax cuts would focus on ''the lower- and middle-income taxpayers.'' The Republican majority promised that Congress will not approve ''any tax legislation'' that would provide substantially more benefits to the top 10 percent of the taxpayers than to the remaining 90 percent. That is right in the budget resolution.

What happened to the promise? The tax plan offers substantially more benefits, 60 percent of the President's tax

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refund, to the top 10 percent of the American taxpayers. In fact, this tax cut returns 43 percent, nearly half of its benefits, to the top 1 percent of the earners.

Why are my Republican colleagues now abandoning the promise that they made to the low- and middle-class folks of America?

EDDIE TIMANUS DEMONSTRATES HOW ENDURANCE AND TENACITY CAN ALLOW US TO REALIZE OUR GOALS

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

Mr. RYUN of Kansas. Mr. Speaker, today I rise to share a story about a friend of mine who has overcome great adversity. His name is Eddie Timanus.

Eddie has been completely blind since he was a toddler, but he has chosen not to let this disability stop him from realizing his goals.

Eddie has dreamed of being a contestant on the TV game show Jeopardy. After years of trying to make the cut, he was selected in 1998. The producers of Jeopardy agreed to make accommodations for him, namely, giving Eddie a list of the categories in Braille.

Eddie went on to win five, count that, five episodes of Jeopardy, and nearly $70,000. I know how much tenacity it has taken to accomplish these kinds of dreams in spite of the hardships. Eddie deserves our admiration, not just because he is a Jeopardy grand champion, but because he is a testament to the principle that enduring trials produces endurance, which helps people bring the best out of themselves.

I want to thank Eddie for showing us what people who are visually impaired can do, and actually each one of us can do, when given the opportunity.

TIME TO STOP THE GRAVY TRAIN TO COMMUNISTS

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

Mr. TRAFICANT. Mr. Speaker, news reports say China and Russia will sign a treaty opposing U.S. policy. China and Russia say, and I quote: ''America is too powerful and we must stymie their missile shield.''

Now, if that is not enough to spike our vodka, we give Russia billions of dollars a year in aid. China now takes at least $10 billion a month out of the American trade surplus. Some experts say it is as high as $20 billion a month.

Mr. Speaker, we have a trade deficit of $40 billion a month. Think about it. It is time to stop this gravy train to these Communist pimps, so help me; half a trillion dollars a year, and they have missiles pointed at us.

I yield back the fact that America, with a half a trillion dollars in trade deficit, is an America looking at a financial disaster.

CONGRATULATING HEBREW HOMES HEALTH NETWORK, UNITED FOUNDATION FOR AIDS, AND SOUTH SHORE HOSPITAL FOR HELPING FROSENE SONDERLING CREATE THE JACKSON PLAZA CENTER

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, Frosene Sonderling's wish came to fruition in my hometown of Miami when Hebrew Homes Health Network and United Foundation for AIDS opened the Jackson Plaza Nursing and Rehabilitation Center.

The center is dedicated to persons battling diabetes, Alzheimer's, cancer, and Frosene's main cause, the elimination of HIV–AIDS.

In association with South Shore Hospital, the beneficiaries of the Jackson Plaza Center will now have access to direct patient care, to housing, to community service, and to education. The center is becoming a home to many in our community in helping to preserve the quality of so many lives.

Mr. Speaker, today I congratulate Hebrew Homes Health Network, United Foundation for AIDS, and the South Shore Hospital for championing this cause in our South Florida community, and for making Frosene Sonderling's dream a reality.

Frosene was a former constituent of mine who worked tirelessly to raise funds for AIDS research. She was a noted contributor to organizations that help people infected with HIV, and she harbored her selfless passion to help this infirm population. Her donations benefited medical research for AIDS treatment; and before her death, Frosene shared a dream of a state-of-the-art facility. We are now very proud that it is in our midst.

THE BUSH TAX CUT IS TOO BIG

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

Mr. GEORGE MILLER of California. Mr. Speaker, it is becoming very clear that whether one is old or young, the Bush tax cut is too big and will not allow us to meet the priorities of this Nation.

For those parents who want a decent education, a first-class education for their children, who want quality teachers in every classroom, who want modern schools, who want to make sure that in fact we can reduce class sizes because we now know that children learn better in smaller classes, the Bush tax cut is crowding that out.

For the elderly, the Washington Post points out today that the Bush tax cut is a raid on the Medicare trust fund, that Medicare is being raided for the purposes of paying for the tax cut. So both the young, who we seek to provide educational reforms for and a quality program, and the elderly, who we seek prescription drug benefits for, who seek to have their health care coverage taken care of, those funds are now being raided to pay for the Bush tax cut.

We should not allow it. We should understand the priorities of this Nation; and the priorities of this Nation are that people want Social Security and Medicare protected, and they want a first-class education system for America's children.

We cannot have that if we have the Bush tax cut.

AMERICA MUST BE ON GUARD AGAINST RUSSIA AND ROGUE NATIONS

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

Mr. STEARNS. Mr. Speaker, the President of Russia recently concluded an agreement with the Ayatollah of Iran. Russia has been helping Iran in the development of a nuclear power plant, and that cooperation will continue.

It is curious why a nation such as Iran, a major petroleum producer, would need nuclear power. I fear that the answer is found elsewhere. This agreement with Russia is also a major arms pact. Iran is seeking advanced military equipment from the Russian government.

Global stability depends on isolating rogue nations, such as Iran, North Korea, Libya, and Syria. The Russians are providing arms and technical assistance to a terrorist state which intends to expand its reach throughout that vital region.

The recent espionage case involving a top FBI official underscores the fact that Russia's intentions towards the United States are not benign. We still live in a dangerous world and the Russian government is making that world less secure. We must be on our guard.

BROKEN PROMISES BY PRESIDENT BUSH

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

Mr. INSLEE. Mr. Speaker, that wrenching sound we heard from Pennsylvania Avenue yesterday was President George Bush breaking a promise to the American people. Last September President Bush promised the American people he would work to reduce carbon dioxide pollution from generating plants. Yesterday he broke that pledge.

Despite the fact that since last September the evidence has accumulated rapidly, the global climate change is

occurring due to carbon dioxide pollution. Even though that evidence has increased, unfortunately, so has the administration's willingness to follow the dictates of the oil and gas industry.

For a President who said that the reason he did this is that he is worried about an energy crisis, we find that laughable in the West, because for the last 2 months we have been asking the President of the United States to do something about energy prices, to impose a short-term wholesale price cap, and he has refused to even consider it.

We are going to urge him to reconsider that, because I can promise the Members this, this President broke his promise. It has not broken our spirit to bring Americans clean energy at a reasonable price.

THE QUALITY CHEESE ACT OF 2001

(Ms. BALDWIN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. BALDWIN. Mr. Speaker, today I will introduce the bipartisan Quality Cheese Act of 2001, a bill that will prohibit the use of dry ultra-filtered milk, of cassein, and milk-protein concentrates in the making of standardized cheese.

□ 1015

The plight of our Nation's dairy farmers continues to worsen. In Wisconsin alone, dairy farmers lost $500 million last year because prices reached a 20-year low. My dairy farmers simply cannot stay in business with prices at these levels.

Dry ultra-filtered milk and its derivatives such as milk protein concentrates, MPCs, are allowed into our country basically duty free. In many countries, the costs of its production is subsidized, placing our dairy producers at a competitive disadvantage.

I do not want a cheap, subsidized import to take the place of our dairy farmers' wholesome milk in cheese vats in this country.

Please join me in supporting the Quality Cheese Act of 2001.

BUSH BREAKS PROMISE ON CARBON DIOXIDE EMISSIONS

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

Mr. ALLEN. Mr. Speaker, President Bush has broken his promise. During his campaign and even until last week, President Bush had committed to reducing carbon dioxide emissions from power plants.

In a speech last September in Michigan, the President said, and I quote, ''We will require all power plants to meet clean air standards in order to reduce emissions of sulfur dioxide, nitrogen oxide, mercury and carbon dioxide.''

He made this promise to the American people to protect the health of our children and the environment and to protect them from the effects of climate change. Yet now he has given in to the oil and gas industries who were his biggest contributors.

The scientific community has concluded that climate change, global warming is real and serious. Mr. Speaker, I will soon reintroduce legislation to require oil and coal-fired power plants to clean up their emissions, including carbon dioxide.

In America today, dirty power is cheap power, and we need to act this year to pass my legislation to clean up these emissions, to clean up these old power plants and to get control of climate change carbon dioxide, which is threatening this country.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Any record votes on postponed questions will be taken after debate has concluded on all motions to suspend the rules.

MADE IN AMERICA INFORMATION ACT

Mr. STEARNS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 725) to establish a toll free number under the Federal Trade Commission to assist consumers in determining if products are American-made, as amended.

The Clerk read as follows:

H.R. 725

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 ''Made in America Information Act''.

SEC. 2. ESTABLISHMENT OF TOLL-FREE TELEPHONE NUMBER PILOT PROGRAM.

(a) ESTABLISHMENT.—If the Secretary of Commerce determines, on the basis of comments submitted in the rulemaking under section 3, that—

(1) interest among manufacturers is sufficient to warrant the establishment of a 3-year toll-free telephone number pilot program; and

(2) manufacturers will provide fees under section 3(c) so that the program will operate without cost to the Federal Government;

the Secretary shall establish such program solely to help inform consumers whether a product is ''Made in America''. The Secretary shall publish the toll-free telephone number by notice in the Federal Register.

(b) CONTRACT.—The Secretary of Commerce shall enter into a contract for—

(1) the establishment and operation of the toll-free telephone number pilot program provided for in subsection (a); and

(2) the registration of products pursuant to regulations issued under section 3; which shall be funded entirely from fees collected under section 3(c).

(c) USE.—The toll-free telephone number shall be used solely to inform consumers as to whether products are registered under section 3 as ''Made in America''. Consumers shall also be informed that registration of a product does not mean—

(1) that the product is endorsed or approved by the Government;

(2) that the Secretary has conducted any investigation to confirm that the product is a product which meets the definition of ''Made in America'' in section 5; or

(3) that the product contains 100 percent United States content.

SEC. 3. REGISTRATION.

(a) PROPOSED REGULATION.—The Secretary of Commerce shall propose a regulation—

(1) to establish a procedure under which the manufacturer of a product may voluntarily register such product as complying with the definition of ''Made in America'' in section 5 and have such product included in the information available through the toll-free telephone number established under section 2(a);

(2) to establish, assess, and collect a fee to cover all the costs (including start-up costs) of registering products and including registered products in information provided under the toll-free telephone number;

(3) for the establishment under section 2(a) of the toll-free telephone number pilot program; and

(4) to solicit views from the private sector concerning the level of interest of manufacturers in registering products under the terms and conditions of paragraph (1).

(b) PROMULGATION.—If the Secretary determines based on the comments on the regulation proposed under subsection (a) that the toll-free telephone number pilot program and the registration of products is warranted, the Secretary shall promulgate such regulation.

(c) REGISTRATION FEE.—

(1) IN GENERAL.—Manufacturers of products included in information provided under section 2 shall be subject to a fee imposed by the Secretary of Commerce to pay the cost of registering products and including them in information provided under subsection (a).

(2) AMOUNT.—The amount of fees imposed under paragraph (1) shall—

(A) in the case of a manufacturer, not be greater than the cost of registering the manufacturer's product and providing product information directly attributable to such manufacturer; and

(B) in the case of the total amount of fees, not be greater than the total amount appropriated to the Secretary of Commerce for salaries and expenses directly attributable to registration of manufacturers and having products included in the information provided under section 2(a).

(3) CREDITING AND AVAILABILITY OF FEES.—

(A) IN GENERAL.—Fees collected for a fiscal year pursuant to paragraph (1) shall be credited to the appropriation account for salaries and expenses of the Secretary of Commerce and shall be available in accordance with appropriation Acts until expended without fiscal year limitation.

(B) COLLECTIONS AND APPROPRIATION ACTS.—The fees imposed under paragraph (1)—

(i) shall be collected in each fiscal year in an amount equal to the amount specified in appropriation Acts for such fiscal year; and

(ii) shall only be collected and available for the costs described in paragraph (2).

SEC. 4. PENALTY.

Any manufacturer of a product who knowingly registers a product under section 3 which is not ''Made in America''—

(1) shall be subject to a civil penalty of not more than $7500 which the Secretary of Commerce may assess and collect, and

(2) shall not offer such product for purchase by the Federal Government.

SEC. 5. DEFINITIONS.

For purposes of this Act:

(1) MADE IN AMERICA.—The term ''Made in America'' has the meaning given unqualified ''Made in U.S.A.'' or ''Made in America'' claims for purposes of laws administered by the Federal Trade Commission.

(2) PRODUCT.—The term ''product'' means a product with a retail value of at least $250.

SEC. 6. RULE OF CONSTRUCTION.

Nothing in this Act or in any regulation promulgated under section 3 shall be construed to alter, amend, modify, or otherwise affect in any way, the Federal Trade Commission Act or the opinions, decisions, rules, or any guidance issued by the Federal Trade Commission regarding the use of unqualified ''Made in U.S.A.'' or ''Made in America'' claims in labels on products introduced, delivered for introduction, sold, advertised, or offered for sale in commerce.

Amend the title so as to read: ''A bill to direct the Secretary of Commerce to provide for the establishment of a toll-free telephone number to assist consumers in determining whether products are American-made.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. STEARNS) and the gentlewoman from California (Mrs. CAPPS) each will control 20 minutes.

The Chair recognizes the gentleman from Florida (Mr. STEARNS).

GENERAL LEAVE

Mr. STEARNS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include therein extraneous material on H.R. 725, as amended.

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

There was no objection.

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

Mr. Speaker, we are constantly reminded in our daily lives that knowledge is power. Under H.R. 725, the American consumer has the power to determine if a product is indeed ''Made in America.'' This bill, introduced by the gentleman from Ohio (Mr. TRAFICANT), my friend, will make ''Made in America'' product information more readily accessible to the consumer and without cost to the Federal Government.

Currently, my colleagues, there is no central repository for lists of American-made products. H.R. 725 establishes a 3-year pilot program creating such a repository entirely funded by fees assessed to manufacturers that choose to voluntarily list their products in this database.

Mr. Speaker, under this pilot program, a toll-free telephone number is established to facilitate consumer access to the database. It is important to note that participation in the program is voluntary and that the operation and maintenance of the toll-free number and database shall be contracted out to a third party by the Department of Commerce.

American consumers are increasingly sensitive as to whether a product is ''Made in America.'' Such sensitivity has certainly applied to the U.S. government procurement process. Since 1942, the so-called Berry amendment has prevented the use of any funds appropriated to the Department of Defense to be used to purchase an item of food or clothing not produced in the United States.

The Defense Logistics Agency can issue a waiver of the Berry amendment upon a determination of a nonavailability, meaning there is no available domestic producer. The Defense Logistics Agency decided to waive the Berry amendment requirement recently in order to procure 1.3 million berets for the Army at a cost of $26 million based on nonavailability.

The rationale for the waiver, we are told, is that Americans suppliers would not be able to supply the Army's needs to have the berets in time for its 225th anniversary on June 14. We are also told that American suppliers, even if given adequate time, if they are given adequate time, can meet the orders' requirements.

Personally, I believe that if a universal black beret is going to serve as a symbol for the United States Army in the 21st Century, it should not be made in China. Fortunately, the Pentagon decided yesterday to revisit this issue.

Early in the history of this country, we have had high tariffs to protect our industries. Now we have low tariffs and are part of a global economy. There must be a balance, my colleagues, if we are to preserve American jobs and industry, while also enjoying the benefits of world trade.

Americans have seen a proliferation of products from other countries. My colleagues, this simple bill gives Americans the knowledge to make an educated choice in the purchase of American-made goods.

Let me close my statement by commending the gentleman from Ohio (Mr. TRAFICANT) for his persistence and tenacious promotion of this bill and for introducing this bill so that we have this opportunity this morning.

Last Congress, the House passed this legislation almost identical to H.R. 725, so I do not believe we will have any trouble today, but I think it is important and particularly in light of what has happened in the Department of Defense and reading in the paper their decision to stop the procurement of the berets being manufactured in China.

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

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

Mr. Speaker, I urge my colleagues to support H.R. 725, the Made in America Information Act. I commend the leadership of the gentleman from Florida (Mr. STEARNS), my colleague, for this time on the floor.

Mr. Speaker, I also commend the persistence of the gentleman from Ohio (Mr. TRAFICANT), my colleague, on this topic that we are dealing with today.

H.R. 725 provides for the Secretary of Commerce to establish a toll-free number to help consumers identify which products are ''Made in America.'' This new program would operate as a pilot program for 3 years. It would not cost taxpayers anything. It would be paid for entirely out of fees collected for manufacturers who wish to register their products as ''Made in America.''

This legislation is predicted on one simple premise and belief, that consumers will choose to buy products made right here in the United States by American workers, if they are given that opportunity.

In a 1997 rulemaking, the Federal Trade Commission reported that 84 percent of the respondents to a National Consumers League survey said that they were more likely to buy an item that was made in the USA than to buy an equivalent foreign-made product.

A majority of those surveyed also said that they find the made in U.S. label either frequently or always meaningful when they are shopping.

Congress also long ago recognized that made in the USA label is both meaningful and important.

Mr. Speaker, I want to cite the same example that my colleague did in pointing out that, out of respect and honor both for American workers as well as those who serve our country in uniform, Congress has required military uniforms to be ''Made in the USA'' for the past 50 years, except in time of crisis. That is why, Mr. Speaker, I was also shocked to learn that the Pentagon has recently awarded $26 million in contracts mostly to foreign producers for 2½ million black berets that are now to become the official new headgear of all of the Army troops. According to the Army, these new berets will be made in plants in China, Romania, and Sri Lanka, among other foreign countries.

I was also disturbed by press accounts that cited that awarding this contract to these foreign firms could even be more expensive for American taxpayers. It has been reported that the overseas beret is nearly twice as expensive as one which could be ''Made in America'' but could not be ready in time for the deadline that was imposed.

For the first time, most American men and women serving in the Army would soon see a ''Made in China'', for example, or other such label when they take off their berets, rather than a ''Made in the USA'' label.

This decision will harm U.S. companies and American workers and may, in fact, waste taxpayer dollars.

That is why the gentleman from California (Mr. HUNTER), my colleague, and I have been circulating a letter to the President asking that this short-sighted decision be reconsidered.

I hope all of my colleagues on both sides of the aisle will join me in this effort, and it is a way of underscoring the importance of H.R. 725 as a good

bill that will help consumers to buy American if they so choose.

Mr. Speaker, I urge my colleagues to support this legislation.

Mr. Speaker, I yield 3 minutes to my colleague, the gentleman from Ohio (Mr. TRAFICANT).

Mr. TRAFICANT. Mr. Speaker, I want to thank the gentleman from Louisiana (Mr. TAUZIN), the gentleman from Michigan (Mr. DINGELL), the gentleman from Michigan (Mr. UPTON), the gentleman from Massachusetts (Mr. MARKEY), certainly the gentleman from Florida (Mr. STEARNS), my good friend, and the gentlewoman from California (Mrs. CAPPS) for bringing this resolution and bill out early in the session.

Mr. Speaker, I took to the floor several years ago when the Air Force was buying military boots made in China. The Pentagon was embarrassed, and that was stopped.

But I want my colleagues to understand, the prestigious elite Army Ranger force to remove their beret and to have a fellow tax-paying American seeing a ''Made in China'' label in it?

One thing America does not need is protectionism. We need fair trade policies for sure.

And remember this, for every billion dollars worth of trade deficit, we lose 20,000 jobs; and I would like the gentlewoman from Florida to realize that, last quarter, America's trade deficit was $119 billion. It is approaching $40 billion a month. Times that by 20,000 jobs, and they are not burger flippers, we have got a crisis. No one is really looking at this crisis; and my little bill simply says, look, I believe the American consumer will buy an American product if it is competitively priced.

The Traficant bill would work this way: A couple in Chicago setting up homekeeping is going to buy a refrigerator, stove, washer and dryer. They can call the 1–800 number and say, look, I would like to buy an American product. What American products are made in refrigerators, in washers and dryers, and could I please have a list of them?

My God, what is wrong with us? I am asking House leadership to now help with the Senate to get beyond this guise of protectionism and, for God's sake, look at America and our working people and our consumer habits and practices.

□ 1030

This is simply a very modest bill. There will be no more Federal workers needed to be hired. Any cost will be borne by American companies who will be proud to say, Yes, my product is made in America. Come see it.

Now, one will see more foreign manufacturers moving to America so they can say ''Our product is made in America.'' If that Japanese company moves to America and makes it in America, it will be listed on the first-time register of American-made products.

Mr. Speaker, this is a good common sense American bill. I ask for an overwhelming vote, and I certainly ask this chairman to do all he can in promoting it with the other body.

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

Mr. Speaker, I have a few comments before I yield back my time. Obviously, years from now little will be remembered about this debate this morning. But in many ways, as my colleagues know, Mr. Speaker, there is a time and a moment when there is a sense of goodwill and a feeling in the House when we are doing something that makes all Americans feel patriotic. I think this bill that the gentleman from Ohio (Mr. TRAFICANT) is offering does just that.

I am so glad the Army, who is going to celebrate their 225th anniversary, has decided to hold off procuring the berets overseas and having them manufactured in China. I hope they will sense this feeling that we have this morning, that this bill does not cost anything and is symbolic, is important for the welfare of all Americans. I urge its adoption.

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

Mrs. CAPPS. Mr. Speaker, I would comment also that I join my colleague in agreeing that this is a very timely topic to be discussing right now.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H.R. 725, the Made in America Information Act. The measure deserves our strong support to make sure the American worker can compete fairly with any competitor.

This bill requires the Commerce Department, if sufficient industry interest exists, to establish and operate for 3 years a toll-free telephone number to help U.S. consumers determine which consumer products are American-made. Under the measure, this hotline would be operated through a private contractor at no cost to the government, with the cost of operations to be paid for by fees from these manufacturers who voluntarily register their products with this hotline.

The measure allows only American-made products having a retail value of approximately $250 or more to be registered. Consumers calling the hotline would have to be informed that registration of a product on the hotline does not mean that the product contains 100 percent U.S.-made content, that the government does not endorse the product, and that the Federal Government has not conducted an investigation to confirm the definition of ''American made.'' Manufacturers who knowingly register a product that is not American-made would be subject to civil penalties, and the product in question could not be purchased by any unit of the Federal Government.

Passage of this legislation sends an important message to our workers. U.S. workers should not be shortchanged as they seek to compete in the global marketplace. Accordingly, I urge my colleagues to support the legislation.

Mrs. CAPPS. I have no further speakers, Mr. Speaker; and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MILLER of Florida). The question is on the motion offered by the gentleman from Florida (Mr. STEARNS) that the House suspend the rules and pass the bill, H.R. 725, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

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

The yeas and nays were ordered.

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

ELECTION OF MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE

Mr. FROST. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution (H.R. 88) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 88

Resolved, That the following named Members be, and are hereby, elected to the following standing committees of the House of Representatives:

Committee on Agriculture: to rank immediately after Mr. Phelps of Illinois, Mr. Lucas of Kentucky; to rank immediately after Mr. Acevedo-Vilá of Puerto Rico, Mr. Kind of Wisconsin and Mr. Shows of Mississippi;

Committee on the Budget: Mr. Matheson of Utah.

The resolution was agreed to.

A motion to reconsider was laid on the table.

MARJORY WILLIAMS SCRIVENS POST OFFICE

Mr. PLATTS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 364) to designate the facility of the United States Postal Service located at 5927 Southwest 70th Street in Miami, Florida, as the ''Marjory Williams Scrivens Post Office''.

The Clerk read as follows:

H.R. 364

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

SECTION 1. DESIGNATION.

The facility of the United States Postal Service located at 5927 Southwest 70th Street in Miami, Florida, shall be known and designated as the ''Marjory Williams Scrivens Post Office''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in section 1 shall be deemed to be a reference to the Marjory Williams Scrivens Post Office.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. PLATTS) and the gentlewoman from Florida (Mrs. MEEK) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. PLATTS).

GENERAL LEAVE

Mr. PLATTS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 364.

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

There was no objection.

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

Mr. Speaker we have before us H.R. 364, designating the facility of the United States Postal Service located at 5927 Southwest 70th Street in Miami, Florida, as the Margery Williams Scrivens Post Office. The distinguished gentlewoman from Florida (Mrs. MEEK) introduced this legislation on January 31, 2001. It is supported by all House Members of the State of Florida pursuant to the policy of the Committee on Government Reform.

Marjory Williams Scrivens started working for the United States Postal Service in 1970, and in 1972 she was one of the first women to deliver mail in the Miami-Dade County area in Florida.

Ms. Scrivens succumbed to bone cancer a year ago. Mr. Speaker, I urge our colleagues to support H.R. 364 as an appropriate tribute to Marjory Williams Scrivens in naming the post office for her many dedicated years of service to the postal service.

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

Mrs. MEEK of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 364 designates the facility of the United States Post Office service located at 5927 Southwest 70th Street in Miami, Florida, as the Marjory Williams Scrivens Post Office.

A lot of times when we dedicate post offices, Mr. Speaker, we do not really pay much attention to the persons for whom they are named. We try to be sure that, since this is a Federal facility, that people who are worthy of this commendation be chosen.

Mrs. Scrivens was an unusual woman. She started working for the post office in 1979, and she was the first female letter carrier in Dade County. Mrs. Scrivens was only the second woman in this entire country to serve as a letter carrier during that time.

She was very popular. She was a trailblazer. She worked for the post office in an exemplary manner for 22 years. Many times she was very instrumental in correcting the identification of those who carry the mail from postmen to mailmen to letter carrier.

She brought a respect to this particular job; and it was good for, not only the post office, but for the people of the community.

Her colleagues fondly remember her as one who was very proud of her job. ''We would always point to Marjory Scrivens as a good example of a job well done,'' said one of her former supervisors.

Mrs. Scrivens was motivated for public service. She wanted a challenge. She kept dropping by the Federal building to check on government jobs. This was when there was, perhaps, no woman in that county who had ever worked for the post office. So she started dropping by.

Finally, she saw a clerk-carrier listed; and she took the test and passed. She was not afraid to work.

So today, Mr. Speaker, it is fitting that we honor Marjory Williams Scrivens, not only because of who she was, but for all that she did. I am very pleased that the Florida delegation has cosponsored this bill and the leadership has seen fit to put it on the calendar.

This effort has very wide community support, including endorsements from the South Florida Letter Carriers Association, the Mount Olive Missionary Baptist Church, Miami Times newspaper, and more than 1,200 signatures on more than 63 pages.

Mr. Speaker, I am pleased to support the naming of the United States Post Office in South Miami as the Marjory Williams Scrivens Post Office.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. PLATTS) that the House suspend the rules and pass the bill, H.R. 364.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

W. JOE TROGDON POST OFFICE BUILDING

Mr. PLATTS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 821) to designate the facility of the United States Postal Service located at 1030 South Church Street in Asheboro, North Carolina, as the ''W. Joe Trogdon Post Office Building''.

The Clerk read as follows:

H.R. 821

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

SECTION 1. W. JOE TROGDON POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 1030 South Church Street in Asheboro, North Carolina, shall be known and designated as the ''W. Joe Trogdon Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the W. Joe Trogdon Post Office Building.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. PLATTS) and the gentlewoman from Florida (Mrs. MEEK) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. PLATTS).

GENERAL LEAVE

Mr. PLATTS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 821.

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

There was no objection.

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

Mr. Speaker, the bill before us, H.R. 821, was introduced by the gentleman from North Carolina (Mr. COBLE). This legislation designates the post office located at 1030 South Church Street in Asheboro, North Carolina, be known as the W. Joe Trogdon Post Office Building. Each Member of the House delegation from the State of North Carolina has cosponsored this legislation pursuant to the policy of the Committee on Government Reform.

Mr. Trogdon was born in Asheboro, North Carolina, in 1932 and was educated in the Asheboro city school system. He then attended North Carolina State University from 1950 to 1954. He participated in the Army ROTC program while studying at NC State.

Mr. Trogdon served our Nation as a 2nd lieutenant in the United States Army Security Agency on active duty in Germany for 2 years, from 1955 to 1957. In 1957, he was made a 1st lieutenant in the Army and served in the inactive reserve until 1963.

Mr. Trogdon served on the Asheboro Planning Board from 1964 to 1973 and the Asheboro City Council from 1973 until 1983. He was then elected mayor of the city of Asheboro and continues to hold that position. He is the former chairman of the Piedmont Triad Council of Government and a former member of the board of directors for the North Carolina League of Municipalities.

Mayor Trogdon is also an active member of the Asheboro Jaycees, the Kiwanis Club, the Rotary Club, the East Hog-Eye Yacht Club, and the board of directors for the Wachovia Bank & Trust. He is also a member of the board of trustees of the First United Methodist Church.

Mr. Trogdon is the president of a family-owned business of general contractors, which was established in 1928.

Mr. Speaker, it is fitting that a post office be dedicated to a gentleman who has given his life to public service in a city where he was born and grew up.

I urge our colleagues to support H.R. 821, a bill that honors Mayor W. Joe Trogdon. I also want to recognize the dedicated work of the gentleman from North Carolina (Mr. COBLE) for sponsoring this legislation and for the other Members of the delegation in cosponsoring and bringing this issue to the floor.

Mr. Speaker, I yield such time as he may consume to the gentleman from North Carolina (Mr. COBLE).

Mr. COBLE. Mr. Speaker, I thank the gentleman from Pennsylvania for yielding me this time.

Mr. Speaker, I may repeat some that has already been said, but this is important to the people of Asheboro, and I want to go into a little more detail.

At the outset, I want to thank the gentleman from Indiana (Mr. BURTON), the Republican leadership, and the Members of the North Carolina congressional delegation for their assistance in bringing this legislation to the floor in such a timely manner.

On March 1 of this year, Mr. Speaker, I introduced H.R. 821, a bill to designate the new post office at Asheboro, North Carolina, as the W. Joe Trogdon Post Office Building.

Several years ago, it became apparent that the former postal facilities in Asheboro were not adequate. In fact, the building was literally falling down. Condemnation of the original post office in 1997 expedited the need for a new building to serve the area.

During this process, Mayor Joe Trogdon was instrumental in coordinating the wishes of his community with the requirements of the United States Postal Service. He encouraged the people of Asheboro to actively voice their views regarding the location of the new post office to ensure that this new facility would be built where it would best serve Asheboro and Randolph County.

Mr. Speaker, I do not know how many of my colleagues have been involved in building or in relocating post office buildings, but it involves an eternal maze. For many years, the citizens of Asheboro have been inconvenienced by the poor accessibility, insufficient parking, and hectic traffic patterns surrounding the old post office.

After searching for a potential site for the new building, negotiating and renegotiating with the U.S. Postal Service and various landowners in the area, the project was finally completed. This tremendous new asset to the community will have its official grand opening on Sunday, April 1.

Although it has been a long and, at times, a tenuous process, the community, under the leadership of Mayor Trogdon, was able to work through the many frustrations and disappointments and now has seen its goal of a gleaming new postal facility become a reality.

Once the location for the new post office building has been determined, the omnibus task of picking the perfect name still remained. In my opinion, the name of the building should reflect a constant presence in the community, a person who has given of his time, heart and spirit, not only in the creation of this post office, but to the growth and prosperity of the city of Asheboro.

□ 1045

That being said, I can think of no one more qualified who exemplifies that description than Mayor Joe Trogdon. He is a hometown boy, as the gentleman from Pennsylvania pointed out. He grew up in the town of Asheboro. Joe received his college diploma from North Carolina State University in Raleigh. Joe honorably served in the United States Army in Germany; 6 years in the U.S. Army Reserve; and following his tour of duty in Germany, Joe returned to his boyhood home to begin work in the family business. But that was not enough for Joe Trogdon. Nearly 4 decades ago, Joe started his public service career in Asheboro. He has served as a member of the Asheboro Planning Board, the City Council, the Piedmont Triad Council of Governments, the North Carolina League of Municipalities, and since 1983, as Mayor of Asheboro.

Joe also gives of his time and talent to civic groups and associations such as the Asheboro Jaycees, the Asheboro Kiwanis Club, the Asheboro Rotary Club, and the East Hog-eye Yacht Club. Joe is also on the board of trustees of the First United Methodist Church in Asheboro. What you can say about this man is that Joe Trogdon does not believe in sitting idly on the sidelines. When work needs to be done, Joe is the first one to pitch in and help. Through his many years of dedication to the people of Asheboro, Joe has always put the needs and views of his constituents first and foremost, and for that reason he has gained the respect and support of the people he represents.

Mr. Speaker, I am not alone in my desire to honor Joe Trogdon. We have heard from a number of groups in the area encouraging us to introduce legislation to name the Post Office in Asheboro in honor of Joe. Included on this list is the Asheboro City Council, the Randolph County Board of Commissioners, the Home Builders Association of Asheboro and Randolph County, the American Legion Post 45 of Asheboro, the Randolph County Senior Adults Association and the Asheboro/Randolph Chamber of Commerce.

Additionally, private citizens sent letters of support to our office to endorse this proposal, including my good friend, North Carolina State Representative Arlie Culp.

Mr. Speaker, for the benefit of my colleagues, one of my constituents did contact me and expressed his opposition to the naming of this building, not because it was being named to honor Joe Trogdon, but he expressed his concern that Federal buildings should not bear the name of people still living. I explained that rules governing the naming of Federal buildings do not prohibit the naming of buildings for people alive, and I do not think anybody is interested in accelerating Joe Trogdon's death to make him eligible to have his name put on the post office building, so I hope that gentleman's discomfort will be assuaged somewhat after he reconsiders it.

Mr. Speaker, I am about to close, but I would be remiss if I failed to mention the names of Rebecca Redding Williams and Missy Branson. Rebecca is our district representative in the Asheboro office; and Missy, who is from Thomasville, North Carolina, is our legislative director here; and both of them worked tirelessly on this legislation, and I thank them for their efforts.

It is for my friend and constituent, Joe Trogdon, that I move to pass this bill today. We wish Joe's wife could still be with us, but we know that Anne Trogdon is smiling down upon us today. Joe and Anne's three children and six grandchildren are very proud of what we are doing today.

Mr. Speaker, I hope you will all join me in celebrating this great man by voting in support of this bill designating the new post office in Asheboro, North Carolina, as the W. Joe Trogdon Post Office Building. My hat goes off to Joe, and I thank you all for what you have done for Asheboro and Randolph County. What we do here today is a fitting tribute to your dedicated career of public service, Joe Trogdon.

Mrs. MEEK of Florida. Mr. Speaker, I yield myself 1 minute to speak about this outstanding person for whom the gentleman from North Carolina (Mr. COBLE) has decided to name a post office.

Listening to all of the information concerning this mayor, he must be a very outstanding man and has made a great contribution to his community, so it is good he is getting his flowers while he is alive and will hear the acclamations that will come from his community.

The gentleman from North Carolina (Mr. COBLE) is to be commended in seeking to honor Mayor Trogdon. The mayor has shown tremendous leadership and deserves to be acknowledged for his hard work. I urge swift passage of this bill.

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

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

The SPEAKER pro tempore (Mr. MILLER of Florida). The question is on the motion offered by the gentleman from North Carolina (Mr. COBLE) that the House suspend the rules and pass the bill, H.R. 821.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

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 and include extraneous material on the following bills:

H.R. 809, H.R. 741, H.R. 860, S. 320, H.R. 861 and H.R. 802.

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

There was no objection.

ANTITRUST TECHNICAL CORRECTIONS ACT OF 2001

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 809) to make technical corrections to various antitrust laws and to references to such laws.

The Clerk read as follows:

H.R. 809

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 ''Antitrust Technical Corrections Act of 2001''.

SEC. 2. AMENDMENTS.

(a) ACT OF MARCH 3, 1913.—The Act of March 3, 1913 (chapter 114, 37 Stat. 731; 15 U.S.C. 30) is repealed.

(b) PANAMA CANAL ACT.—Section 11 of the Panama Canal Act (37 Stat. 566; 15 U.S.C. 31) is amended by striking the undesignated paragraph that begins ''No vessel permitted''.

(c) SHERMAN ACT.—Section 3 of the Sherman Act (15 U.S.C. 3) is amended—

(1) by inserting ''(a)'' after ''SEC. 3.'', and

(2) by adding at the end the following:

''(b) Every person who shall monopolize, or attempt to monopolize, or combine or conspire with any other person or persons, to monopolize any part of the trade or commerce in any Territory of the United States or of the District of Columbia, or between any such Territory and another, or between any such Territory or Territories and any State or States or the District of Columbia, or with foreign nations, or between the District of Columbia, and any State or States or foreign nations, shall be deemed guilty of a felony, and, on conviction thereof, shall be punished by fine not exceeding $10,000,000 if a corporation, or, if any other person, $350,000, or by imprisonment not exceeding three years, or by both said punishments, in the discretion of the court.''.

(d) WILSON TARIFF ACT.—

(1) TECHNICAL AMENDMENT.—The Wilson Tariff Act (28 Stat. 509; 15 U.S.C. 8 et seq.) is amended—

(A) by striking section 77, and

(B) in section 78—

(i) by striking ''76, and 77'' and inserting ''and 76''; and

(ii) by redesignating such section as section 77.

(2) CONFORMING AMENDMENTS TO OTHER LAWS.—

(A) CLAYTON ACT.—Subsection (a) of the 1st section of the Clayton Act (15 U.S.C. 12(a)) is amended by striking ''seventy-seven'' and inserting ''seventy-six''.

(B) FEDERAL TRADE COMMISSION ACT.—Section 4 of the Federal Trade Commission Act (15 U.S.C. 44) is amended by striking ''77'' and inserting ''76''.

(C) PACKERS AND STOCKYARDS ACT, 1921.—Section 405(a) of the Packers and Stockyards Act, 1921 (7 U.S.C. 225(a)) is amended by striking ''77'' and inserting ''76''.

(D) ATOMIC ENERGY ACT OF 1954.—Section 105 of the Atomic Energy Act of 1954 (42 U.S.C. 2135) is amended by striking ''seventy-seven'' and inserting ''seventy-six''.

(E) DEEP SEABED HARD MINERAL RESOURCES ACT.—Section 103(d)(7) of the Deep Seabed Hard Mineral Resources Act (30 U.S.C. 1413(d)(7)) is amended by striking ''77'' and inserting ''76''.

(e) CLAYTON ACT.—The first section 27 of the Clayton Act (15 U.S.C. 27) is redesignated as section 28 and is transferred so as to appear at the end of such Act.

(f) YEAR 2000 INFORMATION AND READINESS DISCLOSURE ACT.—Section 5(a)(2) of the Year 2000 Information and Readiness Disclosure Act (Public Law 105–271) is amended by inserting a period after ''failure''.

SEC. 3. EFFECTIVE DATE; APPLICATION OF AMENDMENTS.

(a) EFFECTIVE DATE.—Except as provided in subsection (b), this Act and the amendments made by this Act shall take effect on the date of the enactment of this Act.

(b) APPLICATION TO CASES.—(1) Section 2(a) shall apply to cases pending on or after the date of the enactment of this Act.

(2) The amendments made by subsections (b), (c), and (d) of section 2 shall apply only with respect to cases commenced 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 Michigan (Mr. CONYERS) each will control 20 minutes.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield myself such time as I may consume, and I rise in support of H.R. 809, the Antitrust Technical Corrections Act of 2001, which I have introduced along with the committee's ranking member, the gentleman from Michigan (Mr. CONYERS) and the gentleman from Illinois (Mr. HYDE).

This bill makes six separate technical corrections to our antitrust laws. Three of these corrections repeal outdated provisions of the law. One clarifies a long existing ambiguity relating to the application of the law to the District of Columbia and the territories, and two correct typographical errors in recently passed laws.

