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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. PENCE).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
May 21, 2001.

I hereby appoint the Honorable MIKE PENCE to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2001, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

RECESS

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

Accordingly (at 12 o'clock and 32 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

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

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

O Lord, this Nation has sought Your blessing from one generation to the next. Before we were brought into being, You are God, without beginning or end.

Time moves quickly, but in Your eyes 200 years are like yesterday, come and gone. Be with us now.

Bless this Chamber and all its Members and activities. From page to Parliamentarian, from guide to gardener, bless those who labor here, contributing in great and small measure to historic government and a productive future.

At any moment some in this busy world may seem to avoid work. By Your holy inspiration, bring about true freedom across this land. May all choose daily tasks where they find respect and personal dignity, assuring their own independence and creativity while providing support to loved ones and quality service to others.

Let Your glory be revealed in Your servants and grant success to the work of our hands. Grant success to the work of our hands now and forever. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from Texas (Ms. GRANGER) come forward and lead the House in the Pledge of Allegiance.

Ms. GRANGER 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.

WORKING OVERTIME FOR THE AMERICAN PEOPLE

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

Mr. GIBBONS. Madam Speaker, in the short time since the 107th Republican-led Congress was sworn in, we have taken historic action on the most important issues for the American people.

Today, we can probably say that we have honored our commitment to pass a budget resolution that lowers taxes, improves education, and strengthens retirement security.

Our budget symbolizes the very core of our beliefs: Increased freedom for Americans, freedom from the stifling national debt, from a crippling tax burden, and from troubling retirement worries.

We have proposed an across-the-board tax relief package that benefits all taxpayers and eliminates the taxes on marriage and death. We have passed legislation to give Americans more options to successfully save for their retirement.

We can continue to empower American families by allowing parents and educators to make education decisions which will work best for their own children.

Madam Speaker, the American people want the freedom to make decisions that work best for them. Republicans have been working overtime to give the American people the ability to do just that.

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CONGRATULATIONS TO UNIVERSITY OF THE VIRGIN ISLANDS GRADUATES

(Mrs. CHRISTENSEN asked and was given permission to address the House for 1 minute.)

Mrs. CHRISTENSEN. Madam Speaker, due to changes in the House schedule and my bill being on the Suspension Calendar today, I was regrettably unable to attend graduation at the University of the Virgin Islands this past weekend in my district. But I want to take this opportunity to congratulate the 324 graduates from both the St. Thomas and St. Croix campuses.

Many in this first class of the millennium, overcame great hardships of health, finance, and family life to reach this milestone. Their perseverance and achievement speak well to the future of our islands, for they are our promise for tomorrow.

Their spirit, knowledge, determination, commitment to excellence and compassion are the foundation on which we will reenergize our commitment to building our beloved community.

So I am here this afternoon to extend my applause to them and their families. We wish them the very best life has to offer and God's richest blessings as they use their hard-earned degrees to serve humanity.

Madam Speaker, I also want to add our appreciation and commendation to our outstanding institution, the University of the Virgin Islands, as it continues to fulfill a vital role in the development of our territory, our region, and our Nation.

TRIBUTE TO REVEREND JOSEPH SYLVESTER

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

Mr. DAVIS of Illinois. Madam Speaker, I rise to pay tribute to Reverend Joseph Sylvester of my community, who passed away last week and was funeralized over the weekend.

I pay tribute to him because he was an outstanding religious and civic leader who built an edifice in the heart of the hood, as we would call it, but who understood that the doors of the church had to open both ways: inside so that people could come in and be nurtured, but then outside so people can go out and take their spirituality to their neighborhood, by developing shelters, providing food, providing for people who are hungry, disavowed, those individuals who were most in need, reaching the unreachables and the untouchables.

So we extend our condolences to his family and to the Landmark Missionary Baptist Church and trust that their new pastor, Reverend Fields, will be able to carry on his tradition.

APPOINTMENT OF MEMBERS TO CONGRESSIONAL RECOGNITION FOR EXCELLENCE IN ARTS EDUCATION AWARDS BOARD

The SPEAKER pro tempore. Without objection, and pursuant to the Congressional Award Act (2 U.S.C. 801), amended by Public Law 106–533, the Chair announces the Speaker's appointment of the following Members of the House to the Congressional Recognition for Excellence in Arts Education Awards Board:

Mr. MCKEON of California and

Mrs. BIGGERT of Illinois.

There was no objection.

APPOINTMENT AS MEMBERS TO COMMISSION ON THE FUTURE OF THE UNITED STATES AEROSPACE INDUSTRY

The SPEAKER pro tempore. Without objection, and pursuant to section 1092(b) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398), the Chair announces the Speaker's appointment of the following members on the part of the House to the Commission on the Future of the United States Aerospace Industry.

Mr. F. Whitten Peters, Washington, D.C. and

Mrs. Tillie Fowler, Jacksonville, Florida.

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair announces that she 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, but not before 6 p.m. today.

NATIONAL PEARL HARBOR REMEMBRANCE DAY

Mr. LATOURETTE. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 56) expressing the sense of the Congress regarding National Pearl Harbor Remembrance Day.

The Clerk read as follows:

H. CON. RES. 56

Whereas on December 7, 1941, the Imperial Japanese Navy and Air Force attacked units of the Armed Forces of the United States stationed at Pearl Harbor, Hawaii;

Whereas 2,403 members of the Armed Forces of the United States were killed in the attack on Pearl Harbor;

Whereas there are more than 12,000 members of the Pearl Harbor Survivors Association;

Whereas the 60th anniversary of the attack on Pearl Harbor will be December 7, 2001;

Whereas on August 23, 1994, Public Law 103–308 was enacted, designating December 7 of each year as National Pearl Harbor Remembrance Day; and

Whereas Public Law 103–308, reenacted as section 129 of title 36, United States Code, requests the President to issue each year a proclamation calling on the people of the United States to observe National Pearl Harbor Remembrance Day with appropriate ceremonies and activities, and all departments, agencies, and instrumentalities of the Federal Government, and interested organizations, groups, and individuals, to fly the flag of the United States at half-staff each December 7 in honor of the individuals who died as a result of their service at Pearl Harbor: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress, on the occasion of the 60th anniversary of the December 7, 1941, attack on Pearl Harbor, Hawaii, pays tribute to—

(1) the United States citizens who died in the attack; and

(2) the members of the Pearl Harbor Survivors Association.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. LATOURETTE) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. LATOURETTE).

GENERAL LEAVE

Mr. LATOURETTE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the concurrent resolution, H. Con. Res. 56.

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

There was no objection.

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

I rise today, Madam Speaker, in strong support of this resolution, and I want to commend the gentleman from Illinois (Mr. WELLER) for introducing it.

Madam Speaker, December 7, 2001, will be the 60th anniversary of the Japanese surprise attack on Pearl Harbor, Hawaii. By enacting H. Con. Res. 56, Congress will pay tribute to the American citizens who died in the attack and to more than 12,000 members of the Pearl Harbor Survivors Association.

The story of Pearl Harbor is seared into our national memory. At 7:53 a.m. on December 7, 1941, a date that President Roosevelt said will live in infamy, the Imperial Japanese Navy and Air Force attacked Pearl Harbor.

A second wave of Japanese planes struck at 8:55 a.m. By 9:55 that morning, the attack was over, and America was propelled into World War II. President Roosevelt asked Congress to declare war on Japan on December 8.

The devastation wrought by the sneak attack on Pearl Harbor is hard to imagine: 2,403 members of our Armed Forces personnel were killed that day. Almost half of them, over 1,100, were crewmen of the U.S.S. *Arizona;* and they remain entombed in that sunken battleship. The U.S.S. *Arizona* Memorial at Pearl Harbor has become one of our Nation's most moving

memorials to the military men and women who have paid the ultimate price to preserve the freedoms we Americans enjoy to this day.

Fifty-four civilians were also killed in the attack. There were almost 1,200 military and civilian wounded.

In addition to this human toll, Madam Speaker, our Pacific Fleet was severely crippled. Twelve ships were sunk or beached, nine more were damaged, and over 300 aircraft were destroyed or damaged.

Madam Speaker, Public Law 103–308 designates December 7 of each year as National Pearl Harbor Remembrance Day and calls on the President to issue each year an appropriate proclamation and on the American people to observe that day with appropriate ceremonies and activities. Under that law, the American flag is to be flown at half-staff each December 7 in honor of the individuals who died as a result of their service at Pearl Harbor.

We should continue to pay tribute to those who gave their lives at Pearl Harbor and to those who survived that ferocious and unprovoked attack. When he was the Governor of Texas, President Bush issued a proclamation proclaiming December 7, 2000, as Pearl Harbor Remembrance Day in Texas. In it he said: ''It remains the duty of all Texans to remember what these men and women did and pass their stories of courage and character on to the next generation.''

Madam Speaker, that is indeed the duty of all Americans. To quote again from then Governor Bush's proclamation: ''It is the way freedom renews its promise, by celebrating American heroes and American democratic values, without hesitation and without apology.''

I strongly urge all of our colleagues to support this resolution.

Madam Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I want to commend the gentleman from Illinois (Mr. WELLER) for introducing this resolution, because I think it is so meaningful that we remember on December 7, 1941, a fateful day when the Japanese Imperial Navy attacked the island of Oahu, Hawaii, now infamously known as Pearl Harbor.

Approximately 100 ships of the United States Navy were present that morning, consisting of battleships, destroyers, cruisers, and various support ships. By 1 p.m., the Japanese carriers that had launched the planes from 274 miles off the coast were heading back to Japan. Behind them they left chaos: 2,403 dead, 188 destroyed planes, and a crippled Pacific Fleet that included eight damaged or destroyed warships.

The battleships moored along Battleship Row were the primary target of the attack's first wave. Ten minutes after the beginning of the attack, a bomb crashed through the U.S.S. *Arizona*'s two armored decks igniting its magazine. The explosion ripped the ship's sides open, and fire engulfed the entire ship. Within minutes, the ship sank to the bottom, taking 1,300 lives with her.

The sunken ship remains as a memorial to those who sacrificed their lives during the attack. Let me take a moment to read an excerpt of Marine Corporal E.C. Nightingale's account of that Sunday morning as he was leaving the breakfast table aboard the *Arizona*:

''I reached the boat deck and our anti-aircraft guns were in full action, firing very rapidly. I was about three quarters of the way to the first platform on the mast when it seemed as though a bomb struck our quarter deck. I could hear shrapnel or fragments whistling past me. As soon as I reached the first platform, I saw Second Lieutenant Simonson lying on his back with blood on his front shirt. I bent over him, and taking him by the shoulders, asked if there was anything that I could do.'' Of course there was not. ''He was dead or so nearly so that speech was impossible.''

This resolution calls on Congress, on the 60th anniversary of Pearl Harbor, to pay tribute to those who not only died in the attack, but those like Corporal Nightingale who survived that fatal Sunday morning.

I also would indicate that I paid tribute to a dear friend of mine whom I have known and lived near for close to 40 years who was a survivor of Pearl Harbor, Arlandis Dixon. Always we would look forward to seeing Arlandis Dixon's photograph on the front page of the Chicago Sunday Times just about every year until the past when he, too, died, as a person who survived.

□ 1415

I would also like to pay tribute to my uncle, Nehmiah Davis, who served at Pearl Harbor. So I join with all of those who support this resolution and I urge its adoption.

Madam Speaker, I reserve the balance of my time.

Mr. LATOURETTE. Madam Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. WELLER), the author of House Concurrent Resolution 56.

Mr. WELLER. Madam Speaker, I thank the gentleman from Ohio (Mr. LATOURETTE) and the gentleman from Illinois (Mr. DAVIS) my friend and colleague, for their help and support in moving forward House Concurrent Resolution 56, a Sense of Congress Resolution recognizing the 60th anniversary of the attack on Pearl Harbor and honoring the sacrifices of those who gave their lives and perished the morning of December 7, 1941, and those who survived and fought gallantly in the face of attack by the imperial Japanese forces.

House Concurrent Resolution 56 expresses the sense of the Congress regarding National Pearl Harbor Remembrance Day. On December 7, 1941, a day President Roosevelt said would live in infamy, the Imperial Japanese Navy and Air Force attacked units of the Armed Forces of the United States stationed at Pearl Harbor, Hawaii. 2,403 members of the Armed Forces of the United States were killed in the attack on Pearl Harbor. House Concurrent Resolution 56 pays tribute to the American men and women who died and gave their lives at Pearl Harbor as well as the more than 12,000 members of the Pearl Harbor Survivors Association, who survived the attack that December morning.

As my colleagues know, Madam Speaker, December 7, 2001, will mark the 60th anniversary of the attack which thrust the United States into the war in the Pacific. As Congress approaches this Memorial Day recess, I can think of no greater message this body can send to our veterans than to pay tribute to this important day of remembrance.

Over the coming months, survivors and family members of those who defended Pearl Harbor, will take part in ceremonies and services in each of the 50 States, with a national reunion planned for December 7, 2001 on the island of Oahu. In fact, Madam Speaker, this coming weekend, Hollywood will also help tell the story of the attack on Pearl Harbor with a blockbuster movie based on the events of that day.

During the 103rd Congress, the President signed into law legislation designating every December 7 as National Pearl Harbor Remembrance Day. As part of this legislation, the President shall issue a yearly proclamation calling attention to the attack on Pearl Harbor and designates that U.S. flags should be flown at half staff. It is my hope, Madam Speaker, that activities planned nationwide this year and our actions today and each year will tell the story of Pearl Harbor to future generations to ensure that those who fought at Pearl Harbor are never forgotten.

Lastly, Madam Speaker, I would also like to pay special recognition to a friend of mine, a gentleman by the name of Richard Foltynewicz, from my district in Ottawa, Illinois. Richard is a Pearl Harbor survivor and has served as past president of the Pearl Harbor Survivors Association. I first met Richard Foltynewicz in 1985 in the Grunde County Corn Festival Parade, and I can say from personal experience that his vigilance in keeping the memory of Pearl Harbor alive is making a great difference in the history of our Nation. I wish to thank people like Richard Foltynewicz for their leadership as well as their assistance in crafting this special legislation.

Madam Speaker, House Concurrent Resolution 56 is supported by 30 bipartisan cosponsors from both sides of the aisle. I ask every Member of the House support this resolution; that each and every one of us remembers the sacrifices of those who served at Pearl Harbor as we mark Memorial Day next week.

Mr. DAVIS of Illinois. Madam Speaker, I yield myself the balance of my time to also acknowledge the George Giles Post, the Chrispus Attucks Post, the Milton Olive Post, and the Montford Point Marine Association, as all of these posts interact on a regular and ongoing basis, not only to keep the memory of Pearl Harbor alive, but also to commemorate the tremendous contributions that have been made by our veterans who fought in all of the wars. So I simply commend and congratulate them.

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

Mr. LATOURETTE. Madam Speaker, I yield myself the balance of my time.

I again commend the gentleman from Illinois (Mr. WELLER) for introducing this important resolution. I also want to thank the gentleman from Indiana (Mr. BURTON), chairman of the full Committee on Government Reform and Oversight; the gentleman from Florida (Mr. SCARBOROUGH), chairman of the Subcommittee on Civil Service and Agency Organization; as well as the ranking members of the full committee and subcommittee, the gentleman from California (Mr. WAXMAN) and our good friend, the gentleman from Illinois (Mr. DAVIS).

I urge all Members to support this resolution.

Mrs. MINK of Hawaii. Madam Speaker, I rise to express my strong support for H. Con. Res. 56, which calls for a National Pearl Harbor Remembrance Day on the upcoming 60th Anniversary of the December 7th, 1941, attack by the Japanese Imperial Navy. This bill recognizes and pays tribute to the more than 2,403 members of the Armed Forces that were killed during the attack and the more than 12,000 members of the Pearl Harbor Survivors Association.

I will always remember that day. So many brave young lives were lost without any warning. We will never know what those young men might have achieved. We are still humbled by their sacrifice and the loss to their families and loved ones.

I was a young girl living on the island of Maui at the time of the attack. We couldn't believe that this terrible event had happened. Like all Americans, my family mourned for the courageous young men who were killed in the attack and were afraid of what would happen next. We had an added fear, however, because we were of Japanese ancestry—and, therefore, linked in some peoples' minds to the enemy. Many Japanese-American community leaders were rounded up. My father, a native-born American who was a land surveyor with the East Maui Irrigation Company, was picked up by the police and questioned.

Today, the *Arizona* Memorial at Pearl Harbor is visited by people from around the world. As the final resting place for some 900 of the 1,177 men who lost their lives when the *Arizona* went down, the memorial serves as a national shrine in memory of their courage and sacrifice of all who lost their lives in the attack on Pearl Harbor and in the long and costly war that followed. This shrine to our honored war dead inspires all who come there to pay their respects.