This bill is identical to a bill which the House passed by a voice vote last year, except that two typographical corrections have been added. The committee has informally consulted with the antitrust enforcement agencies, the Antitrust Division of the Department of Justice and the Bureau of Competition of the Federal Trade Commission, and the agencies indicate that they do not object to any of these changes.

In response to written questions following the committee's November 5, 1997 oversight hearing on the antitrust enforcement agencies, the Department of Justice recommended two of the repeals and the clarification contained in this bill.

First, H.R. 809 repeals the Act of March 3, 1913. That act requires all depositions taken in Sherman Act cases brought by the government be conducted in public. In the early days, the courts conducted such cases by deposition without any formal trial proceeding. Thus, Congress required that the depositions be open as a trial would be. Under the modern practice of broad discovery, depositions are generally taken in private and then made public if they are used at trial.

Under our system, section 30 causes three problems: First, it maintains a special rule for a narrow class of cases when the justification for that rule has disappeared.

Second, it makes it hard for a court to protect proprietary information that may be at issue in an antitrust case.

And, third, it can create a circus atmosphere in the deposition of a high profile figure. In an appeal in the Microsoft case, the U.S. Court of Appeals for the District of Columbia Circuit invited Congress to repeal this law.

Second, H.R. 809 repeals the antitrust provision in the Panama Canal Act. Section 11 of the Panama Canal Act provides no vessel owned by someone who is violating the antitrust laws may pass through the Panama canal.

The committee has not been able to determine why this provision was added to the act or whether it has ever been used. However, with the return of the canal to Panamanian sovereignty at the end of 1999, it is appropriate to repeal this outdated provision.

The House Committee on Armed Services has jurisdiction over the Panama Canal Act, and I appreciate the willingness of that committee's chairman, the gentleman from Arizona (Mr. STUMP), to expedite this noncontroversial bill.

Third, H.R. 809 clarifies that section 2 of the Sherman Act applies to the District of Columbia and its territories. Two of the primary provisions of antitrust law are section 1 and section 2 of the Sherman Act. Section 1 prohibits conspiracies in restraint of trade, and section 2 prohibits monopolization.

Section 3 of the Sherman Act was intended to apply these provisions to the District and the various territories of the United States. Unfortunately, however, the ambiguous drafting in section 3 leaves it unclear whether section 2 applies to these areas. The committee is aware of at least one instance in which the Department of Justice declined to bring an otherwise meritorious section 2 claim in a Virgin Islands case because of this ambiguity.

This bill clarifies both section 1 and section 2 apply to the District and the Territories. All of the congressional representatives of the District and the Territories are cosponsors of this bill.

Finally, H.R. 809 repeals a redundant antitrust jurisdiction provision in section 77 of the Wilson Tariff Act. In 1955, Congress modernized the jurisdictional and venue provisions relating to antitrust suits by amending section 4 of the Clayton Act. At that time it repealed the redundant jurisdictional provision in section 7 of the Sherman Act but not the one in section 77 of the Wilson Tariff Act. It appears this was an oversight, because section 77 was never codified and has been rarely used.

Repealing section 77 will not diminish any jurisdiction or venue rights because section 4 of the Clayton Act provides any potential plaintiff with broader jurisdiction and venue rights in section 77. Rather, the repeal simply rids the law of a confusing, redundant, and little-used provision.

Finally, the bill corrects an erroneous section number designation in

the Curt Flood Act passed in 1998, and it inserts an inadvertently omitted period in the Year 2000 Information and Readiness Disclosure Act. Neither of these corrections makes any substantive change.

I believe that all of these provisions are noncontroversial and they will help clean up some underbrush in the antitrust laws and recommend that the House suspend the rules and pass the bill.

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

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

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

Mr. CONYERS. Mr. Speaker, I am pleased to join the chairman of the committee, the gentleman from Wisconsin (Mr. SENSENBRENNER) in support of these technical corrections to antitrust law.

The gentleman has described them adequately. There are six noncontroversial changes. We are in total support. And I might add that we have had a very bipartisan experience in the Committee on the Judiciary during the period of time that we have been working on bills together, so I am happy to join with the chairman in support of the measure.

I am pleased to join the gentleman from Wisconsin (Mr. SENSENBRENNER) in support of H.R. 809, the ''Antitrust Technical Corrections Act of 2001.'' The Chairman and I have worked together on this bill, and we have consulted with the Department of Justice Antitrust Division and the Federal Trade Commission Bureau of Competition to ensure that the technical changes made in the bill will improve the efficiency of our antitrust laws.

When the gentleman from Wisconsin and I met at the beginning of this Congress, he spoke about creating a more bi-partisan approach on the Judiciary Committee. I am gratified that his conciliatory words were followed up by deeds, and I hope that this is the kind of cooperative relationship we can look forward to throughout the 107th Congress.

To briefly summarize, H.R. 809 makes six non-controversial changes in our antitrust laws to repeal some out-dated provisions of the law, to clarify that our antitrust laws apply to the District of Columbia and to the Territories, and to make some needed grammatical and organizational changes.

The bill will permit depositions taken in Sherman Act equity cases brought by the government to be conducted in private—just as they are in all other types of cases. It also repeals a little-known and little-used provision that prohibits vessels from passing through the Panama Canal if the vessel's owner is violating the antitrust laws. With the return of the Canal to Panama in 1999, it is appropriate to repeal this outdated provision.

H.R. 809 also clarifies that Sherman Act's prohibitions on restraint of trade and monopolization apply to conduct occurring in the District of Columbia and the various territories of the United States. It also repeals a redundant jurisdiction and venue provision in Section 77 of the Wilson Tariff Act. Finally, the bill makes two minor grammatical and organizational changes to the antitrust laws.

Again, I want to thank the chairman for his bi-partisan approach on this legislation, and I urge its passage.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I would like to thank Chairman SENSENBRENNER, and Ranking Member CONYERS for their work in bringing H.R. 809, the ''Antitrust Technical Corrections Act of 2001,'' before the House for consideration.

This bill seeks to make six technical corrections to United States antitrust laws. Three of these technical corrections repeal outdated provisions of the law, one clarifies a long existing ambiguity regarding the application of the law to the District of Columbia and the territories, one is organizational in nature, and one is grammatical. The Committee has informally consulted the antitrust enforcement agencies, the Antitrust Division of the Department of Justice and the Bureau of Competition of the Federal Trade Commission, and the agencies have indicated that they do not object to any of these changes. In response to written questions following the Committee's November 5, 1997 oversight hearing on the antitrust enforcement agencies, the Department of Justice recommended two of the repeals and the clarification contained in this bill.

Those provisions of the Sherman Antitrust Act, which deal with conspiracies regarding the establishment of monopolies have not been clearly defined as they relate to the District of Columbia. The changes being made by this legislation will make it clear that the District of Columbia and other U.S. territories are included under the preview of the Justice Department as it relates to Antitrust Law enforcement in the United States.

Finally, this legislation will repeal the redundant Antitrust Jurisdictional Provision in Section 77 of the Wilson Tarrif Act. This repeal will not diminish any substantive rights because Section 4 of the Clayton Act provides any potential plaintiff with broader rights of jurisdiction and venue than does Section 77. This repeal will only rid the existing law of a confusing, redundant, and little used provision.

I am in support of these minor changes to our Nation's antitrust laws, and urge my colleagues on both sides of the aisle to vote in favor of this legislation.

Ms. NORTON. Mr. Speaker, I rise in strong support of H.R. 809, the Antitrust Technical Corrections Act of 2001. I want to thank Chairman SENSENBRENNER and Ranking Member CONYERS for their leadership in bringing this important corrective measure to the floor so early in the session. Because of the bill's beneficial impact on the District of Columbia and the territories, I am pleased to be an original cosponsor.

Section 2(c) of the Antitrust Technical Corrections Act would close a potentially dangerous loophole in the nation's antitrust laws with respect to the District of Columbia and the territories. Two of the most important provisions of the Sherman Act are 15 U.S.C. sections 1 and 2. Section 1 prevents conspiracy in restraint of trade and section 2 prevents monopoly, attempts to create a monopoly and conspiracy to create a monopoly. These provisions form the bedrock of our antitrust laws. However, section 3 of the Sherman Act, which was intended to apply these vital provisions to the District of Columbia and the territories, is ambiguous with respect to whether section 2, prohibiting monopolies, applies to these jurisdictions. Despite the ambiguous language in section 3 of the Sherman Act, we believe that Congress clearly intended the nation's antitrust laws to apply not only to the states, but to the territories and the District of Columbia as well. This bill would clarify that intent.

The committee has found at least one instance in which the Department of Justice decided not to bring a potentially meritorious monopoly claim under section 2 of the Sherman Act because of the ambiguous language in section 3. Although this case occurred in the Virgin Islands and not the District, the Antitrust Technical Corrections Act is necessary to safeguard against a similar occurrence in the District and to ensure the seamless application of our antitrust laws not only throughout the nation but also in the territories and the nation's capital.

I thank the chairman and ranking member once again for their attention to this important matter and urge my colleagues to support this bill.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 809.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

□ 1100

MADRID PROTOCOL IMPLEMENTATION ACT

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 741) to amend the Trademark Act of 1946 to provide for the registration and protection of trademarks used in commerce, in order to carry out provisions of certain international conventions, and for other purposes.

The Clerk read as follows:

H.R. 741

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 ''Madrid Protocol Implementation Act''.

SEC. 2. PROVISIONS TO IMPLEMENT THE PROTOCOL RELATING TO THE MADRID AGREEMENT CONCERNING THE INTERNATIONAL REGISTRATION OF MARKS.

The Act entitled ''An Act to provide for the registration and protection of trademarks used in commerce, to carry out the provisions of certain international conventions, and for other purposes'', approved July 5, 1946, as amended (15 U.S.C. 1051 and following) (commonly referred to as the ''Trademark Act of 1946'') is amended by adding after section 51 the following new title:

''TITLE XII—THE MADRID PROTOCOL

''SEC. 60. DEFINITIONS.

''For purposes of this title:

''(1) MADRID PROTOCOL.—The term 'Madrid Protocol' means the Protocol Relating to the

Madrid Agreement Concerning the International Registration of Marks, adopted at Madrid, Spain, on June 27, 1989.

''(2) BASIC APPLICATION.—The term 'basic application' means the application for the registration of a mark that has been filed with an Office of a Contracting Party and that constitutes the basis for an application for the international registration of that mark.

''(3) BASIC REGISTRATION.—The term 'basic registration' means the registration of a mark that has been granted by an Office of a Contracting Party and that constitutes the basis for an application for the international registration of that mark.

''(4) CONTRACTING PARTY.—The term 'Contracting Party' means any country or intergovernmental organization that is a party to the Madrid Protocol.

''(5) DATE OF RECORDAL.—The term 'date of recordal' means the date on which a request for extension of protection that is filed after an international registration is granted is recorded on the International Register.

''(6) DECLARATION OF BONA FIDE INTENTION TO USE THE MARK IN COMMERCE.—The term 'declaration of bona fide intention to use the mark in commerce' means a declaration that is signed by the applicant for, or holder of, an international registration who is seeking extension of protection of a mark to the United States and that contains a statement that—

''(A) the applicant or holder has a bona fide intention to use the mark in commerce;

''(B) the person making the declaration believes himself or herself, or the firm, corporation, or association in whose behalf he or she makes the declaration, to be entitled to use the mark in commerce; and

''(C) no other person, firm, corporation, or association, to the best of his or her knowledge and belief, has the right to use such mark in commerce either in the identical form of the mark or in such near resemblance to the mark as to be likely, when used on or in connection with the goods of such other person, firm, corporation, or association, to cause confusion, or to cause mistake, or to deceive.

''(7) EXTENSION OF PROTECTION.—The term 'extension of protection' means the protection resulting from an international registration that extends to a Contracting Party at the request of the holder of the international registration, in accordance with the Madrid Protocol.

''(8) HOLDER OF AN INTERNATIONAL REGISTRATION.—A 'holder' of an international registration is the natural or juristic person in whose name the international registration is recorded on the International Register.

''(9) INTERNATIONAL APPLICATION.—The term 'international application' means an application for international registration that is filed under the Madrid Protocol.

''(10) INTERNATIONAL BUREAU.—The term 'International Bureau' means the International Bureau of the World Intellectual Property Organization.

''(11) INTERNATIONAL REGISTER.—The term 'International Register' means the official collection of such data concerning international registrations maintained by the International Bureau that the Madrid Protocol or its implementing regulations require or permit to be recorded, regardless of the medium which contains such data.

''(12) INTERNATIONAL REGISTRATION.—The term 'international registration' means the registration of a mark granted under the Madrid Protocol.

''(13) INTERNATIONAL REGISTRATION DATE.—The term 'international registration date' means the date assigned to the international registration by the International Bureau.

''(14) NOTIFICATION OF REFUSAL.—The term 'notification of refusal' means the notice sent by an Office of a Contracting Party to the International Bureau declaring that an extension of protection cannot be granted.

''(15) OFFICE OF A CONTRACTING PARTY.—The term 'Office of a Contracting Party' means—

''(A) the office, or governmental entity, of a Contracting Party that is responsible for the registration of marks; or

''(B) the common office, or governmental entity, of more than 1 Contracting Party that is responsible for the registration of marks and is so recognized by the International Bureau.

''(16) OFFICE OF ORIGIN.—The term 'office of origin' means the Office of a Contracting Party with which a basic application was filed or by which a basic registration was granted.

''(17) OPPOSITION PERIOD.—The term 'opposition period' means the time allowed for filing an opposition in the Patent and Trademark Office, including any extension of time granted under section 13.

"SEC. 61. INTERNATIONAL APPLICATIONS BASED ON UNITED STATES APPLICATIONS OR REGISTRATIONS.

''The owner of a basic application pending before the Patent and Trademark Office, or the owner of a basic registration granted by the Patent and Trademark Office, who—

''(1) is a national of the United States;

''(2) is domiciled in the United States; or

''(3) has a real and effective industrial or commercial establishment in the United States,

may file an international application by submitting to the Patent and Trademark Office a written application in such form, together with such fees, as may be prescribed by the Director.

"SEC. 62. CERTIFICATION OF THE INTERNATIONAL APPLICATION.

''Upon the filing of an application for international registration and payment of the prescribed fees, the Director shall examine the international application for the purpose of certifying that the information contained in the international application corresponds to the information contained in the basic application or basic registration at the time of the certification. Upon examination and certification of the international application, the Director shall transmit the international application to the International Bureau.

"SEC. 63. RESTRICTION, ABANDONMENT, CANCELLATION, OR EXPIRATION OF A BASIC APPLICATION OR BASIC REGISTRATION.

''With respect to an international application transmitted to the International Bureau under section 62, the Director shall notify the International Bureau whenever the basic application or basic registration which is the basis for the international application has been restricted, abandoned, or canceled, or has expired, with respect to some or all of the goods and services listed in the international registration—

''(1) within 5 years after the international registration date; or

''(2) more than 5 years after the international registration date if the restriction, abandonment, or cancellation of the basic application or basic registration resulted from an action that began before the end of that 5-year period.

"SEC. 64. REQUEST FOR EXTENSION OF PROTECTION SUBSEQUENT TO INTERNATIONAL REGISTRATION.

''The holder of an international registration that is based upon a basic application filed with the Patent and Trademark Office or a basic registration granted by the Patent and Trademark Office may request an extension of protection of its international registration by filing such a request—

''(1) directly with the International Bureau; or

''(2) with the Patent and Trademark Office for transmittal to the International Bureau, if the request is in such form, and contains such transmittal fee, as may be prescribed by the Director.

"SEC. 65. EXTENSION OF PROTECTION OF AN INTERNATIONAL REGISTRATION TO THE UNITED STATES UNDER THE MADRID PROTOCOL.

''(a) IN GENERAL.—Subject to the provisions of section 68, the holder of an international registration shall be entitled to the benefits of extension of protection of that international registration to the United States to the extent necessary to give effect to any provision of the Madrid Protocol.

''(b) IF UNITED STATES IS OFFICE OF ORIGIN.—An extension of protection resulting from an international registration of a mark shall not apply to the United States if the Patent and Trademark Office is the office of origin with respect to that mark.

"SEC. 66. EFFECT OF FILING A REQUEST FOR EXTENSION OF PROTECTION OF AN INTERNATIONAL REGISTRATION TO THE UNITED STATES.

''(a) REQUIREMENT FOR REQUEST FOR EXTENSION OF PROTECTION.—A request for extension of protection of an international registration to the United States that the International Bureau transmits to the Patent and Trademark Office shall be deemed to be properly filed in the United States if such request, when received by the International Bureau, has attached to it a declaration of bona fide intention to use the mark in commerce that is verified by the applicant for, or holder of, the international registration.

''(b) EFFECT OF PROPER FILING.—Unless extension of protection is refused under section 68, the proper filing of the request for extension of protection under subsection (a) shall constitute constructive use of the mark, conferring the same rights as those specified in section 7(c), as of the earliest of the following:

''(1) The international registration date, if the request for extension of protection was filed in the international application.

''(2) The date of recordal of the request for extension of protection, if the request for extension of protection was made after the international registration date.

''(3) The date of priority claimed pursuant to section 67.

"SEC. 67. RIGHT OF PRIORITY FOR REQUEST FOR EXTENSION OF PROTECTION TO THE UNITED STATES.

''The holder of an international registration with an extension of protection to the United States shall be entitled to claim a date of priority based on the right of priority within the meaning of Article 4 of the Paris Convention for the Protection of Industrial Property if—

''(1) the international registration contained a claim of such priority; and

''(2)(A) the international application contained a request for extension of protection to the United States; or

''(B) the date of recordal of the request for extension of protection to the United States is not later than 6 months after the date of the first regular national filing (within the meaning of Article 4(A)(3) of the Paris Convention for the Protection of Industrial Property) or a subsequent application (within the meaning of Article 4(C)(4) of the Paris Convention).

"SEC. 68. EXAMINATION OF AND OPPOSITION TO REQUEST FOR EXTENSION OF PROTECTION; NOTIFICATION OF REFUSAL.

''(a) EXAMINATION AND OPPOSITION.—(1) A request for extension of protection described

in section 66(a) shall be examined as an application for registration on the Principal Register under this Act, and if on such examination it appears that the applicant is entitled to extension of protection under this title, the Director shall cause the mark to be published in the Official Gazette of the Patent and Trademark Office.

''(2) Subject to the provisions of subsection (c), a request for extension of protection under this title shall be subject to opposition under section 13. Unless successfully opposed, the request for extension of protection shall not be refused.

''(3) Extension of protection shall not be refused under this section on the ground that the mark has not been used in commerce.

''(4) Extension of protection shall be refused under this section to any mark not registrable on the Principal Register.

''(b) NOTIFICATION OF REFUSAL.—If, a request for extension of protection is refused under subsection (a), the Director shall declare in a notification of refusal (as provided in subsection (c)) that the extension of protection cannot be granted, together with a statement of all grounds on which the refusal was based.

''(c) NOTICE TO INTERNATIONAL BUREAU.—(1) Within 18 months after the date on which the International Bureau transmits to the Patent and Trademark Office a notification of a request for extension of protection, the Director shall transmit to the International Bureau any of the following that applies to such request:

''(A) A notification of refusal based on an examination of the request for extension of protection.

''(B) A notification of refusal based on the filing of an opposition to the request.

''(C) A notification of the possibility that an opposition to the request may be filed after the end of that 18-month period.

''(2) If the Director has sent a notification of the possibility of opposition under paragraph (1)(C), the Director shall, if applicable, transmit to the International Bureau a notification of refusal on the basis of the opposition, together with a statement of all the grounds for the opposition, within 7 months after the beginning of the opposition period or within 1 month after the end of the opposition period, whichever is earlier.

''(3) If a notification of refusal of a request for extension of protection is transmitted under paragraph (1) or (2), no grounds for refusal of such request other than those set forth in such notification may be transmitted to the International Bureau by the Director after the expiration of the time periods set forth in paragraph (1) or (2), as the case may be.

''(4) If a notification specified in paragraph (1) or (2) is not sent to the International Bureau within the time period set forth in such paragraph, with respect to a request for extension of protection, the request for extension of protection shall not be refused and the Director shall issue a certificate of extension of protection pursuant to the request.

''(d) DESIGNATION OF AGENT FOR SERVICE OF PROCESS.—In responding to a notification of refusal with respect to a mark, the holder of the international registration of the mark shall designate, by a written document filed in the Patent and Trademark Office, the name and address of a person resident in the United States on whom may be served notices or process in proceedings affecting the mark. Such notices or process may be served upon the person so designated by leaving with that person, or mailing to that person, a copy thereof at the address specified in the last designation so filed. If the person so designated cannot be found at the address given in the last designation, such notice or process may be served upon the Director.

''SEC. 69. EFFECT OF EXTENSION OF PROTECTION.

''(a) ISSUANCE OF EXTENSION OF PROTECTION.—Unless a request for extension of protection is refused under section 68, the Director shall issue a certificate of extension of protection pursuant to the request and shall cause notice of such certificate of extension of protection to be published in the Official Gazette of the Patent and Trademark Office.

''(b) EFFECT OF EXTENSION OF PROTECTION.—From the date on which a certificate of extension of protection is issued under subsection (a)—

''(1) such extension of protection shall have the same effect and validity as a registration on the Principal Register; and

''(2) the holder of the international registration shall have the same rights and remedies as the owner of a registration on the Principal Register.

''SEC. 70. DEPENDENCE OF EXTENSION OF PROTECTION TO THE UNITED STATES ON THE UNDERLYING INTERNATIONAL REGISTRATION.

''(a) EFFECT OF CANCELLATION OF INTERNATIONAL REGISTRATION.—If the International Bureau notifies the Patent and Trademark Office of the cancellation of an international registration with respect to some or all of the goods and services listed in the international registration, the Director shall cancel any extension of protection to the United States with respect to such goods and services as of the date on which the international registration was canceled.

''(b) EFFECT OF FAILURE TO RENEW INTERNATIONAL REGISTRATION.—If the International Bureau does not renew an international registration, the corresponding extension of protection to the United States shall cease to be valid as of the date of the expiration of the international registration.

''(c) TRANSFORMATION OF AN EXTENSION OF PROTECTION INTO A UNITED STATES APPLICATION.—The holder of an international registration canceled in whole or in part by the International Bureau at the request of the office of origin, under Article 6(4) of the Madrid Protocol, may file an application, under section 1 or 44 of this Act, for the registration of the same mark for any of the goods and services to which the cancellation applies that were covered by an extension of protection to the United States based on that international registration. Such an application shall be treated as if it had been filed on the international registration date or the date of recordal of the request for extension of protection with the International Bureau, whichever date applies, and, if the extension of protection enjoyed priority under section 67 of this title, shall enjoy the same priority. Such an application shall be entitled to the benefits conferred by this subsection only if the application is filed not later than 3 months after the date on which the international registration was canceled, in whole or in part, and only if the application complies with all the requirements of this Act which apply to any application filed pursuant to section 1 or 44.

''SEC. 71. AFFIDAVITS AND FEES.

''(a) REQUIRED AFFIDAVITS AND FEES.—An extension of protection for which a certificate of extension of protection has been issued under section 69 shall remain in force for the term of the international registration upon which it is based, except that the extension of protection of any mark shall be canceled by the Director—

''(1) at the end of the 6-year period beginning on the date on which the certificate of extension of protection was issued by the Director, unless within the 1-year period preceding the expiration of that 6-year period the holder of the international registration files in the Patent and Trademark Office an affidavit under subsection (b) together with a fee prescribed by the Director; and

''(2) at the end of the 10-year period beginning on the date on which the certificate of extension of protection was issued by the Director, and at the end of each 10-year period thereafter, unless—

''(A) within the 6-month period preceding the expiration of such 10-year period the holder of the international registration files in the Patent and Trademark Office an affidavit under subsection (b) together with a fee prescribed by the Director; or

''(B) within 3 months after the expiration of such 10-year period, the holder of the international registration files in the Patent and Trademark Office an affidavit under subsection (b) together with the fee described in subparagraph (A) and an additional fee prescribed by the Director.

''(b) CONTENTS OF AFFIDAVIT.—The affidavit referred to in subsection (a) shall set forth those goods or services recited in the extension of protection on or in connection with which the mark is in use in commerce and the holder of the international registration shall attach to the affidavit a specimen or facsimile showing the current use of the mark in commerce, or shall set forth that any nonuse is due to special circumstances which excuse such nonuse and is not due to any intention to abandon the mark. Special notice of the requirement for such affidavit shall be attached to each certificate of extension of protection.

''SEC. 72. ASSIGNMENT OF AN EXTENSION OF PROTECTION.

''An extension of protection may be assigned, together with the goodwill associated with the mark, only to a person who is a national of, is domiciled in, or has a bona fide and effective industrial or commercial establishment either in a country that is a Contracting Party or in a country that is a member of an intergovernmental organization that is a Contracting Party.

''SEC. 73. INCONTESTABILITY.

''The period of continuous use prescribed under section 15 for a mark covered by an extension of protection issued under this title may begin no earlier than the date on which the Director issues the certificate of the extension of protection under section 69, except as provided in section 74.

''SEC. 74. RIGHTS OF EXTENSION OF PROTECTION.

''An extension of protection shall convey the same rights as an existing registration for the same mark, if—

''(1) the extension of protection and the existing registration are owned by the same person;

''(2) the goods and services listed in the existing registration are also listed in the extension of protection; and

''(3) the certificate of extension of protection is issued after the date of the existing registration.''.

SEC. 3. EFFECTIVE DATE.

This Act and the amendments made by this Act shall take effect on the date on which the Madrid Protocol (as defined in section 60(1) of the Trademark Act of 1946) enters into force with respect to the United States.

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

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

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

Mr. Speaker, I rise today in support of H.R. 741, the Madrid Protocol Implementation Act, and urge the House to pass the measure.

H.R. 741 is the implementing legislation for the Protocol Related to the Madrid Agreement on the Registration of Marks, commonly known as the Madrid Protocol. This bill is identical to legislation introduced in each of the preceding four Congresses and will again send a signal to the international business community, U.S. businesses and trademark owners that the 107th Congress is determined to help our Nation and particularly our small businesses become a part of an inexpensive, efficient system that allows the international registration of marks.

As a practical matter, Mr. Speaker, the ratification of the Protocol and the enactment of H.R. 741 will enable American trademark owners to pay a nominal fee to the U.S. Patent and Trademark Office which will then register the marks in the individual countries that comprise the European Union. Currently, American trademark owners must hire attorneys or agents in each individual country to acquire protection. This process is both laborious and expensive and discourages small businesses and individuals from registering their marks in Europe.

A final comment on an issue peripheral to this bill, Mr. Speaker. While there is no opposition to the bill, I note that two companies, Bacardi and Pernod, are in the process of attempting to settle a dispute over rights to a mark which each wishes to market. At least one of these companies believes that the implementing language should be amended to reflect its position on the matter. It is also my understanding that talks between the two companies are fluid and ongoing and that a resolution to this problem may be forthcoming in the near future.

I therefore urge my colleagues to pass this legislation today and to allow these talks to continue. Once a compromise is reached I am confident that the other body will shortly ratify the Protocol and pass the implementing language.

Mr. Speaker, H.R. 741 is an important and noncontroversial bill that will greatly help those American businesses and other individuals who need to register their trademarks overseas in a quick and cost-effective manner. I urge the House to support this measure.

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

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

I support the bill. It has been described very adequately by the chairman of the Committee on the Judiciary.

I might remind our colleagues that we passed the bill by voice vote twice under suspension of the rules. It is an important measure because it implements the provisions of the 1989 Madrid Protocol, which creates a low-cost and efficient system for registering marks internationally. The most important aspect of the Protocol is that it allows entities to file for mark protection with all member countries through one fee and one application. And so this international concept is an important one as we expand the understanding of the principles of copyright, trademark, and patent law around the world. I am very happy to join in support with the chairman of the committee.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. COBLE).

Mr. COBLE. Mr. Speaker, I thank the gentleman for yielding me this time.

The gentleman from Wisconsin and the gentleman from Michigan have pretty clearly laid out what this entails, Mr. Speaker. The World Intellectual Property Organization, WIPO, administers the Protocol, which in turn operates the international system for the registration of trademarks. This system would assist our businesses in protecting their proprietary names and brand name goods while saving cost, time and effort. This is especially important to our small businesses which may only be able to afford worldwide protection for their marks through a low-cost international registration system.

Unfortunately, and as the gentleman from Wisconsin alluded to in his remarks, Senate ratification of the Protocol and passage of the implementing language were derailed the last term as a result of a private dispute over a mark between Bacardi, the rum distiller, and Pernod, a French concern which formed a joint venture with the Cuban government. Although negotiations to develop an acceptable compromise failed, it is my understanding that the Senate and trademark community will redouble their efforts to resolve this problem during the present term.

Mr. Speaker, it is important to move this legislation forward as a way of encouraging all parties involved in the Bacardi dispute to intensify their negotiations. House consideration of the Protocol will also assure American trademark holders that the United States stands ready to benefit imminently from its ratification. As the chairman pointed out and as the gentleman from Michigan pointed out, this matter has been before this House, and I think we have approved it three times before.

Mr. CONYERS. Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from California (Mr. BERMAN), ranking member of the Subcommittee on Courts and Intellectual Property.

Mr. BERMAN. Mr. Speaker, I thank the gentleman from Michigan for yielding me this time.

H.R. 741 is an important piece of legislation because it implements the Protocol to the Madrid Agreement Concerning the International Registration of Marks. It will allow U.S. businesses and trademark owners to become part of a low-cost, efficient system to internationally register trademarks. U.S. membership in the Protocol would assist American businesses in protecting their proprietary names and brand name goods while saving money, time and effort. That is especially critical to small businesses that may otherwise lack the resources to acquire worldwide protection for their trademark.

This is the fourth Congress in which the Committee on the Judiciary has favorably reported, and I hope the House will pass this implementing legislation. In 1999, H.R. 769 passed by voice vote under suspension. While the Senate has failed to follow suit in the past, there is a reason to believe that this Congress will be different. A previous dispute over representation of the European community and its constituent nations has been resolved to the satisfaction of the State Department. Further, rum manufacturers embroiled in an unrelated trademark dispute have agreed not to interfere with House passage of this bill.

I urge my colleagues to join me in voting for H.R. 741.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H.R. 741, legislation known as the Madrid Protocol. I was pleased to support this legislation during a Judiciary Committee markup on March 8. The legislation concerning the Madrid Protocol advances U.S. interests in a bipartisan manner, and I urge my colleagues to support the bill.

As with many intellectual property rights, there are international agreements relating to the registration and protection of trademarks. Since 1891, the Madrid Agreement Concerning the International Registration of Marks ("Madrid Agreement") has provided an international registration system operated under the auspices of the International Bureau of the World Intellectual Property Organization (WIPO). The United States has never been a signatory to the Madrid Agreement.

On June 27, 1989, at a Diplomatic Conference in Madrid, Spain, the parties to the Madrid Agreement signed the Madrid Protocol. The United States was an observer and advisor to these talks. Practically speaking, there have been revisions to the original Madrid Agreement, in many respects by conforming its contents to existing provisions in U.S. law.

H.R. 741 represents implementing legislation for the Protocol. It is virtually identical to measures passed by the Congress over the past four Congresses, including H.R. 769, which was passed by voice vote under suspension of the rules on April 13, 1999, and reported favorably by the Judiciary Committee on March 24, 1999. In fact, the Clinton administration forwarded the treaty to the Senate for the ratification, thereby allowing the United States to become a member of the Protocol.

The passage of the bill will allow businesses and trademark owners to become part of a low-cost, efficient system to promote the international registration of marks. U.S. membership in the Protocol would also assist American businesses in protecting their proprietary names and brand-names while saving money, time, and effort. This is important for small businesses which may otherwise lack the resources to acquire worldwide protection for

their trademarks. Mr. Speaker, we must do everything we can to encourage small business to grow in this New Economy.

I urge my colleagues to support the legislation.

Mr. CONYERS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 741.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

MULTIDISTRICT, MULTIPARTY, MULTIFORUM TRIAL JURISDICTION ACT OF 2001

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 860) to amend title 28, United States Code, to allow a judge to whom a case is transferred to retain jurisdiction over certain multidistrict litigation cases for trial, and to provide for Federal jurisdiction of certain multiparty, multiforum civil actions, as amended.

The Clerk read as follows:

H.R. 860

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 ''Multidistrict, Multiparty, Multiforum Trial Jurisdiction Act of 2001''.

SEC. 2. MULTIDISTRICT LITIGATION.

Section 1407 of title 28, United States Code, is amended—

(1) in the third sentence of subsection (a), by inserting ''or ordered transferred to the transferee or other district under subsection (i)'' after ''terminated''; and

(2) by adding at the end the following new subsection:

''(i)(1) Subject to paragraph (2) and except as provided in subsection (j), any action transferred under this section by the panel may be transferred for trial purposes, by the judge or judges of the transferee district to whom the action was assigned, to the transferee or other district in the interest of justice and for the convenience of the parties and witnesses.

''(2) Any action transferred for trial purposes under paragraph (1) shall be remanded by the panel for the determination of compensatory damages to the district court from which it was transferred, unless the court to which the action has been transferred for trial purposes also finds, for the convenience of the parties and witnesses and in the interests of justice, that the action should be retained for the determination of compensatory damages.''.

SEC. 3. MULTIPARTY, MULTIFORUM JURISDICTION OF DISTRICT COURTS.

(a) BASIS OF JURISDICTION.—

(1) IN GENERAL.—Chapter 85 of title 28, United States Code, is amended by adding at the end the following new section:

''§ 1369. Multiparty, multiforum jurisdiction

''(a) IN GENERAL.—The district courts shall have original jurisdiction of any civil action involving minimal diversity between adverse parties that arises from a single accident, where at least 25 natural persons have either died or incurred injury in the accident at a discrete location and, in the case of injury, the injury has resulted in damages which exceed $150,000 per person, exclusive of interest and costs, if—

''(1) a defendant resides in a State and a substantial part of the accident took place in another State or other location, regardless of whether that defendant is also a resident of the State where a substantial part of the accident took place;

''(2) any two defendants reside in different States, regardless of whether such defendants are also residents of the same State or States; or

''(3) substantial parts of the accident took place in different States.

''(b) LIMITATION OF JURISDICTION OF DISTRICT COURTS.—The district court shall abstain from hearing any civil action described in subsection (a) in which—

''(1) the substantial majority of all plaintiffs are citizens of a single State of which the primary defendants are also citizens; and

''(2) the claims asserted will be governed primarily by the laws of that State.

''(c) SPECIAL RULES AND DEFINITIONS.—For purposes of this section—

''(1) minimal diversity exists between adverse parties if any party is a citizen of a State and any adverse party is a citizen of another State, a citizen or subject of a foreign state, or a foreign state as defined in section 1603(a) of this title;

''(2) a corporation is deemed to be a citizen of any State, and a citizen or subject of any foreign state, in which it is incorporated or has its principal place of business, and is deemed to be a resident of any State in which it is incorporated or licensed to do business or is doing business;

''(3) the term 'injury' means—

''(A) physical harm to a natural person; and

''(B) physical damage to or destruction of tangible property, but only if physical harm described in subparagraph (A) exists;

''(4) the term 'accident' means a sudden accident, or a natural event culminating in an accident, that results in death or injury incurred at a discrete location by at least 25 natural persons; and

''(5) the term 'State' includes the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

''(d) INTERVENING PARTIES.—In any action in a district court which is or could have been brought, in whole or in part, under this section, any person with a claim arising from the accident described in subsection (a) shall be permitted to intervene as a party plaintiff in the action, even if that person could not have brought an action in a district court as an original matter.

''(e) NOTIFICATION OF JUDICIAL PANEL ON MULTIDISTRICT LITIGATION.—A district court in which an action under this section is pending shall promptly notify the judicial panel on multidistrict litigation of the pendency of the action.''.

(2) CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 85 of title 28, United States Code, is amended by adding at the end the following new item:

''1369. Multiparty, multiforum jurisdiction.''.

(b) VENUE.—Section 1391 of title 28, United States Code, is amended by adding at the end the following:

''(g) A civil action in which jurisdiction of the district court is based upon section 1369 of this title may be brought in any district in which any defendant resides or in which a substantial part of the accident giving rise to the action took place.''.

(c) MULTIDISTRICT LITIGATION.—Section 1407 of title 28, United States Code, as amended by section 2 of this Act, is further amended by adding at the end the following:

''(j)(1) In actions transferred under this section when jurisdiction is or could have been based, in whole or in part, on section 1369 of this title, the transferee district court may, notwithstanding any other provision of this section, retain actions so transferred for the determination of liability and punitive damages. An action retained for the determination of liability shall be remanded to the district court from which the action was transferred, or to the State court from which the action was removed, for the determination of damages, other than punitive damages, unless the court finds, for the convenience of parties and witnesses and in the interest of justice, that the action should be retained for the determination of damages.

''(2) Any remand under paragraph (1) shall not be effective until 60 days after the transferee court has issued an order determining liability and has certified its intention to remand some or all of the transferred actions for the determination of damages. An appeal with respect to the liability determination of the transferee court may be taken during that 60-day period to the court of appeals with appellate jurisdiction over the transferee court. In the event a party files such an appeal, the remand shall not be effective until the appeal has been finally disposed of. Once the remand has become effective, the liability determination shall not be subject to further review by appeal or otherwise.

''(3) An appeal with respect to determination of punitive damages by the transferee court may be taken, during the 60-day period beginning on the date the order making the determination is issued, to the court of appeals with jurisdiction over the transferee court.

''(4) Any decision under this subsection concerning remand for the determination of damages shall not be reviewable by appeal or otherwise.

''(5) Nothing in this subsection shall restrict the authority of the transferee court to transfer or dismiss an action on the ground of inconvenient forum.''.

(d) REMOVAL OF ACTIONS.—Section 1441 of title 28, United States Code, is amended—

(1) in subsection (e) by striking ''(e) The court to which such civil action is removed'' and inserting ''(f) The court to which a civil action is removed under this section''; and

(2) by inserting after subsection (d) the following new subsection:

''(e)(1) Notwithstanding the provisions of subsection (b) of this section, a defendant in a civil action in a State court may remove the action to the district court of the United States for the district and division embracing the place where the action is pending if—

''(A) the action could have been brought in a United States district court under section 1369 of this title; or

''(B) the defendant is a party to an action which is or could have been brought, in whole or in part, under section 1369 in a United States district court and arises from the same accident as the action in State court, even if the action to be removed could not have been brought in a district court as an original matter.

The removal of an action under this subsection shall be made in accordance with section 1446 of this title, except that a notice of removal may also be filed before trial of the action in State court within 30 days after the date on which the defendant first becomes a party to an action under section 1369 in a United States district court that arises from the same accident as the action in State court, or at a later time with leave of the district court.

''(2) Whenever an action is removed under this subsection and the district court to which it is removed or transferred under section 1407(j) has made a liability determination requiring further proceedings as to damages, the district court shall remand the action to the State court from which it had been removed for the determination of damages, unless the court finds that, for the convenience of parties and witnesses and in the interest of justice, the action should be retained for the determination of damages.

''(3) Any remand under paragraph (2) shall not be effective until 60 days after the district court has issued an order determining liability and has certified its intention to remand the removed action for the determination of damages. An appeal with respect to the liability determination of the district court may be taken during that 60-day period to the court of appeals with appellate jurisdiction over the district court. In the event a party files such an appeal, the remand shall not be effective until the appeal has been finally disposed of. Once the remand has become effective, the liability determination shall not be subject to further review by appeal or otherwise.

''(4) Any decision under this subsection concerning remand for the determination of damages shall not be reviewable by appeal or otherwise.

''(5) An action removed under this subsection shall be deemed to be an action under section 1369 and an action in which jurisdiction is based on section 1369 of this title for purposes of this section and sections 1407, 1697, and 1785 of this title.

''(6) Nothing in this subsection shall restrict the authority of the district court to transfer or dismiss an action on the ground of inconvenient forum.''.