It is fitting that we commemorate the 60th anniversary of the event that brought our country into World War II and led to such dramatic changes in our nation and the world.

We must always remember the sacrifice and heroism of those we lost at Pearl Harbor and all the brave men and women who have followed them in the service of our country.

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

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 56.

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. WELLER. Madam 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.

ELDON B. MAHON UNITED STATES COURTHOUSE

Mr. LATOURETTE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1801) to designate the United States courthouse located at 501 West 10th Street in Fort Worth, Texas, as the ''Eldon B. Mahon United States Courthouse''.

The Clerk read as follows:

H.R. 1801

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

SECTION 1. DESIGNATION.

The United States courthouse located at 501 West 10th Street in Fort Worth, Texas, shall be known and designated as the ''Eldon B. Mahon United States Courthouse''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in section 1 shall be deemed to be a reference to the ''Eldon B. Mahon United States Courthouse''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. LATOURETTE) and the gentleman from Illinois (Mr. COSTELLO) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. LATOURETTE).

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

I would first like to notice, Madam Speaker, that H.R. 1801 was discharged from committee consideration and expeditiously brought to the floor for immediate consideration. Although not the normal process, in the interest of time, the committee will occasionally discharge consideration, as it has in this case.

H.R. 1801 designates the United States Courthouse located at 501 West 10th Street in Fort Worth, Texas, as the Eldon B. Mahon United States courthouse. Judge Mahon was born in 1918 and attended public schools in Loraine, Texas. He earned his bachelor degree from McMurry University and law degree from the University of Texas at Austin.

During the Second World War, Judge Mahon served in the United States Air Force, enlisting as a private and being discharged at the rank of captain after serving active duty in the South Pacific with the Fifth Bomber Command.

Before being appointed the United States District Judge for the Northern District of Texas in 1972, by President Richard Nixon, Judge Mahon clerked for the Supreme Court of Texas, served as Mitchell County Attorney, Texas District Attorney, District Judge for the 32nd Judicial District of Texas, vice president of an electrical service corporation, maintained an active private law practice from 1968 until 1972, and served as the United States District Attorney for the Northern District of Texas. He is also an active member of many professional associations and foundations.

Judge Mahon was responsible for overseeing and monitoring desegregation of the Fort Worth Independent School District. Judge Mahon took senior status in 1989, after serving on the Federal bench for more than 28 years. This is a fitting way to honor such a distinguished public servant. I support the bill and urge my colleagues to join in their support.

Madam Speaker, I reserve the balance of my time.

Mr. COSTELLO. Madam Speaker, I yield myself such time as I may consume, and I want to thank the subcommittee chairman, the gentleman from Ohio (Mr. LATOURETTE), for his bipartisan support for this legislation.

Madam Speaker, I rise in support of H.R. 1801, a bill to designate the courthouse located at 501 West 10th Street in Fort Worth, Texas, as the Eldon B. Mahon United States courthouse.

Judge Mahon is a true Texan, born in 1918 and raised in Texas. He received his undergraduate degree from McMurry University in Abilene in 1939 and received his law degree from the University of Texas in 1942.

After serving for 3½ years in the Army Air Corps during World War II, he returned to Texas and became the briefing attorney for the Texas Supreme Court. For over 50 years, Judge Mahon has served the people of Texas at the county level as County Attorney, at the State level as the State District Attorney from 1948 to 1960, and at the Federal level as the U.S. Attorney and Federal Judge.

In 1968, President Johnson appointed him as the U.S. Attorney for the Northern District, and in June 1972, President Nixon appointed him to the U.S. District Court for the Northern District. Judge Mahon assumed senior status in 1989, and is still active with judicial matters at the age of 83.

During his years on the Federal bench, Judge Mahon presided over several significant cases. The decision he considered his greatest accomplishment was the decision involving racial integration of the Fort Worth school system.

Judge Mahon has received numerous awards and honors, including having a scholarship named in his honor at McMurry University, receiving an Honorary Doctor of Humanities from Texas Wesleyan University, and receiving the Distinguished Alumni Award from McMurry University in 1987. He has devoted countless hours of volunteer work to the Methodist church, the Lion's Club and the Girl Scouts.

Judge Mahon is held in very high regard by his fellow jurists, who call him a wonderful judge who does a fantastic job, a fair-minded judge, and a judge with an excellent judicial temperament and demeanor. It is both fitting and proper that we honor the decades of dedicated work of this outstanding public servant by designating the courthouse in Fort Worth as the Eldon B. Mahon United States Courthouse.

Madam Speaker, I reserve the balance of my time.

Mr. LATOURETTE. Madam Speaker, it is my pleasure to yield such time as she may consume to the gentlewoman from Texas (Ms. GRANGER), the author of this legislation.

Ms. GRANGER. Madam Speaker, I thank the gentleman for yielding me this time and I am pleased today to present to the House of Representatives legislation to designate the United States in downtown Fort Worth, Texas, as the Eldon B. Mahon United States courthouse. Judge Mahon has dedicated his life to public service and to justice.

Judge Mahon was born and raised in the West Texas town of Loraine. He earned his Bachelor of Arts degree in history and government from McMurry University in Abilene, Texas. Judge Mahon then attended the University of Texas Law School, where he graduated in 1942. He and his wife, Nova Lee Mahon, have three wonderful children, Jan, Martha and Brad.

Upon his graduation from law school, like so many of America's greatest generation, Judge Mahon served in the United States Army Air Corps during World War II. He gave America 40 months of dedicated service, including one year in the South Pacific as a captain with the Fifth Bomber Wing. After the war was over, he came back home to Texas and began his long and distinguished career in public service.

From 1945 to 1946, he served as the briefing attorney for the Texas Supreme Court. In 1947, he returned home to Mitchell County and successfully ran for county attorney. After 1 year, he was appointed District Attorney for the 32nd Judicial District of Texas covering Nolan, Mitchell, Scurry, and Borden Counties. After his years as District Attorney, Judge Mahon was elected to the bench as District Judge for the 32nd Judicial District, presiding over that court from 1961 to 1963. He then moved to Fort Worth to take a position as vice president of Texas Electric Service Company.

However, only after 1 year in the corporate world, the law called him back. He became a partner in the Abilene, Texas law firm of Mahon, Pope, and Gladdon.

In 1968, President Lyndon B. Johnson appointed him United States Attorney for the Northern District of Texas. Judge Mahon is a lifelong Democrat, but President Richard M. Nixon appointed him to the Federal Court for the Northern District of Texas in 1972. He reached senior status in 1989 and continues to be an active member of the Federal bench today at the very young age of 83.

□ 1430

During his years on the Federal bench, Judge Mahon presided over the racial integration of the Fort Worth School District. Judge Mahon considers this as the greatest accomplishment of his court.

Judge Mahon has tirelessly served every community of which he has been a part. He is a lifelong member of the United Methodist Church, serving in most lay positions in Westcliff United Methodist Church in Fort Worth. He is a past president of the West Texas Girl Scout Council in Abilene and of the Colorado City, Texas, Lions Club.

Judge Mahon is a past member of the Board of Trustees at McMurry University in Abilene and served on the Board of Trustees for Harris Methodist Health System in Fort Worth. Currently, he serves on the Board of Trustees at my alma mater, Texas Wesleyan University in Fort Worth. Judge Mahon has been a member of the Rotary Club of Fort Worth since 1988.

Judge Mahon has been recognized on numerous occasions for his outstanding service to the legal community. July 10, 1997, was declared ''Judge Eldon B. Mahon Day'' throughout Tarrant County, Texas, to commemorate his 25th anniversary as a Federal judge.

The Tarrant County Bar Association recently established the ''Eldon B. Mahon Lecture Series on Ethics and Professionalism'' at Texas Wesleyan University School of Law.

In 1998, Judge Mahon received the ''Samuel Passara Outstanding Jurist Award'' from the Texas Bar Foundation and last year, he was selected as one of 100 lawyers from the State of Texas as a 20th century ''living legend'' by the Texas Lawyer Magazine.

Judge Mahon has first and foremost been a family man. His wonderful family is a testament to that. Judge Mahon represents the values that call so many of us to public service: The importance of family, community, and the strong desire to serve his fellow Americans.

Naming the United States courthouse after Judge Mahon is an appropriate tribute to such a fine man and exceptional jurist.

I would like to thank several people who have been very supportive of this measure. First, the gentleman from Alaska (Mr. YOUNG), the chairman of the Transportation and Infrastructure Committee; as well as the gentleman from Minnesota (Mr. OBERSTAR), the ranking member; the gentleman from Ohio (Mr. LATOURETTE), the chairman of the Subcommittee on Economic Development, Public Buildings and Emergency Management; and also the ranking member, the gentleman from Illinois (Mr. COSTELLO).

Madam Speaker, I would also like to thank all of the bill's cosponsors for their support. And, finally, I would like to thank the majority leader, the gentleman from Texas (Mr. ARMEY) for his support of this effort.

Madam Speaker, there is no more deserving man than Eldon B. Mahon. I am honored to sponsor this bill, and I urge all of my colleagues to support its passage.

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

Mr. LATOURETTE. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, I thank the gentlewoman from Texas (Ms. GRANGER) for bringing this important legislation before the body; and I want to thank the chairman of our full committee, the gentleman from Alaska (Mr. YOUNG), and the ranking member, the gentleman from Minnesota (Mr. OBERSTAR), for helping us discharge it. And nothing happens important in the subcommittee without the help and counsel of the ranking member, the gentleman from Illinois (Mr. COSTELLO), and I thank him for his help as well; and I urge Members to support the bill.

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

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend the rules and pass the bill, H.R. 1801.

The question was taken.

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

Ms. GRANGER. Madam 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.

RON DE LUGO FEDERAL BUILDING

Mr. LATOURETTE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 495) to designate the Federal building located in Charlotte Amalie, St. Thomas, United States Virgin Islands, as the ''Ron de Lugo Federal Building''.

The Clerk read as follows:

H.R. 495

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

SECTION 1. DESIGNATION.

The Federal building located in Charlotte Amalie, St. Thomas, United States Virgin Islands, shall be known and designated as the ''Ron de Lugo Federal Building''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in section 1 shall be deemed to be a reference to the ''Ron de Lugo Federal Building''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. LATOURETTE) and the gentleman from Illinois (Mr. COSTELLO) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. LATOURETTE).

Mr. LATOURETTE. Madam Speaker, I yield myself such time as I might consume.

Madam Speaker, H.R. 495 designates the Federal building in Charlotte Amalie, St. Thomas of the United States Virgin Islands as the ''Ron de Lugo Federal Building.'' Ron de Lugo was born in Englewood, New Jersey in 1930. He attended school in Saints Peter and Paul School in St. Thomas, Virgin Islands and Colegio San Jose, Puerto Rico.

Delegate de Lugo ably served in the United States Army as a program director and announcer for the Armed Forces Radio Service from 1948 until 1950. Following his military service, Delegate de Lugo continued working radio at WSTA St. Thomas and WIVI St. Croix. In 1956, he served as senator for the Virgin Islands, a position he held for 8 years; during which time he served as minority leader and member of the Democratic National Committee.

In 1968, Delegate de Lugo was named the Virgin Islands' representative to the United States Congress. While serving as representative to the Congress, Ron de Lugo successfully educated his colleagues about the people of the Virgin Islands. In 1973, Delegate de Lugo was elected to serve in the 93rd Congress before running for governor. He later returned to Congress in January 1981 when he was officially elected delegate to the 97th Congress from the Virgin Islands, a position he held until the conclusion of his career in 1995, when he did not seek reelection.

Delegate de Lugo served on the Committee of Public Works and Transportation and as vice chairman on the Aviation Subcommittee. I wholeheartedly support this piece of legislation and urge my colleagues to do the same.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I support H.R. 495, a bill to designate the Federal building in Charlotte Amalie, U.S. Virgin Islands, in honor of our former colleague, Ron de Lugo.

Although Ron was a native of New Jersey, he spent his entire life working in and associated with the Virgin Islands. He attended St. Peter and Paul School in St. Thomas and attended the College of St. Joseph in Puerto Rico.

In 1956, he began his public career when he was elected to the Territorial Senate. From 1961 to 1962, he served as administrator for St. Croix; and in 1963, he returned to the Territorial Senate and was minority leader for 3 years. In 1972, Ron became the first Virgin Islands delegate to the U.S. Congress and served until 1979. After an unsuccessful campaign for Governor of the U.S. Virgin Islands, he was once again elected to Congress in 1980 and served until 1995.

While in Congress, he was a tireless advocate for infrastructure improvements for the Virgin Islands. From his position on the Natural Resources Committee as chairman of the Subcommittee on Insular and International Affairs, he was vigilant in assuring that Federal policies preserved the natural beauty of the islands. Ron also was supportive of all efforts to provide for full participation of residents of the Virgin Islands and Guam in the electoral process as well as equal treatment under various Federal programs.

Ron de Lugo fought for the rights and privileges for territorial delegates, and left his mark on the political development of the territories. He worked endlessly for his constituents and for full political status for the Virgin Islands. He was a real consensus builder, and he was well liked on both sides of the aisle.

Madam Speaker, it is fitting and proper that we honor Ron de Lugo's public service with this designation. I support H.R. 495 and urge my colleagues to join me in supporting this bill.

Madam Speaker, I yield such time as she may consume to the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN), the author of this legislation.

Mrs. CHRISTENSEN. Madam Speaker, I am pleased to rise today in support of legislation I sponsored to name the Federal building on St. Thomas, U.S. Virgin Islands after my predecessor and the person who originated the office, Ron de Lugo. It is fitting that Ron be given this honor for his over 30 years of service to the people of the Virgin Islands, 20 years of which was spent as a Member of this body.

Madam Speaker, Ron de Lugo's life has been almost entirely devoted to public service on behalf of the community in which his family put down roots more than a hundred years ago. The de Lugo family migrated from Puerto Rico to the Virgin Islands on April 26, 1879. Ron's grandfather, Antonio Lugo y Suarez was a merchant on St. Thomas, operating various wholesale and retail businesses. His father, Angelo de Lugo, who was born on St. Thomas in 1892, carried on the family business. Ron de Lugo was born on August 2, 1930.

Ron attended school, as you have heard, in the Virgin Islands and Puerto Rico; and after a tour of duty in the U.S. Army, he returned to St. Thomas where in 1950 he helped to start the first radio station, WSTA. It was at WSTA that he created the popular wise-comic character ''Mango Jones,'' still fondly remembered 40 years later.

In 1952, Ron led the revival of Carnival, a community institution and a lasting legacy of his early years as a radio personality.

In 1955, Ron moved to St. Croix and the following year embarked on what was to become his life's work when, at 26, he was elected at-large to the Virgin Islands legislature, the youngest member to serve in that body. His local legislative career spanned 10 years, with one break to serve as St. Croix administrator. He served on the Democratic National Committee in 1959 and was selected as delegate to five Democratic National Conventions.

In 1968, Ron was elected at-large as the Virgin Islands' first Washington representative and was reelected to the post in 1970. In 1972, he was elected and seated as the first Delegate from the Virgin Islands in Congress.

The establishment of this office was a great step forward in the political development of the Virgin Islands and was achieved in large measure because of Ron's efforts here in Washington. He was reelected to Congress in 1974 and 1976 and left to run for governor in 1978.

Ron regained his seat in Congress in 1980 and was reelected every 2 years thereafter until his retirement in 1994.

With the organization of the 100th Congress in 1987, his hard-earned seniority qualified him for chairmanship; and he was elected to head the Subcommittee on Insular and International Affairs because of its importance to the people of the territory.

It was as chairman of this distinguished subcommittee where Ron may have, in the words of one of his colleagues, ''left an indelible mark on the history of the United States territories and the freely associated States.'' Among Ron's accomplishments in this regard were: the implementation of the Compact of Free Association which allowed the former Trust Territory of Palau to become the Republic of Palau on October 1, 1984; the legislation implementing the covenant between the U.S. Commonwealth of the Northern Mariana Islands; the Compact establishing the Federates States of Micronesia and the Republic of the Marshall Islands; the first bill to pass either House of Congress concerning the political status of Puerto Rico; Public Law 102–247 which made it possible for the Virgin Islands and the other territories to receive the same benefits as States from FEMA whenever there was a disaster, as well as many others.

Throughout his political career, whether it was a right to write our own

constitution or the authority to exercise the people-power rights of initiative, referendum and recall, Ron has been at the forefront of successful efforts to win greater control of their own destiny for the people of the Virgin Islands. For these and many other accomplishments too numerous to mention, I ask my colleagues to join me in honoring Delegate Ron de Lugo by naming the Federal building on St. Thomas, the Ron de Lugo Federal Building.