(e) SERVICE OF PROCESS.—

(1) OTHER THAN SUBPOENAS.—(A) Chapter 113 of title 28, United States Code, is amended by adding at the end the following new section:

''§ 1697. Service in multiparty, multiforum actions

''When the jurisdiction of the district court is based in whole or in part upon section 1369 of this title, process, other than subpoenas, may be served at any place within the United States, or anywhere outside the United States if otherwise permitted by law.''.

(B) The table of sections at the beginning of chapter 113 of title 28, United States Code, is amended by adding at the end the following new item:

''1697. Service in multiparty, multiforum actions.''.

(2) SERVICE OF SUBPOENAS.—(A) Chapter 117 of title 28, United States Code, is amended by adding at the end the following new section:

''§ 1785. Subpoenas in multiparty, multiforum actions

''When the jurisdiction of the district court is based in whole or in part upon section 1369 of this title, a subpoena for attendance at a hearing or trial may, if authorized by the court upon motion for good cause shown, and upon such terms and conditions as the court may impose, be served at any place within the United States, or anywhere outside the United States if otherwise permitted by law.''.

(B) The table of sections at the beginning of chapter 117 of title 28, United States Code, is amended by adding at the end the following new item:

''1785. Subpoenas in multiparty, multiforum actions.''.

SEC. 4. EFFECTIVE DATE.

(a) SECTION 2.—The amendments made by section 2 shall apply to any civil action pending on or brought on or after the date of the enactment of this Act.

(b) SECTION 3.—The amendments made by section 3 shall apply to a civil action if the accident giving rise to the cause of action occurred on or after the 90th day 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 Michigan (Mr. CONYERS) each will control 20 minutes.

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

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

As the author of H.R. 860, I am grateful for the opportunity to consider it on the floor today. The bill before us has had a long legislative life, having been considered in one form or another since the 101st Congress in 1991.

This legislation addresses two important issues in the world of complex multidistrict litigation. Section 2 of the bill would reverse the effects of the 1998 Supreme Court decision in the so-called Lexecon case. It would simply amend the multidistrict litigation statute by explicitly allowing a transferee court to retain jurisdiction over referred cases for trial for the purpose of determining liability and punitive damages or refer them to other districts as it sees fit. In fact, section 2 only codifies what had constituted ongoing judicial practice for nearly 30 years prior to the Lexecon decision.

Section 3 addresses a particular species of complex litigation, so-called disaster cases, such as those involving airline accidents. The language set forth in my bill is a revised version of a concept which, beginning in the 101st Congress, has been supported by the Department of Justice, the Administrative Office of the U.S. Courts, two previous Democratic Congresses, and one previous Republican Congress.

Section 3 will help reduce litigation costs as well as the likelihood of forum shopping in single-accident mass tort cases. All plaintiffs in these cases would ordinarily be situated identically, making the case for consolidation of their actions especially compelling. These types of disasters, with their hundreds or thousands of plaintiffs and numerous defendants, have the potential to impair the orderly administration of justice in Federal courts for an extended period of time.

This committee and the full House unanimously passed the precursor to H.R. 860 last term. During eleventh hour negotiations with the other body, I offered to make three changes in an effort to generate greater support for the bill. As a show of good faith, I have incorporated those changes into the bill we are considering today. They consist of the following:

First, a plaintiff must allege at least $150,000 in damages, up from $75,000, to file in U.S. district court.

Second, an exception to the minimum diversity rule is created. A U.S. district court may not hear a case in which a substantial majority of plaintiffs and the primary defendants are citizens of the same State and in which the claims asserted are governed primarily by the laws of that same State. In other words, only State courts may hear such cases.

Third, the choice-of-law section is stricken. Upon further reflection, I believe it confers too much discretionary authority on a Federal judge to select the relevant law that will apply in a given case.

In sum, this legislation speaks to process, fairness, and judicial efficiency. It will not interfere with jury verdicts or compensation rates for litigators. I therefore urge my colleagues to join me in a bipartisan effort to support the Multidistrict, Multiparty, Multiforum Trial Jurisdiction Act of 2001.

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

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

I rise in support of the bill. I am willing to support the bill as described by the gentleman from Wisconsin with the understanding that section 3 pertaining to disaster litigation would expand Federal court jurisdiction in a very narrowly defined category of cases in order to improve the manageability of complex litigation.

My support of the bill does not in any way serve as a precedent for support of broader expansion of diversity jurisdiction that can be found in the class action reform bill which I do not support.

Section 3 of the bill expands Federal court jurisdiction for single accidents involving at least 25 people having damages in excess of $150,000 per claim and establishes new Federal procedures in these narrowly defined cases for selection of venue, service of process and issuance of subpoenas. I agree and thank the gentleman from Wisconsin for making the kinds of concessions that have made this measure more palatable.

As introduced in the Congress, this bill includes an additional safeguard to the limited expansion of Federal court jurisdiction. A United States District Court may not hear any case in which a ''substantial majority'' of plaintiffs and the primary defendants are all citizens of the same State and in which the claims asserted are governed primarily by the laws of that same State, another provision that the gentleman from Wisconsin provided us that we agreed to.

□ 1115

It is my understanding that under the bill, mass tort injuries that involve the same injury over and over again like asbestos cases, breast implant cases, would be excluded, and that the type of cases that would be included would be plane, train, bus, boat accidents, environmental spills, many of which may already be brought in Federal court.

So while I have traditionally opposed having Federal courts decide State tort

issues and disfavor the expansion of the jurisdiction of the already overloaded district courts, I will support the bill because unlike the class-action bill, it only expands Federal court jurisdiction in a much narrower class of actions, with the objective of judicial expedience.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. COBLE).

Mr. COBLE. Mr. Speaker, I thank the gentleman for yielding me this time. The distinguished gentleman from Wisconsin (Mr. SENSENBRENNER) and the distinguished gentleman from Michigan (Mr. CONYERS) have very adequately explained this bill, Mr. Speaker, so I will be brief.

I have endorsed this bill during the preceding two Congresses, and I welcome the opportunity to voice my support for it today. I will not repeat what has already been said about it; but I would note, Mr. Speaker, that the gentleman from Wisconsin (Mr. SENSENBRENNER), the chairman of the committee, did add three additional features to this year's version in an effort to compromise, and I think this good-faith gesture ought to be acknowledged.

I urge my colleagues to support H.R. 860. It will help the multidistrict litigation panel discharge its responsibilities and will ultimately streamline the adjudication of complex multidistrict cases in a manner that is fair to all litigants.

Mr. CONYERS. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from California (Mr. BERMAN), our ranking member on the Subcommittee on Courts and Intellectual Property.

Mr. BERMAN. Mr. Speaker, one does not have to be an intellectual to be on that subcommittee.

Mr. Speaker, I rise in support of House passage of H.R. 860, the Multidistrict, Multiparty, Multiplatform Trial Jurisdiction Act of 2001.

Mr. Speaker, H.R. 860 is a narrow bill designed to improve judicial efficiency. Last Congress, the House passed a virtually identical bill, H.R. 2112, by voice vote under suspension. In three previous Congresses, the House-passed bills were comprised of section 3 of H.R. 860. The bill has two operative sections.

Section 2 overturns the U.S. Supreme Court decision in 1998, Lexecon v. Milberg, Weiss. Section 2 will improve judicial efficiency by allowing a transferee court to retain a case for purposes of deciding liability and punitive damages as well as for hearing pretrial motions. Through language I worked out with the chairman of the committee during committee consideration of a nearly identical bill last Congress, H.R. 860 creates a presumption that cases will be sent back to transferee courts for the purposes of determining compensatory damages.

Section 3 of this bill gives the Federal courts minimal diversity jurisdiction to hear cases arising out of single accidents involving death or injury to at least 25 persons where damages of $150,000 or more are claimed by each of those persons. Section 3 applies in very narrow, strictly circumscribed circumstances. As such, it is not a significant increase of Federal court jurisdiction, and it is justified by the judicial efficiencies it will occasion.

My colleagues should not confuse section 3 with the proposed class-action legislation which would cause a much greater and, to my way of thinking, more troubling increase in Federal court jurisdiction; nor should my colleagues see this bill as establishing a precedent in support of class-action legislation. Quite to the contrary, support for this bill is in no way an exception of support for class-action legislation.

With this understanding about the narrow reach of H.R. 860, I encourage my colleagues to vote in support of it.

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I appreciate the chairman and the ranking member.

I am certainly pleased that we have legislation on the floor that hopefully creates an opportunity to open the doors of the courthouse to plaintiffs and litigants in a manner that is expansive. There are a few parts of the legislation I would like to comment on and I think merit attention.

One provision of the bill allows a transferee court in multidistrict litigation to retain jurisdiction over all of the consolidated cases with the presumption that compensatory damages will be remanded to the transfer court. It also expands Federal court jurisdiction by requiring only minimal diversity as opposed to complete diversity for mass torts arising from a single incident. Lastly, the bill establishes new Federal procedures in these narrowly defined cases for the selection of venue, service of process, and issuance of subpoenas.

I am concerned, however, that this bill was marked up by the full committee only 2 days after it was introduced and received no consideration at the subcommittee level. I am aware, however, that this bill has traveled through many Congresses.

Currently, this bill could impact plaintiffs who file suit in a State court, because H.R. 860 could allow for that case to be involuntarily sent to a Federal court that may be hundreds of miles from his or her home. In this case, there is no reason to force a plaintiff into Federal court where the defendant resides or has a place of business in a State where the applicable law is the State law.

I am supportive, however, of the bill's expansion of jurisdiction over civil actions arising out of a single accident that resulted in death or injury of 25 or more persons, if the damages exceed $150,000 per claim and minimal diversity exists. While the bill contains a number of details, I am reassured that this bill would not apply to mass tort injuries that involve the same injury over and over again, such as asbestos or breast implants. This issue has been of real concern to me, having worked on these issues over the last couple of Congresses.

In this sense, H.R. 860 is a sharp distinction from the Interstate Class Action Jurisdiction Act of 1999. Unlike H.R. 860, the class-action bills require only minimal diversity for all civil actions brought as class actions in Federal court, regardless of the individual amounts in controversy, the number of separate incidents or injuries that may give rise to a class action or the state-based nature of the claim. Rather than providing a reasonable, limited modification to diversity jurisdiction, the class action bill, which I strongly oppose, represents a radical rewrite of the class-action rules and would ban most forms of State class actions. Not the bill today.

Mr. Speaker, in closing, let me say I know that this legislation is not a radical rewrite of existing law. It is my sincere hope that H.R. 860 will permit a genuine commitment to provide meaningful access to the courts as all Americans should have. Access to our courts and justice is simply the right thing to happen for everyone in America.

Mr. Speaker, I rise today in support of H.R. 860, the "Multidistrict, Multiparty, Multiforum Jurisdiction Act of 1999." I supported the legislation in a Judiciary Committee markup last week, with a few observations.

Clearly, consideration of H.R. 860 comes at a time where court dockets continue to rise yet pay salaries for federal judges appear inadequate to deal with the important questions that confront Americans. H.R. 860 is intended to improve the ability of federal courts to handle complex multidistrict litigation arising from a common set of facts. Last Congress the House passed a virtually identical bill, H.R. 2112, by voice vote under suspension of the rules; however, it stalled in the Senate.

There are a few parts of the legislation which merit attention. One provision of the bill allows a transferee court in multidistrict litigation to retain jurisdiction over all of the consolidated cases which the presumption that compensatory damages will be remanded to the transferor court. It also expands federal court jurisdiction by requiring only minimal diversity (as opposed to complete diversity) for mass torts arising from a single incident. Lastly, the bill establishes new federal procedures in these narrowly defined cases for the selection of venue, service of process and issuance of subpoenas.

I am concerned, however, that this bill was marked up by the full Committee only two days after it was introduced and received no consideration at the subcommittee level. Currently this bill could impact plaintiffs who file suit in a state court, because HR 860 could allow for that case to be involuntarily to a Federal court that may be hundreds of miles from

his home. In this case, there is no reason to force a plaintiff into Federal court where the defendant resides or has a place of business in the state and where the applicable law is the state law.

I am supportive however, of the bills expansion of jurisdiction over civil actions arising out of a single accident that result in the death or injury of 25 or more persons, if the damages exceed $150,000 per claim and minimal diversity exists. While the bill contains a number of details, I am reassured that this bill would not apply to mass tort injuries that involve the same injury over and over again, such as, asbestos or breast implants. This issue has been of real concern to me.

In this sense, H.R. 860 is a sharp distinction from the ''Interstate Class Action Jurisdiction Act of 1999.'' Unlike H.R. 860, the class action bill requires only minimal diversity for all civil actions brought as class actions in federal court, regardless of the individual amounts in controversy, the number of separate incidents or injuries that may give rise to a class action, or the state-based nature of the claim. Rather than providing a reasonable, limited modification to diversity jurisdiction, the class bill—which I strongly oppose—represents a radical rewrite of the class action rules and would ban most forms of state class actions. Such a bill is not before us today.

Mr. Speaker, I know that this legislation is not a radical rewrite of existing law. It is my sincere hope that H.R. 860 will permit a genuine commitment to providing meaningful access to our courts. Access to our courts is simply essential for every American.

Mr. CONYERS. Mr. Speaker, I am pleased to yield the remaining time to the gentleman from North Carolina (Mr. WATT).

Mr. WATT of North Carolina. Mr. Speaker, certainly I will not consume the remaining time that we have on this side, but I appreciate the opportunity to speak and I appreciate the gentleman yielding time to me.

I was one of several people in the committee who actually voted against reporting this bill favorably to the floor; and while I am not personally planning to ask for a vote on the floor if somebody else does not ask for it, if a vote is requested, I intend to vote against the bill again.

I think what has been said up to this point is correct. This bill is better in a number of respects than it was when it was originally introduced, and I want to applaud the chairman of the full committee and others who have worked to improve the bill.

I do believe, however, that the bill continues to have one blind spot in it, and the blind spot could have been addressed if the bill had received subcommittee attention or more thorough attention in the full committee; and I am hopeful that this blind spot will be addressed if this bill moves forward in the process, because I think it is a serious blind spot.

The blind spot really approaches this issue from a different end of the spectrum than the bill itself does, because the bill really talks about kind of a majority rule in big cases where the majority of the plaintiffs in a case can really control where the case is tried.

The problem with that is that cases by their very nature are individual cases, and so this bill leaves us with this kind of situation: we have an individual plaintiff who has been injured by a defendant who has a residence in the State in which the accident occurred. There is no diversity of jurisdiction between that plaintiff and that defendant. Yet, if it were a big accident and there were 25 people injured in the accident, they can take that case and it becomes a Federal issue under this bill, whereas if it were a small case, it would continue to be the case of the individual plaintiff and the plaintiff would have the right to litigate that case either in his own State court or in the jurisdiction that the plaintiff chooses to litigate the case in.

Now, for urban communities, this may not have significant implications, but there are some States in which the closest Federal district court is hundreds of miles away. While this bill does a good job of taking into account the convenience of the court and the expediency of cases on a gross basis, our courts were not made for the gross basis; our courts were made for individual litigants and for the convenience of individual litigants. In this rare circumstance where we have one plaintiff who is part of a bigger group, a defendant, who is resident in the same State as that one defendant, that plaintiff ought to be able to litigate that case in his home community, even though everybody else is moving to a Federal court, because the underlying proposition of our courts is that the courts are for the convenience of litigants, not for the convenience of judges or even for judicial efficiency. When judicial efficiency comes into conflict with the interests of an individual plaintiff or the individual parties in a case, the rights of the individual parties in that case should prevail.

So this is a small thing; it is not a Federal issue. This bill is better than it started off with. I am not at odds with anybody on this.

□ 1130

But I am hopeful that the people in control of this bill, between now and the time that it passes into law, can figure out a way, and it would be simple to do, I think, by changing one or two words in this bill, figure out a way to allow an individual plaintiff in the situation that I have described to continue to be able to litigate his case in the State courts in the community in which they live, and not have to travel miles away and become part of a big class action lawsuit that the plaintiff may not want to be associated with in the first place.

So I am hopeful that the spirit in which I am offering this, and I am not trying to be adverse to anybody, will be heard, and that somebody will try to correct this blind spot in the bill before this bill becomes law.

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

Mr. Speaker, I disagree with the arguments made by my friend, the gentleman from North Carolina (Mr. WATT), because I think that the purpose of this bill is to make the process of adjudicating a common disaster lawsuit, such as one arising from a plane crash or a train wreck, more convenient to all of the litigants concerned.

That provides for the consolidation of these cases in a manner that has been described for determining liability and punitive damages, but not for determining compensatory damages. So overall, it makes the system fairer for all litigants, although it might make the system a bit inconvenient to some litigants. So I think we have a balancing effect here.

I am just concerned over a common disaster case bringing about a huge plethora of lawsuits that would be filed in courts all over the country. Given where the plaintiffs would live who were injured or killed in the plane crash, or where the airline was located, where the crash occurred, or the manufacturer of the plane and its component parts were situated, we could have lawsuits on the same disaster going on in every court.

Sooner or later there would be appeals which would be expensive, that would have to be consolidated so there would be a single law that would be applicable to everybody.

We can short-circuit that problem by the type of consolidation that is being proposed in this bill. The administrative office of the U.S. courts and the multidistrict litigation panel of the judicial conference of the United States have supported this bill. They do not like to see an expansion of Federal jurisdiction, but they see this as necessary for the streamlining of the adjudication of these claims.

Someone said, ''Justice delayed is justice denied.'' Whenever we have a complex case like this, there are delays that are in and of the nature of the litigation. But I believe that this will speed up the final resolution in bringing to closure any litigation that may arise as a result of one of these disasters. I would hope that the bill would be passed for that reason.

Mr. Speaker, I include for the RECORD two letters related to this matter.

The letters referred to are as follows:

JUDICIAL CONFERENCE OF THE UNITED STATES,
Washington, DC, March 13, 2001.

Hon. F. JAMES SENSENBRENNER, Jr.,
Chairman, Committee on the Judiciary, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: On behalf of the Judicial Conference of the United States, I write to express the support of the federal judiciary for H.R. 860, the ''Multidistrict, Multiparty, Multiforum Trial Jurisdiction Act of 2001.'' This bill was reported favorably on March 8, 2001, by the Committee you chair. H.R. 860 will facilitate the resolution of claims by citizens and improve the administration of justice.

Section 2 of the bill amends 28 U.S.C. §1407, the multidistrict litigation statute, to allow a judge with a transferred case to retain it for trial or to transfer it to another district. Presently, section 1407(a) authorizes the Judicial Panel on Multidistrict Litigation to transfer civil actions pending in multiple federal judicial districts with common questions of fact ''to any district for coordinated or consolidated pretrial proceedings.'' It also requires the Judicial Panel to remand any such action to the district court in which the action was filed at or before the conclusion of such pretrial proceedings, unless the action is terminated before then in the transferee court.

Although the federal courts had for nearly 30 years followed the practice of allowing a transferee court to invoke the venue transfer provision (28 U.S.C. §1404(a)) and transfer the case to itself for trial purposes, the Supreme Court in *Lexecon, Inc.* v. *Milberg Weiss Bershad Hynes & Lerach,* 523 U.S. 26 (1998), held that statutory authority did not exist for a district judge conducting pretrial proceedings to transfer a case to itself for trial. The Court noted that the proper venue for resolving the desirability of such self-transfer authority is ''the floor of Congress.''

A proposal to amend section 1407 in response to the *Lexecon* decision was approved by the Judicial Conference at its September 1998 session and is supported by the Judicial Panel on Multidistrict Litigation. As experience has shown, there is wisdom in permitting the judge who is familiar with the facts and parties and pretrial proceedings of a transferred case to retain the case for trial. Also, as with most federal civil actions, multidistrict litigation cases are typically resolved through settlement. Allowing the transferee judge to set a firm trial date promotes the resolution of these cases.

Section 3 of H.R. 860 adds a new section 1369 to title 28, United States Code, entitled ''multiparty, multiforum jurisdiction.'' It essentially provides that the United States district courts shall have jurisdiction over any civil action that arises from a single accident or event in which at least 25 persons have died or been injured at a particular location, where any such injuries result in alleged damages exceeding $150,000 by each plaintiff and which involves minimal diversity between adverse parties. The legislation also requires that one defendant must reside in a state that is different from the location of the accident or the residence of any other defendant or that substantial parts of the event took place in different states. The transferee court would be authorized to determine issues of liability and punitive damages and would remand cases to the transferor court for determinations of compensatory damages, unless the court finds, for the convenience of parties and witnesses and in the interest of justice, that the action should be retained for the determination of damages. The district court, however, must abstain from hearing an action under the bill if a substantial majority of all plaintiffs are citizens of a single state of which the primary defendants are also citizens and the claims asserted will be governed primarily by the laws of that state.

Upon consideration of related proposals during the 100th Congress, the Judicial Conference in March 1988 approved in principle the creation of federal jurisdiction that would rely on minimal diversity to consolidate multiple litigation in state and federal courts of cases involving personal injury or property damage and arising out of a single event. The Conference endorsed the idea of redirecting diversity jurisdiction to serve a purpose that state courts are not able to serve, namely to facilitate the consolidation of scattered actions arising out of the same accident or event and thereby ''to promote more expeditious and economical disposition of such litigation.''

Today, the Judicial Panel on Multidistrict Litigation can transfer to one judge for pretrial proceedings those cases involving common questions of fact that are pending in federal courts throughout the country. 28 U.S.C. §1407. Section 3 of H.R. 860 would expand federal jurisdiction by allowing state cases arising from a single event (such as a plane crash or hotel fire) to be brought into such process as a result of filing, removal, or intervention. Section 3 of the bill would avoid multiple trials on common issues, minimize litigation costs, and ensure that litigants are treated consistently and fairly. Thus, this legislation will promote the resolution of litigants' claims in these unique and related cases.

Thank you for taking prompt action on this important and necessary legislation. If you or your staff have any questions, please contact Mike Blommer, Assistant Director, Office of Legislative Affairs (202–502–1700).

Sincerely,

LEONIDAS RALPH MECHAM,
Secretary.

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION,
March 13, 2001.

Hon. F. JAMES SENSENBRENNER, Jr.,
Chairman, Committee on the Judiciary, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: On behalf of the Judicial Panel on Multidistrict Litigation, I am writing to urge support of H.R. 860, the Multidistrict, Multiparty, Multiforum Trial Jurisdiction Act of 2001. As you know, my predecessor as Chairman of the Panel, Judge John F. Nangle, testified in favor of the previous version of this legislation on June 16, 1999, before the Subcommittee on Courts and Intellectual Property.

Section 2 of this legislation, to restore the options available to the litigants and the federal judiciary prior to the 1998 Supreme Court *Lexecon* decision, passed unanimously word-for-word in both the House of Representatives and the Senate in the last Congress. The previous version of Section 3 of the legislation, aimed at streamlining adjudication of single accident litigation, has passed the House of Representatives in bipartisan fashion on four prior occasions—twice when the Democrats were in the majority in the 101st and 102nd Congresses, and twice when the Republicans were in the majority in the 105th and 106th Congresses.

Surely the time has come to enact this clearly beneficial legislation for the reasons stated in Judge Nangle's testimony. Your continued leadership in this area is highly valued and appreciated.

Sincerely,

WM. TERRELL HODGES,
Chairman.

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

Mr. CONYERS. Mr. Speaker, I yield the balance of my time to the gentleman from California (Mr. BERMAN).

Mr. SENSENBRENNER. Mr. Speaker, I yield the gentleman from California 1 minute.

The SPEAKER pro tempore (Mr. SHIMKUS). The gentleman from California (Mr. BERMAN) is recognized for 6 minutes.

Mr. BERMAN. Mr. Speaker, I thank the ranking member and the gentleman from Wisconsin for their generous yielding of time to me.

Mr. Speaker, I just want to make a few comments in response to the gentleman from North Carolina, because he makes legitimate and accurate points about this legislation. But in response, I would make a few points.

Mr. Speaker, concerning H.R. 860, the circumstances which this bill applies to are so narrow and unique, and because so many civil actions which arise out of a single action are already subject to Federal jurisdiction, there really are in a practical sense very few plaintiffs who will find themselves in a Federal court who would not have already been there.

But even if they do, this bill has protection, because the bill preserves the ability of the transferee court, the Federal court to which this multi-party litigation has been assigned, it preserves the ability of that court to transfer back or dismiss an action on the ground of an inconvenient forum.

So that plaintiff has the ability to make his case that even though it is a result of that single accident, even though I am alleging $150,000, in my particular situation, notwithstanding the efficiencies that would justify a single trial, for purposes of liability and other issues, we should go back to the State court.

The gentleman from North Carolina says, but he has to get to that court in order to make that request. That is true.

Mr. WATT of North Carolina. Mr. Speaker, will the gentleman yield?

Mr. BERMAN. I yield to the gentleman from North Carolina.

Mr. WATT of North Carolina. Mr. Speaker, I appreciate the gentleman yielding. I appreciate him taking seriously the comments that I am making.

I would just point out to him two things. Yes, this bill will make the system more efficient, but from 22 years of the practice of law, I will tell the gentleman that every single case is a unique case for the parties in that case.

So when we say that this applies only to a small number of cases, the gentleman is absolutely right. I do not argue that. But for that individual plaintiff who is coming into court, we ought to make the courts as conveniently available to that one individual as we can.

The gentleman says that this person can show up in the Federal court, make a motion to move it back, but here he is sitting there with 16 other plaintiffs who say, Please do not move this case. All I am saying is, that person ought to be allowed to go and litigate their case in a forum that is convenient to them, not have their case and the placement of it decided on the basis of some majority rule theory.

I understand efficiency of the court. I understand why the Judicial Conference would favor this. But in the interest of individual plaintiffs, I think it is important to have another exception in this bill, and it would be used so infrequently that it would not be an imposition. It could be done very easily in the context of this bill.

Mr. BERMAN. Reclaiming my time, Mr. Speaker, this is not just about efficiency. This is also about convenience of the parties.

We had a horrible accident recently with a private plane taking the Oklahoma State basketball team. That may not be applicable, because this requires 25 people. But think of a similar situation where a huge number of those passengers are from one State. The defendant is from some other State.

This allows the multi-party committee, the panel that decides these multi-district multi-party cases where they should be tried, to consider the convenience of the plaintiffs in this kind of a case, not simply the question of efficiency. So there are some real positive benefits from this legislation, as well.

Moreover, on the issue of damages, which can be particularly a matter to be determined by local communities and peers in the community where that plaintiff resides, this creates the presumption that that issue, the compensatory damages issue, will go back, in the case of the hypothetical that you cited, to the State court for determination.

Yes, the bill will cause some plaintiffs to find themselves in Federal court, while without the bill those plaintiffs would have been able to remain in State courts. I think there are several policy considerations. I have mentioned them. As the chairman said earlier, we have to draw a balance. Having the very complicated and complex issue of liability tried in one place makes sense.

As we balance these things, Mr. Speaker, I come down on the side of having the complicated, expensive, and controversial issue litigated in one court.

And I might just add in the remaining seconds I have that from what I understand from plaintiff's attorneys involved in these accident cases and other cases like this that this bill addresses, that the problem is, sometimes that guy who wants to file in the State court, the lawyer who wants to file in the State court because it is an in-State defendant, he really wants to be the free rider in this. He wants the whole thing tried and all the discovery, all that done by others. Then, after that issue is settled, he will come in with a State action, not having put up his share of the costs and his efforts, and cash in. I am told that is one aspect of why some plaintiff's lawyers, no one in this room, I am sure, would actually prefer to file in the State court.

Mr. CONYERS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 860, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

INTELLECTUAL PROPERTY AND HIGH TECHNOLOGY TECHNICAL AMENDMENTS ACT OF 2001

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 320) to make technical corrections in patent, copyright, and trademark laws, as amended.

The Clerk read as follows:

S. 320

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 ''Intellectual Property and High Technology Technical Amendments Act of 2001''.

SEC. 2. OFFICERS AND EMPLOYEES.

(a) RENAMING OF OFFICERS.—(1)(A) Except as provided in subparagraph (B), title 35, United States Code, other than section 210(d), is amended—

(i) by striking ''Director'' each place it appears and inserting ''Commissioner''; and

(ii) by striking ''Director's'' each place it appears and inserting ''Commissioner's''.

(B) Section 3(b)(5) of title 35, United States Code, is amended by striking ''Director'' the first place it appears and inserting ''Commissioner''.

(C) Section 3(a) of title 35, United States Code, is amended in the subsection heading, by striking ''DIRECTOR'' and inserting ''COMMISSIONER''.

(D) Section 3(b)(1) of title 35, United States Code, is amended in the paragraph heading, by striking ''DIRECTOR'' and inserting ''COMMISSIONER''.

(2) The Act of July 5, 1946 (commonly referred to as the ''Trademark Act of 1946''; 15 U.S.C. 1051 et seq.) is amended by striking ''Director'' each place it appears and inserting ''Commissioner''.

(3)(A) Title 35, United States Code, other than subsection (f) of section 3, is amended by striking ''Commissioner for Patents'' each place it appears and inserting ''Assistant Commissioner for Patents''.

(B) Title 35, United States Code, other than subsection (f) of section 3, is amended by striking ''Commissioner for Trademarks'' each place it appears and inserting ''Assistant Commissioner for Trademarks''.

(C) Section 3(b)(2) of title 35, United States Code, is amended—

(i) in the paragraph heading, by striking ''COMMISSIONERS'' and inserting ''ASSISTANT COMMISSIONERS'';

(ii) in subparagraph (A), in the last sentence—

(I) by striking ''a Commissioner'' and inserting ''an Assistant Commissioner''; and

(II) by striking ''the Commissioner'' and inserting ''the Assistant Commissioner'';

(iii) in subparagraph (B)—

(I) by striking ''Commissioners'' each place it appears and inserting ''Assistant Commissioners'';

(II) by striking ''Commissioners' '' each place it appears and inserting ''Assistant Commissioners' ''; and

(iv) in subparagraph (C), by striking ''Commissioners'' and inserting ''Assistant Commissioners''.

(D) Section 3(f) of title 35, United States Code, is amended in subparagraphs (A) and (B) of paragraph (2)—

(i) by striking ''the Commissioner'' each place it appears and inserting ''the Assistant Commissioner''; and

(ii) by striking ''a Commissioner'' each place it appears and inserting ''an Assistant Commissioner''.

(E) Section 13 of title 35, United States Code, is amended—

(i) by striking ''Commissioner of'' each place it appears and inserting ''Assistant Commissioner for''; and

(ii) by striking ''Commissioners'' and inserting ''Assistant Commissioners''.

(F) Chapter 17 of title 35, United States Code, is amended by striking ''Commissioner of Patents'' each place it appears and inserting ''Assistant Commissioner for Patents''.

(G) Section 297 of title 35, United States Code, is amended by striking ''Commissioner of Patents'' each place it appears and inserting ''Commissioner''.

(4) Section 5314 of title 5, United States Code, is amended by striking

''Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.''

and inserting

''Under Secretary of Commerce for Intellectual Property and Commissioner of the United States Patent and Trademark Office.''.

(5) Section 5315 of title 5, United States Code, is amended by striking

''Deputy Under Secretary of Commerce for Intellectual Property and Deputy Director of the United States Patent and Trademark Office.''

and inserting

''Deputy Under Secretary of Commerce for Intellectual Property and Deputy Commissioner of the United States Patent and Trademark Office.''.

*(6)(A) Sections 303 and 304 of title 35, United States Code, are each amended in the section headings by striking ''**Director**'' and inserting ''**Commissioner**''.*

(B) The items relating to sections 303 and 304 in the table of sections for chapter 30 of title 35, United States Code, are each amended by striking ''Director'' and inserting ''Commissioner''.

*(7)(A) Sections 312 and 313 of title 35, United States Code, are each amended in the section headings by striking ''**Director**'' and inserting ''**Commissioner**''.*

(B) The items relating to sections 312 and 313 in the table of sections for chapter 31 of title 35, United States Code, are each amended by striking ''Director'' and inserting ''Commissioner''.

(8) Section 17(b) of the Trademark Act of 1946 (15 U.S.C. 1067) is amended by striking ''Commissioner for Patents, the Commissioner for Trademarks'' and inserting ''Assistant Commissioner for Patents, the Assistant Commissioner for Trademarks''.

(b) ADDITIONAL CLERICAL AMENDMENTS.—

(1) The following provisions of law are amended by striking ''Director'' each place it appears and inserting ''Commissioner''.

(A) Section 9(p)(1)(B) of the Small Business Act (15 U.S.C. 638(p)(1)(B).

(B) Section 19 of the Tennessee Valley Authority Act of 1933 (16 U.S.C. 831r).

(C) Section 182(b)(2)(A) of the Trade Act of 1974 (19 U.S.C. 2242(b)(2)(A)).

(D) Section 302(b)(2)(D) of the Trade Act of 1974 (19 U.S.C. 2412(b)(2)(D)).

(E) Section 702(d) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 372(d)).

(F) Section 1295(a)(4)(B) of title 28, United States Code.

(G) Section 1744 of title 28, United States Code.

(H) Section 151 of the Atomic Energy Act of 1954 (42 U.S.C. 2181).

(I) Section 152 of the Atomic Energy Act of 1954 (42 U.S.C. 2182).

(J) Section 305 of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2457).

(K) Section 12(a) of the Solar Heating and Cooling Demonstration Act of 1974 (42 U.S.C. 5510(a)), the last place such term appears.

(L) Section 10(i) of the Trading with the enemy Act (50 U.S.C. App. 10(i)).

(M) Sections 4203, 4506, 4606, and 4804(d)(2) of the Intellectual Property and Communications Omnibus Reform Act of 1999, as enacted by section 1000(a)(9) of Public Law 106–113.

(2) The item relating to section 1744 in the table of sections for chapter 115 of title 28, United States Code, is amended by striking ''generally'' and inserting '', generally''.

(c) REFERENCES.—Any reference in any other Federal law, Executive order, rule, regulation, or delegation of authority, or any document of or pertaining to the Patent and Trademark Office—

(1) to the Director of the United States Patent and Trademark Office or to the Commissioner of Patents and Trademarks is deemed to refer to the Under Secretary of Commerce for Intellectual Property and Commissioner of the United States Patent and Trademark Office;

(2) to the Commissioner for Patents is deemed to refer to the Assistant Commissioner for Patents; and

(3) to the Commissioner for Trademarks is deemed to refer to the Assistant Commissioner for Trademarks.

SEC. 3. CLARIFICATION OF REEXAMINATION PROCEDURE ACT OF 1999; TECHNICAL AMENDMENTS.

(a) OPTIONAL INTER PARTES REEXAMINATION PROCEDURES.—Title 35, United States Code, is amended as follows:

(1) Section 311 is amended—

(A) in subsection (a), by striking ''person'' and inserting ''third-party requester''; and

(B) in subsection (c), by striking ''Unless the requesting person is the owner of the patent, the'' and inserting ''The''.

(2) Section 312 is amended—

(A) in subsection (a), by striking the last sentence; and

(B) in subsection (b), by striking '', if any''.

(3) Section 314(b)(1) is amended—

(A) by striking ''(1) This'' and all that follows through ''(2)'' and inserting ''(1)'';

(B) by striking ''the third-party requester shall receive a copy'' and inserting ''the Office shall send to the third-party requester a copy''; and

(C) by redesignating paragraph (3) as paragraph (2).

(4) Section 315(c) is amended by striking ''United States Code,''.

(5) Section 317 is amended—

(A) in subsection (a), by striking ''patent owner nor the third-party requester, if any, nor privies of either'' and inserting ''third-party requester nor its privies''; and

(B) in subsection (b), by striking ''United States Code,''.

(b) CONFORMING AMENDMENTS.—

(1) APPEAL TO THE BOARD OF PATENT APPEALS AND INTERFERENCES.—Subsections (a), (b), and (c) of section 134 of title 35, United States Code, are each amended by striking ''administrative patent judge'' each place it appears and inserting ''primary examiner''.

(2) PROCEEDING ON APPEAL.—Section 143 of title 35, United States Code, is amended by amending the third sentence to read as follows: ''In an ex parte case or any reexamination case, the Commissioner shall submit to the court in writing the grounds for the decision of the Patent and Trademark Office, addressing all the issues involved in the appeal. The court shall, before hearing an appeal, give notice of the time and place of the hearing to the Commissioner and the parties in the appeal.''.

(c) CLERICAL AMENDMENTS.—

(1) Section 4604(a) of the Intellectual Property and Communications Omnibus Reform Act of 1999, as enacted by section 1000(a)(9) of Public Law 106–113, is amended by striking ''Part 3'' and inserting ''Part III''.

(2) Section 4604(b) of that Act is amended by striking ''title 25'' and inserting ''title 35''.

(d) EFFECTIVE DATE.—The amendments made by sections 4605(c) and 4605(e) of the Intellectual Property and Communications Omnibus Reform Act, as enacted by section 1000(a)(9) of Public Law 106–113, shall apply to any reexamination filed in the United States Patent and Trademark Office on or after the date of the enactment of Public Law 106–113.

SEC. 4. PATENT AND TRADEMARK EFFICIENCY ACT AMENDMENTS.

(a) DEPUTY COMMISSIONER.—

(1) Section 17(b) of the Act of July 5, 1946 (commonly referred to as the ''Trademark Act of 1946'') (15 U.S.C. 1067(b)), is amended by inserting ''the Deputy Commissioner,'' after ''Commissioner,''.

(2) Section 6(a) of title 35, United States Code, is amended by inserting ''the Deputy Commissioner,'' after ''Commissioner,''.

(b) PUBLIC ADVISORY COMMITTEES.—Section 5 of title 35, United States Code, is amended—

(1) in subsection (i), by inserting '', privileged,'' after ''personnel''; and

(2) by adding at the end the following new subsection:

''(j) INAPPLICABILITY OF PATENT PROHIBITION.—Section 4 shall not apply to voting members of the Advisory Committees.''.

(c) MISCELLANEOUS.—Section 153 of title 35, United States Code, is amended by striking ''and attested by an officer of the Patent and Trademark Office designated by the Commissioner,''.

SEC. 5. DOMESTIC PUBLICATION OF FOREIGN FILED PATENT APPLICATIONS ACT OF 1999 AMENDMENTS.

Section 154(d)(4)(A) of title 35, United States Code, as in effect on November 29, 2000, is amended—

(1) by striking ''on which the Patent and Trademark Office receives a copy of the'' and inserting ''of''; and

(2) by striking ''international application'' the last place it appears and inserting ''publication''.

SEC. 6. DOMESTIC PUBLICATION OF PATENT APPLICATIONS PUBLISHED ABROAD.

Subtitle E of title IV of the Intellectual Property and Communications Omnibus Reform Act of 1999, as enacted by section 1000(a)(9) of Public Law 106–113, is amended as follows:

(1) Section 4505 is amended to read as follows:

''SEC. 4505. PRIOR ART EFFECT OF PUBLISHED APPLICATIONS.

''Section 102(e) of title 35, United States Code, is amended to read as follows:

'''(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language; or'.''.

(2) Section 4507 is amended—

(A) in paragraph (1), by striking ''Section 11'' and inserting ''Section 10'';

(B) in paragraph (2), by striking ''Section 12'' and inserting ''Section 11''.

(C) in paragraph (3), by striking ''Section 13'' and inserting ''Section 12'';

(D) in paragraph (4), by striking ''12 and 13'' and inserting ''11 and 12'';

(E) in section 374 of title 35, United States Code, as amended by paragraph (10), by striking ''confer the same rights and shall have the same effect under this title as an application for patent published'' and inserting ''be deemed a publication''; and

(F) by adding at the end the following:

''(12) The item relating to section 374 in the table of contents for chapter 37 of title 35, United States Code, is amended to read as follows:

'''374. Publication of international application.'''.

(3) Section 4508 is amended to read as follows:

''SEC. 4508. EFFECTIVE DATE.

''Except as otherwise provided in this section, sections 4502 through 4507, and the amendments made by such sections, shall be effective as of November 29, 2000, and shall apply only to applications (including international applications designating the United States) filed on or after that date. The amendments made by sections 4504 and 4505 shall additionally apply to any pending application filed before November 29, 2000, if such pending application is published pursuant to a request of the applicant under such procedures as may be established by the Commissioner. If an application is filed on or after November 29, 2000, or is published pursuant to a request from the applicant, and the application claims the benefit of one or more prior-filed applications under section 119(e), 120, or 365(c) of title 35, United States Code, then the amendment made by section 4505 shall apply to the prior-filed application in determining the filing date in the United States of the application.''.

SEC. 7. MISCELLANEOUS CLERICAL AMENDMENTS.

(a) AMENDMENTS TO TITLE 35.—The following provisions of title 35, United States Code, are amended:

(1) Section 2(b) is amended in paragraphs (2)(B) and (4)(B), by striking '', United States Code''.

(2) Section 3 is amended—

(A) in subsection (a)(2)(B), by striking ''United States Code,'';

(B) in subsection (b)(2)—

(i) in the first sentence of subparagraph (A), by striking '', United States Code'';

(ii) in the first sentence of subparagraph (B)—

(I) by striking ''United States Code,''; and

(II) by striking '', United States Code'';

(iii) in the second sentence of subparagraph (B)—

(I) by striking ''United States Code,''; and

(II) by striking '', United States Code.'' and inserting a period;

(iv) in the last sentence of subparagraph (B), by striking '', United States Code''; and

(v) in subparagraph (C), by striking '', United States Code''; and

(C) in subsection (c)—

(i) in the subsection caption, by striking '', UNITED STATES CODE''; and

(ii) by striking ''United States Code,''.

(3) Section 5 is amended in subsections (e) and (g), by striking '', United States Code'' each place it appears.

*(4) The table of chapters for part I is amended in the item relating to chapter 3, by striking ''**before**'' and inserting ''**Before**''.*

(5) The item relating to section 21 in the table of contents for chapter 2 is amended to read as follows:

''21. Filing date and day for taking action.''.

(6) The item relating to chapter 12 in the table of chapters for part II is amended to read as follows:

''12. Examination of Application ..... 131''.

(7) The item relating to section 116 in the table of contents for chapter 11 is amended to read as follows:

''116. Inventors.''.

(8) Section 154(b)(4) is amended by striking '', United States Code,''.

(9) Section 156 is amended—

(A) in subsection (b)(3)(B), by striking ''paragraphs'' and inserting ''paragraph'';

(B) in subsection (d)(2)(B)(i), by striking ''below the office'' and inserting ''below the Office''; and

(C) in subsection (g)(6)(B)(iii), by striking ''submittted'' and inserting ''submitted''.

(10) The item relating to section 183 in the table of contents for chapter 17 is amended by striking ''of'' and inserting ''to''.

(11) Section 185 is amended by striking the second period at the end of the section.

(12) Section 201(a) is amended—

(A) by striking ''United States Code,''; and

(B) by striking ''5, United States Code.'' and inserting ''5.''.

(13) Section 202 is amended—

(A) in subsection (b)(4), by striking ''last paragraph of section 203(2)'' and inserting ''section 203(b)''; and

(B) in subsection (c)—

(i) in paragraph (4), by striking ''rights;'' and inserting ''rights,''; and

(ii) in paragraph (5), by striking ''of the United States Code''.

(14) Section 203 is amended—

(A) in paragraph (2)—

(i) by striking ''(2)'' and inserting ''(b)'';

(ii) by striking the quotation marks and comma before ''as appropriate''; and

(iii) by striking ''paragraphs (a) and (c)'' and inserting ''paragraphs (1) and (3) of subsection (a)''; and

(B) in the first paragraph—

(i) by striking ''(a)'', ''(b)'', ''(c)'', and ''(d)'' and inserting ''(1)'', ''(2)'', ''(3)'', and ''(4)'', respectively; and

(ii) by striking ''(1.'' and inserting ''(a)''.

(15) Section 209 is amended in subsections (d)(2) and (f), by striking ''of the United States Code''.

(16) Section 210 is amended—

(A) in subsection (a)—

(i) in paragraph (11), by striking ''5901'' and inserting ''5908''; and

(ii) in paragraph (20) by striking ''178(j)'' and inserting ''178j''; and

(B) in subsection (c)—

(i) by striking ''paragraph 202(c)(4)'' and inserting ''section 202(c)(4)''; and

(ii) by striking ''title..'' and inserting ''title.''.

*(17) The item relating to chapter 29 in the table of chapters for part III is amended by inserting a comma after ''**Patent**''.*

(18) The item relating to section 256 in the table of contents for chapter 25 is amended to read as follows:

''256. Correction of named inventor.''.

(19) Section 294 is amended—

(A) in subsection (b), by striking ''United States Code,''; and

(B) in subsection (c), in the second sentence by striking ''court to'' and inserting ''court of''.

(20) Section 371(b) is amended by adding at the end a period.

(21) Section 371(d) is amended by adding at the end a period.

(22) Paragraphs (1), (2), and (3) of section 376(a) are each amended by striking the semicolon and inserting a period.

(b) OTHER AMENDMENTS.—

(1) Section 4732(a) of the Intellectual Property and Communications Omnibus Reform Act of 1999 is amended—

(A) in paragraph (9)(A)(ii), by inserting ''in subsection (b),'' after ''(ii)''; and

(B) in paragraph (10)(A), by inserting after ''title 35, United States Code,'' the following: ''other than sections 1 through 6 (as amended by chapter 1 of this subtitle),''.

(2) Section 4802(1) of that Act is amended by inserting ''to'' before ''citizens''.

(3) Section 4804 of that Act is amended—

(A) in subsection (b), by striking ''11(a)'' and inserting ''10(a)''; and

(B) in subsection (c), by striking ''13'' and inserting ''12''.

(4) Section 4402(b)(1) of that Act is amended by striking ''in the fourth paragraph''.

SEC. 8. TECHNICAL CORRECTIONS IN TRADEMARK LAW.

(a) AWARD OF DAMAGES.—Section 35(a) of the Act of July 5, 1946 (commonly referred to as the ''Trademark Act of 1946'') (15 U.S.C. 1117(a)), is amended by striking ''a violation under section 43(a), (c), or (d),'' and inserting ''a violation under section 43(a) or (d),''.

(b) ADDITIONAL TECHNICAL AMENDMENTS.—The Trademark Act of 1946 is further amended as follows:

(1) Section 1(d)(1) (15 U.S.C. 1051(d)(1)) is amended in the first sentence by striking ''specifying the date of the applicant's first use'' and all that follows through the end of the sentence and inserting ''specifying the date of the applicant's first use of the mark in commerce and those goods or services specified in the notice of allowance on or in connection with which the mark is used in commerce.''.

(2) Section 1(e) (15 U.S.C. 1051(e)) is amended to read as follows:

''(e) If the applicant is not domiciled in the United States the applicant may designate, by a document filed in the United States Patent and Trademark Office, the name and address of a person resident in the United States on whom may be served notices or process in proceedings affecting the mark. Such notices or process may be served upon the person so designated by leaving with that person or mailing to that person a copy thereof at the address specified in the last designation so filed. If the person so designated cannot be found at the address given in the last designation, or if the registrant does not designate by a document filed in the United States Patent and Trademark Office the name and address of a person resident in the United States on whom may be served notices or process in proceedings affecting the mark, such notices or process may be served on the Commissioner.''.

(3) Section 8(f) (15 U.S.C. 1058(f)) is amended to read as follows:

''(f) If the registrant is not domiciled in the United States, the registrant may designate, by a document filed in the United States Patent and Trademark Office, the name and address of a person resident in the United States on whom may be served notices or process in proceedings affecting the mark. Such notices or process may be served upon the person so designated by leaving with that person or mailing to that person a copy thereof at the address specified in the last designation so filed. If the person so designated cannot be found at the address given in the last designation, or if the registrant does not designate by a document filed in the United States Patent and Trademark Office the name and address of a person resident in the United States on whom may be served notices or process in proceedings affecting the mark, such notices or process may be served on the Commissioner.''.

(4) Section 9(c) (15 U.S.C. 1059(c)) is amended to read as follows:

''(c) If the registrant is not domiciled in the United States the registrant may designate, by a document filed in the United States Patent and Trademark Office, the name and address of a person resident in the United States on whom may be served notices or process in proceedings affecting the mark. Such notices or process may be served upon the person so designated by leaving with that person or mailing to that person a copy thereof at the address specified in the last designation so filed. If the person so designated cannot be found at the address given in the last designation, or if the registrant does not designate by a document filed in the United States Patent and Trademark Office the name and address of a person resident in the United States on whom may be served notices or process in proceedings affecting the mark, such notices or process may be served on the Commissioner.''.

(5) Subsections (a) and (b) of section 10 (15 U.S.C. 1060(a) and (b)) are amended to read as follows:

''(a)(1) A registered mark or a mark for which an application to register has been filed shall be assignable with the good will of the business in which the mark is used, or with that part of the good will of the business connected with the use of and symbolized by the mark. Notwithstanding the preceding sentence, no application to register a mark under section 1(b) shall be assignable prior to the filing of an amendment under section 1(c) to bring the application into conformity with section 1(a) or the filing of the verified statement of use under section 1(d), except for an assignment to a successor to the business of the applicant, or portion thereof, to which the mark pertains, if that business is ongoing and existing.

''(2) In any assignment authorized by this section, it shall not be necessary to include the good will of the business connected with the use of and symbolized by any other mark used in the business or by the name or style under which the business is conducted.

''(3) Assignments shall be by instruments in writing duly executed. Acknowledgment shall be prima facie evidence of the execution of an assignment, and when the prescribed information reporting the assignment is recorded in the United States Patent and Trademark Office, the record shall be prima facie evidence of execution.

''(4) An assignment shall be void against any subsequent purchaser for valuable consideration without notice, unless the prescribed information reporting the assignment is recorded in the United States Patent and Trademark Office within 3 months after the date of the assignment or prior to the subsequent purchase.

''(5) The United States Patent and Trademark Office shall maintain a record of information on assignments, in such form as may be prescribed by the Commissioner.

''(b) An assignee not domiciled in the United States may designate by a document filed in the United States Patent and Trademark Office the name and address of a person resident in the United States on whom may be served notices or process in proceedings affecting the mark. Such notices or process may be served upon the person so designated by leaving with that person or mailing to that person a copy thereof at the address specified in the last designation so filed. If the person so designated cannot be found at the address given in the last designation, or if the assignee does not designate by a document filed in the United States Patent and Trademark Office the name and address of a person resident in the United States on whom may be served notices or process in proceedings affecting the mark, such notices or process may be served upon the Commissioner.''.

(6) Section 23(c) (15 U.S.C. 1091(c)) is amended by striking the second comma after ''numeral''.

(7) Section 33(b)(8) (15 U.S.C. 1115(b)(8)) is amended by aligning the text with paragraph (7).

(8) Section 34(d)(1)(A) (15 U.S.C. 1116(d)(1)(A)) is amended by striking ''section 110'' and all that follows through ''(36 U.S.C. 380)'' and inserting ''section 220506 of title 36, United States Code,''.

(9) Section 34(d)(1)(B)(ii) (15 U.S.C. 1116(d)(1)(B)(ii)) is amended by striking ''section 110'' and all that follows through ''(36 U.S.C. 380)'' and inserting ''section 220506 of title 36, United States Code''.

(10) Section 34(d)(11) is amended by striking ''6621 of the Internal Revenue Code of 1954'' and inserting ''6621(a)(2) of the Internal Revenue Code of 1986''.

(11) Section 35(b) (15 U.S.C. 1117(b)) is amended—

(A) by striking ''section 110'' and all that follows through ''(36 U.S.C. 380)'' and inserting ''section 220506 of title 36, United States Code,''; and

(B) by striking ''6621 of the Internal Revenue Code of 1954'' and inserting ''6621(a)(2) of the Internal Revenue Code of 1986''.

(12) Section 44(e) (15 U.S.C. 1126(e)) is amended by striking ''a certification'' and inserting ''a true copy, a photocopy, a certification,''.

SEC. 9. PATENT AND TRADEMARK FEE CLERICAL AMENDMENT.

The Patent and Trademark Fee Fairness Act of 1999 (113 Stat. 1537–546 et seq.), as enacted by section 1000(a)(9) of Public Law 106–113, is amended in section 4203, by striking ''111(a)'' and inserting ''1113(a)''.

SEC. 10. COPYRIGHT RELATED CORRECTIONS TO 1999 OMNIBUS REFORM ACT.

Title I of the Intellectual Property and Communications Omnibus Reform Act of 1999, as enacted by section 1000(a)(9) of Public Law 106–113, is amended as follows:

(1) Section 1007 is amended—

(A) in paragraph (2), by striking ''paragraph (2)'' and inserting ''paragraph (2)(A)''; and

(B) in paragraph (3), by striking ''1005(e)'' and inserting ''1005(d)''.

(2) Section 1006(b) is amended by striking ''119(b)(1)(B)(iii)'' and inserting ''119(b)(1)(B)(ii)''.

(3)(A) Section 1006(a) is amended—

(i) in paragraph (1), by adding ''and'' after the semicolon;

(ii) by striking paragraph (2); and

(iii) by redesignating paragraph (3) as paragraph (2).

(B) Section 1011(b)(2)(A) is amended to read as follows:

''(A) in paragraph (1), by striking 'primary transmission made by a superstation and embodying a performance or display of a work' and inserting 'performance or display of a work embodied in a primary transmission made by a superstation or by the Public Broadcasting Service satellite feed';''.

SEC. 11. AMENDMENTS TO TITLE 17, UNITED STATES CODE.

Title 17, United States Code, is amended as follows:

(1) Section 119(a)(6) is amended by striking ''of performance'' and inserting ''of a performance''.

*(2)(A) The section heading for section 122 is amended by striking ''**rights; secondary**'' and inserting ''**rights: Secondary**''.*

(B) The item relating to section 122 in the table of contents for chapter 1 is amended to read as follows:

''122. Limitations on exclusive rights: Secondary transmissions by satellite carriers within local markets.''.

*(3)(A) The section heading for section 121 is amended by striking ''**reproduction**'' and inserting ''**Reproduction**''.*

(B) The item relating to section 121 in the table of contents for chapter 1 is amended by striking ''reproduction'' and inserting ''Reproduction''.

(4)(A) Section 106 is amended by striking ''107 through 121'' and inserting ''107 through 122''.

(B) Section 501(a) is amended by striking ''106 through 121'' and inserting ''106 through 122''.

(C) Section 511(a) is amended by striking ''106 through 121'' and inserting ''106 through 122''.

(5) Section 101 is amended—

(A) by moving the definition of ''computer program'' so that it appears after the definition of ''compilation''; and

(B) by moving the definition of ''registration'' so that it appears after the definition of ''publicly''.

(6) Section 110(4)(B) is amended in the matter preceding clause (i) by striking ''conditions;'' and inserting ''conditions:''.

(7) Section 118(b)(1) is amended in the second sentence by striking ''to it''.

(8) Section 119(b)(1)(A) is amended—

(A) by striking ''transmitted'' and inserting ''retransmitted''; and

(B) by striking ''transmissions'' and inserting ''retransmissions''.

(9) Section 203(a)(2) is amended—

(A) in subparagraph (A)—

(i) by striking ''(A) the'' and inserting ''(A) The''; and

(ii) by striking the semicolon at the end and inserting a period;

(B) in subparagraph (B)—

(i) by striking ''(B) the'' and inserting ''(B) The''; and

(ii) by striking the semicolon at the end and inserting a period; and

(C) in subparagraph (C), by striking ''(C) the'' and inserting ''(C) The''.

(10) Section 304(c)(2) is amended—

(A) in subparagraph (A)—

(i) by striking ''(A) the'' and inserting ''(A) The''; and

(ii) by striking the semicolon at the end and inserting a period;

(B) in subparagraph (B)—

(i) by striking ''(B) the'' and inserting ''(B) The''; and

(ii) by striking the semicolon at the end and inserting a period; and

(C) in subparagraph (C), by striking ''(C) the'' and inserting ''(C) The''.

(11) The item relating to section 903 in the table of contents for chapter 9 is amended by striking ''licensure'' and inserting ''licensing''.

SEC. 12. OTHER COPYRIGHT RELATED TECHNICAL AMENDMENTS.

(a) AMENDMENT TO TITLE 18.—Section 2319(e)(2) of title 18, United States Code, is amended by striking ''107 through 120'' and inserting ''107 through 122''.

(b) STANDARD REFERENCE DATA.—(1) Section 105(f) of Public Law 94–553 is amended by striking ''section 290(e) of title 15'' and inserting ''section 6 of the Standard Reference Data Act (15 U.S.C. 290e)''.

(2) Section 6(a) of the Standard Reference Data Act (15 U.S.C. 290e) is amended by striking ''Notwithstanding'' and all that follows through ''United States Code,'' and inserting ''Notwithstanding the limitations under section 105 of title 17, United States Code,''.

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

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

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

Mr. Speaker, Senate bill 320 consists of noncontroversial, technical amendments to the patent, trademark, and copyright laws. This bill corrects clerical and other technical drafting errors, and makes important clarifications in the American Inventors Protection Act which was enacted into law during the 106th Congress.

It also makes technical changes to title I of the Intellectual Property and Communications Omnibus Reform Act of 1999, title 17, and other copyright and related technical amendments.

On February 14, 2001, S. 320 passed the other body by a recorded vote of 98 to 0. However, upon further review, drafting errors were discovered in the bill. The Committee on the Judiciary adopted an amendment in the nature of a substitute which corrected the drafting errors. The amendment and S. 320, as amended, were unanimously agreed to by voice vote in the committee.

These are important and necessary amendments to our intellectual property laws, and I urge Members to support S. 320.

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

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

Mr. Speaker, I rise in support of the amendment, and so do all of the Members on our side. This is noncontroversial. We support the chairman's description.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina (Mr. COBLE).

Mr. COBLE. Mr. Speaker, I thank the gentleman for yielding time to me. I will be very brief.

Mr. Speaker, as the gentleman from Wisconsin stated, S. 320 consists of noncontroversial technical amendments to the patent, trademark, and copyright laws. They are important improvements.

I want to thank my friend, the distinguished gentleman from California (Mr. BERMAN), the ranking member on the subcommittee, for his work, as well, on this bill, both in the 106th Congress and the 107th Congress. I also want to thank the gentleman from Wisconsin (Chairman SENSENBRENNER) for expeditiously moving this legislation along, because it is important. I urge my colleagues to support S. 320.

Mr. BERMAN. Mr. Speaker, I rise in support of S. 320.

This bill, as amended by the Judiciary Committee last week, is comprised of language from two bills, H.R. 4870 and H.R. 5106, that the House passed by voice vote on suspension last year. As were those bills last year, the current version of S. 320 is wholly noncontroversial and technical. It makes technical changes to patent, trademark, and copyright law and streamlines the operations of the PTO and Copyright Office.

As amended, S. 320 will do such things as change the title of the head of the PTO from ''Director'' to ''Commissioner.'' It will also harmonize capitalizations, alphabetize definition sections, and correct punctuation.

I urge my colleagues to vote in favor of his bill.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the Senate bill, S. 320, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill, as amended, was passed.

A motion to reconsider was laid on the table.

MAKING TECHNICAL AMENDMENTS TO SECTION 10 OF TITLE 9, UNITED STATES CODE

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 861) to make technical amendments to section 10 of title 9, United States Code.

The Clerk read as follows:

H.R. 861

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

SECTION 1. VACATION OF AWARDS.

Section 10 of title 9, United States Code, is amended—

(1) by indenting the margin of paragraphs (1) through (4) of subsection (a) 2 ems;

(2) by striking ''Where'' in such paragraphs and inserting ''where'';

(3) by striking the period at the end of paragraphs (1), (2), and (3) of subsection (a) and inserting a semicolon and by adding ''or'' at the end of paragraph (3);

(4) by redesignating subsection (b) as subsection (c); and

(5) in paragraph (5), by striking ''Where an award'' and inserting ''If an award'', by inserting a comma after ''expired'', and by redesignating the paragraph as subsection (b).

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

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

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

Mr. Speaker, I rise in support of H.R. 861, and in so doing, feel inclined to paraphrase Daniel Webster, who, in defending Dartmouth College, noted that ''It may be small, but there are those who love it.''

Nothing could be more true with this bill, as H.R. 861 makes a truly technical correction of the most noncontroversial nature. It simply corrects section 10 of title 9 of the United States Code, which is a typographical flaw that has long evaded detection.

This section enumerates several grounds for vacating an arbitrator's award, with each ground beginning with the word ''where.'' The fifth clause of section 10, however, is obviously not a ground for vacating an award, but rather, the beginning of a new sentence. This bill corrects this error.

However small this change may be, through the years this bill, which has come to be known as ''the comma bill,'' has engendered great affection.

□ 1130

Some may try to diminish the importance of this bill, but one should never underestimate the importance of a comma.

To paraphrase the late Everett Dirksen, a comma here, a comma there, and pretty soon you have got a full sentence.

Let us be honest with ourselves, when used properly, a comma can be devastatingly effective. For those, especially school children, who think that grammar and punctuation do not matter and tune themselves out during English class, today's action shows clearly that it does.

Thankfully, not every grammar mistake, not every misplaced comma takes an act of Congress to correct, but this particular section of the United States Code does.

This bill has been passed by each of the past two Congresses, only to be held hostage by unrelated issues in the other body.

To my colleagues here and on the other side of the Capitol who have previously loaded up this bill with unrelated legislation, I say free the comma, and I urge my colleagues to pass H.R. 861.

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

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

Mr. Speaker, I rise in total unanimous support for the comma bill.

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

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

The SPEAKER pro tempore (Mr. SHIMKUS). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 861.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

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

The yeas and nays were ordered.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put the question on each motion to suspend the rules on which further proceedings were postponed earlier today.

Votes will be taken in the following order:

H.R. 725, by the yeas and nays; and

H.R. 861, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

MADE IN AMERICA INFORMATION ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 725, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. STEARNS) that the House suspend the rules and pass the bill, H.R. 725, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 407, nays 3, not voting 22, as follows:

[Roll No. 48]

YEAS—407

Abercrombie
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Bass
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Filner
Fletcher
Foley
Ford
Fossella
Frank
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering

Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Scarborough
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Simmons
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—3

Flake
Paul
Schaffer

NOT VOTING—22

Ackerman
Barton
Becerra
Brown (FL)
Cannon
Davis (IL)
Edwards
Ferguson
Frelinghuysen
Holt
Hunter
Jefferson
Johnson, E. B.
Keller
Lee
Meek (FL)
Miller, George
Moakley
Roukema
Saxton
Smith (NJ)
Towns

□ 1211

Mr. JONES of North Carolina changed his vote from ''nay'' to ''yea''.

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read:

''A bill to direct the Secretary of Commerce to provide for the establishment of a toll-free telephone number to assist consumers in determining whether products are American-made.''.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON). Pursuant to clause 8 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting on the additional motion to suspend the rules on which the Chair has postponed further proceedings.

MAKING TECHNICAL AMENDMENTS TO SECTION 10 OF TITLE 9, UNITED STATES CODE

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 861.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 861, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 413, nays 0, not voting 19, as follows:

[Roll No. 49]

YEAS—413

Abercrombie
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Bass
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Filner
Flake
Fletcher
Foley
Ford
Fossella
Frank
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Scarborough
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Simmons
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—19

Ackerman
Barton
Becerra
Brown (FL)
Cannon
Davis (IL)
Edwards
Ferguson
Frelinghuysen
Holt
Johnson, E. B.
Keller
Meek (FL)
Miller, George
Moakley
Roukema
Saxton
Smith (NJ)
Towns

□ 1221

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

APPOINTMENT OF MEMBER TO THE PERMANENT SELECT COMMITTEE ON INTELLIGENCE

The SPEAKER pro tempore (Mr. SIMPSON). Without objection, and pursuant to clause 11 of rule X and clause 11 of rule I, the Chair announces the Speaker's appointment of the following Member of the House to the Permanent Select Committee on Intelligence:

Mr. BOSWELL of Iowa.

There was no objection.

APPOINTMENT OF MEMBER TO THE JAPAN-UNITED STATES FRIENDSHIP COMMISSION

The SPEAKER pro tempore. Without objection, and pursuant to section 4(a) of Public Law 94–118 (22 U.S.C. 2903), the Chair announces the Speaker's appointment of the following Member of the House to the Japan-United States Friendship Commission:

Mr. MCDERMOTT of Washington.

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

(Mr. MORAN of Kansas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Dakota (Mr. POMEROY) is recognized for 5 minutes.

(Mr. POMEROY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

BRING FINANCIAL SECURITY AND STABILITY TO TAXPAYERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. FOLEY) is recognized for 5 minutes.

Mr. FOLEY. Mr. Speaker, I am delighted to be here today to try and urge my colleagues here in this Chamber and the one across the hall on the urgency of the tax package laid before us, passed by this House, supported obviously by the President who is in New Jersey today trying to urge the Senators from that particular State to be supportive.

Obviously as you watch Wall Street and look at the Dow Jones Industrial Average and you look at the Nasdaq and all of the economic indicators, and also the job losses occurring throughout the country, it becomes more clear and apparent of the urgency of the Economic Growth and Tax Relief Act passed by our body.

We have been certainly applauded and ridiculed by some Members for the speed we brought that bill to the Committee on Ways and Means and then ushered it to its passage on the floor. I will add that we lost not one Republican in the Tax Relief Act, and in fact gained 10 Democrats and one Independent.

Now it is obviously a major, important issue for us to have the Senators consider the important ramifications of not adopting this very important tax relief effort of the President. First and foremost, giving everyone a raise is important because it allows taxpayers to keep more money in their pockets, support their families better, and reduce the burden placed on them by government.

Should Americans spend 40 percent of their income in Federal, State and local taxes? That is a basic question. That is a fairness question and needs to be answered by all parties. I think it is unfair that 40 percent of American's income is paid in Federal, State and local taxes.

Should families pay more in taxes than for food, clothing, and shelter combined? That makes no sense whatsoever. Wasteful Washington spending is a dangerous road to travel in a weaker economy. We are concerned. We hear the notion of triggers that have been advocated by some, and we suggest if you use a trigger on anything, use it on spending as well, to make sure that budget surpluses do not continue and we do not spend our way back into the days of a $5.7 trillion accumulated debt which we witnessed when we came to Congress in 1994 and quickly reversed.

We should let the American people spend their own money to meet their own needs. There are too many people in this Chamber and too many people in this Capitol who believe that the money sent to us is Washington's money not the people's money. People every day go to work and work very hard to make a living for themselves and their families only to see so much money taken out in the form of taxation: Income tax, estate tax, excise taxes, property taxes, you name the litany of taxes, whether it is on your cable bill, TV bill or other charges such as gasoline taxes.

What will happen if we pass our tax relief bill. We believe more jobs, more take-home pay, a stronger economy. It will save the average family of four earning $55,000 a year, certainly not rich, approximately $1,930. To some that may be small, but to the family earning $55,000, that is a watershed of new moneys to help save for college or pay for prescription drugs.

At least 60 million women income-tax payers will save money with our plan. More than 60 million African American income-tax payers will save money with our plan. More than 50 million Hispanic income-tax payers will save money on our plan. This means more money for college, a second car, or even a much-needed vacation.

So let us not have the constant politics-over-people argument that seems to resonate in our capital city. Let us put people before politics and pass a bill that will help us bring financial security and stability to our taxpayers. Let us return their hard-earned money to them so they can spend it in their community, on their families and on their priorities. Let us not make our priorities forced upon them. We can balance Social Security and secure it for the future. We can save Medicare. We can do so many things, including a prescription drug policy, but we also have to recognize that every priority a Member of Congress assumes is so does not need to be that of every American.

Mr. Speaker, let us balance the objective and rule with fairness and provide relief, fiscal strength and security, and move this bill forward so that the President of the United States can have a chance to pass this very important legislation.

□ 1230

COMBATING AIDS

The SPEAKER pro tempore (Mr. SIMPSON). Under a previous order of the House, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

Ms. NORTON. Mr. Speaker, recently drug companies announced that they would sell anti-AIDS drugs in southern Africa at a considerable discount. This would still entail hundreds of dollars per person. The recent experience of Bristol-Myers Squibb gives me caution. A $100 million, 5-year initiative that was meant to donate money for AIDS drugs in Africa has boiled down to almost nothing. The reasons are not entirely clear. Although this was to be a charitable gift, the money has come down to $1.3 million per year to five participating countries.

I recall that when Prime Minister Mbeki of South Africa was here for a visit last year, we all wondered why Mbeki was embroiled in a torturous notion about the cause of AIDS. I wish he had been more forthright about what his real problem was, and when he met with the Congressional Black Caucus I believe I was able to extract from him what his real problem was. South Africa offers free medical care, and on cross-examination it became clear that if South Africa were to even use the rather inexpensive drugs to combat mother-to-infant transmission it would use up its entire medical budget.

We must not forget that with the great importance we attach to drugs and especially the agreement of some of these companies to offer drugs at discount rates in southern Africa, that in developing countries nothing can replace prevention. In this country, Medicaid is overwhelmed with the costs of AIDS, but it is an entitlement, so people are going to get it. In developing countries, where there is TB and malaria and hundreds of other diseases, to superimpose our notion of how to combat the disease is not going to work. I hate to consider it, but it is true. It seems to me that it is time to face the importance of continuing to stress prevention as the most important strategy not only in this country but especially in developing countries.

Developing countries are being set back decades because of the AIDS crisis. To the great credit of some of the companies and others around the world, we want drugs to be made available to developing countries as well. It

will be important to prioritize which drugs to which people. Mother-to-children drugs that are especially effective in keeping children from getting AIDS at all would be very, very important. But, beyond that, we have got to tailor strategies for combating AIDS to the environment in which those strategies are expected to work.

In Africa, we greet the decision of the drug companies to offer drugs at discount rates. At the same time, we must remind ourselves that most of our effort must go into preventing AIDS, which has already become a catastrophe of epidemic proportions in southern Africa.

CONDEMNING DESTRUCTION OF BUDDHAS IN AFGHANISTAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. ENGLISH) is recognized for 5 minutes.

Mr. ENGLISH. Mr. Speaker, all too often we in Washington are insulated from major events that are going on around the world, events that directly or indirectly impact us. But there are few events more grotesque than something that happened just over the last couple of weeks in Afghanistan, an act of barbarism, an act of mindless iconoclasm by a regime noted for its intolerance of all values that do not precisely conform to their own. Here I am referring to the decision of the Taliban outlaw government in Afghanistan to sanction and encourage the destruction of two standing Buddhas of enormous importance to world culture.

The Bamiyan standing Buddha statues in Afghanistan up until this point have been one of the greatest wonders of the world and one of the marvels of that region and one of the remaining gifts that the cultures of that part of central Asia had given the entire world. They were a magnificent example of human artistry and skill.

Mr. Speaker, those statues had represented a common heritage of all mankind. The Bamiyan Buddhas had survived hostile onslaughts over the centuries, but they did not survive destruction at the hands of religious zealots and heretics.

Afghanistan is a country with a very rich and enormously complicated history. Because of its mountainous terrain, it was often on the border of different empires that washed across the history of the world. It was briefly a Greek region under Alexander the Great, and it was also a Buddhist region in the third century B.C., Buddhism having been launched there by the Emperor Ashoka of the Mauryan empire.

At that time, Afghanistan lay at the heart of the silk route, which was a source of trade that moved from east to west.

Accompanying the caravans of precious goods, Buddhist monks came and went, teaching their religion along the route. From this very part of the world Buddhism established itself over the centuries in China, Korea, Japan, Tibet, Nepal, Bhutan and Mongolia.

In the early centuries of the Christian era, a new art form emerged, the art of Gandhara, the ancient name for part of Afghanistan. During this period, the earliest Buddhist images in human form evolved in this Kushan/Saka area.

The caravans on the silk route often stopped in the Bamiyan Valley. It was one of the major Buddhist centers from the second century up to the time that Islam entered the Valley in the ninth century.

There these two giant Buddhas, one of them the largest standing image of Buddha in the world, more than 120 feet high, stood, until this week. These symbols of their ancient faith were cut out of the rock sometime between the third and fifth centuries A.D. The smaller statue of Buddha was carved during Kanishka the Great's reign. It was estimated that two centuries later the large Buddha statue was carved.

I have to tell you, it is striking to me as an archaeology buff that both of these statues were dressed in togas of the Greek style imported into India by the soldiers of Alexander the Great when he invaded the region between 334 and 327 B.C.

The features of these statues of Buddha had disappeared. During the centuries, undoubtedly, there had been earlier bouts of iconoclasm. The idea behind the destruction was to take away the soul of the hated image by obliterating, or at least deforming, the head and hands.

The intolerance of the Taliban in leading to this destruction needs to have a strong international response. The Taliban has clearly failed to recognize the value of any art that does not conform precisely to their religious purposes. The Taliban are only the temporary holders. Their government is only a custodian of this area. We cannot tolerate their willful destruction of international treasures that are really holdings of the entire world. We cannot allow them to get away with this action.

The action of the Taliban regime represents the worst case of vandalism in recent history of our ancient past. Today, more and more people are awakening to their heritage and the importance of preserving these sorts of relics. We have in Christian countries many examples of Islamic art that are protected, like the Alhambra in Spain. We know that in Egypt, now an Islamic country, there are relics, there are statues, there are temples that are of enormous significance to the culture of the world.

We need in Congress to send a clear message to the Taliban that this is unacceptable, and we need to bring together all of the nations of the world to express our outrage and take firm action against this cultural imperialism.

ELECTION REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Rhode Island (Mr. LANGEVIN) is recognized for 5 minutes.

Mr. LANGEVIN. Mr. Speaker, I am pleased to be here today to talk on a special order on election reform.

Today I am proud to introduce my first piece of legislation in the United States House of Representatives, a resolution calling on Congress to take swift and meaningful action on election reform so we can implement significant improvements before 2002. I am committed to making election reform a top priority and ensuring that America's faith in democracy is not diminished by pervasive problems in our voting system. We must enter the next Federal election cycle with full confidence in our Nation's voting technology. That is why I urge my colleagues on both side of the aisle to work together to ensure that in 2002 each and every vote counts.

Exactly 1 month ago, I addressed this House on this very same issue. At that time I spoke of my work as Rhode Island's Secretary of State in modernizing our State's antiquated voting equipment. During my tenure, Rhode Island upgraded its voting machines from the worst in the Nation to among the best. We improved our technology, we improved accessibility, we improved accuracy in our elections and achieved a significant increase in voter participation. Furthermore, all of these reforms were cost effective.

Models exist for accurate and cost-effective election reform that States can replicate to assure true democracy. In fact, my former staff has been working with election officials in Florida and New York as well as researchers at MIT to discuss how they can emulate our success.

Many of our Nation's election administrators right now are working tirelessly to improve their voting systems, and I applaud their efforts to ensure that no voter is disenfranchised and that all ballots are counted accurately. However, I know from personal experience that upgrading an entire State's election system is no small feat. It requires a great deal of planning, investment of time and resources, and the coordination of efforts with different levels of government.

Fortunately, 21 Members of this House have introduced legislation to help improve our Nation's overall voting system. The sponsors of these bills hold a variety of ideological views. However, we all share one common goal, to ensure that our Nation's election system does not undermine citizens' confidence in the democratic process and that every vote counts.

For this reason, Mr. Speaker, I am introducing this sense of the Congress resolution encouraging Congress to make this vision a reality by the 2002 election. Though we may disagree about some of the details, my colleagues and I are willing to put aside

our differences and work for the betterment of our Nation. We must act now to ensure that the United States has an accurate and open election system, we must act now to ensure that our elderly and disabled voters can cast their votes independently, and we must act now to ensure that every one of our Nation's military voters counts.

We can attain all of these goals, but we must begin our efforts immediately to reach them by 2002. One person, one vote is the fundamental principle upon which American democracy stands. Please join me in cosponsoring this resolution and in learning about the various voting technologies at the secretaries of state demonstration I am sponsoring next week which will give us an up-close look at the various types of voting technology available and in taking an open-minded, bipartisan approach to resolving this national problem. Nothing can be more important to Congress than guaranteeing every American free and fair access to our democratic process.

□ 1245

The SPEAKER pro tempore (Mr. SIMPSON). Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. DAVIS) is recognized for 5 minutes.

(Mr. DAVIS of Illinois addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. SCHIFF) is recognized for 5 minutes.

(Mr. SCHIFF addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

FOCUS ON SPECIAL EDUCATION FUNDING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. KIND) is recognized for 5 minutes.

Mr. KIND. Mr. Speaker, as a member of the Committee on Education and the Workforce, I was delighted to see in last year's campaign all the attention that candidates, whether it was for Congressional or Senate offices, but especially at the Presidential level, devote so much time and attention and substance to education policy. In fact, this is a reflection of the concerns that the American people have genuinely, certainly the constituents who I represent in western Wisconsin. I am continuously reminded by them of the importance of education. They recognize, as I think we all do in this Chamber, that education must be a local responsibility, that there is a strong State interest, but it should be a national priority.

That is why I am hopeful that as we are beginning work on the Committee on Education and the Workforce in this session of Congress, especially trying to reauthorize the elementary and secondary education bill, that there can be a lot of ground for bipartisan agreement, providing needed resources back to the local school districts with flexibility on how best to use those resources, but along with some accountability, so we see the desired results in student achievement in the classroom.

However, one area of education policy that previous Congresses have woefully fell short on has been our responsibility to fully fund our share, our obligation, to special education needs throughout the country. In the last couple of sessions of Congress, there was a recognition that we were underfunding the IDEA, Individuals With Disabilities Education Act, and we were not living up to the promises that we made to so many children across the country. In the last session of Congress, we, in fact, increased the appropriation level by 27 percent for special education needs. But nevertheless, we have a responsibility to fund that at 40 percent of the per pupil expenditure throughout the country. Even with that 27 percent increase last year, we are still only funding our share at slightly less than 15 percent of the 40 percent that we should be doing for local school districts.

This is the number one issue I hear about back home from teachers and administrators and parents, that if we can do one thing right in this session of Congress, that is to live up to our responsibility and fully fund IDEA. But the fact that we are not funding it at the appropriate level has a dramatic impact on countless students across the country.

Just some quick numbers. Roughly 6.4 million disabled children in America receive special education services. There are 116,000 of these students in my home State of Wisconsin alone identified as needing special education services. By 2010, it is expected that there will be an additional half a million students served by special education nationwide.

With the advancement of medical technology and medical breakthroughs, school funding is on a collision course with modern medicine. Children who normally would not have survived to school age are now entering the public school system, increasing the responsibility of providing a quality education for these kids, along with the incumbent expense that comes along with it. I believe that this is more than just an education issue, it is a civil rights issue, that we make good by these students who, through particular needs, require more attention and more resources to meet their educational potential.

As elected officials here in Congress, I believe it is our obligation to ensure that funding for programs assisting students with special needs meets the needs of the schools struggling to be fair and inclusive for these students in the school system. In fact, it is one of the fastest growing areas of virtually every school district budget throughout the country, and will continue to be so. Special education services will require a greater responsibility for us here in Washington and to live up to the commitment and the promises that we have made in the past. First, with the passage of the Education for All Handicapped Children Act of 1975, and then with the act which was renamed the Individuals With Disabilities Act back in 1990.

Now, recently, 40 of my new Democratic colleagues here in Congress wrote to President Bush calling for the administration to commit greater resources to the IDEA mission. We are striving to see that that 40 percent Federal responsibility in special education funding as required by law is, in fact, honored. We believe it is a matter of budgetary priorities, and we hope that the administration, when they finally submit a detailed budget plan, will show that commitment to IDEA funding. But, at the very least, we hope it will show the continued commitment that we have established now over the last couple of years in Congress for increasing Federal appropriations so we can finally achieve full funding at 40 percent.

We also advocate increasing the Federal appropriations for part D of IDEA, which is used to provide professional development opportunities to special education instructors and staff. Again, it is a constant refrain that we hear from the school officials back in our school districts.