Our appreciation and good wishes go out to him and his lovely wife, the former Sheila Paiewonsky of St. Thomas.

Mr. COSTELLO. Madam Speaker, I yield such time as he may consume to the gentleman from Guam (Mr. UNDERWOOD).

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

Mr. UNDERWOOD. Madam Speaker, I thank my colleague from Illinois for yielding me the time.

Madam Speaker, I, too, rise in support of H.R. 495, the legislation by the gentlewoman from the Virgin Islands, a bill designating the Federal building located in Charlotte Amalie, St. Thomas, U.S. Virgin Islands, as the Ron de Lugo Federal Building.

Madam Speaker, for a distinguished colleague who has devoted almost four decades towards public service in Washington and in the Virgin Islands, this honor is both timely and rightfully deserved.

I had the honor of working with Congressman de Lugo as a freshman in the 103rd Congress. At the time, he served as the chairman of the House Subcommittee on Insular and International Affairs having jurisdiction over the Caribbean, Pacific Island territories, the freely associated states, and those parts of the U.S. Department of Interior which had coordinating responsibilities for these areas.

□ 1445

As mentioned, he was tireless in his advocacy for increased levels of self-government, not only for all the U.S. territories but for those jurisdictions which ultimately came out of the trust territory of the Pacific Islands, Republic of Palau, Republic of the Marshall Islands, Federated States of Micronesia, and the covenant with the Commonwealth of the Northern Mariannas. In that time that we worked together, I had been acquainted with his dedication to the U.S. territories. He had a great understanding of our home islands and the Federal Government's attention, or lack of attention, to the territories; the history of our people and our determination to right past injustices, our commitment towards political advancement.

He worked tirelessly on Guam issues, as well as Virgin Island issues, and I considered him my mentor as well as my friend.

It was very fitting that under the rules of the 103rd Congress, delegates were allowed to vote in the Committee of the Whole House, and he was the first delegate in American history to preside over the Committee of the Whole House here in the House of Representatives.

A colorful figure in Virgin Island politics, Ron attended academic institutions in the Virgin Islands, Puerto Rico and the U.S. mainland. He returned to St. Thomas in 1950 after a tour of duty with the U.S. Army and helped start WSTA, the first radio station in the Virgin Islands; and of course, it was here that he created the popular Mango Jones. So this building is for Mango Jones, a wise-alecky character still fondly remembered some 5 decades after its original inception.

Another lasting legacy attributed to our friend is the institution of the Virgin Islands' carnival that we know and enjoy today, and he led the revival of this community institution in 1952, exhibiting the leadership skills that would assist him in the lifetime of public service.

At the age of 26, he was elected at-large to the Virgin Islands legislature. Consistently elected by large pluralities, he served as a legislator for 10 years with one break to serve as St. Croix administrator. He was elected in 1968 and in 1970 to be the Virgin Islands' first Washington representative. Due in large part to Ron's efforts, the office of the Virgin Islands delegate to the U.S. House was established in 1972 and it was a parallel effort, along with the election of Guam's first delegate Antonio Won Pat, who worked very closely with Ron de Lugo, a giant step in both of our island territories' political development. He eventually became the first person elected to occupy this seat, and he was reelected in 1974, 1976, and again in successive elections from 1980 until his retirement in 1994.

Few political leaders can claim the record of accomplishment of Ron de Lugo. Fewer still can boast of friends stretching from the far-flung reaches of the Caribbean to the western-most of U.S. territories and U.S.-affiliated islands in the Pacific. Throughout his political career, he made sure that his colleagues in the territories knew that he was one of us; that we were fashioned from the same mold; that he had walked in our shoes; and that he was always there to be of assistance.

No amount of words and praise could adequately express our esteem for the endeavors and accomplishments of our former colleague, Ron de Lugo. He was a tireless advocate and great friend. He greatly deserves this honor, and I urge my colleagues to support H.R. 495.

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

Madam Speaker, I urge my colleagues to adopt this legislation, and I thank the subcommittee chairman for his support.

Mr. FALEOMAVAEGA. Madam Speaker, I rise today in strong support of H.R. 495, a bill to designate the federal building in Charlotte Amalie, St. Thomas, U.S. Virgin Islands, as the "Ron de Lugo Federal Building."

Mr. Speaker, I served with Congressman Ron de Lugo in this House from January, 1989 when I was first elected, until he retired in January, 1995. During that time he was Chairman of the House Subcommittee on Insular and International Affairs, and through his leadership the subcommittee resolved several then-pending unresolved issues. These bills were later enacted into federal law, and are today the governing authority setting federal policy in the insular areas.

I also had the pleasure of seeing Ron de Lugo represent the people of the U.S. Virgin Islands when I was a member of the staff of the Interior Committee in the 1970's. Throughout the time I knew him in Washington, D.C., he devoted himself to public service, serving both his constituents and the people of this nation. But this does not describe his service to this nation in total.

Ron de Lugo's public service began in 1956 when he was elected as a senator with the Virgin Islands legislature. With the exception of one two-year period, he served in elected positions until his retirement in 1995, a span of nearly 40 years!

Among the firsts in his career are that he was the first delegate Chairman of a Subcommittee in the Interior Committee, first elected at large Washington representative from the Virgin Islands, and the first seated delegate from the Virgin Islands in the U.S. Congress.

Mr. Speaker, Congressman Ron de Lugo will be long remembered as a key leader who shaped the political future of the U.S. Virgin Islands. Through his efforts, the people of the Virgin Islands have greater control over their own destiny, both with regard to their political status and development of social and economic conditions. Designation of the federal building in St. Thomas, U.S. Virgin Islands is a fitting tribute to this distinguished gentleman, and I urge my colleagues to support this bill.

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

Mr. LATOURETTE. Madam Speaker, I urge my colleagues to support the measure, and I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend the rules and pass the bill, H.R. 495.

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.

AUTHORIZING USE OF EAST FRONT OF CAPITOL GROUNDS FOR PERFORMANCES SPONSORED BY KENNEDY CENTER

Mr. LATOURETTE. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 76) authorizing the use of the East Front of the Capitol Grounds for performances sponsored by the John F. Kennedy Center for the Performing Arts.

The Clerk read as follows:

H. CON. RES. 76

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. AUTHORIZING USE OF EAST FRONT OF CAPITOL GROUNDS FOR PERFORMANCES SPONSORED BY KENNEDY CENTER.

In carrying out its duties under section 4 of the John F. Kennedy Center Act (20 U.S.C. 76j), the John F. Kennedy Center for the Performing Arts, in cooperation with the National Park Service (in this resolution jointly referred to as the ''sponsor''), may sponsor public performances on the East Front of the Capitol Grounds at such dates and times as the Speaker of the House of Representatives and Committee on Rules and Administration of the Senate may approve jointly.

SEC. 2. TERMS AND CONDITIONS.

(a) IN GENERAL.—Any performance authorized under section 1 shall be free of admission charge to the public and arranged not to interfere with the needs of Congress, under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board.

(b) ASSUMPTION OF LIABILITIES.—The sponsor shall assume full responsibility for all liabilities incident to all activities associated with the performance.

SEC. 3. EVENT PREPARATIONS.

(a) STRUCTURES AND EQUIPMENT.—In consultation with the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate, the Architect of the Capitol shall provide upon the Capitol Grounds such stage, sound amplification devices, and other related structures and equipment as may be required for a performance authorized under section 1.

(b) ADDITIONAL ARRANGEMENTS.—The Architect of the Capitol and the Capitol Police Board may make such additional arrangements as may be required to carry out the performance.

SEC. 4. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 4 of the Act of July 31, 1946 (40 U.S.C. 193d; 60 Stat. 718), concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, with respect to a performance authorized by section 1.

SEC. 5. EXPIRATION OF AUTHORITY.

A performance may not be conducted under this resolution after September 30, 2001.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. LATOURETTE) and the gentleman from Illinois (Mr. COSTELLO) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. LATOURETTE).

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

Madam Speaker, House Concurrent Resolution 76 was introduced by the chairman of our full committee, the gentleman from Alaska (Mr. YOUNG), and cosponsored by the ranking member, the gentleman from Minnesota (Mr. OBERSTAR). The resolution authorizes the use of the east front of the Capitol for performances by the Millennium Stage of the John F. Kennedy Center for the Performing Arts. Performances will take place on Tuesdays and Thursdays beginning June 5 through August 31. The performances will be open to the public, free of admission charge; and the sponsors of the event, the Kennedy Center and the National Park Service, will assume responsibility for all liabilities associated with the event.