It is imperative, however, that we do not embrace full funding of IDEA in exchange for reduced Federal funding for other ESEA-related programs. In this era of unprecedented budget surpluses, we have a unique opportunity to provide effective government support that is most sought after by American families and we should not squander this opportunity by shortchanging any of our children's educational potential.

FULL FUNDING FOR IDEA

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Oregon (Ms. HOOLEY of Oregon) is recognized for 5 minutes.

Ms. HOOLEY of Oregon. Mr. Speaker, I rise today to speak briefly about an issue that has become very near and dear to my heart. I spent the last several months speaking to superintendents, teachers, parents, and community leaders across my district, and one of the issues they say is the most important to them is full funding. When I talk about full funding, this is for the Individuals With Disabilities Education Act, full funding which, in this

case, means going up to 40 percent of the excess cost.

Mr. Speaker, we began this discussion 26 years ago when we agreed with States and local education agencies that we should provide a free and appropriate education to every child who has a disability. We knew this was going to require a large investment, not only by the States and local school districts, but by the Federal Government as well. The Federal Government made a promise. They said, we are going to pay up to 40 percent of the excess costs for every student. However, we have not done that. In fact, this year we are doing the most we have ever done, and we are up to less than 15 percent.

I participated in a lot of conversations regarding full funding of IDEA in the past couple of months with my colleagues, committee staff and leadership. Full funding is a large investment, I understand that, and it raises some concerns. One of the concerns I have heard is that if we increase the amount of money going to the States to educate children with disabilities, that the school districts will over-identify these children to get more money. Well, I want to tell my colleagues that that is simply not true. Let us talk about the real situation that is happening in our schools.

Again, the Federal Government right now is giving a little over one-third of the money that they promised 26 years ago; and as a result of this underfunding, what has happened is schools have had to pull money out of other programs to make up for it. They have had to pull money out of textbooks and after-school programs and additional teachers. As a consequence, what we are seeing is an under-identification of children with disabilities. School districts hesitate to label a child with learning disabilities or behavioral problems or mental disorders because they cannot afford to provide them the services they need. Fully funding IDEA will not result in a mass frenzy of school districts to label as many children as they can with disabilities. In fact, just the opposite will happen. If we can get young children the services they need early on, we may prevent a need for more drastic intervention later on.

Mr. Speaker, I have introduced bipartisan legislation with the gentlewoman from Connecticut (Mrs. JOHNSON) and many of my colleagues here today. Our bill would authorize funding to bring the Federal Government's share of educating children with disabilities up to the 40 percent mark by 2006, so we are trying to do it over a period of time. It is expensive. This increase will cost about $3 billion a year. It is a large investment, but we must remember, if we do not pay our fair share of the cost, our share does not just go away; someone else is covering for us.

Mr. Speaker, it is time we kept the promise that we made to our children 26 years ago and invest in the education of every child.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. HONDA) is recognized for 5 minutes.

(Mr. HONDA addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

REINTRODUCTION OF SPOUSAL REUNIFICATION ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. Mr. Speaker, I rise today to ask that my colleagues join me in supporting legislation that I reintroduced today that would permit the admission into the United States of nonimmigrant visitors who are the spouses and children of permanent resident aliens residing and working in this country.

This legislation is intended to fill a void in our current immigration policy that has resulted in permanent resident aliens, people who have come into this country legally and who are gainfully employed, being separated from their spouses and children often for periods of several years. This bill would simply make it easier for family members to come to the United States on a temporary basis with provisions to penalize those who overstay their visas. Its goal is to alleviate the human hardship of prolonged family separation.

Mr. Speaker, the legislation would eliminate the implication that the existence of a petition for permanent residence implies that an applicant will not return to his or her home nation and would remain in the United States after the expiration of a temporary visa. This equitable solution simply grants to immigrant family members the same opportunity to visit the United States as all others desiring to come here as visitors or students. The legislation anticipates the possibility that some may violate the terms of their visas by overstaying the period for which the visa provides. It penalizes spouses or children of permanent residents who overstay their visas by allowing the Secretary of State to delay their permanent visa petitions for one year if visa durations are violated.

Mr. Speaker, as my colleagues may remember, last year in the Omnibus Appropriations bill, Congress took a step in alleviating this hardship. The Omnibus bill created a new V nonimmigrant visa category. This new visa would be available to spouses and minor children of legal permanent residents who have been waiting 3 years or more for an immigrant visa. The recipients of this temporary visa would be protected from deportation and granted work authorization until immigration visa or adjustment of status processing is completed.

However, while this new program has good intentions, Mr. Speaker, 3 years is still too long to be apart from one's loved ones. My bill would immediately expedite the process in allowing foreign-born immigrants to see their family for a short period of time before they are eligible for the V visa. My legislation would not nullify the V visa, but rather provide for temporary visas in the interim.

Mr. Speaker, I am hoping that this proposal will receive strong support from Members of Congress, particularly members of our Caucus on India and Indian-Americans, and other Members who agree with the need to address this inequity. The issue of spousal and child reunification has been identified as one of the top domestic priorities of the Asian-Indian community in the United States. With the India caucus members working together, enactment of this bill would be an opportunity for the caucus to make its presence felt in another substantive way. Furthermore, this proposal has already received significant support from some of America's major corporations, particularly in the information and communications sectors, who recognize the importance of allowing their valued employees to have greater contact with their families.

The bill is, by its very nature, an interim measure in order to allay some of the misunderstandings that may arise. It should be pointed out that the legislation will not result in an increase in the number of immigrants admitted annually. It will not have an impact on the labor market, and it will not have any adverse effects on any government social programs since the spouses would not be entitled to these benefits. It is a very modest proposal intended only to bring some relief to families separated by unfortunate administrative delays.

SUPPORTING FULL FUNDING FOR SPECIAL EDUCATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maine (Mr. ALLEN) is recognized for 5 minutes.

Mr. ALLEN. Mr. Speaker, I rise here today to support full funding of special education, not next year, not the year after, not 10 years from now, but this year. I want to begin with a few comments that should be obvious.

First, the Individuals With Disabilities Education Act of 1975 authorized Congress to cover 40 percent of the cost of special education in order to provide students with disabilities a free and appropriate education.

□ 1300

That was in 1975. It has been a long time, but we have not come close to fully funding special education.

The points I want to make at the beginning are these:

First, the mandate to provide a free and appropriate education to students with disabilities was a Federal mandate. It was passed by this Congress, and it required the States and local school districts to spend more than

they had on students with disabilities. It was a Federal mandate that has never been matched by appropriate Federal funding.

Second, the funds that pass through our special education program are not spent in Washington, D.C. They are spent in local school districts in local schools for teachers, for supplies, for all those things that help strengthen our local education programs.

Third, this year the money is available. No one can say that we cannot find the money to fully fund special education this year because the size of the surpluses that are in front of us make it clear that if we do not fully fund special education it will only be because there are other priorities.

Now, when I listen to some of the rhetoric from my Republican friends on the other side of the aisle, I sometimes wonder, for this reason. We learned in school that the thighbone is connected to the hipbone, and we learned as adults that expenditures are connected to revenues. What we have coming into our family, our business, our government is matched, is related to, what our family, our business or our government spends.

But we hear our friends say that it is not the government's money, it is our money. They say things like, we do not want money spent in Washington. Well, special education funds are spent in local school districts. Our education systems belong to all of us. It is our education system, just as it is our national debt, our air traffic control system, our Medicare, our Social Security. These are the things that we own and we cherish in common.

When I have been traveling around my district back in Maine holding meetings. The number one priority of educators in Maine, of people who care about improving our public schools, is full funding of special education: Get Federal funding up to that 40 percent level. Where is it right now? It is 14.9 percent, the highest level it has ever been since 1975. It is today at 14.9 percent. That is after 3 successive years of billion-dollar increases.

We have done more in the last 3 years for special education than ever before. But today, if the tax cut that the President has proposed goes through, we will not be able to fully fund special education. In all probability, if the projections hold, we will not be able to fund it this year or next year or any time in the next decade.

So that is why we have a unique opportunity today to fully fund special education. If we do, it will help special education kids, it will help regular kids, because it will free up funding for improvements in our regular education programs; and it will provide real relief in the future for our property taxpayers, who right now, certainly in my State of Maine and around the country, are really under a great deal of pressure to fund students that they are required to fund and should be funding, but because of a mandate passed by Congress, by the Federal government, in 1975, we have never, we have never lived up to our responsibilities.

The other two items that I hear a great deal about from people in Maine who care about education have to do with how we are going to find teachers, how we are going to find, hire, and retain teachers to teach these children and how we are going to renovate and build new schools when we need to do that. But, always, special ed is at the top of the list.

I urge my colleagues on both sides of the aisle to take this historic opportunity that may not come again to fully fund special education, not next year, not 10 years from now, but this year. We can do that with $11 billion; and $11 billion as compared to the $1.6 trillion tax cut, that is no comparison at all.

There is no reason why we cannot fully fund special education this year. I urge my colleagues to do just that.

WOMEN'S HISTORY MONTH; AND THE HIV/AIDS VIRUS AS IT AFFECTS WOMEN AND CHILDREN

The SPEAKER pro tempore (Mr. GILCHREST). Under a previous order of the House, the gentlewoman from Maryland (Mrs. MORELLA) is recognized for 5 minutes.

Mrs. MORELLA. Mr. Speaker, I am very pleased to be here this afternoon for this important special order to celebrate Women's History Month. I know my colleague, the gentlewoman from Illinois (Mrs. BIGGERT), will be continuing with this special order.

I would like to point out that, as we approach a new century, there is no doubt that women have made great strides in business, the professions and trades and as leaders in government. Society is the richer for it.

Although women have made enormous strides, discrimination in the workplace still exists. So does discrimination in health research and in the delivery of health care or the lack thereof, steadfastly remaining our problem, ''a woman's problem.'' We have to continue to improve the lives of women and children, which ultimately will benefit everyone.

Mr. Speaker, we are going to hear from my colleagues the history of women's health, and I do want to say that women are not little men. I am pleased, with my colleagues many years ago, we celebrated the 10th anniversary of the Office of Research on Women's Health at the National Institutes of Health. Prior to that time, women were not included in clinical trials or protocols.

There was the famous aspirin test with regard to cardiovascular disease. It was done with about 44,000 male medical students. Yet the extrapolation was that this is the way women would be affected by it. Well, there is breast cancer, ovarian cancer, osteoporosis, lupus. We now are beginning to concentrate on research with regard to women and the implications of those diseases and diagnoses and treatments.

But I thought that I would devote my time now to speak about a silent epidemic which is not often spoken about, a kind of silent genocide, if you will, the death and dying that no one is really addressing: those that occur to women and children who carry the HIV virus and represent the growing face of the AIDS epidemic.

We are at a crossroads in the history of the AIDS epidemic. Thanks to dramatic new treatments and improvements in care, the number of AIDS-related deaths has begun to decline. However, while we have made great strides, the crisis has not yet abated. Continued research is needed to provide better, cheaper treatments and eventually a vaccine or a cure.

Remarkable medical advances have done nothing to stem the rise in new infections among adolescents, women, and minority communities. In fact, the well-publicized success of new drug therapies has encouraged some to believe that the epidemic has peaked, making it harder than ever to reinforce the need for prevention among those who are most at risk.

As a result, HIV/AIDS remains a major killer of young people and the leading cause of death for African Americans and Hispanics between the ages of 25 and 44. Across this country and around the world, AIDS is rapidly becoming a woman's epidemic. Women constitute the fastest-growing group of those newly infected with HIV in the United States. Worldwide, almost half of the 14,000 adults infected daily with HIV, for example, in 1998, were women, of whom nine out of the 10 live in developing countries.

In Africa, teenage girls have infection rates five to six times that of teenage boys, both because they are more biologically vulnerable to infection and because older men often take advantage of young women's social and economic powerlessness.

Statistics of the economic, social and personal devastation of HIV and AIDS in subSaharan Africa are staggering. Now 22.3 million of the 33.6 million people with AIDS worldwide reside in Africa, and 3.8 million of the 5.6 million new HIV infections occurred in Africa in 1999. By the year 2010, 40 million children will be orphaned by HIV and AIDS. Children are being infected with HIV and AIDS, many through maternal-fetal transmission.

Biologically and socially, women are more vulnerable to HIV and AIDS than men. Many STDs and HIV are transmitted more easily from a man to a woman and are more likely to remain undetected in women, resulting in delayed diagnosis and treatment and even more severe complications. Yet, more than 20 years into the AIDS crisis and at a time when the incidence of HIV and STDs is reaching epidemic proportions, the only public health advice to women about preventing HIV

and other STDs is to be monogamous or to use condoms.

I have been working very hard and we have had many results with regard to the development of microbicides to help to prevent the spread of HIV and other STDs and have legislation to do so. So much more needs to be done.

I do hope that all of us in Congress will look at what we can do to stop that hemorrhage of HIV and AIDS, especially in women and young people.

WOMEN'S HISTORY MONTH AND WOMEN'S HEALTH ISSUES

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. MILLENDER-MCDONALD) is recognized for 5 minutes.

Ms. MILLENDER-MCDONALD. Mr. Speaker, as we know, we proclaimed Women's History Month last week; and the topic last week was on education, women and education. Today I rise to speak about women's health issues as part of our Women's History Month series.

Since the earliest days of the Nation, women have acted as the health gatekeepers of their families. In recent years, however, it has become clear that women have significant health concerns of their own, such as breast and cervical cancer, heart disease and osteoporosis.

But women's health issues are much more than individual diseases. It is a lifespan issue, beginning with the delivery of high-quality prenatal care services to when a woman lives out of her final days, hopefully after a full, productive and healthy life.

Sadly, though, Mr. Speaker, the health of the Nation's women is severely jeopardized by preventable illnesses, inadequate access to health care, poverty, domestic violence, chronic disease and a host of other factors.

Currently, nearly 18 percent of nonelderly women have no health insurance. Even worse, more than 30 percent of Hispanic women and nearly 25 percent of African American women between the ages of 19 and 24 have no health insurance.

Cardiovascular disease is the number one cause of death among all women. Lung cancer is the number one cancer killer of women, and its rate continues to increase. Battering is the number one cause of injury to women today, causing more injuries that require medical treatment than car crashes and mugging combined.

In addition, one study found that 25 to 45 percent of battered women experience physical violence while they are pregnant.

Much shame, Mr. Speaker. So much work needs to be done to help alleviate these startling statistics. There needs to be increased funding and more major national projects for women's health research, services and education. There is also a need to be a focus on women's health through the life cycle: adolescent, reproductive, middle-aged and older women, since their needs are different.

Last but not least, Mr. Speaker, we need to work to eliminate barriers to health care services for underserved women.

Mr. Speaker, much work has been done in the last couple of decades concerning research and education about women's health, but there is much more to be done. When the President spoke at the State of the Union, he mentioned an increase in funding for NIH. I was pleased to hear that, because I felt that we can have an increase in funding for cervical cancer, breast cancer, lung cancer, heart disease and diabetes. So Mr. Speaker, I will be introducing a bill suggesting the increased funding for those areas.

I would also call on the President to provide the health insurance for those over 10 million children who are without health insurance and the women who are without health insurance.

So, as we celebrate Women's History Month, let us be mindful of the need for increased funding for women's health.

WOMEN'S HISTORY MONTH

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Illinois (Mrs. BIGGERT) is recognized for 5 minutes.

Mrs. BIGGERT. Mr. Speaker, as the Republican co-chair of the Congressional Women's Caucus, I am very excited about what the 107th Congress promises for women, particularly in the area of health care. There have been great strides made in recent years in the area of women's health care, and I think that since the month of March is Women's History Month, I would like to thank my colleagues from the Congressional Women's Caucus who are taking the time to come down here this afternoon out of their busy schedules to discuss women's health issues.

□ 1315

I think that a number of women will be discussing issues from eating disorders, breast cancer, and long-term care; and these are issues that affect all women, no matter their age, race, nationality or sexual orientation. I commend my colleagues for continually taking the lead on these important issues and look forward to continuing our work in the 107th Congress.

Mr. Speaker, I would like to, I think, look at one issue, but I cannot begin really without talking about that, for the first time in history, that the House Subcommittee on Health will be chaired by a women, the gentlewoman from Connecticut (Mrs. JOHNSON), our friend and colleague. That is very fitting when the issues that affect women have become so dramatic.

One of the issues that I would like to address in the area of women's health care that I care deeply about is long-term care. I think long-term care has long been called the sleeping giant of all U.S. social problems. This issue affects all Americans but particularly women for three reasons: Number 1 is we live longer; number 2, we are the ones who take care of our aging relatives; and, number 3, we are much more likely to retire with little or no pension savings. That makes us especially vulnerable to the high costs of long-term care.

The Census Bureau estimates that there are currently 34 million Americans aged 65 and older living in the United States. By 2030, that number is expected to more than double to 70 million, some 20 percent of the population. The fact that Americans are living longer and living more healthy lifestyles than at any time before should be celebrated. However, it does present a challenging public policy problem.

These numbers demonstrate the demand for long-term home or institutional care is going to grow exponentially. Neither the public nor the private sectors have adequately planned to meet the overwhelming future demand for long-term care services.

We must increase the public's awareness of the importance of preparing for long-term needs, as well as encourage individuals to save for their future, to invest in IRAs and mutual funds and to purchase long-term care insurance policies.

In addition, we must encourage employers to provide long-term care coverage as part of their employee benefit plans.

This is why I plan to reintroduce legislation that I introduced in the 106th Congress, the Live Long and Prosper Act, Long-term Care and Retirement Enhancement to address this issue.

There are several ways my bill addresses the problem facing long-term care.

First, my bill provides an above-the-line deduction, starting with 60 percent in 2002 and rising to 100 percent in 2006, for the cost of long-term care insurance premiums paid during a given year for the taxpayer, his or her spouse and dependents.

These provisions will make long-term care insurance more financially accessible, particularly for the young and those with lower incomes.

Second, my bill gives employers the option of providing long-term care insurance coverage as part of a cafeteria plan, in which employees are able to choose from a variety of medical care or other benefits, or flexible spending account, in which employees set aside pretax dollars for copayments or deductibles on insurance plans.

Third, my bill provides an additional personal exemption to the estimated 7 million Americans who provide custodial care to an elderly relative living in their home. The exemption was valued at $2,750 in 1999 and should help to alleviate some of the financial burdens involved with caring for a loved one at home.

These are just a few of the provisions of the bill, and they represent a market-based solution to an ever-growing demand for long-term care services and financing. But the financial incentives alone will not be enough to address the potential long-term care delivery and financial crisis.

Mr. Speaker, I urge all of my colleagues to take a look at that bill and to look at the women's health issues that are involved therein.

MANAGED CARE REFORM—MEDICAL NECESSITY

The SPEAKER pro tempore (Mr. GILCHREST). Under a previous order of the House, the gentleman from Texas (Mr. GREEN of Texas) is recognized for 5 minutes.

Mr. GREEN of Texas. Mr. Speaker, I would like to congratulate my colleagues, the congressional women, for making this effort today for special orders for women's health care. I would like to associate myself with their remarks, because everything they have said on a bipartisan basis is so important.

The reason I am here today, Mr. Speaker, is that the third time I have talked about the importance of managed care reform, real managed care reform, 3, 4 weeks ago I talked about the independent review process, and the accountability 2 weeks ago, and today I want to talk about medical necessity.

Every patient in America deserves to have important medical decisions made by his or her doctor, not by an HMO bureaucrat. Unfortunately, managed care personnel, who often have no substantial medical training, are determining what is medically necessary.

This practice endangers patients, threatens the sanctity of the doctor-patient relationship and undermines the foundation of our health care system.

Most managed care companies base treatment decisions on professional standards of medical necessity. But we often hear cases where HMO plans write their own standards into their contracts, and these standards often conflict with the patients' needs.

The case of Jones v. Kodak clearly demonstrates how a clever insurance health plan can keep patients from getting the needed medical care.

Mrs. Jones' employer provided health insurance coverage for in-patient substance abuse treatment. Unfortunately, the health plan determined that she did not qualify for this treatment. Even after an independent reviewer stated that the plan's criteria was too rigid and did not allow for tailoring of case management, Mrs. Jones was still denied treatment.

To add insult to injury, the courts stated that the health plan did not have to disclose its protocols or its rationale for making that decision.

A health plan's decision does not have to be based on sound medical science, standard practices or even basic logic. In fact, a health plan can make medical necessity decisions using this child's toy called the Magic 8 Ball and not have to disclose the rationale, and when you turn this around and it says what do they suggest you are going to do, this is no way to practice medicine in our country.

Mr. Speaker, unless Congress enacts meaningful patient protection legislation, the outlook will not be good for our patients.

H.R. 526, the Bipartisan Patient Protection Act will ensure that treatment decisions are based on good medical practice and take individual patient circumstances into account.

This legislation will protect patients from arbitrary and capricious decisions and will put health care decision-making back in the hands of the doctors and the patients. The patients should not have to be behind this eight ball when it comes to their health care, and we should not have to depend on the system that is patterned after this Magic 8 Ball when it says do not count on it for adequate health care treatment.

Congress must act now to protect them.

WOMEN'S HEALTH ISSUES

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Mrs. CAPPS) is recognized for 5 minutes.

Mrs. CAPPS. Mr. Speaker, I want to commend my colleagues, the cochairs of the Women's Caucus in Congress, the gentlewoman from Illinois (Mrs. BIGGERT) and the gentlewoman from California (Ms. MILLENDER-MCDONALD), for organizing this time to speak on women's health issues.

Mr. Speaker, I am pleased that many members of the Women's Caucus are participating today on this important topic.

As a nurse, I have made access to health care one of my highest priorities in Congress, and I think it is particularly important to focus attention on women's health.

Last year, we had a number of victories for women's health. The House was able to pass the Breast and Cervical Cancer Treatment Act. This legislation will allow us to provide the necessary resources for low-income women to fight these deadly diseases. We were also successful in reauthorizing the Violence Against Women Act.

These are two major accomplishments, but we still have such a long way to go. Until recently, women's health resources were often concentrated on women during their reproductive years. However, with the average life expectancy of women now in the United States approaching 80 years, it is increasingly clear that we need the resources to protect a woman's health at every stage of development.

Each new life stage poses its own unique developmental demands upon a women's body. This is why further research on women's health is so critical. Certain diseases and conditions are more prevalent among women than in men or affect women differently. Studies show that women are suffering from heart disease, breast cancer and depression at alarming rates. And as women live longer they are more likely to suffer from chronic conditions such as arthritis, diabetes and osteoporosis.

There are countless initiatives here in Congress that seek to improve the health of women. I want to touch on just a few.

For example, President Bush's recent reinstatement of the Mexico City policy is, I believe, a huge step backwards for millions of women around the world.

The Mexico City language imposes a gag rule on other countries who wish to use their own reproductive resources for abortion and instead use the needed assistance from the United States to assist with family planning.

Family planning saves lives by helping women plan their pregnancies for the healthiest and safest time. Of course, in so doing, it reduces the need for abortions.

As my colleague, the gentleman from Texas (Mr. GREEN), was just speaking about, we need to pass the Patients' Bill of Rights. This legislation would guarantee that patients and doctors control critical health care decisions, not HMOs. This will improve health care options for millions of American women.

We also need to provide prescription drug coverage for Medicare recipients. The majority of seniors are women, and many of them cannot afford the skyrocketing costs of multiple prescriptions.

Proper treatment of depression and mental illness is another important issue for women. Depression afflicts twice as many women as men.

As many as 400,000 women each year suffer from postpartum depression alone. We need to raise awareness about postpartum depression in order to lower the chances that women and their families will suffer from this condition.

Parity for mental health is another important topic and an issue that affects women. It is time that health insurance plans recognize mental illness as just that, an illness.

I am so pleased that courageous women like Tipper Gore and the gentlewoman from Michigan (Ms. RIVERS), our own colleague here in Congress, have worked hard to increase public awareness about mental illness and to work on destigmatizing depression.

Another major concern for health concern for women is hypertension. It is a major risk factor in cardiovascular disease, and it is two to three times more common in women than in men.

Mr. Speaker, I am now the cochair of the Congressional Heart and Stroke Coalition, and I am working closely with American Heart Association to

raise awareness of and response to cardiovascular disease and stroke.

This spring here in the House of Representatives we will be conducting some hearings on the effect of women and heart disease together. Increased research on these and other women's health issues can and will improve the quality and length of our lives.

Mr. Speaker, I, along with my colleagues in the Women's Caucus, are committed to raising awareness about women's health issues and to increase funding for women's health research; and today is an opportunity for us to speak on different topics but with a united voice. We, colleagues in the Women's Caucus and men as well and Members of Congress, are talking about and raising the awareness of issues pertaining to women's health.

HEALTH INITIATIVES

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Ms. SLAUGHTER) is recognized for 5 minutes.

Ms. SLAUGHTER. Mr. Speaker, I rise today to speak about the state of public health in America. Although we know more about health hazards and the importance of a healthy life-style today than we did 25 years ago, our health is actually getting worse in many respects.

Chronic diseases account for three out of four deaths in the United States annually; and 100 million Americans, more than a third of the population, suffer from some sort of chronic disease.

Chronic conditions are on the rise. The rate of learning disabilities rose 50 percent in this last decade. Endocrine and metabolic diseases such as diabetes and neurologic diseases such as migraine headaches and multiple sclerosis increased 20 percent between 1986 and 1995.

The rising incidence of disease can be attributed partly to the environment. This means not only air pollution and the rising CO_2 levels, which affect the quality of the air we breath, but factors such as industrial chemicals and plasticizers, increased exposure to low-dose radiation from sources that range from toasters to aircrafts, certain medications which affect the hormone production, and especially a person's life-style, including the diet, tobacco and alcohol use.

Mr. Speaker, I was proud recently to introduce the Women's Health Environmental Research Centers Act, a bill that enhances scientific research in women's health.

□ 1330

There has been a lack of initiatives to especially look at women's health in connection with the environment. Women may be at a greater risk for disease associated to environmental exposures due to several factors, including body fat and size, a slower metabolism of toxic substances, hormone levels, and, for many, more exposure for household cleaning reagents.

Over the past decade, evidence has accumulated linking effects of the environment on women and reproductive health, cancer, injury, asthma, autoimmune diseases such as rheumatoid arthritis and multiple sclerosis, birth defects, Parkinson's, mental retardation and lead poisoning. Lead and other heavy metals found in the environment have been implicated in increased bone loss and osteoporosis in post-menopausal women.

In one interesting study in New York, researchers found that women carrying a mutant form of a breast cancer gene are at higher risk of developing breast or ovarian cancer if they were born after 1940, as compared to women with the same mutant genes before 1940. This suggests that environmental factors are affecting the rates of incidence.

The interaction between environmental factors and one's genes also affect the susceptibility to disease. This will be a major area of research now that the Human Genome Project has been completed and new disease-related genes are being found at a rapid pace.

The evidence is clear and accumulating daily that the by-products of our technology are linked to illness and disease and that women are especially susceptible to these environmental health-related problems.

We need health research programs that are specifically targeted towards women's health. The passage of the Women's Health Environmental Research Centers Act will be a crucial step toward establishing the valuable and needed basic research on the interactions between women's health and environment.

The second initiative needed is to increase awareness and access for Americans to preventive screening tests for diseases such as cancer. Screening will save thousands of lives if it is detected at its earliest and most treatable stage.

I will soon introduce, along with the gentlewoman from Maryland (Mrs. MORELLA), the Colorectal Cancer Screening Act. Often colorectal cancer does not present any symptoms at all until late in the disease's progression. When discovered through screening tests, benign polyps can be removed, preventing colorectal cancer from ever occurring. But, unfortunately, fewer than 40 percent of colorectal cancer patients have ever their cancer diagnosed early.

Colorectal cancer is the second leading cause of cancer death in the United States for men and women combined. An estimated 56,700 people will die from colorectal cancer this year; and 135,400 new cases will be diagnosed. These newly diagnosed cases that will be divided nearly evenly among men and women are particularly tragic because they could be prevented.

Medicare began covering colorectal cancer screening in 1998, and many insurers now cover them also. However, all insurers must give enrollees access to this life-saving benefit, similar to what has been done for mammography screening.

Finally, I would like to mention that Congress has asked the Centers for Disease Control to develop a nationwide tracking network so we can begin to draw the critical link between disease and environmental toxins, genetic susceptibility and life-style. The Women's Caucus followed up with a letter to the CDC director, Jeffrey Koplan, to reiterate our interest in this important initiative.

Although we do not have cures for the most devastating disease that affects women, we can minimize our chances of developing them or at least prolong the years that we are healthy by the understanding of the risk factors, both environmental and genetic, as well as taking control of our health by having preventive screening tests before it is too late.

As a public servant and a scientist, I believe that one of the most important concerns of Congress should be to help to promote America's public health. Congress should commit itself to provide all Americans access to medical technologies that save lives, and Congress must provide continued funding for scientific research across all disciplines.

NEW ADMINISTRATION IS NOT SERIOUS ABOUT ADDRESSING GLOBAL CLIMATE CHANGES

The SPEAKER pro tempore (Mr. GILCHREST). Under a previous order of the House, the gentleman from Washington (Mr. INSLEE) is recognized for 5 minutes.

Mr. INSLEE. Mr. Speaker, I, as a Democrat, have an admission to make. I have come before the House to admit that I was fooled into believing that the new administration was actually serious about doing something about global climate change. I was fooled into having hopes that this administration would abide by its promises to show some leadership to do something about carbon dioxide, which is polluting our atmosphere and warming our planet.

I had those hopes until yesterday. I want to tell my colleagues why I had those hopes. The new director of the Environmental Protection Agency, former Governor Christie Todd Whitman, said last week that she wanted to work to do something to reduce carbon dioxide emissions from our polluting plants. A few weeks ago, the Secretary of the Treasury said that he believed that this was a serious problem, that it needed to be addressed, and the government could no longer afford to ignore it.

The President of the United States last September told the American people and promised the American people that, if elected President of the United States, he would work to curtail carbon dioxide emissions from our power

generating plants in this country. A promise, a pledge, a commitment that yesterday was sadly broken when he bowed down to the oil and gas industry and said he was not going to lift a finger to reduce these CO_2 emissions, to reduce the pollution that is coming out of our plants.

I was fooled, and I am greatly disappointed. But I have not given up, and the reason I have not given up is because I believe that there are good Members on both sides of the aisle in this Chamber who are willing to show some leadership in moving forward on climate change issues.

I am just alerting Members of the House to this fact that I do not think we can look to leadership from the White House on this after yesterday's stunning reneging on a promise to the American people, and that we need to show some leadership.

I am telling the House this because, if we are going to have action by the Federal Government of doing something about the climate change problem in this country, we in the House are going to need to get out in front of this issue.

I know there are Members on both sides of the aisle who are willing to do this. The gentleman from Maryland (Mr. GILCHREST), who is in the chair today, has shown a recognition and some leadership in this regard.

To do this, I am urging my fellow Members to do a few things: first, to join our Global Climate Change Caucus, a bipartisan group of Members who are committed to finding common sense and workable means of reducing climate change emissions.

Second, I would ask our Members during this tax cut debate that is going on that, no matter what happens in the tax cut, we devote a portion of it to creating incentives for efficient clean energy sources of new technology, wind, solar, fuel cell technology; to bring those technologies to market-based prices; and to use this tax cut debate in a meaningful way on an environmental basis.

I ask Members to join the bipartisan group that is working to try to fashion some package of tax cuts that can help these new technologies become a market base so that we can put them in our homes and our houses.

I ask Members to cosponsor a bill I have called the Home Energy Generation Act that will allow one when one puts a solar panel on one's home to sell one's excess power back to one's utility and have one's meter run backwards so one gets a credit.

There are a lot of things we can do, but I am urging Members of the House to come to the forefront and be leaders because there is going to be a vacuum, unfortunately, out of the White House.

Let me tell my colleagues another thing very disturbing that happened yesterday. The President of the United States, when he decided to ignore the explicit promise to the American people on this CO_2 emission issue, said the reason he did so was because he was concerned about prices of electricity going up.

Well, frankly, that is a surprise to us because, for the last 2 months, we have been asking the President of the United States to do something about electrical prices in the West, and he has refused to do anything about it.

We have asked him to adopt a short-term wholesale price cap, to have a circuit breaker to reduce these extraordinary price increases that we are having on the western United States right now. He has refused to even consider it.

We let the greatest transfer of wealth from the western United States to generators of electricity since Bonnie and Clyde roamed the prairies because of these huge run-ups in prices, unprecedented, unjustified, and unreasonable. By the way, this is not just me talking. Our own FERC, the Federal Energy Regulation Commission, under the Bush administration made a finding that these prices were unreasonable, unconscionable. I think unconscionable is my language, but at least they said unreasonable.

Despite that finding, the administration has refused to lift a finger to limit these extraordinary increases in electrical rates. We believe we are going to ask the administration, we have been asking for 2 months to do that.

Let me tell my colleagues why that is so dangerous, Mr. Speaker. I am going to read from the Wall Street Journal article in yesterday's paper, which I will now summarize. We have the possibility of losing 43,000 jobs, this the State of Washington alone, if the administration does not work with this Congress in a bipartisan fashion to adopt wholesale price caps. I hope all my Members will join me in this effort.

CONGRESS NEEDS TO KEEP ITS 25–YEAR PROMISE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MOORE) is recognized for 5 minutes.

Mr. MOORE. Mr. Speaker, I have been in Congress for 2 years, and I have learned a lot of things after I got here. For example, 25 years ago, the Congress passed and the President signed into law a new bill called IDEA, which stands for Individuals With Disabilities Education Act. In that new law, the Congress promised to the State and local school districts, if they would take special-needs children out of hospitals and institutions and bring them into local public schools, that Congress and the Federal Government would fund the cost of education to the tune of 40 percent.

Mr. Speaker, 25 years later, last year, Congress was up to 14.9 percent, not 40 percent, 14.9 percent; and that is outrageous. That is what we call an unfunded mandate, and that is what gets people back home in the real world so upset with Congress. They promised that they would do this and that. The people locally did this, and Congress did not fulfill their portion of the promise.

Well, 25 years later, Mr. Speaker, I think it is time that Congress stepped up it the plate and filled the promise it made 25 years ago.

I wrote President-elect at the time Bush on January 25 and said to President-elect Bush: ''I hope you will set this a priority funding measure in your new budget as the new President.''

I had the opportunity 4 weeks ago to go to the White House and speak with President Bush; and at that time, I said to him, ''Mr. President, this is one of the most important things we can do that I think will beneficially affect education, not only through every State, but throughout our Nation in public schools; and that is full funding of special education the way Congress promised 25 years ago.''

The President said, ''I understand, but we would like to have a little more flexibility and give the States and local school districts an opportunity if they need to build schools or use it for special education.'' Well, 25 years later, again, somebody needs to speak up for special needs children and say Congress should fulfill its promise.

The President has a program he calls Leave No Child Behind. Well, I say to the President that, if we do not do this when we have the opportunity this year or next year, then we will never do this. We will not leave one child behind. We will leave thousands of children behind, and that is disgraceful.

We have projected by the Congressional Budget Office over the next 10 years a budget surplus of $5.6 trillion. The President has recommended a $1.6 trillion tax cut. Surely if we can find the political will to do a $1.6 trillion tax cut, we can find the political will and the backbone to fund a program that is 25 years old for special-needs children in our country.

It does not impact just special-needs children. It will affect virtually every child in public schools in our country, because I have talked throughout my district in every school district throughout my district to school administrators and teachers; and a disproportionate share of the present school funding goes to special-needs children. Nobody begrudges that. God knows they need it. But sometimes the people who are shortchanged are the other kids, and not one child in our public schools should be shortchanged by Congress' failure to perform its promise.

This is not a partisan issue. When one looks at a special-needs child, one does not see a Republican, one does not see a Democrat, one sees a child, a child with needs, and needs that should be addressed by this body.

If at this time in our Nation's history, when we have these huge projected surpluses, we do not step up to the plate and fulfill our promise, shame on us. Shame on us. I hope and believe that the President and the Congress this year will do the right thing.

I talked just yesterday before the Committee on the Budget hearing to Secretary of Education Paige, and Secretary Paige told us that the President had recommended an increase in funding in special education, but far short of the promise Congress made 25 years ago.

We have got to do what is right. I hope and believe we will do what is right. We are a better Nation than the way we have acted for the last 25 years.

□ 1345

LACK OF HEALTH INSURANCE FOR LOW-INCOME WOMEN

The SPEAKER pro tempore (Mr. GILCHREST). Under a previous order of the House, the gentlewoman from California (Ms. SOLIS) is recognized for 5 minutes.

Ms. SOLIS. Mr. Speaker, today I rise to talk about the deplorable lack of health insurance for low-income women. Nearly 4 in 10 poor women are uninsured. Four in ten.

We know that health care coverage is critically important for low-income women because they cannot afford to pay for health care out of their own pockets. Without health insurance, women may decide not to get needed health care because they cannot afford it. Despite the fact that our country has experienced large economic growth over the past few years, the proportion of low-income women who are uninsured actually rose 32 percent to 35 percent. Clearly, our Nation's economic growth has not reached all segments of our society.

This problem is even more pronounced for immigrant and minority low-income women. Mr. Speaker, 51 percent of low-income Latinas are uninsured. That is more than half. Among uninsured Latino adults in fair to poor health, 24 percent of women have not visited a doctor in the past year. These are women who are not in good health yet nearly a quarter of them have not seen a doctor in 12 months. 42 percent of low-income Asian- American women are uninsured.

Nearly 1 in 5 low-income women are immigrants, and over half of those are noncitizens and they are uninsured. Without health insurance, where can they go for quality health care? Less than a quarter of low-income noncitizen women have job-based health coverage.

Medicaid, or Medi-Cal as we know it in California, has traditionally been a source of support for these women, helping them to receive needed health care services. Unfortunately the changes made in the 1996 welfare law hurt low-income women. The 1996 welfare law separated Medi-Cal from welfare and put new requirements on people receiving cash assistance.

Although the new law pushed people into leaving welfare and onto the job rolls, many of those jobs are low skilled and low paying. Many of those women remain without any form of health care coverage and so do their families. Let us provide them with affordable health care.

CARDIOVASCULAR DISEASE, NUMBER ONE KILLER OF WOMEN

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Indiana (Ms. CARSON) is recognized for 5 minutes.

Ms. CARSON of Indiana. Mr. Speaker, I am pleased to address this august body and this Nation in celebration of Women's History Month. As we celebrate women's history, we have many women who have made major contributions to the advancement of this country. We have Sojourner Truth, Harriet Tubman, Rosa Parks and Barbara Jordan, and other women who have been enormously progressive in terms of advancing the work and the lives of people across this Nation.

In Women's History Month, however, we must remember the importance of keeping women's bodies healthy. Cardiovascular diseases are the number one killer of women. These diseases currently claim the lives of more than 500,000 women a year. Although these statistics are enormous, many women still are not aware of their risk for heart disease. Why is this the case. Studies have shown that women and doctors may not know that cardiovascular disease is the main killer of women, the leading cause of death among women, not breast cancer, or any of the other diseases that we try to find cures for, but cardiovascular disease is the main killer of women.

Women and doctors may not realize the risk factors for cardiovascular disease because it is different in women than men. Women's symptoms of cardiovascular disease may not be recognized because they may be different than men, and women do not receive the same levels of prevention, care and treatment as men. It is important that women understand the risks, recognize the symptoms and reduce the risk of a heart attack. We must also ensure that doctors are provided with the proper educational tools and sensitivity understanding that they need in order to help women make the right decisions about their health and well-being.

It is time, I believe, to reduce the numbers and to focus on living healthy and productive lives. Knowledge about our health is powerful, and working towards having and keeping good health is the first step in living a powerful and productive life.

WORKING WOMEN DESERVE HEALTH INSURANCE COVERAGE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Wisconsin (Ms. BALDWIN) is recognized for 5 minutes.