The resolution expressly prohibits sales, displays, advertisements, and any solicitation in connection with the event.

This unique event allows the Kennedy Center to provide leadership in the national performing arts education policy and programs and to conduct community outreach as provided in its mission statement. By permitting these performances on the east front, the Congress is assisting the Kennedy Center in fulfilling its mission. I support this resolution and urge my colleagues to do the same.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I rise in support of H. Con. Res. 76, a resolution to authorize the use of the Capitol Grounds for a series of summer concerts sponsored by the John F. Kennedy Center. Last summer, approximately 5,000 people attended and were entertained by the Capitol Hill Millennium stage performances. Musicians, dancers, pianists, and storytellers performed here on Capitol Hill. Members of Congress, their staffs, employees, tourists, and neighbors were treated to a wonderful, free concert during their lunch hours on Tuesdays and Thursdays from Memorial Day to Labor Day.

As with all events on the Capitol Grounds, these concerts are free and open to the public. The Kennedy Center works with the Architect of the Capitol to ensure that all rules and regulations are enforced.

Madam Speaker, I support this resolution and thank the gentleman from Ohio (Mr. LATOURETTE), the gentleman from Minnesota (Mr. OBERSTAR), and the gentleman from Alaska (Mr. YOUNG) for bringing this matter to the floor in an expeditious manner.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 76.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING USE OF CAPITOL GROUNDS FOR GREATER WASHINGTON SOAP BOX DERBY

Mr. LATOURETTE. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 79) authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.

The Clerk read as follows:

H. CON. RES. 79

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. AUTHORIZATION OF SOAP BOX DERBY RACES ON CAPITOL GROUNDS.

The Greater Washington Soap Box Derby Association (in this resolution referred to as the ''Association'') shall be permitted to sponsor a public event, soap box derby races, on the Capitol Grounds on June 23, 2001, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate may jointly designate.

SEC. 2. CONDITIONS.

The event to be carried out under this resolution shall be free of admission charge to the public and arranged not to interfere with the needs of Congress, under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board; except that the Association shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

SEC. 3. STRUCTURES AND EQUIPMENT.

For the purposes of this resolution, the Association is authorized to erect upon the Capitol Grounds, subject to the approval of the Architect of the Capitol, such stage, sound amplification devices, and other related structures and equipment as may be required for the event to be carried out under this resolution.

SEC. 4. ADDITIONAL ARRANGEMENTS.

The Architect of the Capitol and the Capitol Police Board are authorized to make any such additional arrangements that may be required to carry out the event under this resolution.

SEC. 5. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 4 of the Act of July 31, 1946 (40 U.S.C. 193d; 60 Stat. 718), concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, with respect to the event to be carried out under this resolution.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. LATOURETTE) and the gentleman from Illinois (Mr. COSTELLO) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. LATOURETTE).

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

Madam Speaker, House Concurrent Resolution 79 authorizes the use of the Capitol Grounds for the Greater Washington Soap Box Derby qualifying races to be held on June 23, 2001, or on such date as the Speaker of the House of Representatives and the Senate Committee on Rules and Administration jointly designate.

The resolution also authorizes the Architect of the Capitol, the Capitol Police Board, and the Greater Washington Soap Box Derby Association, the sponsor of the event, to negotiate the necessary arrangements for carrying out the event in complete compliance with the rules and regulations

governing the use of the Capitol Grounds. The event is open to the public and free of charge, and the sponsor will assume responsibility for all expenses and liabilities related to the event.

In addition, sales, advertisements, and solicitations are explicitly prohibited on the Capitol Grounds for this event. The races are to take place on Constitution Avenue between Delaware Avenue and Third Street, Northwest. Their participants are residents of the Washington Metropolitan Area and range in ages from 9 to 16. This event is currently one of the largest races in the country, and the winners of these races will represent the Washington metropolitan area at the national finals to be held in Akron, Ohio. I strongly support this resolution and urge my colleagues to do the same.

Madam Speaker, I reserve the balance my time.

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

Madam Speaker, I am delighted to join the sponsor, the gentleman from Maryland (Mr. HOYER), in supporting H. Con. Res. 79 and acknowledge the efforts of the gentleman from Maryland (Mr. HOYER), who has been such a champion for his constituents for this event.

H. Con. Res. 79 authorizes the use of the Capitol Grounds for the Greater Washington Soap Box Derby. Youth ranging in age from 9 to 16 construct and operate their own soap box vehicles. On June 23, 2001, children from the Greater Washington area will race down Constitution Avenue to test the principles of aerodynamics. Hundreds of volunteers donate considerable time supporting the event and providing families with a fun-filled day. The event has grown in popularity, and Washington now is known as one of the outstanding race cities.

Madam Speaker, I support H. Con. Res. 79 and urge my colleagues to support it as well.

Mr. HOYER. Madam Speaker, for the last 9 years, I have sponsored a resolution for the Greater Washington, Soap Box Derby to hold its race along Constitution Avenue.

This year, I am once again proud to have introduced H. Con. Res. 79 to permit the 64th running of the Greater Washington Soap Box Derby, which is to take place on the Capitol Grounds on June 23, 2001.

This resolution authorizes the Architect of the Capitol, The Capitol Police Board, and the Greater Washington Soap Box Derby Association to negotiate the necessary arrangements for carrying out running of the Greater Washington Soap Box Derby in complete compliance with rules and regulations governing the use of the Capitol Grounds.

In the past, the full House has supported this resolution once reported favorably by the full Transportation Committee. I ask my colleagues to join with me, and the other cosponsors including Representatives ALBERT WYNN, CONNIE MORELLA, JIM MORAN, FRANK WOLF, and ELEANOR HOLMES-NORTON in supporting this resolution.

From 1992 to 2000, the Greater Washington Soap Box Derby welcomed over 52 contestants which made the Washington, DC, race one of the largest in the country. Participants range from ages 9 to 16 and hail from communities in Maryland, the District of Columbia, and Virginia.

The Winners of this local even will represent the Washington Metropolitan Area in the national race, which will be held in Akron, OH, on July 28, 2001.

The young people involved spend months preparing for this race, and the day that they complete it makes it all the more worthwhile. The soap box derby provides our young people with an opportunity to gain valuable skills such as engineering and aerodynamics.

Furthermore, the derby promotes team work, a strong sense of accomplishment, sportsmanship, leadership, and responsibility. These are positive attributes that we should encourage children to carry into adulthood.

I want to thank the Transportation full committee and subcommittee chairmen and ranking members for their support and I urge all of the Members to support this legislation.

Mrs. MORELLA. Madam Speaker, I am delighted to join the sponsor, Mr. HOYER, and the other cosponsors—Mr. WOLF, Mr. WYNN, Mr. MORAN, and Ms. NORTON—in supporting House Concurrent Resolution 79 which allows for participants in the Greater Washington Soap Box Derby to use the Capitol Grounds and race along Constitution Avenue on June 23rd. For the past nine years, I have cosponsored this resolution along with the rest of the Greater Washington Metropolitan delegation in order to promote this annual community event—which is now in its 60th year of running.

The Greater Washington Soap Box Derby has been considered one of the largest races in the nation—averaging over 40 contestants each year. Participants in the Derby, ranging in age from 9 to 16, live in communities in the great State of Maryland, the District of Columbia, and Virginia. The winners of the local event in June will have the honor of representing the Washington Metro area at the National Derby Race in Akron, Ohio on July 28th.

The Derby truly is a community event with scores of children, parents, and volunteers working tirelessly to construct and operate the soap boxes. The region's youth have the opportunity to learn the lessons of team work, competition, and sportsmanship—as well as the physics and mechanics involved in building an aerodynamically shaped soap box car.

I also would like to applaud one of my constituents, George Weissgerber of Rockville, Maryland for his work again this year as the Derby Director.

I invite the Members of the House to not only support this resolution today, but also with your attendance at the Greater Washington Soap Box Derby on June 23rd.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 79.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING USE OF CAPITOL GROUNDS FOR 2001 DISTRICT OF COLUMBIA SPECIAL OLYMPICS LAW ENFORCEMENT TORCH RUN

Mr. LATOURETTE. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 87) authorizing the 2001 District of Columbia Special Olympics Law Enforcement Torch Run to be run through the Capitol Grounds.