Ms. BALDWIN. Mr. Speaker, it is estimated that 19 percent of women in the United States lack health insurance coverage. Women and their children are disproportionately represented among the Nation's uninsured population, primarily due to the number of women in service jobs and retail jobs which have low rates of employer-provided insurance and lower wages. Many working women have part-time jobs where health benefits are not offered by the employer or cannot afford the premiums to purchase the insurance.

Women who are insured through their spouse's employment are often more susceptible to disruptions in health care coverage. Divorce, death of a spouse, change in job status of a spouse or a change in the dependent coverage through an employer could result in a woman and her children losing health insurance.

We also know that women are living longer, yet the quality of their lives is not always better. Women are more likely to be uninsured than men, and this lack of health insurance is a public health risk.

Studies show that people without health insurance are less likely to receive care and more likely to delay seeking care for acute medical problems. This ultimately adds to the cost because in many cases their medical conditions become more serious producing adverse outcomes that will need extensive follow-up care. Uninsured individuals are less likely to receive primary care or preventive services, which would keep medical conditions from becoming worse.

We all know that women who are diagnosed with breast or gynecological cancers at a later stage are more likely to die from those conditions and diseases than those who detect it early. This is an even greater health risk because we know women disproportionately take care of the family. And as caretakers, women simply do not have the time to be sick. That is why education and prevention and proper health insurance is so vital.

Working women deserve health insurance coverage for themselves and for their children. I am optimistic that we can begin to address the problem of the 43 million people in America who are uninsured and the many more who are underinsured, so that no man, woman or child in this country has health care needs that are not being addressed. No one should be left behind.

The SPEAKER pro tempore (Mr. GILCHREST). Under a previous order of the House, the gentleman from California (Mr. BACA) is recognized for 5 minutes.

(Mr. BACA addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

GLOBAL WARMING

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Iowa

(Mr. GANSKE) is recognized for 60 minutes as the designee of the majority leader.

Mr. GANSKE. Mr. Speaker, headlines in USA Today scream: ''Global Warming Is Evident Now.'' U.S. News and World Report's cover story proclaims: ''Scary Weather: Scientists Issue a Startling Forecast of Global Climate Change,'' and they feature a picture of the Earth surrounded by stormy weather.

On television, we see chunks of ice the size of Connecticut breaking off of the Antarctic ice shelf and melting. The New York Times shows us the North Pole as a lake. Glaciers are melting and the snows of Kilimanjaro will soon become a memory.

Mr. Speaker, mosquitoes are living at higher altitudes than they have ever been seen before because it is warmer. Tropical bugs are moving north along with the diseases they carry. And if Iowa, my home State, becomes tropical, will dengue fever or malaria become a problem?

The oceans are warmer and coral reefs are dying. Will we see the oceans rise from one to three feet and flood the 70 percent of the United States population that lives within 50 miles of the ocean? Will global warming cause extreme weather, with droughts in some areas and floods in others? Will heat waves hit cities like Chicago and cause hundreds of deaths?

Will Iowa's farmers find that rainfall comes in monsoons and that growing zones are pushed hundreds of miles north? Will tropical agricultural pests that we have never seen before become common in Iowa? What will global warming do to the world's food supply? Will we see widespread famine?

Will global warming destabilize nations and become a national security problem? Will it cause massive migrations from some countries to others? Will we see a further gap between rich nations who can cope better with climate changes than poor nations that cannot handle disasters?

Mr. Speaker, what is global warming? Is it real? How do we deal with it? Can we alter it? Will it require lifestyle changes? Should we be afraid?

On the other hand, Mr. Speaker, anyone who has paid their most recent monthly energy bills knows that energy prices this winter have gone through the roof. The Des Moines Register headlines proclaim that ''Iowans Are Hurting From High Prices.''

Every national weekly news magazine has stories on the shortages of energy. California is going through rolling blackouts now, and we could see those types of blackouts around the country this summer if we have hot weather.

Fifty percent of the electric energy in this country is produced by coal, which releases four times as much carbon dioxide in the atmosphere per Btu as natural gas, but natural gas prices are at all-time highs because of the shortages of supply. And the greenest of energy resources, nuclear, is hobbled because we cannot store its waste in a safe place in the desert.

We have only been working on this for about 10 or 15 years in Congress. So, Mr. Speaker, what does a policymaker do? How do we, in a democracy, deal with immediate concerns that are causing real hardships, while at the same time look for long-term solutions to potential problems?

□ 1400

Well, my friends, the first thing we have to have is an educated public; and I might add to that, we need educated lawmakers. I want to learn from my constituents, and I want to learn from my colleagues, and I want to learn from experts on this issue, and so I hope that some of my following thoughts will stimulate discussion.

One thing is for sure, Mr. Speaker, and that is that the debate on global warming has generated an awful lot of heat. The unknown can generate much fear. But I think that the more we talk about this issue in a rational way, the better off we will be. Problems present opportunities for solutions that may be beneficial in unforeseen ways if we are creative. So let us look at some of the science and some of the facts.

The Earth's temperature is rising. That is a fact. According to the National Academy of Sciences, the surface temperature of Earth has risen about 1 degree Fahrenheit in the last 100 years. Some regions around the Earth have become warmer. Others have become colder. But if you take all of the Earth in aggregate, including the oceans, the Earth is getting warmer, and it is getting warmer faster than ever before measured.

It is also a fact that carbon dioxide, CO_2, atmospheric concentrations have increased about 30 percent since they were first recorded; and in the last 50 years, the concentrations are increasing faster and faster. That, Mr. Speaker, is a scientific fact that no one disputes. Whatever your position on global warming is, no one disputes those facts.

And no one disputes, Mr. Speaker, that carbon dioxide, CO_2, is a greenhouse gas. You do not have to be a scientist to understand how the greenhouse effect works.

Under normal conditions when the sun's rays warm the Earth, part of that heat is reflected back into space. The rest of the heat is absorbed by the oceans and the soils and warms the surrounding areas, and that makes our weather. But the recent buildup of carbon dioxide in the atmosphere traps heat that otherwise would be reflected back into space. The resulting warmth expands ocean water, causing sea levels to rise. The heating also accelerates the process of evaporation, even as it expands the air to hold more water. The resulting water vapor, the largest component of greenhouse gases, traps more heat, making for a vicious cycle. The more heat is trapped, the more intense the greenhouse effect.

The international panel of planet scientists that is considered the most authoritative voice on global warming has now concluded that mankind's contribution to the problem is greater than originally believed. Earlier reports said that man-made fossil fuels like coal and oil had probably contributed to the gradual warming of the earth's atmosphere by releasing CO_2 trapped beneath the Earth into the atmosphere. The intergovernmental panel on climate change's latest report, with inputs from thousands of scientists around the world and reviewed by 150 countries, more confidently asserts that man-made gases have ''contributed substantially to the observed warming over the last 50 years.''

During the presidential campaign, President Bush said, ''Global warming should be taken seriously but will require any decisions to be based on the best science.'' Today, Vice President CHENEY told me that he thinks global warming is a serious problem, too. I appreciate their concern.

Mr. Speaker, let me read from President Bush's letter to Senator HAGEL:

''My administration takes the issue of global climate change very seriously.'' He talks about various things related to the energy crisis but then closes with this statement. President Bush says, ''I am very optimistic that with the proper focus and working with our friends and allies we will be able to develop technologies, market incentives and other creative ways to address global climate change.''

The President and the Vice President are not alone in their concern. In the last year, Ford, DaimlerChrysler, Dow Chemical, IBM, and Johnson and Johnson have pledged to make big cuts in the greenhouse gases they produce.

Recently, DuPont, Shell, British Petroleum and four other multinational energy companies joined in a voluntary plan to reduce wasteful use of energy and to produce cleaner products. They would like to get credit for their reductions in CO_2.

Just last year, I attended a conference put on by the Iowa Farm Bureau. They held a symposium on carbon sequestration and how farmers can get credit for reducing CO_2. The chief executive officer of enRon, one of our country's largest energy companies, has said, ''First, the science, although not conclusive, is substantial, and the absence of ironclad certainty certainly does not justify apathy. Second, the cost of obtaining dead certain proof could be high. And, third, I believe that with the right policy, such as carbon credit trading programs and incentives to start reducing emissions sooner rather than later, the cost of control for the next 5 years would be negligible.''

Mr. Speaker, let me say a few words about the Kyoto Treaty on global warming which would attempt to reduce worldwide carbon dioxide emissions. I have traveled to many Third

World countries. They are among the worst polluters. I remember in Lima, Peru, at rush hour hardly being able to see four or five blocks and hardly being able to breathe the air because of the pollutants. Friends tell me that Beijing is even worse.

Now it is true that the United States consumes about 25 percent of the world's energy, but it is also true that our country has invested significantly in energy efficiency and cleaner air. For example, Iowa industries such as Maytag are actually significantly prospering because they have invested in developing energy efficient products. Iowa also leads the country in the production of renewable fuels, like ethanol which recycles carbon dioxide; and Iowa is also a leader in the production of electricity by wind power.

Now, an international treaty has to treat all participants fairly or you will not get compliance. I do not believe that the Kyoto Treaty as it stands today does that. I would have voted with Senator GRASSLEY when the Senate rejected the Treaty 95–0. I think that we need to improve that Treaty.

But, in the meantime, there is much that we can do, both individually and collectively, to help reduce carbon dioxide emissions and to reduce energy consumption. There are many steps that we could do in our own homes to reduce leakage of heat for energy efficiencies, common things that certainly with the high energy costs now would prove cost effective.

I think that collectively through public policy we should promote renewable fuels such as ethanol, promote wind power, fuel cells, geothermal and other 21st century technology. We should invest, both privately and through public grants, in energy efficiency technology. We should look at setting up a carbon credit trading system similar to the acid rain system that has worked so well. We should start to reduce carbon dioxide emissions now by rewarding people for saving energy, and we should try to build a culture that identifies and corrects inefficient use of resources.

If the global warming problem turns out to be not so serious, then, Mr. Speaker, at the least we have helped make our country's industry more competitive with lower energy costs. If the problem becomes more severe than expected, we can phase in larger reductions in greenhouse gases.

Mr. Speaker, as a physician, before I came to Congress, I think this is one area where an ounce of near-term prevention will be worth a lot more than a pound of cure later on. I hope that my colleagues and constituents share their thoughts with me on this issue.

Mr. Speaker, I want to talk for a few minutes today about what I think is the number one public health problem facing the country, and that is the death and morbidity associated with the use of tobacco. I want to discuss why the use of tobacco is so harmful, what the tobacco companies have known about the addictiveness of nicotine in tobacco, how tobacco companies have targeted children to get them addicted, what the Food and Drug Administration proposed, the Supreme Court's decision on FDA authority to regulate tobacco, and on bipartisan legislation that I and the gentleman from Michigan (Mr. DINGELL) will introduce tomorrow that would give the Food and Drug Administration authority to regulate the manufacture and marketing of tobacco.

Mr. Speaker, the number one health problem in our country, the use of tobacco, is well captured in this editorial cartoon that shows the Grim Reaper, big tobacco, with a cigarette in his hand, a consumer on the cigarette, and the title is, ''Warning: The Surgeon General is right.''

Here is some cold data on this peril. It is undisputed that tobacco use greatly increases one's risk of developing cancer of the lungs, the mouth, the throat, the larynx, the bladder, and other organs. Mr. Speaker, 87 percent of lung cancer deaths and 30 percent of all cancer deaths are attributed to the use of tobacco products. Tobacco use causes heart attacks, causes strokes, causes emphysema, peripheral vascular disease and many others. More than 400,000 people die prematurely each year from diseases associated and attributable to tobacco use.

In the United States alone, tobacco really is the Grim Reaper. More people die each year from tobacco use in this country than die from AIDS, automobile accidents, homicides, suicides, fire, alcohol and illegal drugs combined. More people in this country die in 1 year from tobacco than all the soldiers killed in all the wars this country has ever fought.

Mr. Speaker, treatment of tobacco-related illnesses will continue to drain over $800 billion from the Medicare trust fund. The VA spends more than one-half billion dollars each year on inpatient care of smoking-related diseases.

But these victims of nicotine addiction are statistics that have faces and names. Before coming to Congress, I practiced as a surgeon. I have held in these hands the lungs filled with cancer and seen the effects of decreased lung capacity on patients who have smoked. Unfortunately, I have had to tell some of those patients that their lymph nodes had cancer in them and that they did not have very long to live.

□ 1415

As a plastic and general surgeon, I have had to remove patients' cancerous jaws, like this surgical specimen. The poor souls who have had to have this type of surgery to have their jaws removed go around like the cartoon character Andy Gump. Many times, they breathe through a hole in their throat. I have had to do some pretty extensive reconstructions on patients who have lost half of their face to cancer. I have reconstructed arteries in legs in patients that are closed shut by tobacco and are causing gangrene, and I have had to amputate more than my share of legs that have gone too far for reconstruction.

Mr. Speaker, not too long ago, I was talking to a vascular surgeon who is a friend of mine back in Des Moines, Iowa. His name is Bob Thompson. He looked pretty tired that day. I said, Bob, you must be working pretty hard. He said, Greg, yesterday I went to the operating room at about 7 in the morning, I operated on 3 patients, I finished up about midnight, and every one of those patients I had to operate on to save their legs. So I asked him, were they smokers, Bob? And he said, you bet. And the last one I operated on was a 38-year-old woman who would have lost her leg to atherosclerosis related to heavy tobacco use. I said to Bob, what do you tell those people? He said, Greg, I talk to every patient, every peripheral vascular patient that I have and I try to get them to stop smoking. I ask them a question. I say, if there were a drug available on the market that you could buy that would help to save your legs, that would help prevent you from having a coronary artery bypass, that would significantly decrease your chances of having lung cancer or losing your throat, would you buy that drug? And every one of those patients say, you bet I would buy that drug, and I would spend a lot of money for it. And you know what my friend says to patients then? He says, well, you know what? You can save an awful lot of money by quitting smoking and it will do exactly the same thing as that magical drug would have done.

Mr. Speaker, my mother and father were both smokers. They are both alive today because they had coronary artery bypass surgery to save their lives. But, I have to tell my colleagues, it took an event like that to get them to quit smoking, even though I harped on them all the time. It is a really addicting product.

Mr. Speaker, I will never forget the thromboangiitis obliterans patients that I treated at VA hospitals who were addicted to tobacco. It would cause them to thrombose the little blood vessels in their fingers so they would lose one finger after another, one toe after another. I remember one patient who had lost both lower legs, all the fingers on his left-hand, and all of the fingers on his right hand, except for his index finger. Why? Because tobacco caused those little blood vessels to clot. This patient, even though he knew that if he stopped smoking, it would stop his disease, had devised a little wire cigarette holder with a loop on one end and a loop on the other end, and he would have a nurse stick a cigarette through the loop on one end and light it and put the other loop over his one remaining finger, and that is how he would smoke.

I will tell my colleagues, I have told this story on the floor before. This is a

fact. My colleagues can talk to any of the doctors that have ever worked at a VA hospital and they will have seen patients with thromboangiitis obliterans. I am not making up this story. When I spoke on the floor once before on this, I got a letter from an angry smoker who said, you are just making up a lot of stuff. I wish I were. I wish I were. Unfortunately, these are the facts, and statistics show the magnitude of this problem.

Over a recent 8-year period, tobacco use by children increased 30 percent; more than 3 million American children and teenagers now smoke cigarettes. Every 30 seconds, a child in the United States becomes a regular smoker. In addition, more than 1 million high school boys use smokeless chewing tobacco, mainly as a result of advertising focusing on flavored brands and on youth-oriented themes and on seeing some of their sports heroes out on the ball diamond or somewhere else chewing a cud. Mr. Speaker, it is that chewing tobacco that leads to the oral cancers that results in losing a jaw.

The sad fact is, Mr. Speaker, that each day, 3,000 kids start smoking, many of them not even teenagers, younger than teenagers, and 1,000 out of those 3,000 kids will have their lives shortened because of tobacco.

So why did it take a life-threatening heart attack to get my parents to quit? I nagged them all the time. It took that near death experience. Why would not my patient with one finger, the only finger he had left, quit smoking? Why do fewer than 1 in 7 adolescents quit smoking, even though 70 percent say they regret starting? And I say to my colleagues, it is sadly because of the addictive properties of the drug nicotine in tobacco.

The addictiveness of nicotine has become public knowledge. It has become public knowledge only in recent years as a result of painstaking scientific research that demonstrates that nicotine is similar to amphetamines. Nicotine is similar to cocaine. Nicotine is similar in addictiveness to morphine, and it is similar to all of those drugs in causing compulsive, drug-seeking behavior. In fact, Mr. Speaker, there is a higher percentage of addiction among tobacco users than among users of cocaine or heroin.

Recent tobacco industry deliberations show that the tobacco industry had long-standing knowledge of nicotine's effects. It is clear that tobacco company executives did not tell the truth before the Committee on Commerce just a few years ago when they raised their right hands, they took an oath to tell the truth, and then they denied that tobacco and nicotine were addicting. Internal tobacco company documents dating back to the early 1960s show that tobacco companies knew of the addicting nature of nicotine, but withheld those studies from the Surgeon General.

A 1978 Brown & Williamson memo stated, ''Very few customers are aware of the effects of nicotine; i.e., its addictive nature, and that nicotine is a poison.''

A 1983 Brown & Williamson memo stated, ''Nicotine is the addicting agent in cigarettes.''

Indeed, the industry knew that there was a threshold dose of nicotine necessary to maintain addiction, and a 1980 Lorilard document summarized the goals of an internal task force whose purpose was not to avert addiction, but to maintain addiction. Quote: ''Determine the minimal level of addition that will allow continued smoking. We hypothesize that below some very low nicotine level, diminished physiologic satisfaction cannot be compensated for by psychological satisfaction. At that point, smokers will quit or return to higher tar and nicotine brands.''

Mr. Speaker, we also know that for the past 30 years, the tobacco industry manipulated the form of nicotine in order to increase the percentage of free base nicotine delivered to smokers as a naturally-occurring base. I have to say, Mr. Speaker, that this takes me back to my medical school biochemistry. Nicotine favors the salt form at low pH levels, and the free-based form at higher pHs. So what does that mean? Well, the free base nicotine crosses the alveoli in the lungs faster than the bound form, thus giving the smoker a greater kick, just like the drugee who freebases cocaine, and the tobacco companies knew that very well.

A 1966 British American tobacco report noted, ''It would appear that the increased smoker response is associated with nicotine reaching the brain more quickly. On this basis, it appears reasonable to assume that the increased response of a smoker to the smoke with a higher amount of extractable nicotine, not synonymous with, but similar to free-based nicotine, may be either because this nicotine reaches the brain in a different chemical form, or because it reaches the brain more quickly.''

Tobacco industry scientists were well aware of the effect of pH on the speed of absorption and on the physiologic response. In 1973, an RJR report stated, ''Since the unbound nicotine is very much more active physiologically and much faster acting than bound nicotine, the smoke at a high pH seems to be strong in nicotine.'' Therefore, the amount of free nicotine in the smoke may be used for at least a partial measure of the physiologic strength of the cigarette.

Indeed, Mr. Speaker, Philip Morris commenced the use of ammonia in their Marlboro brand in the mid 1960s to raise the pH of the cigarettes, and it then emerged as the Nation's leading brand. Well, the other tobacco companies saw this rise in Marlboro construction, so they reverse-engineered and caught on to the nicotine manipulation. They copied it. The tobacco companies hid that fact for a long time, even though they privately called cigarettes ''nicotine delivery devices.''

Claude Teague, assistant director of research at RJR said in a 1972 memo, ''In a sense, the tobacco industry may be thought of as being a specialized, highly ritualized and stylized segment of the pharmaceutical industry. Tobacco products uniquely contain and deliver nicotine, a potent drug with a variety of physiologic effects. Thus, a tobacco product is, in essence, a vehicle for the delivery of nicotine.''

In 1972, a Philip Morris document summarized an industry conference attended by 25 tobacco scientists from England, Canada and the United States. Quote: ''The majority of conferees would accept the proposition that nicotine is the active constituent of tobacco smoke. The cigarette should be conceived not as a product, but as a package.'' Then they said, ''The product is nicotine.''

Mr. Speaker, does anyone believe that the tobacco CEOs who testified before Congress that tobacco was not addicting were telling the truth?

As I said, Mr. Speaker, most adult smokers start smoking before the age of 18.

□ 1430

Mr. Speaker, most adult smokers start smoking before the age of 18. That has been known by the tobacco industry and its marketing divisions for decades.

A report to the board of directors of RJR on September 30, 1974, entitled ''1975 Marketing Plans Presentation . . .'' said that one of the key opportunities to accomplish the goal of reestablishing RJR's market share was ''to increase our young adult franchise.''

First, let us look at the growing importance of this young adult group in the cigarette market.

In 1960, what did they call the young adult market? They called it ''the young adult franchise.'' What was the age group they were talking about? Ages 14 to 24. They say, ''This represents 21 percent of our population. They will represent 27 percent of the population in 1975, and they represent tomorrow's cigarette business.''

An adult, Mr. Speaker? These are 14-year-olds. Those are pretty young adults.

In a 1990 RJR document entitled ''MDD Report on Teenager Smokers Ages 14 Through 17,'' a future RJR CEO, G. H. Long, wrote to the CEO at that time, E.A. Horrigan, Jr.

In that document, Long laments the loss of market share of 14-to-17-year-old smokers to Marlboro, and says, ''Hopefully, our various planned activities that will be implemented this fall will aid in some way in reducing or correcting these trends.'' The trends they were losing market share to were in the 14-to-17-year-old age group.

Mr. Speaker, the industry has indisputably focused on ways to get children to smoke in surveys for Phillip Morris in 1974 in which children 14 years old or younger were interviewed about their smoking behavior. Or how

about the Phillip Morris document that bragged, ''Marlboro dominates in the 17 and younger category, capturing over 50 percent of the market.''

Speaking about Marlboro, I wonder how many Members have seen on television lately the commercials about the Marlboro man, narrated by his brother, who spoke about his good-looking brother, the Marlboro man. Then, at the end of the commercial, we see him dying of lung cancer.

Mr. Speaker, when Joe Camel was associated with cigarettes by 30 percent of 3-year-olds and nearly 90 percent of 5-year-olds a few years ago, we know that marketing efforts directed at children are successful.

Mr. Speaker, children that begin smoking at age 15 have twice the incidence of lung cancer as those who start smoking after the age of 25. For those youngsters who start at such an early age and have twice the incidence of cancer, for them, Joe Cool becomes Joe chemo, pulling around his bottle of chemotherapy.

If that is not enough, it should not be overlooked that nicotine is an introductory drug, as smokers are 15 times more likely to become alcoholic, to become addicted to hard drugs, to develop a problem with gambling.

Mr. Speaker, in response to this, the Food and Drug Administration in August, 1996, issued regulations aimed at reducing smoking in children on the basis that nicotine is addicting, that it is a drug, manufacturers have marketed that drug to children, and that tobacco is deadly.

Most people now are familiar with those regulations. They received a lot of press a few years ago. It is hard to think, Mr. Speaker, that 4 or 5 years have gone by since those regulations came out. Those regulations said tobacco companies would be restricted from advertising aimed at children; that retailers would need to do a better job of making sure they were not selling cigarettes to children; that the FDA would oversee tobacco companies' manipulation of nicotine.

But the tobacco companies challenged those regulations. They ended up taking it all the way to the Supreme Court. So last year, Justice Sandra Day O'Connor, in writing for the majority, five to four, held that Congress had not granted the FDA authority to regulate tobacco. However, her closing sentences in that opinion bear reading: ''By no means do we question the seriousness of the problem that the FDA has sought to address. The agency has amply demonstrated that tobacco use, particularly among children and adolescents, poses perhaps the most significant threat to public health in the United States.''

That was the Supreme Court. Justice O'Connor was practically begging Congress to grant the FDA authority to regulate tobacco.

So as I said earlier today, tomorrow we will hold a press conference. I encourage my friends to come. We have a good bipartisan group. We are going to reintroduce the bill that the gentleman from Michigan (Mr. DINGELL) and I drew up last year on this.

This is not a tax bill. It would not increase the price of cigarettes. It is not a liability bill. It is not a prohibition bill. It would not prohibit cigarettes, because everyone in the public health area knows that prohibition did not work with alcohol and it would not work with cigarettes. It has nothing to do, our bill, with the tobacco settlement from the attorneys general.

The bill simply recognizes the facts: Nicotine and tobacco are addicting. Tobacco kills over 400,000 people in this country each year. Tobacco companies have and are targeting children to get them addicted to smoking. Just look at the ads in some of the magazines that we will see, like Rolling Stone.

I think, and many of our colleagues on the floor think, that the FDA should have congressional authority to regulate that drug and those delivery devices.

Mr. Speaker, I will have to say there have been some very interesting new developments on this. Five years ago, cigarette makers howled in protest as the Food and Drug Administration geared up to regulate tobacco as a drug. But some influential players in the industry, including Phillip Morris, the Nation's largest cigarette maker, are now pushing Congress, let me repeat that, Phillip Morris is now pushing Congress to give the FDA much of the authority that it sought.

That remarkable reversal has been driven in part by a hope that government-sanctioned products could bring some legitimacy and stability to an industry that has been fighting lawsuits and declining demand in the United States.

In news stories last month, the world's biggest cigarette maker said it would support government regulation of tobacco that includes advertising limits on cigarettes, rewritten warning labels, and additional disclosure of ingredients. Phillip Morris, the maker of Marlboro, Virginia Slims, and other popular brands, presented its most detailed plan to date in response to a Presidential Commission's preliminary report due later this spring on how government should regulate tobacco.

This is from Phillip Morris: ''The company views its proposal as a starting point for discussion,'' thus said Phillip Morris spokesman Brendan McCormick. He said that the company would oppose giving regulators the power to ban cigarettes.

I repeat, there is nothing in my bill that would say cigarettes have to be banned.

In a letter responding to the Commission's proposals, Phillip Morris largely endorsed the panel's work, suggesting, for example, that the FDA is best suited to decide which cigarettes should be labeled ''reduced-risk cigarettes.''

Mr. Speaker, that is what my bill, the FDA tobacco Authority Amendments Act of 2001, does. It simply gives the FDA authority to regulate tobacco. It is not a tax bill. It does not ban tobacco. In fact, it contains a specific clause to protect against a ban.

I would like to point out to my colleagues that the Presidential commission I referred to before will explicitly state that the goal of FDA regulation ''should be the promotion of public health,'' not the banning of tobacco products.

Well, it is a new day, Mr. Speaker, when one can see Phillip Morris advertisements or visit a Phillip Morris website and find the following statements. These are statements on Phillip Morris's website:

''There is overwhelming medical and scientific consensus that cigarette smoking causes cancer, heart disease, emphysema, and other serious diseases. Smokers are far more likely to develop serious diseases like lung cancer than nonsmokers. There is no safe cigarette. We do not want children to smoke. Smoking is a serious problem, and we want to be part of the solution.''

Finally, Mr. Speaker, this is on the Phillip Morris website now, ''Cigarette smoking is addictive.''

Mr. Speaker, a poll of 800 likely voters shows overwhelming support for giving the U.S. Food and Drug Administration the authority to regulate tobacco products. The poll was conducted by the Mellman Group of 800 likely voters at the time of the Supreme Court ruling last year.

In the wake of last year's Supreme Court ruling that the FDA does not currently have the authority to regulate tobacco, the poll also shows that two-thirds of voters would prefer a candidate for Congress who supports legislation granting FDA authority over tobacco to a candidate who opposes such legislation. By a three-to-one margin, 75 percent to 25 percent, voters want Congress to pass a bill that would give the FDA the authority to regulate tobacco products, including 61 percent who strongly favor congressional action.

That support crosses all geographic, demographic, gender, and political lines with voters from every region, every age bracket, income group, educational level, and political party favoring FDA regulation. Even 60 percent of smokers favor congressional action. Let me repeat that: Even 60 percent of smokers want Congress to do something on this.

Congressional action is supported by 78 percent of Independents, 77 percent of Democrats, 70 percent of Republicans, including 65 percent of conservative Republicans. Support for congressional action is especially strong among key voter groups of suburban women, 80 percent of whom say it is important that Congress pass a bill giving the FDA authority to regulate tobacco products.

Mr. Speaker, voter support of FDA regulation is not surprising, given the electorate's acute concern over the use

of tobacco by children. Eighty-eight percent of voters say they are at least somewhat concerned about youth tobacco use, including 60 percent who say they are very concerned. Among suburban women, 70 percent say they are very concerned about youth tobacco use.

Mr. Speaker, this poll shows voters want Congress to act. They are sending a message to Congress: Protect our kids, and not the tobacco companies. Voters clearly agree with the view that tobacco use is the most significant public health threat in the United States. They are telling us loud and clear they want Congress to enact legislation like the bill myself and the gentleman from Michigan (Mr. DINGELL) which would grant the FDA authority to regulate tobacco and protect America's families and children.

Mr. Speaker, it is now up to Congress to provide strong protections for America's families. I ask my colleagues to join me in fighting America's number one health care threat, the death and morbidity associated with the use of tobacco products.

So as I finish, Mr. Speaker, let me just show a few of the recent cartoons that we have seen. Here are two little kids looking at this billboard. It says, ''Yes, smoking is addictive and causes cancer, heart disease, emphysema, and other serious diseases.'' Then we have this beautiful lady in a bikini. The little boy is saying to the little girl, ''What exactly is the message here?''

Finally, Mr. Speaker, here is big tobacco standing giving a talk with their own chart that says, ''Fantastic Lights. Warning, these babies will kill ya,'' and big tobacco says, ''. . . and as a good-faith gesture . . .''.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 327, SMALL BUSINESS PAPERWORK RELIEF ACT

Mr. HASTINGS of Washington (during the special order of Mr. GANSKE), from the Committee on Rules, submitted a privileged report (Rept. No. 107–22) on the resolution (H. Res. 89) providing for consideration of the bill (H.R. 327) to amend chapter 35 of title 44, United States Code, for the purpose of facilitating compliance by small businesses with certain Federal paperwork requirements and to establish a task force to examine the feasibility of streamlining paperwork requirements applicable to small businesses, which was referred to the House Calendar and ordered to be printed.

□ 1445

ELECTION OF MEMBER TO COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

Mr. TURNER. Mr. Speaker, I offer a resolution (H. Res. 90) and I ask unanimous consent for its immediate consideration in the House.

The SPEAKER pro tempore (Mr. CANTOR). The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 90

Resolved, That the following named Member be, and is hereby, elected to the following standing committee of the House of Representatives:

Committee on Standards of Official Conduct: Mrs. Jones of Ohio.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

THE BUDGET AND TAXES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Texas (Mr. TURNER) is recognized for 60 minutes as the designee of the minority leader.

Mr. TURNER. Mr. Speaker, during this next hour of Special Order time, a group of House Democrats known as the Blue Dog Coalition would like to talk about the subject of the budget and taxes. The Blue Dog Democrats led the effort during this past week to try to urge this Congress to adopt a budget first before we take the important votes on tax cuts for the American people.

The Blue Dogs and the 33 Members that are members of that coalition believe very strongly that our future prosperity depends upon our ability as a Congress to stay on the course of fiscal responsibility.

In order to provide tax cuts to the American people, in order to ensure our future prosperity, we believe that we must look at the whole budget picture of the United States before we can determine what size tax cuts we can afford.

The Blue Dogs as fiscal conservatives want the largest tax cut that we can afford. We believe very strongly that we need tax relief, and we want to vote for tax relief for the American people; but we also understand very clearly that it is important to give equal priority to paying down our $5.5 trillion national debt.

A lot of folks do not understand all of this talk about the national debt. Why does it matter? The truth of the matter is, you might conclude that the Congress and the Presidents for the last 30 years did not understand it either, because the Congress and the Presidents who have served over the last 30 years are the ones that created the $5.5 trillion national debt by running deficit spending in every year in those last 30 years. Only last year did the Congress and the President see a balanced Federal budget.

For the first time, we have been able to return this country to a course of fiscal responsibility and the Blue Dog Democrats believe very strongly that we should not return to those days of deficit spending.

There are basically two ways we can return to deficit spending in this country. We can start spending too much money, and if we do not hold down spending, we are going to see deficits return.

Another way we can return to deficit spending is to cut taxes larger in a larger amount than we can actually afford, because both spending and tax cuts, if pursued in excess, will result in deficit spending on an annual basis by the Federal Government and return us to those days from which we just departed only last year.

Some people say, how big is the national debt? Frankly, the number is $5.6 trillion, but I have no way of fairly reflecting to you how much $5.6 trillion is, except to tell you that it is a whole lot of money. And it is going to take us a long time of fiscal discipline to pay it down.

Now, when I was a boy growing up, my dad always told me that the first order of business in terms of managing my finances is to pay my debts. I think the Federal Government should operate by the same maxim, pay our debts. After all, the debts that we are unwilling and unable to pay today will be paid some day by the younger generation who will follow us.

Our Federal Government, we are told, has a surplus. But do you realize that the surplus that we are talking about is only an estimate of what may occur over the next 10 years? The surplus is only an estimate. There is no place in Washington where you can go to a lock box or to a safe and find the surplus. It is an estimate of what may happen.

The surplus from last year was the first we have had in 30 years. It is very small. The surplus we are going to have this year is a little bit larger, but when you hear these optimistic discussions about tax cuts coming your way based on the surplus, keep in mind it is only an estimate of the surplus.

The surplus estimates we are talking about over the next 10 years largely comes in the second 5 years of this decade. Very little of the surplus comes in the short term.

When I was in a town meeting in my district in east Texas a few months ago, I was trying to explain all of these numbers, and a gentleman in the back row in overalls stood up and he said, Congressman, how can you folks in Washington talk about a surplus when you owe over $5 trillion? Frankly, he stumped me for a few minutes.

It is hard to imagine how we can talk about a surplus when we owe over $5.5 trillion. But that is what we are doing. In fact, if all the numbers on the projected surplus turned out to be true and we enacted the President's tax cut, it would be the last tax cut we could vote on in this Congress for the next 10 years, because it would virtually spend the entire surplus that is estimated to show up in Washington.

I have a chart here to my right that depicts a little bit about the uncertainty of that surplus. The surplus that I want to talk to you today about is the non-Social Security surplus, because we have surpluses projected over the next 10 years in the Social Security trust fund. We have surpluses projected in the Medicare trust fund; but Congress, at least half a dozen times in the last year, has voted that we should never, ever again spend the Social Security or the Medicare trust fund surplus. And we should not.

When the baby boomers begin to retire, and I am one of them, we are going to see a real financial crisis in Washington, because the Social Security trust fund and the Medicare trust fund, whose funds have been used during all these 30 years of deficit spending to finance things other than Social Security and Medicare, those funds are going to be needed.

Mr. Speaker, in fact, in about 14 years, for the first time in our history, the payroll tax that is collected to pay your Social Security and mine will be less than the amount of money we spend every year for Social Security benefits. You may say we have been real lucky for a long time.

We took more in payroll taxes every year than we paid out in benefits, but that is going to change in the year 2014.

Some people wonder what is the deal on this trust fund if you all have been taking all of this money in. Where is the money? Frankly, there is no money in the Social Security trust fund. It has been used for other things. The Social Security fund, if you went and looked at it today, it simply is an IOU backed by the taxpayers of the United States saying all that money that we borrowed we are going to promise that we will put it back some day, and it is backed by the taxing power of the Federal Government.

It does not sound too promising for those of you who are here who are under 30, because you are the ones that have to figure out how to pay it back if your Social Security is going to be there for you.

The Blue Dog Democrats believe we need to start now to pay back that money that we borrowed from Social Security and borrowed from Medicare and get ready for the retirement of the baby boomers when the Social Security trust fund is going to be the biggest financial problem faced by the Federal Government.

The Social Security Administration estimates that by 30 years from now, that if we kept everything the same, the same Social Security benefits for everybody, we would have to have a payroll tax that equalled 50 percent of your payroll check.

Now, you know we are not going to have a 50 percent tax on your paycheck to support Social Security, but it simply indicates the degree of the crisis that we are going to face as more and more people retire and become eligible for Social Security. In fact, in about 50 years, there will be two people collecting Social Security for every 1 person that is working in the workforce.

That is the real problem that Washington needs to be talking about. I think you can see from the discussion thus far that to say we have a short-term, 10-year estimated surplus that may not show up yet is telling only half the story. Because if you look out about 30 years, there is no surplus. Let us talk about 10 years.

This chart shows the 10-year non-Social Security surplus projections. The Congressional Budget Office has given us the estimate that there will be $3.22 trillion in surplus over the next 10 years. That is their estimate.

They also warn us that they could be wrong. They say they could be wrong because it could be more than that. Their most optimistic projection is that there will be a $6 trillion surplus outside Social Security and Medicare over the next 10 years. Their most pessimistic scenario is that we will be back into deficit spending by half a trillion dollars. That is without any tax cuts, by the way. This is just going forward like we are going now.

You can see the unreliability of the estimate of the surplus that everybody in Washington seems so anxious, as we say, to give back to the American people.

To be honest about the rhetoric, you cannot give back something that you do not even have yet. We do not have that surplus yet. It is a projection, and an iffy projection at best.

Here is the chart that shows you a little bit about the projected surplus, even assuming that the surplus turns out to be just as projected. Forget about the uncertainty, 84 percent of the projected non-Social Security surplus comes after the next Presidential election.

I have heard some people tell me that folks in Washington might be a little bit bold to suggest that we are going to project the surplus for the next 10 years and we are going to give 80 percent or 90 percent of that in the tax cut which, as I said, would be the last tax cut we could vote on for 10 years if the projections even turned out to be true, because the truth of the matter is, 84 percent of the surplus occurs after President Bush's first term.

Mr. Speaker, now, a lot of us may not be here to see these numbers in future years, the average tenure for a Member of Congress is about 6 years, and there may be some folks who are serving here in later years who might also like the opportunity to vote for a tax cut. But if we go down the course that the President is proposing, and even if the numbers turn out to be true, we are going to spend all of this surplus estimated for 10 years in one tax cut.

Some people say that is just not fair. Others behind us may have an interest in voting on tax cuts, too. Some have suggested that perhaps a tax cut to spend the surplus that is going to accrue over the next 2 years, 3 years, or 4 years might be an appropriate thing for us to do. But to think about granting tax cuts based on a surplus that is not here yet, that will not arrive for 10 years, may be a little bit more than this Congress should be doing.

□ 1500

The next chart looks ahead 5 years and then looks back and shows us how far off the projections have been in the past. Now I should have mentioned when I started showing my colleagues these charts where they came from. They are not charts that I put together or anybody in the Blue Dog Coalition. All of these charts were provided to us by a nonpartisan group called the Concord Coalition.

The Concord Coalition is made up of a respected group of business executives who try to provide the Congress the truth with regard to these numbers. The Concord Coalition has brought these charts to the floor to allow us to show you what they project with regard to the surplus and the tax and the budget issue.

So here are the projections, and it shows us how far off they have been in the last 20 years. Fortunately, in the most recent time frame, the estimates by the Congressional Budget Office have been conservative, and we have had larger surpluses than were projected. But in all of the years prior to 1995, the surpluses or the estimates of the Federal financial condition was off, and it was off in the wrong direction; and we found out that there were deficits there that the Congressional Budget Office had not projected.

In order to have surpluses into the future, the economy has to stay strong, because the budget projection is based on an assumption about economic growth. The Congressional Budget Office, when they told the Congress a month or so ago that we are going to have a surplus, were estimating that the economy was going to continue to grow at close to the rate that it was growing about a year ago.

I know all of my colleagues have seen what is happening to the economy, and right now they say that growth is zero. If growth is zero and stays there very long, all of these estimates of the surplus are going to be flown out of the window because they will not be worth the paper they are written on.

This chart shows us based on the past track record of the Congressional Budget Office for 5-year projections what the variation could be in the estimated surplus just for the next 5 years, not the next 10, just the next 5.