The Clerk read as follows:

H. CON. RES. 87

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. AUTHORIZATION OF RUNNING OF D.C. SPECIAL OLYMPICS LAW ENFORCEMENT TORCH RUN THROUGH CAPITOL GROUNDS.

On June 1, 2001, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate may jointly designate, the 2001 District of Columbia Special Olympics Law Enforcement Torch Run (in this resolution referred to as the ''event'') may be run through the Capitol Grounds as part of the journey of the Special Olympics torch to the District of Columbia Special Olympics summer games at Gallaudet University in the District of Columbia.

SEC. 2. RESPONSIBILITY OF CAPITOL POLICE BOARD.

The Capitol Police Board shall take such actions as may be necessary to carry out the event.

SEC. 3. CONDITIONS RELATING TO PHYSICAL PREPARATIONS.

The Architect of the Capitol may prescribe conditions for physical preparations for the event.

SEC. 4. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 4 of the Act of July 31, 1946 (40 U.S.C. 193d; 60 Stat. 718), concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, with respect to the event.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. LATOURETTE) and the gentleman from Illinois (Mr. COSTELLO) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. LATOURETTE).

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

Madam Speaker, House Concurrent Resolution 87 authorizes the 2001 District of Columbia Special Olympics Law Enforcement Torch Run to be conducted through the Grounds of the Capitol on June 1, 2001 or on such date as the Speaker of the House and the Senate Committee on Rules and Administration jointly designate.

The resolution also authorizes the Architect of the Capitol, the Capitol Police Board, and the D.C. Special Olympics, the sponsor of the event, to negotiate the necessary arrangements for carrying out the event in complete

compliance with the rules and regulations governing the use of the Capitol Grounds.

The sponsor of the event will assume all expenses and liabilities in connection with the event, and all sales, advertisements, and solicitations are prohibited.

The Capitol Police will host the opening ceremonies for the run starting on Capitol Hill, and the event will be free of charge and open to the public.

Over 2,000 law enforcement representatives from local and Federal law enforcement agencies in Washington will carry the Special Olympics torch in honor of the 2,500 Special Olympians who participate in this annual event to show their support of the Special Olympics.

For over a decade, Madam Speaker, the Congress has supported this worthy endeavor by enacting resolutions for the use of the grounds. I am proud to have sponsored, along with the ranking member of our subcommittee, the gentleman from Illinois (Mr. COSTELLO), this resolution and urge my colleagues to support it.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, this event needs little introduction. The year 2001 marks the 33rd anniversary of the D.C. Special Olympics. The torch relay event is a traditional part of the opening ceremonies for the Special Olympics, which take place at Gallaudet University in the District of Columbia. In the mid-1960s, Eunice Kennedy Shriver started a summer camp for handicapped children in her backyard. Since that modest beginning, this event has grown to involve approximately 2,500 Special Olympians competing in over a dozen events.

More than 1 million children and adults with special needs participate in Special Olympic programs worldwide. The event is supported by thousands of volunteers. The goal of the games is to help bring developmentally disabled individuals into the larger society under conditions where they are accepted and respected. Confidence and self-esteem are the building blocks for these Olympic games.

I enthusiastically support this resolution. I thank the subcommittee chairman for his support. I urge passage of this legislation.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 87.

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

A motion to reconsider was laid on the table.

□ 1500

HONORING SERVICES AND SACRIFICES OF THE UNITED STATES MERCHANT MARINE

Mr. LATOURETTE. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 109) honoring the services and sacrifices of the United States merchant marine.

The Clerk read as follows:

H. CON. RES. 109

Whereas throughout our history, the United States merchant marine has served the Nation during times of war;

Whereas the merchant marine served as the Nation's first navy, and defeated the British Navy to help gain the Nation's independence;

Whereas during World War II more than 250,000 men and women served in the merchant marine, and faced dangers from the elements, and from mines, submarines, other armed enemy vessels, and aircraft;

Whereas during World War II vessels of the merchant marine fleet, such as the S.S. Lane Victory, provided critical logistical support to the Armed Forces by carrying equipment, supplies, and personnel necessary to the war effort;

Whereas President Franklin D. Roosevelt and many military leaders praised the role of the merchant marine as the ''Fourth Arm of Defense'' during World War II;

Whereas during World War II more than 6,800 members of the merchant marine were killed at sea, more than 11,000 were wounded, and more than 600 were taken prisoner;

Whereas 1 out of every 32 members of the merchant marine serving during World War II died in the line of duty, a higher percentage of war related deaths than in any of the armed services;

Whereas, at a time when the people of the United States are recognizing the contributions of the Armed Forces and civilian personnel to the national security, it is appropriate to recognize the service of the merchant marine; and

Whereas the merchant marine continues to serve and protect the United States: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) honors the service and sacrifice of members of the United States merchant marine;

(2) recognizes the critical role played by vessels of the United States merchant marine fleet in transporting equipment, supplies, and personnel in support of the Nation's defense;

(3) recognizes the historical significance of May 22 as National Maritime Day, so designated in 1933 to commemorate the anniversary of the first transoceanic voyage under steam propulsion, and finds it fitting and proper on this day of paying tribute to our maritime history to pay special honor to the merchant marine;

(4) encourages the American people and appropriate government agencies, through appropriate ceremonies and activities, to recognize the services and sacrifices of the United States merchant marine, and to observe this day by displaying the flag of the United States at their homes and other suitable places; and

(5) requests that all ships sailing under the United States flag prominently display the flag on this day.

The SPEAKER pro tempore (Mrs. BIGGERT). Pursuant to the rule, the gentleman from Ohio (Mr. LATOURETTE) and the gentleman from Illinois (Mr. COSTELLO) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. LATOURETTE).

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

First of all, as May 22 is the day nationally designated as the commemoration for the efforts of merchant mariners across the country, I want to specifically thank the gentleman from Alaska (Mr. YOUNG), the chairman of our full committee; the gentleman from Minnesota (Mr. OBERSTAR), the ranking member of the full committee; the gentleman from New Jersey (Mr. LOBIONDO), the chairman of the Subcommittee on the Coast Guard; and the gentlewoman from Florida (Ms. BROWN), the ranking member, for agreeing to discharge this particular resolution from the committee's consideration.

Madam Speaker, H. Con. Res. 109 honors the services and sacrifices of the United States Merchant Marine. Today, we are here to pay tribute to a group of American heroes who, in my estimation, have never gotten their just due for all they have done to serve our country; that is, the Merchant Marines.

The Merchant Marines certainly are aware of their proud history, but I will bet that there are millions of Americans out there, especially our schoolchildren, who probably did not hear much about the tremendous role of the Merchant Marine when they were learning about the Second World War.

The United States Merchant Marine has served the people of the United States in all wars since 1775 and was in existence prior to the formation of the United States Navy or the United States Coast Guard. In fact, the United States Merchant Marine was our country's first Navy and defeated the British Navy to help win our country's independence.

The Merchant Marine's role was especially important during the Second World War. The Merchant Marines were the ones who took the troops through harm's way and delivered supplies all over the world. Merchant Marines were participants in landing operations from Guadalcanal to Iwo Jima, and suffered the highest casualty rate of any service during the Second World War.

At least 8,600 merchant mariners were killed at sea, meaning one in 32 were killed in action. Another 11,000 mariners were wounded, and some 1,500 ships were sunk. More than 604 were taken prisoner. From December 1941 to August 1945 alone, the United States lost 5,638 merchant seamen aboard 733 ships sunk by submarines. Some weeks, 30 ships were sunk.

Our Merchant Marines were there long before the war began and were the

last ones to come home. We cannot underestimate the importance of this group of overlooked heroes.

During World War II, 7 to 15 tons of supplies were needed to supply just one GI for one year at the front. In 1945 alone, merchant mariners moved 17 million pounds of cargo every hour. This included ammo, planes, fuel, boats, explosives, tanks, Jeeps, medicines and food.

In World War II, virtually every serviceman who saw action against the enemy was transported overseas by ship and virtually all of the supplies were also delivered by our gutsy, fearless merchant mariners. President Roosevelt called the 250,000 Merchant Marines who served in World War II our Nation's ''Fourth Arm of Defense.''

While the Merchant Marines are best known for their service and sacrifice of World War II, that is hardly their entire mystery. Merchant mariners also participated in the War of 1812, World War I, the Civil War, the Spanish American War, Korea and Vietnam. They even supplied troops in Bosnia and the Persian Gulf.