Here we are at the year 2001. We have been given this optimistic projection of a surplus right here on this middle line. But the CBO says, well, it could be up here; and it could be down here. Should we bet the future on a surplus estimate that is as uncertain as this is, even in the hands of the Congressional Budget Office that prepared it? I think not.

Here is what some of the experts have to say about the estimate of the

surplus. The Congressional Budget Office that prepared it says looking forward 5 or 10 years allows the Congress to consider the longer-term implications of policy changes. But it also increases the likelihood that the budgetary decisions will be made on the basis of projections that later turn out to have been far wrong. That is the folks that prepared the estimate.

How about the Controller General of the United States, David Walker. He recently warned members of the Senate Committee on the Budget, and I quote, ''No one should design tax or spending policies pegged to the precise numbers in any 10-year forecast, no matter who prepares it.''

Let us read what Alan Greenspan, the chairman of the Federal Reserve Board, told the Congress, specifically the Senate Committee on the Budget on January 25 of this year. Mr. Greenspan said, ''Until we receive full detail on the distribution by income of individual tax liabilities for 1999, 2000, and perhaps 2001, we are making little more than informed guesses.'' Informed guesses. That is what your Congress is using to determine the financial future of your Federal Government.

We have several other Blue Dogs here who are well versed on some of these issues, and I want to recognize the gentleman from California (Mr. SCHIFF). He has worked long and hard on trying to balance the budget; and I know he is as familiar as I am, if not more so, with some of these statistics.

Mr. Speaker, I yield to the gentleman from California (Mr. SCHIFF) to talk to my colleagues a little bit more about this very critical issue.

Mr. SCHIFF. Mr. Speaker, we had in the past decade the fiscal discipline to continue paying down the national debt of this country. Although there is much debate about what credit the previous administration ought to have for the incredible economic successes of the last decade, I think it is plain that one of the most significant things that that administration did was get our fiscal house in order; was continue paying down our national debt; was maintaining the discipline that kept interest rates low; that made homeownership possible for hundreds and thousands of families across this country that had never enjoyed the benefits of homeownership, by allowing them to have mortgage payments that they could make by keeping their families together under one roof.

Our successes I think over this last decade are owing in some strong measure to that discipline. Now that discipline is never easy to maintain. It is not easy to maintain when times are difficult when we would rather spend the money on programs that will help people that are hurting in this country. It is not easy to maintain that discipline in the good times.

One of the things that I admire about the Blue Dogs and the reason that I joined, as a new Member of this Congress, the Blue Dogs is that they have consistently fought in good times and hard times not to lose sight of the need to pay down this debt in this country.

The surplus that we are enjoying is our surplus, the American people's surplus. The debt that hangs over our heads is the American people's debt. More accurately, much of the surplus that we enjoy is owing to the people that went before us, to our parents' generation who made the sacrifices, who built the universities, the roadways, the waterways, the infrastructure in this country that made this period of prosperity possible.

It is their money as much as our generation's. It is their Social Security and their Medicare that are underfunded.

We talk about a surplus in Social Security. Well, I suppose if we look at today, we can call it that. But if we look at the 75-year life of Social Security, what at the moment looks like a surplus over 30 years or over 75 years looks like a $30 trillion deficit.

Maybe we should be talking about the Social Security deficit. What are we going to do about that? The only plan we have for dealing with Social Security solvency is the abstract idea that we will come together on some reform in the future. We do not know what that reform is going to look like. We do not know what the reform of Medicare is going to look like. We do not know, as we stand here today, what the budget looks like.

Yet, here we are making plans for tax expenditures over the next decade and beyond based on projections of the surplus that may or may not materialize, that even the people who gave us those projections say are at best informed guesses about the future; and we are ready to bet the farm on those guesses when we have no plan for Social Security and Medicare.

So I became a member of the Blue Dogs because they are committed to making sure we maintain the discipline in good times and in bad times to pay down that debt, that we consider that we are, not only talking about our parents' generation, the people who made this prosperity possible, but we are talking about our children as well and their future. Because, while it is the American people's surplus and the American people's debt, it is our children's future that we are talking about. If that debt goes on, if that debt grows, it is not you and I who will pay it. It is our children and their children.

So here today we have to talk about those that will come after and think about those who come after while we stand so ready to take credit for surpluses that will not materialize for 5 or 10 years.

Now, we have a tax plan; and we will have a major tax cut this year, and we should. And we should. The question is how large should that tax cut be? How large prudently can it be?

What I think we ought to be debating just as vigorously, though, that I hear so little about in this Congress and this administration is what is our economic plan. Tax policy is simply one part of an economic plan and the economists say not even the most significant part. There are limitations to what we can do with fiscal policy in terms of our economy.

Now we lost massive, multitrillion dollar equity in the stock market this week. There are a lot of Americans very concerned about the downturn in this economy and what it means to their families. Many thousands of Americans have already lost their jobs.

What is the economic plan of the administration and the Congress? How does this tax proposal fit into that plan? The reality is there is no plan. There is no plan.

It is far more important that we focus here and now on what we can do to turn around these recent downturn signs, that we can put ourselves back on the road of incredible prosperity which we have traveled down for the last 8 years. We have to start focusing on the economy and what is our economic plan.

So I urge the Congress and all Americans, let us turn our attention together in a bipartisan way, in a bipartisan tradition that the Blue Dogs represent to finding a tax cut that works for all of the American people that is the size that we can afford that does not squander the investment that our parents made, and their Social Security and Medicare and does not squander the investment that we owe our children in good schools and in their future and in low mortgages and giving them the American dream of homeownership.

Let us work together across party lines and do what is right for this country over the long term.

Mr. TURNER. Mr. Speaker, the gentleman from California (Mr. SCHIFF) has shared, I think, the thoughts that all Blue Dogs share, and that is the importance of fiscal responsibility and the importance of paying down debt as well as providing tax relief to the American people.

One of the members of the Blue Dog Coalition who has been the most eloquent and outspoken on the issue of public debt and the importance of trying to deal with the public debt while we have the opportunity is the gentleman from Mississippi (Mr. TAYLOR).

Mr. Speaker, I yield to the gentleman from Mississippi (Mr. TAYLOR) to discuss this issue.

Mr. TAYLOR of Mississippi. Mr. Speaker, I want to thank the gentleman from Texas (Mr. TURNER) for yielding to me. I want to thank the young people and not-so-young people in the audience today. I hope I can make this halfway interesting. And since you cannot talk back to me, I am going to pretend like you can.

Now, I have town meetings in south Mississippi. I try to have at least two a month. On almost every instance, somebody in the crowd says, Gene, you know, we would have plenty of money for all those really important things,

like taking care of our military, taking care of military retirees, building roads, educating kids if you just did not waste so much money.

So I am going to pretend like one of you all said that. I would counter by saying, and probably shocking you when I told you that the most wasteful thing our Nation does, we squandered $1 billion yesterday, the day before that, the day before that, tomorrow, and every day of the rest of our lives on interest on the national debt.

Now think about it. If you were to come down to Pascagoula, Mississippi, a town I am very proud to represent, and go to Greenville Ship Building, you would see that we are one of two suppliers of naval destroyers, surface ships, for our Navy. The DDG 51, the greatest destroyer in the world, half of them are built in Greenville Ship Building.

And if you were to see a DDG 51 loaded with weapons, loaded with fuel, getting ready to set sail, to go join the fleet, you would probably know that one of those destroyers cost about a billion to build. Yet, we only built three of them last year because the folks in this House, the Committee on the Budget, said, Well, we do not have enough money to build destroyers. But we had enough money to spend $1 billion a day on interest on the national debt.

Now, let me show you, I do not get any great kick out of showing this to people, but I think it is important for Americans to visualize. When you think of 5.7 of anything, whether it is biscuits or dollars, it does not seem like many. So 5.7 trillion probably does not sink in until you look at it.

That is $5,735,859,380,573.98 that your Nation was in debt on the last day of last month. So when the President or the Speaker or anybody in this town, and many reporters get caught up in this game that there is a surplus, tell you that there is a surplus, I would remind them, this is coming straight out of the United States Treasury figures. That is how broke we are.

Now, what is really frightening for you young people is, on the day you were born, if you were born before 1980, our Nation was less than 1 trillion in debt. So the debt has grown just in the past 21 years by over $4.700 trillion.

Now, how does that affect you? Well, think about it. If we go to war tomorrow, you 18-year-olds, who is more likely to fight in it, me or you? You, because you are 18, and I am 47. If the schools get messed up, who is more likely to suffer, me or you? Again you, because you are still going to school; and I doubt I will ever go back to school. And if we run up horrible debts as a Nation, who is going to pay the interest on it the longest, me or you? Once again the answer is you.

□ 1515

Mr. Speaker, that is why I get disturbed when young people do not take time to vote because they are getting stuck with this bill. The politicians in Washington are telling you that they are paying this debt down, and they are lying to you. I use the word ''lie'' because to intentionally mislead the public is to lie.

Since September of last year, the public debt has grown by $61 billion. $61 billion, guys, with a ''B,'' $61,681,170,687.12. We could have built 61 destroyers for that. We could have built 12 aircraft carriers for that. There is no telling how many miles of highway or how many schools we could have built to help improve the lives of people, how much veterans' health care we could have provided. The entire veterans' health care budget for our entire Nation is only $20 billion a year. But that is the increase in the national debt, and a billion a day is squandered on the interest on the national debt, the most wasteful thing we do.

Now I see some of you not-so-young folks in the audience who are probably close to Social Security age.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. CANTOR). The Chair must remind the gentleman from Mississippi to refrain from speaking to the gallery. All comments should be directed to the Chair.

Mr. TAYLOR of Mississippi. Okay, guys, they called my bluff, I cannot speak to you anymore.

Mr. Speaker, for those Americans who are paying into the Social Security system and have paid into it, some a lot longer than others, you would probably be shocked to know that our Nation owes the Social Security trust system $1.7 trillion. That is money collected out of every working American's paycheck with the promise starting in the Reagan years, a Democratic House, a Republican Senate, a Republican President which promised that money would be set aside for retirement. They took the money, but they did not set it aside for retirement, it was spent on other things, and the Nation now owes the Social Security trust system $1.7 trillion.

At the same time, they increased the fees on Medicare. It is a line item on pay stubs, and they are taking money out and setting it aside. It is supposed to help subsidize the cost of your health care after you reach 65. It will not pay for all of it, but it helps a great deal.

Right now our Nation owes the Medicare trust fund $229.2 billion. Right now. The much-vaunted lockbox that my colleagues talk about, if you opened it up, you would discover it is nothing more than Tupperware; and if you opened it up, all you would find is an IOU for $229 billion.

How many Americans have devoted their lives to defending our Nation? In my life time there was a war in Vietnam. There was the invasion of Grenada, there was Desert Storm, Panama, Kosovo, Bosnia. Americans are risking their lives today; there was a horrible accident that took place in Kuwait just 2 days ago which reminds us how dangerous that job is. And they are in some really crummy places. They are in some nice places like Biloxi, but they are in some crummy places like Bosnia and Kosovo right now where it is cold, no fun whatsoever.

But the promise made to them is that you are not going to make as much money as you would if you were working in the private sector, but we are setting aside a good chunk of money so you will have a better-than-average retirement.

It is sad to find out that of the money set aside, our Nation now owes them $163.5 billion. There is not a penny in that account. It has been spent on other things, and yet the President and the majority leader and others will tell us there is a surplus. When you owe a trillion here, $229 billion here, $163 billion here, you do not have a surplus, and it gets worse.

What about all of these nice folks who work at the Capitol, one of whom gave his life defending a Congressman's life a couple of years ago. They pay into a public employees' retirement system with the promise that money is set aside and spent on their retirement. They would be very disappointed to find out that our Nation owes the Civil Service Retirement System $501.7 billion. So again, where is this surplus that people keep talking about.

The truth is that there is no surplus, and the truth is I think one of the reasons Americans are disillusioned with their government is for too long politicians have been promising them a surplus when there is not. They have been saying everything is rosy when it is not.

I think the best Americans are those Americans who tell the truth, and I think it is time for this Congress to rise to the occasion and tell the American people the truth. And before we do anything else, before we make any new promises, let us fulfill the promise to Social Security that we already made. Let us fulfill the promise to Medicare that we already made, and let us fulfill the promise to our military retirees that we have already made, and let us fulfill the promise to civil service that we have already made.

Mr. Speaker, I had a nice lady from home write me and say I would like to have that tax break, and put the money back in Social Security. Mr. Speaker, you cannot do both. Last year's surplus when you pulled out the trust fund surplus was only $8 billion.

Now $8 billion to me is a lot of money, but it was not really $8 billion because there were some accounting gimmicks; just as if you chose not to make your mortgage payment 1 month and the mortgage was $1,000, and you decided at the end of the month, I have a thousand dollar surplus. No, you have a thousand dollars more that you owe on your mortgage, and you have to pay $2,000 next month to break even.

Mr. Speaker, one of the tricks that was played last year that I am furious,

we normally pay the troops on September 29, a Friday. Almost half of the force now is married and a great many, almost half, have children. So you have a lot of young guys, onesies, twosies, threesies, fours who do not make much money who have one, two or three children. That is tough to do on an enlisted man's salary.

One of the gimmicks that the Republican majority passed last year was to delay their pay to October 1. Now for a Congressman, we make plenty of money. If you delay my pay for a couple of days, I am going to do okay. But for an enlisted guy, that means a weekend of digging around under the couch for nickels and dimes for baby formula and Pampers just so they could move that account from last fiscal year to this fiscal year so they could show that $2.5 billion pay period like they saved that money. They did not save that money. So the $8 billion surplus was only $5.5 billion, and that is one gimmick that I caught. No telling how many others there are.

But they are the party that keeps saying that they love the troops. Doggone it, if you love the troops, pay them on time.

Mr. Speaker, how about replacing some of that old equipment. All of the folks who have been talking about a surplus, they have been in the majority for 6 years. And in the 6 years that the Republicans have controlled the House and the Senate, the United States fleet has shrunk from 392 vessels to 318. But they keep telling us they are for a strong national defense. If they are for a strong national defense, why do we have 74 fewer ships than when we started?

The Constitution says it is Congress' job to provide for an army or a navy. No money may be spent from the Treasury except by appropriation from Congress. Would it have been nice if the President had asked for more ships? Absolutely. But last year the Republican Congress did not even build as many ships as Bill Clinton asked for. Now, I think that is a shame, and I think we could do a heck of a lot better.

Let us take the last thing I want to mention before I turn this thing over. When they say we have all this surplus, if we have a surplus why are so many young American 18-, 19-, 20-year-old Marines and Army personnel riding around in 20, I am sorry, 30-year-old helicopters? If my colleagues were to go out today and see a Hughey flying over with Army and Marine markings on it, if they are lucky, they will be looking at one of the new ones. The new ones were built in 1972. If they look up and see one of the helicopters with the twin rotors on top, which is the CH–46 or CH–47, depending on which branch of the service, again if they are seeing one of the new ones, it was built in 1972.

So all these folks out there telling us we have a surplus cannot find the money to replace 30-year-old helicopters that young Americans are defending us with right now, risking their lives in right now, but they say they have enough of a surplus for tax breaks. I say they are wrong.

I say the most important thing we can do is to defend our Nation. I say the most important thing we can do is keep our word, quit lying to the American people about the true size of the deficit, and, yes, the most important thing we can do is keep our word to the folks who paid into Medicare, the folks who paid into Social Security, the folks who paid into the military retirement trust fund, and the folks who paid into the civil service retirement fund. Let us pay back the money we owe to them before we start making any new promises to any other Americans.

Mr. Speaker, I thank the gentleman from Texas (Mr. TURNER) very much for the time.

Mr. TURNER. Mr. Speaker, I thank the gentleman from Mississippi. I always am amazed at the common sense and clarity with which the gentleman speaks about the very complicated subject of the debt of the United States.

I think most people fail to recognize how much we owe to the Social Security trust fund, the Medicare trust funds, the government employees' trust fund, and the military retirees' trust fund. Those are debts that are going to come due some day and those dollars are going to be needed, and a part of that projected future surplus certainly needs to be put back in to those trust funds to be prepared for those retirements that will inevitably occur.

I am also pleased to have on the floor today a gentleman who is a very active member of the Blue Dog coalition, a prominent member of the Committee on Ways and Means, the gentleman from Tennessee (Mr. TANNER), who will address these issues.

Mr. TANNER. Mr. Speaker, I thank the gentleman for yielding to me, and I want to commend the gentleman from Texas (Mr. TURNER), the gentleman from California (Mr. SCHIFF), the gentleman from Mississippi (Mr. TAYLOR), and others who have come out here this afternoon on the floor to talk about the Nation's debt.

The Blue Dogs agree that Americans are overtaxed, but we will always be overtaxed as long as we have a billion dollars a day in interest going out and as long as we have a 14 percent mortgage on this country. That is one of the reasons we are overtaxed. What we want to do as Blue Dogs is to try to keep our eye on the ball and to retire some of this horrendous national debt that we are leaving to those young people. That is how we give them a tax break. They do not have a voice here now. They cannot vote.

It is up to us and this generation to protect not only our own country, as the gentleman from Mississippi so eloquently pointed out with respect to the military, that we need to support in a manner that we have not been able to find ourselves in a position to do, but we also need to look out for the young ones coming along and not burden them with $5-plus trillion of debt with an interest bill of $1 billion a day.

Now, the other point I would like to make is that the House leadership is asking this country to take a risk that we do not have to take right now. All of these budget projections we have heard about are, by anyone's definition uncertain, speculative in some regards. But more than that, the money is not here. It is not real. It is not even supposed to come in, except over the next 10 years. And then only 29 percent of it is supposed to show up here in the next 5 years, beyond our new President's term of office. Yet we are asked on the floor last week and again probably next week to start spending money, in either a tax cut or some other way, money that has not even shown up yet.

Any prudent businessperson, any person who is a head of a household, a family, I do not think would put his or her family at risk to the extent that we are being asked to do, nor would they put the country at risk or their business at risk if they had a vote here. And this is a risk that we are being asked to take on their behalf that we do not have to accept. We do not have to accept just what those who have more votes in this House than we do say.

□ 1530

We say, let us wait and see where we are. We can do a tax cut that we can afford, and we want to do that. We can do some spending on the military, on agriculture, on education, on medicine that the country desperately needs if we do it across the board in a businesslike fashion with a budget in place so that we at least have some idea of what the trade-offs are going to be. Had we rather retire debt or had we rather continue to pay a billion dollars a day in interest and have our young men and women in the armed services of this country flying around in 30-year-old helicopters? I do not think that is a very hard choice, but until we get a budget so that we know what the trade-offs are, we are flying blind, so to speak, as some of those young men and women are in these 30-year-old helicopters. That is an unacceptable risk to them, it is an unacceptable risk to us and to these young people that are here today, and in my view it is an unacceptable risk for our country.

What we are saying, basically, is two things: one, we are overtaxed and we always will be as long as we are carrying around this 14 percent mortgage on our country; and, secondly, we need a business plan in force and in effect so that we know and we hopefully can make some intelligent trade-offs as to how much of the money that belongs to the people that we should return to the people which we want to do, but, more importantly, what are the needs of this country.

I serve on the NATO parliamentary assembly which is the civilian arm of the NATO military alliance, the North Atlantic Treaty Organization, which as many of my colleagues know came into being after World War II. I have been to several countries as a result of that duty, and I have yet to see a country anywhere on this planet Earth that is strong and free and is broke. There is not one, there never has been one, and there never will be one.

That is why we sound like Johnny one-note on retiring some of this debt. That is why we say, keep your eye on the ball, Congress; continue to pay down the debt. As we can afford and as the money shows up, let us return it to the people who earned it, but let us also take care of the needs of this country and the people who live here. Let us take care of the medicine needs that people have, particularly the aged population, with a prescription drug benefit. Many people need that and need it desperately. There is no reason we cannot do it if we do things across the board with known trade-offs as to where we are and where we are going.

In my own business at home with my brothers and my father, I would not take a risk that we are being asked to take when we have these tax bills come through the House here without any budget. I do not think that you want us to take that risk. As I have said, at the pain of repeating myself, it is a risk the country does not have to take right now. We can do better than what we have done. We should do better than what we have done. And if we can get the support of people who believe that retiring debt and not taking heedless or unnecessary risk is important to the country, it is a fight that we hopefully can eventually succeed in.

Mr. Speaker, I want to thank the gentleman from Texas again for taking this time this afternoon and allowing some of us to come down and talk about the priorities of the country and talk about the children of this country and the education that they must have for this country to remain strong and free and also to try to put as best we can the financial integrity of the United States Treasury back where it rightfully belongs.

Mr. TURNER. I thank the gentleman from Tennessee, and I appreciate his commitment to trying to restore fiscal responsibility to our Federal Government. It would seem to me that after 30 years of deficit spending when we only last year saw the first surplus in 30 years, that we could somehow, some way figure out how to stay on the course of fiscal responsibility and continue to not only run surpluses but to be sure that we are paying down that $5.7 trillion national debt that the gentleman from Mississippi talked about a few minutes ago, to allow us to be prepared for the real financial crisis that is coming in the next few years when the baby boomers begin to retire and the Social Security system and the Medicare system experience the great strains that will come with the large number of people who will be over 65 and eligible for their Social Security and their Medicare.

We talk a lot about projections. The projection of the estimated surplus is no more than a projection, as the gentleman from Tennessee pointed out. It is not here yet. It may never be here yet. But what we do know for certain, and it is indisputable, that there will be many, many people retiring in just a few years that will cause the Social Security system to very quickly become insolvent unless we decide now, in advance, how to fix it.

Blue Dog Democrats have worked hard to try to urge this House to debate and adopt a budget first before we have votes on major tax cuts, because no businessman and no head of household of any family in this country could ever determine how much is available to spend until first they sit down and draw up a budget and stick to it. This House needs to do that. The Senate, on the other hand, has already agreed that they will adopt the budget resolution before they vote on tax cuts. In the House, it seems that it is more important to create the appearance of having tax cuts pass than it is to deal with it in a realistic way to ensure that the fiscal soundness of the Federal Government is preserved for the future.

We are in very difficult economic times. The stock market seems to go up one day and down the next. Many people have said we need tax cuts. Frankly, we all want to see taxes reduced. But the bulk of the surplus that we are talking about in Washington for tax cuts is not here now, and it will not be here for several years. Eighty-four percent of the projected surplus over the next 10 years arrives after President Bush's 4-year term in office. So we do not have a lot of surplus to be spending, or to be giving back in tax cuts. The surplus estimate may never arrive. In my view, the best thing we can do for economic stability in this country is for Washington to show that we know how to balance our books, we know how to get ready for the looming crisis in Social Security and Medicare, we know how to prevent this country from going back into deficit spending, we know how to pay down the national debt so we can quit paying a billion dollars a day in interest payments and so that we can see the lower interest rates that every economist agrees will occur if we will pay down the national debt.

I read the other day that interest rates could go down 2 percent over the next 10 years if we could pay down the publicly held portion of the national debt. That would be a wonderful thing. If you are trying to buy a new home and you have borrowed $100,000 to do it, 2 percent lower interest rates means $2,000 a year to you. If you are trying to expand your business and you find out that you need to borrow $100,000 to do it, 2 percent lower interest rates means $2,000 in savings to your business.

For the average family under anybody's tax cut proposal, they are not going to see $2,000 a year from tax cuts. You have got to be up in the upper-income limits to get $2,000 a year. The Blue Dog Democrats say a combination of responsible tax cuts and paying down debt will put more money in the back pocket of most American families than tax cuts alone, because we will get lower interest rates from paying down debt and more importantly perhaps is we will prepare for the retirement of the baby boom generation to ensure that there is no looming financial crisis facing this country. That is the Blue Dog message. That is what we are going to fight for. That is why we believe we need to have a budget debate and a responsible budget with spending caps before we decide how big the tax cut can be.

Democrats in this House want the biggest tax cut we can afford. But we have not decided yet how much we really can afford. We have never had a budget debate. We have never passed a budget. It does not matter whether the President sends over a budget and says we are going to hold spending to 4 percent a year, or it does not matter whether I send one down here on the floor of the House. The way this place works is we debate it out, we have different points of view, and at the end of the day we take votes. It is that process that determines what the Federal Government's budget will be. Until you do that, until you go through that battle and you decide how much you are going to set aside for Medicare, Social Security, prescription drug coverage, national defense, education, paying down debt and tax cuts, there is no way you can determine how big a tax cut you can afford. That is what the Blue Dogs are fighting for in this House. That is the message of fiscal responsibility that we intend to carry throughout this debate.

Mr. Speaker, I would like to yield the final portion of our time to the gentleman from California (Mr. SCHIFF), who has another subject that he would like to address to this House.

CONDEMNING DESTRUCTION OF PRE-ISLAMIC STATUES IN AFGHANISTAN

Mr. SCHIFF. Mr. Speaker, I thank the gentleman from Texas for yielding me a little time at the end of the afternoon.

Mr. Speaker, I rise today to condemn a deplorable act that has taken place halfway around the world with repercussions on our ability to protect the world's heritage and to preserve world history for future generations.

On February 26 of this year, the Taliban ordered the destruction of pre-Islamic statues in Afghanistan, among them a pair of massive Buddhas carved out of a mountainside and towering over 100 feet. Two days ago, on March 12, UNESCO's special envoy to Afghanistan confirmed what the international community feared most, the complete destruction of the 1,600-year-old statues in the Bamiyan province.

In the words of UNESCO chief Koichiro Matsuura, ''It is abominable to witness the cold and calculated destruction of cultural properties which were the heritage of the Afghan people and, indeed, of the whole of humanity.''

I have introduced a resolution condemning the Taliban's destruction of pre-Islamic statues in Afghanistan and calling for the immediate access for UNESCO representatives to survey the damage. House Concurrent Resolution 52 sends a strong message that religious intolerance of any kind is unacceptable and must immediately be stopped.

One of the most cosmopolitan regions in the world at one time and host to merchants, travelers, and artists from China, Central Asia and the Roman Empire, today Afghanistan is one of the most repressive and intolerant countries in the world as a result of the actions of its ruling Taliban faction. The destruction was ordered and carried out for fear that those ancient statues may be used for idol worship. Destroying those unique creations which had withstood the test of time and the elements of nature on the basis of an irrational fear motivated by intolerance of other cultures and religions is simply unacceptable.

The destruction of the pre-Islamic statues also contradicts the basic tenet of Islam that requires tolerance of other religions. People of all faiths and nationalities, including Muslim communities around the world, condemn the destruction of these statues which were part of the common heritage of mankind. It is imperative we join the people and governments around the world in condemning the senseless act of destruction of our joint cultural heritage and call on the Taliban regime to immediately cease and desist any further destruction of other pre-Islamic relics.

HOUSE BILLS AND JOINT RESOLUTIONS APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates he had approved and signed bills and joint resolutions of the following titles:

November 22, 2000:

H.R. 2346. An act to authorize the enforcement by State and local governments of certain Federal Communications Commission regulations regarding use of citizens band radio equipment.

H.R. 5633. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2001, and for other purposes.

December 5, 2000:

H.J. Res. 126. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

December 6, 2000:

H.R. 2941. An act to establish the Las Cienegas National Conservation Area in the State of Arizona.

December 7, 2000:

H.J. Res. 127. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

December 8, 2000:

H.J. Res. 128. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

December 11, 2000:

H.J. Res. 129. An act making further continuing appropriations for the fiscal year 2001, and for other purposes.

December 15, 2000:

H.J. Res. 133. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

December 19, 2000:

H.R. 3048. An act to amend section 879 of title 18, United States Code, to provide clearer coverage over threats against former Presidents and members of their families, and for other purposes.

H.R. 4281. An act to establish, wherever feasible, guidelines, recommendations, and regulations that promote the regulatory acceptance of new or revised scientifically valid toxicological tests that protect human and animal health and the environment while reducing, refining, or replacing animal tests and ensuring human safety and product effectiveness.

H.R. 4640. An act to make grants to States for carrying out DNA analyses for use in the Combined DNA Index System of the Federal Bureau of Investigation, to provide for the collection and analysis of DNA samples from certain violent and sexual offenders for use in such system, and for other purposes.

H.R. 4827. An act to amend title 18, United States Code, to prevent the entry by false pretenses to any real property, vessel, or aircraft of the United States or secure area of any airport, to prevent the misuse of genuine and counterfeit police badges by those seeking to commit a crime, and for other purposes.

December 20, 2000:

H.R. 3514. An act to amend the public Health Service Act to provide for a system of sanctuaries for chimpanzees that have been designated as being no longer needed in research conducted or supported by the Public Health Service, and for other purposes.

H.R. 5016. An act to redesignate the facility of the United States Postal Service located at 514 Express Center Road in Chicago, Illinois, as the ''J.T. Weeker Service Center.''

December 21, 2000:

H.R. 2903. An act to reauthorize the Striped Bass Conservation Act, and for other purposes.

H.R. 4577. An act making consolidated appropriations for the fiscal year ending September 30, 2001, and for other purposes.

H.R. 4942. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2001, and for other purposes.

H.R. 5210. An act to designate the facility of the United States Postal Service located at 200 South George Street in York, Pennsylvania, as the ''George Atlee Goodling Post Office Building.''

H.R. 5461. An act to amend the Magnuson-Stevens Fishery Conservation and Management Act to eliminate the wasteful and unsportsmanlike practice of shark finning.

December 23, 2000:

H.R. 1653. An act to complete the orderly withdrawal of the NOAA from the civil administration of the Pribilof Islands, Alaska, and to assist in the conservation of coral reefs, and for other purposes.

H.R. 2570. An act to require the Secretary of the Interior to undertake a study regarding methods to commemorate the national significance of the United States roadways that comprise the Lincoln Highways, and for other purposes.

H.R. 3756. An act to establish a standard time zone for Guam and the Commonwealth of the Northern Mariana Islands, and for other purposes.

H.R. 4907. An act to establish the Jamestown 400th Commemoration Commission, and for the other purposes.

December 27, 2000:

H.R. 5528. An act to authorize the construction of a Wapka Sica Reconciliation Place in Fort Pierre, South Dakota, and for other purposes.

H.R. 5630. An act to authorize appropriations for fiscal year 2001 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

H.R. 5640. An act to expand homeownership in the United States, and for other purposes.

December 28, 2000:

H.R. 207. An act to amend title 5, United States Code, to make permanent the authority under which comparability allowances may be paid to Government physicians, and to provide that such allowances be treated as part of basic pay for retirement purposes.

H.R. 2816. An act to establish a grant program to assist State and local law enforcement in deterring, investigating, and prosecuting computer crimes.

H.R. 3594. An act to repeal the modification of the installment method.

H.R. 4020. An act to authorize the addition of land to Sequoia National Park, and for other purposes.

H.R. 4656. An act to authorize the Forest Service to convey certain lands in the Lake Tahoe Basin to the Washoe County School District for use as an elementary school site.

December 29, 2000:

H.R. 1795. An act to amend the Public Health Service Act to establish the National Institute of Biomedical Imaging and Bioengineering.

SENATE BILLS APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates he had approved and signed bills of the Senate of the following titles:

November 22, 2000:

S. 11. An act for the relief of Wei Jingsheng.

S. 150. An act for the relief of Marina Khalina and her son, Albert Miftakhov.

S. 276. An act for the relief of Sergio Lozano.

S. 768. An act to Amend title 18, United States Code, to establish Federal jurisdiction over offenses committed outside the United States by persons employed by or accompanying the Armed Forces, or by members of the Armed Forces who are released or separated from active duty prior to being identified and prosecuted for the commission of such offenses, and for other purposes.

S. 785. An act for the relief of Frances Schochenmaier and Mary Hudson.

S. 869. An act for the relief of Mina Vahedi Notash.

S. 1078. An act for the relief of Mrs. Elizabeth Eka Bassey, Emmanuel O. Paul Bassey, and Mary Idongesit Paul Bassey.

S. 1513. An act for the relief of Jacqueline Salinas and her children Gabriela Salinas, Alejandro Salinas, and Omar Salinas.

S. 1670. An act to revise the boundary of Fort Matanzas National Monument, and for other purposes.

S. 1880. An act to amend the Public Health Service Act to improve the health of minority individuals.

S. 1936. An act to authorize the Secretary of Agriculture to sell or exchange all or part

of certain administrative sites and other National Forest System land in the State of Oregon and use the proceeds derived from the sale or exchange for National Forest System purposes.

S. 2000. An act for relief of Guy Taylor.

S. 2002. An act for the relief of Tony Lara.

S. 2019. An act for the relief of Malia Miller.

S. 2020. An act to adjust the boundary of the Natchez Trace Parkway, Mississippi, and for other purposes.

S. 2289. An act for the relief of Jose Guadalupe Tellez Pinales.

S. 2440. An act to amend title 49, United States Code, to improve airport security.

S. 2485. An act to direct the Secretary of the Interior to provide assistance in planning and constructing a regional heritage center in Calais, Maine.

S. 2547. An act to provide for the establishment of the Great Sand Dunes National Park and Preserve and the Baca National Wildlife Refuge in the state of Colorado, and for other purposes.

S. 2712. An act to amend chapter 35 of title 31, United States Code, to authorize the consolidation of certain financial and performance management reports required of Federal agencies and for other purposes.

S. 2773, An act to amend the Agricultural Marketing Act of 1946 to enhance dairy markets through dairy product mandatory reporting, and for other purposes.

S. 2789, An act to amend the Congressional Award Act to establish a Congressional Recognition for Excellence in Arts Education Board.

S. 3164. An act to protect seniors from fraud.

S. 3194. An act to designate the facility of the United States Postal Service located at 431 North George Street in Millersville, Pennsylvania, as the ''Robert S. Walker Post Office''.

S. 3239. An act to amend the Immigration and Nationality Act to provide special immigrant status for certain United States international broadcasting employees.

December 11, 2000:

S. 2796. An act to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

December 19, 2000:

S. 1972. An act to direct the Secretary of Agriculture to convey to the town of Dolores, Colorado, the current site of the Joe Rowell Park.

S. 2594. An act to authorize the Secretary of the Interior to contract with the Mancos Water Conservancy District to use the Mancos Project facilities for impounding, storage, diverting, and carriage of nonproject water for the purpose of irrigation, domestic, municipal, industrial, and any other beneficial purposes.

S. 3137. An act to establish a commission to commemorate the 250th anniversary of the birth of James Madison.

December 21, 2000:

S. 439. An act to amend the National Forest and Public Lands of Nevada Enhancement Act of 1988 to adjust the boundary of the Toiyabe National Forest, Nevada, and to amend chapter 55 of title 5, United States Code, to authorize equal overtime pay provisions for all Federal employees engaged in wildland fire suppression operations.

S. 1508. An act to provide technical and legal assistance to tribal justice systems and members of Indian tribes, and for other purposes.

S. 1898. An act to provide protection against the risks to the public that are inherent in the interstate transportation of violent prisoners.

S. 3045. An act to improve the quality, timeliness, and credibility of forensic science services for criminal justice purposes, and for other purposes.

December 23, 2000:

S. 1694. An act to direct the Secretary of the Interior to conduct a study on the reclamation and reuse of water and wastewater in the State of Hawaii, and for other purposes.

December 27, 2000:

S. 2943. An act to authorize additional assistance for international malaria control, and for other purposes.

December 28, 2000:

S. 1761. An act to direct the Secretary of the Interior, through the Bureau of Reclamation, to conserve and enhance the water supplies of the Lower Rio Grande Valley.

S. 2749. An act to establish the California Trail Interpretive Center in Elko, Nevada, to facilitate the interpretation of the history of development and use of trails in the settling of the western portion of the United States, and for other purposes.

S. 2924. An act to strengthen the enforcement of Federal statutes relating to false identification, and for other purposes.

S. 3181. An act to establish the White House Commission on the National Moment of Remembrance, and for other purposes.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. PALLONE) to revise and extend their remarks and include extraneous material:)

Mr. POMEROY, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. LANGEVIN, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Mr. SCHIFF, for 5 minutes, today.

Mr. KIND, for 5 minutes, today.

Mr. HONDA, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Ms. CARSON of Indiana, for 5 minutes, today.

Mr. ALLEN, for 5 minutes, today.

Mr. MOORE, for 5 minutes, today.

Mr. CARSON of Oklahoma, for 5 minutes, today.

Mr. BACA, for 5 minutes, today.

Mr. GREEN of Texas, for 5 minutes, today.

(The following Members (at the request of Mr. FOLEY) to revise and extend their remarks and include extraneous material:)

Mr. SIMMONS, for 5 minutes, March 20.

Mr. FOLEY, for 5 minutes, today.

Mr. ENGLISH, for 5 minutes, today.

(The following Member (at her own request) to revise and extend her remarks and include extraneous material:)

Ms. WATERS, for 5 minutes, today.

(The following Member (at her own request) to revise and extend her remarks and include extraneous material:)

Mrs. MORELLA, for 5 minutes, today.

(The following Member (at her own request) to revise and extend her remarks and include extraneous material:)

Mrs. BIGGERT, for 5 minutes, today.

(The following Member (at her own request) to revise and extend her remarks and include extraneous material:)

Ms. MILLENDER-MCDONALD, for 5 minutes, today.

(The following Member (at her own request) to revise and extend her remarks and include extraneous material:)

Mrs. CAPPS, for 5 minutes, today.

(The following Member (at her own request) to revise and extend her remarks and include extraneous material:)

Ms. SLAUGHTER, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. INSLEE, for 5 minutes, today.

(The following Member (at her own request) to revise and extend her remarks and include extraneous material:)

Ms. BALDWIN, for 5 minutes, today.

(The following Member (at her own request) to revise and extend her remarks and include extraneous material:)

Ms. SOLIS, for 5 minutes, today.

ADJOURNMENT

Mr. TURNER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 44 minutes p.m.), the House adjourned until tomorrow, Thursday, March 15, 2001, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

1200. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Electronic Fund Transfers [Regulation E; Docket No. R–1077] received March 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1201. A letter from the Deputy Executive Secretary to Department, Health Care Financing Administration, Department of Health and Human Services, transmitting the Department's ''Major'' final rule—Medicaid Program; Change in Application of Federal Financial Participation Limits: Delay of Effective Date [HCFA–2086–F2] (RIN: 0938–AJ96) received March 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1202. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Burke, South Dakota) [MM Docket No. 00–16; RM–9805]; (Marietta, Mississippi) [MM Docket No. 00–146; RM–9937]; (Lake City, Colorado) [MM Docket No. 00–147; RM–9938]; (Glenville, West Virginia) [MM Docket No. 00–212; RM–9988]; (Pigeon Forge, Tennessee) [MM Docket No.

00–213; RM–9989]; (Lincolnton, Georgia) [MM Docket No. 00–214; RM–9990] received March 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1203. A letter from the Associate Division Chief, Accounting Policy Division, Common Carrier Bureau, Federal Communications Commission, transmitting the Commission's final rule—Implementation of the Subscriber Carrier Selection Changes Provisions of the Telecommunications Act of 1996 [CC Docket No. 94–129] Policies and Rules Concerning Unauthorized Changes of Consumers Long Distance Carriers—received March 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1204. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations (Heber, Arizona) [MM Docket No. 00–189; RM–9984]; (Snowflake, Arizona) [MM Docket No. 00–190; RM–9985]; (Overgaard, Arizona) [MM Docket No. 00–191; RM–9986]; (Taylor, Arizona) [MM Docket No. 00–192; RM–9987] received March 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1205. A letter from the Associate Division Chief, Accounting Policy Division, Common Carrier Bureau, Federal Communications Commission, transmitting the Commission's final rule—Implementation of the Subscriber Carrier Selection Changes Provisions of the Telecommunications Act of 1996 [CC Docket No. 94–129] Policies and Rules Concerning Unauthorized Changes of Consumers Long Distance Carriers—received March 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1206. A letter from the Director, International Cooperation, Department of Defense, transmitting a copy of Transmittal No. 07–01 which informs of the planned signature of the Memorandum of Understanding between the United Kingdom and the United States concerning the Development, Documentation, Production and Initial Fielding of Military Satellite Communications, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

1207. A letter from the Director, International Cooperation, Department of Defense, transmitting a copy of Transmittal No. 01–01 which informs of the planned signature of the Memorandum of Understanding Concerning Cooperation in Navigation Warfare Technology Demonstrator and System Prototype Projects with Australia and the United Kingdom, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

1208. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Japan [Transmittal No. DTC 006–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1209. A communication from the President of the United States, transmitting the President's bimonthly report on progress toward a negotiated settlement of the Cyprus question, covering the period December 1, 2000 to January 31, 2001, pursuant to 22 U.S.C. 2373(c); to the Committee on International Relations.

1210. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–408, ''Insurance Economic Development Amendment Act of 2000'' received March 14, 2001, pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

1211. A letter from the Acting Assistant Secretary for Management and Chief Information Officer, Department of the Treasury, transmitting the Department of Treasury's Commercial Activities Inventory in accordance with the Federal Activities Inventory Reform Act; to the Committee on Government Reform.

1212. A letter from the Managing Director, Federal Communications Commission, transmitting a copy of the FY 2000 commercial inventory submission; to the Committee on Government Reform.

1213. A letter from the Executive Officer, National Science Board, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 2000, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform.

1214. A letter from the Chair, Railroad Retirement Board, transmitting the Annual Report of the Railroad Retirement Board for Fiscal Year 2000, pursuant to 45 U.S.C. 231f(b)(6); to the Committee on Government Reform.

1215. A letter from the Acting Administrator for Ocean Services and Coastal Zone Management, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Florida Keys National Marine Sanctuary Regulations [Docket No. 000510129–1004–02] (RIN: 0648–A018) received March 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1216. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; 2001 Specifications and Foreign Fishing Restrictions [Docket No. 001127331–1044–02; I.D. 102600B] (RIN: 0648–AN69) received March 6, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1217. A letter from the Acting Chief, Regulations Division, ATF, Department of the Treasury, transmitting the Department's final rule—Distribution and Use of Tax-Free Alcohol (2000R–294P) [T.D. ATF–443; Ref: Notice No. 828] (RIN: 1512–AB57) received March 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1218. A letter from the Acting Chief, Regulations Division, ATF, Department of the Treasury, transmitting the Department's final rule—West Elks Viticultural Area (2000R–257P) [T.D. ATF–445; RE: Notice No. 904] (RIN: 1512–AA07) received March 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1219. A letter from the Acting Chief, Regulations Division, ATF, Department of the Treasury, transmitting the Department's final rule—Formulas for Denatured Alcohol and Rum (2000R–295P) [T.D. ATF–442; Ref: Notice No. 832] (RIN: 1512–AB60) received March 9, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1220. A letter from the Principal Deputy Under Secretary of Defense, Department of Defense, transmitting the annual reports that set out the current amount of outstanding contingent liabilities of the United States for vessels insured under the authority of Title XII of the Merchant Marine Act of 1936, and for aircraft insured under the authority of chapter 433 of Title 49, United States Code, pursuant to Public Law 104—201, section 1079(a) (110 Stat. 2670); jointly to the Committees on Armed Services and Transportation and Infrastructure.

1221. A letter from the Acting Assistant Secretary for Economic Development, Economic Development Administration, transmitting the annual report on the activities of the Economic Development Administration for Fiscal Year 1999, pursuant to 42 U.S.C. 3217; jointly to the Committees on Transportation and Infrastructure and Financial Services.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HASTINGS of Washington: Committee on Rules.

House Resolution 89. Resolution providing for consideration of the bill (H.R. 327) to amend chapter 35 of title 44, United States Code, for the purpose of facilitating compliance by small businesses with certain Federal paperwork requirements and to establish a task force to examine the feasibility of streamlining paperwork requirements applicable to small businesses (Rept. 107–22). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. DUNN (for herself, Mr. TANNER, Mr. COX, Mr. ABERCROMBIE, Mr. BROWN of South Carolina, Mr. CULBERSON, Mr. EVERETT, Mr. GOODE, Mr. COOKSEY, Mr. BACHUS, Mr. PENCE, Mr. LAHOOD, Mr. SHADEGG, Mr. DUNCAN, Mr. WHITFIELD, Mr. SAXTON, Mr. BONILLA, Mrs. ROUKEMA, Mrs. BIGGERT, Mr. FERGUSON, Mr. GILCHREST, Mr. RADANOVICH, Mr. SHAW, Mr. MALONEY of Connecticut, Mr. SAM JOHNSON of Texas, Mr. TANCREDO, Mr. BOUCHER, Mr. TRAFICANT, Mr. KELLER, Mr. BURTON of Indiana, Mr. SHOWS, Mr. GARY MILLER of California, Mr. ROGERS of Michigan, Mr. CUNNINGHAM, Mr. ROYCE, Mr. GREENWOOD, Mr. SMITH of Texas, Mr. FOLEY, Mr. HAYWORTH, Mr. WELLER, Mr. KIRK, Mr. YOUNG of Alaska, Mr. BAIRD, Mr. WAMP, Mr. DOOLEY of California, Mr. EHLERS, Mr. CANTOR, Mr. POMBO, Mr. SIMMONS, Mr. CAMP, Mr. MCINTYRE, Mr. HAYES, Mr. NETHERCUTT, Ms. HART, Mr. BARTON of Texas, Mrs. WILSON, Mr. HALL of Texas, Mr. HYDE, Mr. WOLF, Mr. SUNUNU, Mr. GRUCCI, Mr. CALLAHAN, Mr. RYAN of Wisconsin, Mrs. KELLY, Mr. LARGENT, Mr. DEAL of Georgia, Mr. CANNON, Mr. ADERHOLT, Mr. CRANE, Ms. GRANGER, Mr. BLUNT, Mr. GREEN of Wisconsin, Mr. HERGER, Mr. ENGLISH, Mr. LOBIONDO, Mr. JENKINS, Mr. PITTS, Mr. LEWIS of California, Mr. OXLEY, Mr. RILEY, Mr. CHAMBLISS, Mr. WATTS of Oklahoma, Mrs. NORTHUP, Mr. OSE, Mr. SMITH of New Jersey, Mr. LEWIS of Kentucky, Mr. LUCAS of Oklahoma, Mr. SIMPSON, Mr. PETERSON of Pennsylvania, Mr. MCCRERY, Mrs. BONO, Mr. CALVERT, Mr. NEY, Mr. DOOLITTLE, Mr. HUNTER, Mr. SKEEN, Mr. HOEKSTRA, Mr. LATOURETTE, Mr. SHIMKUS, Mr. FLETCHER, Ms. CAPITO, Mr. EHRLICH, Mr. BISHOP, Mr. ROHRABACHER, Mr. BOEHLERT, Mr. RYUN of Kansas, Mr. CRAMER, Mrs. EMERSON, Mr. SCHAFFER, Mr. SESSIONS, Mr. ISAKSON, Ms. ROS-LEHTINEN, Mr. BURR of North Carolina, Mr. BARR of Georgia, Mr. HASTINGS of Washington, Mr. MILLER of Florida, Mr. HORN, Mr. RAMSTAD,

Mr. MCHUGH, Mr. WALSH, Mr. CRENSHAW, Mr. NORWOOD, Mr. COBLE, Mr. NUSSLE, Mr. PLATTS, Mr. JONES of North Carolina, Mr. GEKAS, Mr. ROGERS of Kentucky, Mr. BASS, Mr. TERRY, Mr. SCHROCK, Mr. GOODLATTE, Mr. TOOMEY, Mr. WICKER, Mr. PORTMAN, Mr. TAUZIN, Mr. HANSEN, Mr. ARMEY, Mr. HILLEARY, Mr. MCINNIS, Mr. COMBEST, Mr. DELAY, Mrs. CUBIN, Mr. LINDER, Mr. MICA, Mrs. MCCARTHY of New York, Mr. FRELINGHUYSEN, Mr. BERRY, Mr. JOHN, Mr. CONDIT, Mr. SANDLIN, Mr. SWEENEY, Mr. KNOLLENBERG, Mr. PHELPS, Mr. CARSON of Oklahoma, Mr. GANSKE, Mr. THUNE, Mr. KERNS, Ms. PRYCE of Ohio, Mr. STUMP, Mr. SENSENBRENNER, Mr. OTTER, Mr. RAHALL, Mr. SISISKY, Mr. HULSHOF, Mr. LUCAS of Kentucky, Mr. WALDEN of Oregon, Mr. WYNN, Mr. FORD, Mr. REYNOLDS, Mr. BRADY of Texas, Mr. PAUL, Mr. GORDON, Mrs. JO ANN DAVIS of Virginia, Mr. COSTELLO, Mr. GILLMOR, Mr. WATKINS, Mr. PUTNAM, Mr. GIBBONS, Mr. AKIN, Mr. ISSA, Mr. FARR of California, Mr. BARCIA, Mrs. MYRICK, Mr. BARTLETT of Maryland, Mr. CHABOT, Mr. KINGSTON, Mr. HEFLEY, Mr. GALLEGLY, Mr. GILMAN, Mr. GOSS, Mr. WELDON of Florida, Mr. DEMINT, Mr. SOUDER, Mr. FOSSELLA, Mr. KOLBE, Mr. BILIRAKIS, Mr. LATHAM, Mr. TIAHRT, Mr. TAYLOR of North Carolina, Mr. SCARBOROUGH, Mr. VITTER, Mr. HOSTETTLER, Mr. GRAHAM, Mr. SPENCE, Mr. TOM DAVIS of Virginia, Mr. BOEHNER, Mr. OSBORNE, Mr. BRYANT, Mr. DREIER, Mr. PICKERING, Mr. THORNBERRY, Mr. WELDON of Pennsylvania, Mr. BAKER, Mr. KING, Mr. HUTCHINSON, Mr. MCKEON, Mr. MANZULLO, Mr. SMITH of Washington, Mr. LAMPSON, and Mrs. CLAYTON):

H.R. 8. A bill to amend the Internal Revenue Code of 1986 to phaseout the estate and gift taxes over a 10-year period, and for other purposes.

By Mr. PORTMAN (for himself, Mr. CARDIN, Mr. ARMEY, Mr. FROST, Mr. BOEHNER, Mr. ANDREWS, Mr. BLUNT, Mr. BENTSEN, Mr. GALLEGLY, Mr. MOORE, Mr. HOUGHTON, Mr. COYNE, Mr. SAM JOHNSON of Texas, Mr. POMEROY, Mrs. JOHNSON of Connecticut, Mr. MANZULLO, Mrs. MORELLA, Mr. WELLER, Mr. WYNN, Mr. AKIN, Mr. BACA, Mr. BACHUS, Mr. BAIRD, Mr. BAKER, Mr. BALDACCI, Mr. BALLENGER, Mr. BARCIA, Mr. BARRETT, Mr. BASS, Mr. BEREUTER, Ms. BERKLEY, Mrs. BIGGERT, Mr. BLAGOJEVICH, Mr. BLUMENAUER, Mr. BORSKI, Mr. BOSWELL, Mrs. BONO, Mr. BRADY of Texas, Mr. BRADY of Pennsylvania, Mr. BRYANT, Mr. BURR of North Carolina, Mr. BUYER, Mr. CALVERT, Mr. CAMP, Mr. CANTOR, Ms. CAPITO, Mrs. CAPPS, Mr. CAPUANO, Mr. CHABOT, Mr. CLAY, Mr. CLEMENT, Mr. COBLE, Mr. COLLINS, Mr. CONDIT, Mr. COOKSEY, Mr. COX, Mr. CRANE, Mr. CRENSHAW, Mr. CROWLEY, Mr. CULBERSON, Mr. CUNNINGHAM, Mrs. JO ANN DAVIS of Virginia, Mr. DELAHUNT, Mr. DEMINT, Mr. DEUTSCH, Mr. DIAZ-BALART, Mr. DOOLEY of California, Mr. DOYLE, Mr. DREIER, Ms. DUNN, Mr. EHRLICH, Mrs. EMERSON, Mr. ENGEL, Mr. ENGLISH, Ms. ESHOO, Mr. ETHERIDGE, Mr. EVANS, Mr. FALEOMAVAEGA, Mr. FERGUSON, Mr. FILNER, Mr. FLETCHER, Mr. FOLEY, Mr. FORD, Mr. FOSSELLA, Mr. FRELINGHUYSEN, Mr. GANSKE, Mr. GIBBONS, Mr. GILCHREST, Mr. GILLMOR, Mr. GOSS, Mr. GONZALEZ, Mr. GOODE, Mr. GOODLATTE, Mr. GORDON, Ms. GRANGER, Mr. GRAVES, Mr. GREEN of Texas, Mr. GREEN of Wisconsin, Mr. GREENWOOD, Mr. HALL of Texas, Mr. HALL of Ohio, Ms. HART, Mr. HASTINGS of Washington, Mr. HAYES, Mr. HAYWORTH, Mr. HEFLEY, Mr. HERGER, Mr. HILL, Mr. HILLEARY, Mr. HOBSON, Mr. HOLDEN, Ms. HOOLEY of Oregon, Mr. HORN, Mr. HOYER, Mr. HULSHOF, Mr. HOLT, Mr. HUTCHINSON, Mr. HYDE, Mr. ISAKSON, Mr. ISTOOK, Mr. JEFFERSON, Mrs. JONES of Ohio, Mr. JONES of North Carolina, Mr. KANJORSKI, Mrs. KELLY, Mr. KENNEDY of Rhode Island, Mr. KILDEE, Mr. KIND, Mr. KING, Mr. KINGSTON, Mr. KIRK, Mr. KLECZKA, Mr. KNOLLENBERG, Mr. KOLBE, Mr. KUCINICH, Mr. LAHOOD, Mr. LAMPSON, Mr. LANGEVIN, Mr. LANTOS, Mr. LARGENT, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, Mr. LATHAM, Mr. LATOURETTE, Mr. LEACH, Mr. LEWIS of Kentucky, Mr. LOBIONDO, Ms. LOFGREN, Mrs. LOWEY, Mr. LUCAS of Oklahoma, Mr. LUCAS of Kentucky, Mrs. MALONEY of New York, Mr. MALONEY of Connecticut, Mr. MASCARA, Mr. MATHESON, Mrs. MCCARTHY of New York, Ms. MCCARTHY of Missouri, Mr. MCCRERY, Mr. MCGOVERN, Mr. MCHUGH, Mr. MCINNIS, Mr. MCINTYRE, Mr. MCKEON, Mr. MCNULTY, Mr. MEEHAN, Mr. MENENDEZ, Ms. MILLENDER-MCDONALD, Mr. GARY MILLER of California, Mrs. MINK of Hawaii, Mr. MORAN of Kansas, Mrs. MYRICK, Mr. NADLER, Mr. NETHERCUTT, Mr. NEY, Mrs. NORTHUP, Mr. NORWOOD, Mr. NUSSLE, Mr. OSBORNE, Mr. OTTER, Mr. OXLEY, Mr. PALLONE, Mr. PASCRELL, Mr. PASTOR, Mr. PAUL, Mr. PAYNE, Mr. PENCE, Mr. PETERSON of Pennsylvania, Mr. PETRI, Mr. PLATTS, Ms. PRYCE of Ohio, Mr. PUTNAM, Mr. QUINN, Mr. RAHALL, Mr. RAMSTAD, Mr. REGULA, Mr. REYNOLDS, Mr. RILEY, Mr. ROEMER, Mr. ROGERS of Michigan, Mrs. ROUKEMA, Mr. ROTHMAN, Mr. ROYCE, Mr. RYAN of Wisconsin, Mr. RYUN of Kansas, Mr. SANDLIN, Mr. SAWYER, Mr. SAXTON, Ms. SCHAKOWSKY, Mr. SCARBOROUGH, Mr. SCHAFFER, Mr. SCHROCK, Mr. SESSIONS, Mr. SHADEGG, Mr. SHAW, Mr. SHAYS, Mr. SHERMAN, Mr. SHERWOOD, Mr. SHOWS, Mr. SIMMONS, Mr. SIMPSON, Mr. SKELTON, Mr. SMITH of Washington, Mr. SMITH of New Jersey, Mr. SMITH of Texas, Mr. SNYDER, Mr. SOUDER, Mr. SPRATT, Mr. STEARNS, Mr. STRICKLAND, Mr. STUPAK, Mr. SUNUNU, Mr. SWEENEY, Mr. TANCREDO, Mr. TANNER, Mrs. TAUSCHER, Mr. TAYLOR of North Carolina, Mr. TERRY, Mr. THOMPSON of Mississippi, Mr. THOMPSON of California, Mr. THUNE, Mrs. THURMAN, Mr. TIBERI, Mr. TRAFICANT, Mr. TOOMEY, Mr. TURNER, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. UPTON, Mr. WALDEN of Oregon, Mr. WALSH, Mr. WAMP, Mr. WATKINS, Mr. WATTS of Oklahoma, Mr. WEINER, Mr. WELDON of Florida, Mr. WHITFIELD, Mr. WOLF, Ms. WOOLSEY, Mr. WU, and Mr. YOUNG of Alaska):

H.R. 10. A bill to provide for pension reform, and for other purposes.

By Mr. DEAL of Georgia (for himself, Mr. UDALL of Colorado, Mr. TANCREDO, and Mr. PETERSON of Pennsylvania):

H.R. 1013. A bill to promote recreation on Federal lakes, to require Federal agencies responsible for managing Federal lakes to pursue strategies for enhancing recreational experiences of the public, and for other purposes; to the Committee on Resources, and in addition to the Committees on Transportation and Infrastructure, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. CARSON of Indiana:

H.R. 1014. A bill to prevent children from injuring themselves with handguns; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. JO ANN DAVIS of Virginia (for herself, Mr. HAYWORTH, Mr. SCHROCK, Mr. CRENSHAW, Mr. CANTOR, and Mr. GOODLATTE):

H.R. 1015. A bill to provide for an increase in the amount of Servicemember's Group Life Insurance paid to survivors of members of the Armed Forces who died in the performance of duty between November 1, 2000, and April 1, 2001; to the Committee on Veterans' Affairs.

By Ms. BALDWIN (for herself, Mr. MCHUGH, Mr. OBEY, Mr. KIND, Mr. BARRETT, Mr. SENSENBRENNER, Mr. PETRI, Mr. SANDERS, Mr. HINCHEY, Mr. BOUCHER, Mr. COOKSEY, Mr. FATTAH, Mr. ENGLISH, Mr. BALDACCI, Mr. HOUGHTON, Mr. BOYD, Mr. CALLAHAN, Mr. VITTER, Mr. BOEHLERT, Mr. BROWN of Ohio, Mr. PICKERING, Ms. SLAUGHTER, Mr. WALSH, Mr. SWEENEY, Mr. SHERWOOD, Mrs. EMERSON, Mr. MCGOVERN, Mr. PETERSON of Pennsylvania, Mr. CLAY, and Mr. KLECZKA):

H.R. 1016. A bill to amend the Federal Food, Drug, and Cosmetic Act to prohibit products that contain dry ultra-filtered milk products, milk protein concentrates, or casein from being labeled as domestic natural cheese, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GOODLATTE (for himself, Mr. SMITH of Texas, and Mr. BOUCHER):

H.R. 1017. A bill to prohibit the unsolicited e-mail known as "spam"; to the Committee on the Judiciary.

By Mr. TOOMEY (for himself, Mr. RYAN of Wisconsin, Mr. ARMEY, Mr. FLAKE, Mr. SHADEGG, Mr. SAM JOHNSON of Texas, Mr. DEMINT, Mr. PENCE, Mr. BONILLA, Mr. SESSIONS, Mr. DOOLITTLE, Mr. RYUN of Kansas, Mr. SOUDER, Mr. LARGENT, Mr. OTTER, Mr. TANCREDO, Mr. CHABOT, Mr. COX, Mrs. MYRICK, Mr. HAYWORTH, Mr. CANTOR, Mr. AKIN, Ms. HART, Mr. SCHAFFER, Mr. GARY MILLER of California, Mr. ISTOOK, Mr. HOSTETTLER, Mr. PITTS, Mr. BARTLETT of Maryland, Mr. HERGER, Mr. ISSA, Mr. HEFLEY, Mr. KIRK, Mr. KELLER, Mr. JONES of North Carolina, Mrs. JO ANN DAVIS of Virginia, and Mr. BARR of Georgia):

H.R. 1018. A bill to amend the Internal Revenue Code of 1986 to provide for economic growth by providing tax relief; to the Committee on Ways and Means.

By Mr. BURTON of Indiana (for himself, Mr. GILMAN, Mr. SHAYS, Mr. HORN, Mr. MICA, Mr. SOUDER, Mr. LATOURETTE, and Mr. BARR of Georgia):

H.R. 1019. A bill to amend the Federal Election Campaign Act of 1971 to increase the penalties imposed for making or accepting contributions in the name of another and to prohibit foreign nationals from making any campaign-related disbursements; to the Committee on House Administration.

By Mr. QUINN (for himself, Mr. CLEMENT, and Mr. BACHUS):

H.R. 1020. A bill to authorize the Secretary of Transportation to establish a grant program for the rehabilitation, preservation, or improvement of railroad track; to the Committee on Transportation and Infrastructure.

By Mr. CANTOR (for himself, Mr. SISISKY, Mr. WOLF, Mr. TOM DAVIS of Virginia, Mr. MORAN of Virginia, Mr. SCOTT, Mr. SCHROCK, Mr. GOODE, Mr. GOODLATTE, Mr. BOUCHER, Mr. CRENSHAW, Mrs. JO ANN DAVIS of Virginia, Mrs. MYRICK, Mr. PLATTS, Mr. TOWNS, and Mr. TANCREDO):

H.R. 1021. A bill to require the Secretary of the Treasury to redesign Federal reserve notes of all denominations so as to incorporate the preamble to the Constitution of the United States, a list describing the Articles of the Constitution, and a list describing the Articles of Amendment, on the reverse side of such currency; to the Committee on Financial Services.

By Mr. DOOLITTLE:

H.R. 1022. A bill to amend title 4, United States Code, to make sure the rules of etiquette for flying the flag of the United States do not preclude the flying of flags at half mast when ordered by city and local officials; to the Committee on the Judiciary.

By Ms. DUNN (for herself, Mr. DEFAZIO, and Mr. WAMP):

H.R. 1023. A bill to amend the Incentive Grants for Local Delinquency Prevention Programs Act to authorize appropriations for fiscal years 2002 through 2007, and for other purposes; to the Committee on Education and the Workforce.

By Mr. HULSHOF (for himself, Mr. JEFFERSON, Mr. MCCRERY, and Mr. COLLINS):

H.R. 1024. A bill to amend the Internal Revenue Code of 1986 to repeal the 4.3-cent motor fuel excise taxes on railroads and inland waterway transportation which remain in the general fund of the Treasury; to the Committee on Ways and Means.

By Mr. LATOURETTE:

H.R. 1025. A bill to amend the Internal Revenue Code of 1986 to establish a temporary checkoff on income tax returns to provide funding to States for improving the administration of elections for Federal office; to the Committee on Ways and Means, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MOORE (for himself, Mr. ABERCROMBIE, Mr. BAIRD, Mr. BALDACCI, Mrs. BONO, Mr. BOSWELL, Mr. CALVERT, Mr. CAPUANO, Mr. CLEMENT, Mr. CONDIT, Mr. CRAMER, Ms. DELAURO, Mr. DOOLEY of California, Mr. FROST, Mr. GREEN of Texas, Mr. HILL, Mr. HINCHEY, Mr. HOLT, Mr. HONDA, Ms. HOOLEY of Oregon, Mr. HYDE, Mr. ISRAEL, Ms. JACKSON-LEE of Texas, Mr. KILDEE, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, Mr. LEWIS of Georgia, Mrs. LOWEY, Mr. LUCAS of Kentucky, Mrs. MCCARTHY of New York, Ms. MCKINNEY, Mr. MORAN of Virginia, Mrs. NAPOLITANO, Mr. PASCRELL, Mr. PETERSON of Minnesota, Mr. ROHRABACHER, Mr. RUSH, Mr. SANDLIN, Mr. SISISKY, Mr. SKELTON, Mr. TANCREDO, Mrs. TAUSCHER, Mr. THOMPSON of California, Mrs. JONES of Ohio, Mr. TURNER, Mr. WU, Mr. WYNN, and Mr. UDALL of New Mexico):

H.R. 1026. A bill to amend the Internal Revenue Code of 1986 to increase the annual limitation on deductible contributions to individual retirement accounts to $5,000, and for other purposes; to the Committee on Ways and Means.

By Mr. OLVER (for himself, Mr. MEEHAN, Mr. TIERNEY, Mr. MCGOVERN, Mr. BASS, and Mr. MARKEY):

H.R. 1027. A bill to establish the Freedom's Way National Heritage Area in the Commonwealth of Massachusetts and in the State of New Hampshire, and for other purposes; to the Committee on Resources.

By Mr. PALLONE:

H.R. 1028. A bill to amend the Immigration and Nationality Act to permit the admission to the United States of nonimmigrant students and visitors who are the spouses and children of United States permanent resident aliens, and for other purposes; to the Committee on the Judiciary.

By Mr. SHADEGG:

H.R. 1029. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for contributions to charitable organizations which provide scholarships for children to attend elementary and secondary schools; to the Committee on Ways and Means.

By Mr. SHAW (for himself, Mr. RANGEL, Mrs. JOHNSON of Connecticut, Mr. STARK, Mr. HOUGHTON, Mr. MATSUI, Mr. HERGER, Mr. COYNE, Mr. RAMSTAD, Mr. CARDIN, Mr. CAMP, Mr. LEWIS of Georgia, Mr. SAM JOHNSON of Texas, Mr. NEAL of Massachusetts, Mr. ENGLISH, Mr. BECERRA, Mr. WATKINS, Mrs. THURMAN, Mr. HAYWORTH, Mr. MCINNIS, Mr. FOLEY, Mr. POMEROY, Mr. RILEY, Mrs. KELLY, Mr. NETHERCUTT, Mr. GARY MILLER of California, Mr. GOODE, Mr. DOYLE, Mr. GREEN of Wisconsin, Mr. STUMP, Mr. SHOWS, Mr. BLUMENAUER, Mr. FILNER, Mr. BENTSEN, Mr. GUTKNECHT, Mr. CLEMENT, Mr. TERRY, Mr. UDALL of New Mexico, Mr. DICKS, Mr. BONIOR, Mr. TOM DAVIS of Virginia, Mr. EHRLICH, Ms. PRYCE of Ohio, Mrs. MYRICK, Mr. CHAMBLISS, Mr. BUYER, Mr. SANDLIN, Mr. DOOLITTLE, Mr. LARSON of Connecticut, Mr. MILLER of Florida, Mr. REYNOLDS, Mr. DEUTSCH, Mr. ISAKSON, Mr. DAVIS of Florida, Mr. WELDON of Florida, Mr. GREENWOOD, Mr. KOLBE, Mr. COX, Mr. WEXLER, Mr. FROST, Mr. WATT of North Carolina, Mr. SOUDER, Mr. MALONEY of Connecticut, Mr. HALL of Ohio, Ms. CARSON of Indiana, and Mr. GREEN of Texas):

H.R. 1030. A bill to amend the Internal Revenue Code of 1986 to provide a shorter recovery period for the depreciation of certain leasehold improvements; to the Committee on Ways and Means.

By Mr. SIMMONS (for himself, Mr. EHRLICH, Ms. HART, Mr. SHAYS, Mrs. BIGGERT, Mr. ARMEY, Mr. SMITH of New Jersey, Mr. GREENWOOD, and Mrs. JOHNSON of Connecticut):

H.R. 1031. A bill to prohibit the use of Federal funds for certain amenities and personal comforts in the Federal prison system; to the Committee on the Judiciary.

By Mr. STUPAK (for himself, Mr. BROWN of Ohio, Mr. BARRETT, Ms. KILPATRICK, Ms. RIVERS, Mr. KIND, Mr. BONIOR, Mr. CONYERS, Mr. KUCINICH, Mr. OBEY, Mr. LUTHER, Mr. QUINN, Mr. KILDEE, Mr. DINGELL, Mr. BARCIA, Mr. LEVIN, Ms. BALDWIN, Mr. MARKEY, and Mrs. THURMAN):

H.R. 1032. A bill to prohibit oil and gas drilling in the Great Lakes; to the Committee on Resources.

By Mr. TIERNEY (for himself, Mr. BONIOR, Mr. CAPUANO, Ms. CARSON of Indiana, Mr. CONYERS, Mr. DEFAZIO, Mr. HILLIARD, Mr. MCDERMOTT, Mr. NADLER, Ms. NORTON, Mr. OLVER, Ms. RIVERS, Mr. SANDERS, Mr. WEINER, Mr. STARK, Mr. FATTAH, Mr. MCGOVERN, Ms. LEE, Ms. SCHAKOWSKY, Ms. WATERS, Mr. BALDACCI, Mr. KUCINICH, Mr. GUTIERREZ, Mrs. MEEK of Florida, Mr. KILDEE, Ms. MILLENDER-MCDONALD, Mr. GEORGE MILLER of California, Mrs. CHRISTENSEN, Mr. HINCHEY, Mr. LANTOS, Mrs. JONES of Ohio, Mr. FILNER, Mr. LEWIS of Georgia, Mr. EVANS, Mr. HASTINGS of Florida, Ms. JACKSON-LEE of Texas, Mr. BRADY of Pennsylvania, Mr. PAYNE, Ms. BALDWIN, Mr. MARKEY, Mr. THOMPSON of Mississippi, Mr. OWENS, and Mr. DAVIS of Illinois):

H.R. 1033. A bill to amend the Social Security Act to provide grants and flexibility through demonstration projects for States to provide universal, comprehensive, cost-effective systems of health care coverage, with simplified administration; to the Committee on Energy and Commerce.

By Mr. TOWNS (for himself and Mr. YOUNG of Alaska):

H.R. 1034. A bill to amend the National Telecommunications and Information Administration Organization Act to establish a digital network technology program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. UDALL of Colorado (for himself, Mr. FROST, Mr. OWENS, Mr. HILLIARD, Ms. MCKINNEY, Mr. BALDACCI, Mr. BLUMENAUER, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mr. HINOJOSA, Mr. KUCINICH, Mr. MCGOVERN, Mrs. TAUSCHER, Mr. BAIRD, Ms. BALDWIN, Mrs. JONES of Ohio, Mr. UDALL of New Mexico, Mr. WU, and Mrs. JO ANN DAVIS of Virginia):

H.R. 1035. A bill to direct the Administrator of the Small Business Administration to conduct a pilot program to raise awareness about telecommuting among small business employers, and to encourage such employers to offer telecommuting options to employees; to the Committee on Small Business.

By Mr. WU (for himself, Mr. GEORGE MILLER of California, Mr. KILDEE, Mr. OWENS, Mr. PAYNE, Mrs. MINK of Hawaii, Mr. ANDREWS, Mr. SCOTT, Ms. WOOLSEY, Ms. RIVERS, Mrs. MCCARTHY of New York, Mr. TIERNEY, Mr. KIND, Mr. FORD, Mr. KUCINICH, Ms. SOLIS, Mr. HOLT, Mr. HINOJOSA, Ms. MCCOLLUM, and Mrs. DAVIS of California):

H.R. 1036. A bill to amend the Elementary and Secondary Education Act of 1965 to reduce class size through the use of fully qualified teachers, and for other purposes; to the Committee on Education and the Workforce.

By Mr. KENNEDY of Rhode Island (for himself and Mr. LANGEVIN):

H. Con. Res. 62. Concurrent resolution expressing the sense of Congress that the George Washington letter to Tuoro Synagogue in Newport, Rhode Island, which is on

display at the B'nai B'rith Klutznick National Jewish Museum in Washington D.C., is one of the most significant early statements buttressing the nascent American constitutional guarantee of religious freedom; to the Committee on the Judiciary.

By Mr. LANGEVIN (for himself, Ms. JACKSON-LEE of Texas, Mrs. MEEK of Florida, Mrs. MALONEY of New York, Mr. REYES, Mr. HOYER, Mr. MEEHAN, Mr. WAXMAN, Mr. CAPUANO, Mr. HOEFFEL, Mr. BROWN of Ohio, Mr. FROST, Mr. CLAY, Mr. MOORE, Mr. RANGEL, and Mr. DELAHUNT):

H. Con. Res. 63. Concurrent resolution expressing the sense of Congress that Congress should act quickly to enact significant election administration reforms which may be implemented prior to the regularly scheduled general elections for Federal office held in 2002; to the Committee on House Administration.

By Mr. FROST:

H. Res. 88. A resolution designating minority membership on certain standing committees of the House; considered and agreed to.

By Mr. TURNER:

H. Res. 90. A resolution designating minority membership on certain standing committees of the House; considered and agreed to.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 25: Mr. GILMAN.

H.R. 31: Mr. HUNTER.

H.R. 68: Mr. BOYD.

H.R. 80: Mr. GIBBONS.

H.R. 99: Mr. CANTOR.

H.R. 105: Mr. CANTOR.

H.R. 162: Mr. DICKS, Mr. BONIOR, Mr. RAHALL, Mr. MATSUI, and Mrs. MINK of Hawaii.

H.R. 179: Mr. ACEVEDO-VILÁ, Mr. BLUNT, Mr. HASTINGS of Florida, Mr. HOLT and Mr. ORTIZ.

H.R. 239: Mrs. KELLY, Mr. NADLER, and Mrs. LOWEY.

H.R. 244: Ms. MILLENDER-MCDONALD.

H.R. 257: Mr. JONES of North Carolina, Mr. WELDON of Florida, and Mr. DOOLITTLE.

H.R. 287: Mr. QUINN, Mr. MCNULTY, and Mr. MCHUGH.

H.R. 303: Mr. BALLENGER, Mr. LEACH, Mrs. BIGGERT, Mr. FOSSELLA, Mr. GUTIERREZ, Mr. BEREUTER, Mr. BOSWELL, and Mr. ORTIZ.

H.R. 320: Mr. GREEN of Wisconsin.

H.R. 330: Mr. ISSA and Mr. FLAKE.

H.R. 346: Ms. SCHAKOWSKY.

H.R. 347: Mrs. THURMAN.

H.R. 397: Ms. MCCARTHY of Missouri, Mr. HOEFFEL, Mr. UDALL of Colorado, Ms. HOOLEY of Oregon, Mr. GUTIERREZ, Mr. SHAW, Ms. MCCOLLUM, Mr. ANDREWS, Mr. GILLMOR, Mr. BONIOR, Mr. GREEN of Texas, Ms. HART, and Mr. LAHOOD.

H.R. 436: Mr. CANNON, Mr. FILNER, Mr. MCHUGH, Mr. SIMMONS, Mr. HASTINGS of Washington, and Mr. HOLT.

H.R. 437: Ms. HART.

H.R. 489: Mrs. THURMAN, Mr. CLEMENT, Mr. DAVIS of Illinois, Mr. TURNER, Mr. BOUCHER, Ms. MILLENDER-MCDONALD, and Mr. GRUCCI.

H.R. 490: Mr. CLEMENT, Ms. ESHOO, Ms. DELAURO, Ms. SANCHEZ, Mr. SHOWS, Mr. SANDERS, Mr. MCINTYRE, Mr. LATOURETTE, Mr. JACKSON of Illinois, and Mr. LEACH.

H.R. 498: Mr. SIMMONS, Ms. WOOLSEY, Mr. BARTON of Texas, Mr. MATSUI, Mr. LANTOS, Ms. HART, Mr. BECERRA, Mr. BERMAN, and Mr. HALL of Texas.

H.R. 503: Ms. ROS-LEHTINEN, Mr. PETERSON of Pennsylvania, Mr. ISSA, and Mr. BOEHNER.

H.R. 510: Ms. HART, Ms. MILLENDER-MCDONALD, Ms. BALDWIN, Mr. CALVERT, and Mr. SAWYER.

H.R. 525: Mr. WYNN.

H.R. 534: Mrs. ROUKEMA, Mr. SMITH of Washington, Mr. FOSSELLA, Mr. BACHUS, Mr. MICA, Mr. BRYANT, Mr. WALDEN of Oregon, Mr. FROST, Mr. GILCHREST, Mr. LARSEN of Washington, Mr. KIRK, Mr. GOSS, Mr. YOUNG of Alaska, Mr. WATTS of Oklahoma, Mr. MCHUGH, Mr. BLUNT, Mr. GREEN of Texas, Mr. SCHROCK, Mr. HUTCHINSON, Mr. TANCREDO, and Mr. WELDON of Pennsylvania.

H.R. 544: Ms. MILLENDER-MCDONALD and Ms. HARMAN.

H.R. 550: Mr. LEVIN, Mr. ROGERS of Michigan, Mr. UPTON, Mr. BONIOR, Mr. CAMP, and Mr. BARCIA.

H.R. 551: Ms. HOOLEY of Oregon.

H.R. 585: Mr. ALLEN.

H.R. 606: Mr. TURNER, Mrs. MCCARTHY of New York, Mr. SCHIFF, Ms. VELAZQUEZ, Mr. BONIOR, and Mr. FERGUSON.

H.R. 612: Mr. BLUNT, Mr. BRYANT, Mr. TIAHRT, and Mr. LIPINSKI.

H.R. 622: Mr. GRAVES, Mr. OTTER, Mr. BALDACCI, Ms. SOLIS, Mr. HOEFFEL, Mr. PORTMAN, Ms. DUNN, and Mr. HYDE.

H.R. 687: Mr. KUCINICH and Mr. OWENS.

H.R. 698: Mr. CLAY, Ms. CARSON of Indiana, Mr. DELAHUNT, Mr. KUCINICH, Mr. PAYNE, and Ms. SLAUGHTER.

H.R. 756: Ms. MILLENDER-MCDONALD and Mrs. DAVIS of California.

H.R. 758: Mr. LANTOS, Ms. SLAUGHTER, and Ms. MILLENDER-MCDONALD.

H.R. 760: Ms. BALDWIN, Ms. BERKLEY, Ms. WOOLSEY, and Mr. BARCIA.

H.R. 762: Mrs. MEEK of Florida.

H.R. 779: Mr. LUCAS of Kentucky.

H.R. 785: Mrs. THURMAN.

H.R. 787: Mr. SIMMONS.

H.R. 801: Mr. FILNER, Mr. PASCRELL, Mr. EHRLICH, Mrs. ROUKEMA, and Mr. GOODE.

H.R. 811: Mrs. ROUKEMA.

H.R. 822: Mr. PAUL, Mr. GILLMOR, and Mr. EVANS.

H.R. 826: Mrs. THURMAN.

H.R. 871: Mr. OTTER.

H.R. 912: Mr. GANSKE, Mr. BAIRD, Mr. CLYBURN, Mr. HOLT, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LANGEVIN, Mr. MALONEY of Connecticut, Mr. MORAN of Virginia, Mrs. NAPOLITANO, Mr. OWENS, Mr. PASCRELL, Mr. SABO, Mr. SERRANO, Mr. UDALL of New Mexico, Mr. CUMMINGS, and Mrs. TAUSCHER.

H.R. 920: Ms. MCKINNEY.

H.R. 936: Ms. LEE, Mr. BOSWELL, Mr. MASCARA, Mr. CONYERS, Mr. ENGLISH, Mr. OLVER, Ms. VELAZQUEZ, Mr. GREEN of Wisconsin, Mr. PASTOR, and Mr. STEARNS.

H.R. 1005: Mr. MURTHA.

H.R. 1009: Mr. SHAYS.

H.J. Res. 36: Mr. BARR of Georgia, Mr. NETHERCUTT, Mr. LUCAS of Kentucky, and Mr. WAMP.

H. Res. 56: Ms. ROS-LEHTINEN.

H. Res. 72: Mr. DOOLEY of California and Mr. EVANS.

H. Res. 73: Mr. SIMMONS.

H. Res. 87: Ms. PELOSI and Mr. NETHERCUTT.