The Merchant Marines have provided a critical service during every war in our Nation's history, yet our Nation officially refuses to recognize merchant mariners as veterans and give them the same status and benefits afforded to other veterans. Only recently did the Congress pass legislation to give merchant mariners the right to a flag upon burial. I think that is one of the great shames of the 20th century, Madam Speaker, that we did not do more to honor the service of the Merchant Marines.

Madam Speaker, since 1933, our Nation has recognized May 22 as National Maritime Day, and that particular date was chosen because it was on May 22, 1819 that the S.S. *Savannah* departed from Savannah, Georgia on the first transatlantic steamship voyage. It was not long before merchant mariners used this date to honor their own.

Tomorrow is National Maritime Day, and it is fitting that today we will pass H. Con. Res. 109, which honors the service and sacrifice of the members of the United States Merchant Marine. The measure recognizes the critical role played by vessels of the United States Merchant Marine fleet in transporting equipment, supplies and personnel in support of our Nation's defense and recognizes the historical significance of May 22 as National Maritime Day.

Madam Speaker, H. Con. Res. 109 encourages the American people and appropriate government agencies to recognize the services and sacrifices of the United States Merchant Marine and to observe National Maritime Day tomorrow by displaying the flag of the United States at their homes and in other suitable places. It also requests that all ships sailing under the United States flag prominently display the flag tomorrow.

Madam Speaker, I recently had the honor of dedicating a Merchant Marine Memorial in Ashtabula, Ohio, which is in my lovely congressional district. I was honored to be there in the presence of those great Americans. I hope my colleagues will join me today in passing this resolution.

Madam Speaker, I reserve the balance of my time.

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

I rise in support of House concurrent resolution 109, a resolution honoring the services and sacrifices of the men and women who served in the United States Merchant Marine.

Madam Speaker, tomorrow is National Maritime Day, a day set aside by law for the past 68 years to recognize the contributions to our Nation by these men and women who have served our Nation in war and in peace, transporting goods and military supplies wherever they are needed.

The Merchant Marine is not well-known by many Americans. The Merchant Marine is composed of those men and women who operate the commercial ships that transport both military supplies and the everyday goods that we use in or society. This includes everything from tanks to televisions, from ammunition to automobiles.

During World War II, over 6,000 Merchant Marines died when their ships were attacked by the enemy. Merchant mariners were exempt from the draft during World War II, because it was vitally important for them to use their unique skills to transport our military supplies in the Atlantic and Pacific theaters of operation. Their mission was made dangerous by the constant attacks of the German submarines.

I would urge my colleagues and the American people to take the time to visit some of the merchant ships from this era that are on display around the country. In Baltimore, they can visit the S.S. *John Brown*. In San Francisco, they can visit the S.S. *Jeremiah O'Brien*, and in Los Angeles, they can visit the S.S. *Lane Victory*. These Liberty and Victory ships were turned out of our shipyards at a rate of one per day. Once on board, a much better appreciation for the conditions under which these mariners worked and the sacrifices and contributions these Americans made for our Nation would be gained.

Today, the men and women who serve in the U.S. Merchant Marine are responsible for the safe operation of container ships, dry cargo ships and tankers that are all the lifeline of commerce. Over 95 percent of the imports and exports that come from overseas are transported by water. These ships form the bridge over which the goods and materials for U.S. factories and consumers are shipped. During Operations Desert Shield/Desert Storm, these men and women successfully transported the weapons and supplies from the United States to the Middle East that were crucial for our victory.

Madam Speaker, it is fitting and appropriate for the House of Representatives to recognize the service and sacrifices made by the men and women who serve in the U.S. Merchant Marine. Therefore, I strongly urge my colleagues to support passage of House concurrent resolution 109 as a sign of our appreciation for their work to protect our freedom.

Mrs. JO ANN DAVIS of Virginia. Madam Speaker, I rise today in support of House Concurrent Resolution 109, honoring the services and sacrifices of the United States Merchant Marine.

At a time when America prepares to honor the men and women who have served their country in the armed forces, it is with great pride that I take this opportunity to recognize the United States Merchant Marine for their contribution to a grateful nation.

Madam Speaker, the U.S. Merchant Marine has been critical to our military success dating back to the Revolutionary War. It served as the nation's first navy when we defeated the British Navy, helping to secure our independence.

During World War II, the merchant marine fleet provided critical logistical support to the armed forces by transporting equipment, supplies, and personnel in support of the war effort. And today, as we face the challenges of an ever-changing world, the United States continues to rely on the merchant marine and the vital role it plays to ensure we remain ready to respond to any emergency threatening our national security.

Madam Speaker, as I stand here today, the men and women of the merchant marine continue to prepare for the next time the nation calls. They have been entrusted to continue the legacy of those who have sailed the seas before them. Their role in transporting goods and services is the critical link required to support a global economy. It has been instrumental in securing the prosperity our nation enjoys today. And, at the same time, as the merchant marine makes such tremendous contributions to our nation's prosperity, they continue to strengthen their skills and remain ready to flex what President Roosevelt called the ''Forth Arm of Defense'' in time of crisis.

Madam Speaker, as we approach this Memorial Day weekend, it is a privilege for me to honor and thank the men and women of the United States Merchant Marine. Their efforts and dedication have contributed to our nation from the beginning and they continue to be an important element in America's ability to maintain peace through strength.

I urge support for House Concurrent Resolution 109 and encourage a ''yes'' vote.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 109.

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. LATOURETTE. Madam 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.

GENERAL LEAVE

Mr. LATOURETTE. Madam 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 H.R. 495, H.R. 1801, and on House Concurrent Resolutions 76, 79, 87 and 109, the measures just considered by the House.

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

There was no objection.

SMALL BUSINESS LIABILITY PROTECTION ACT

Mr. GILLMOR. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1831) to provide certain relief for small businesses from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980.

The Clerk read as follows:

H.R. 1831

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 ''Small Business Liability Protection Act''.

SEC. 2. SMALL BUSINESS LIABILITY RELIEF.

(a) EXEMPTIONS.—Section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9607) is amended by adding at the end the following new subsections:

''(o) DE MICROMIS EXEMPTION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), a person shall not be liable, with respect to response costs at a facility on the National Priorities List, under this Act if liability is based solely on paragraph (3) or (4) of subsection (a), and the person, except as provided in paragraph (4) of this subsection, can demonstrate that—

''(A) the total amount of the material containing hazardous substances that the person arranged for disposal or treatment of, arranged with a transporter for transport for disposal or treatment of, or accepted for transport for disposal or treatment, at the facility was less than 110 gallons of liquid materials or less than 200 pounds of solid materials (or such greater or lesser amounts as the Administrator may determine by regulation); and

''(B) all or part of the disposal, treatment, or transport concerned occurred before April 1, 2001.

''(2) EXCEPTIONS.—Paragraph (1) shall not apply in a case in which—

''(A) the President determines that—

''(i) the materials containing hazardous substances referred to in paragraph (1) have contributed significantly or could contribute significantly, either individually or in the aggregate, to the cost of the response action or natural resource restoration with respect to the facility; or

''(ii) the person has failed to comply with an information request or administrative subpoena issued by the President under this Act or has impeded or is impeding, through action or inaction, the performance of a response action or natural resource restoration with respect to the facility; or

''(B) a person has been convicted of a criminal violation for the conduct to which the exemption would apply, and that conviction has not been vitiated on appeal or otherwise.

''(3) NO JUDICIAL REVIEW.—A determination by the President under paragraph (2)(A) shall not be subject to judicial review.

''(4) NONGOVERNMENTAL THIRD-PARTY CONTRIBUTION ACTIONS.—In the case of a contribution action, with respect to response costs at a facility on the National Priorities List, brought by a party, other than a Federal, State, or local government, under this Act, the burden of proof shall be on the party bringing the action to demonstrate that the conditions described in paragraph (1)(A) and (B) of this subsection are not met.

''(p) MUNICIPAL SOLID WASTE EXEMPTION.—

''(1) IN GENERAL.—Except as provided in paragraph (2) of this subsection, a person shall not be liable, with respect to response costs at a facility on the National Priorities List, under paragraph (3) of subsection (a) for municipal solid waste disposed of at a facility if the person, except as provided in paragraph (5) of this subsection, can demonstrate that the person is—

''(A) an owner, operator, or lessee of residential property from which all of the person's municipal solid waste was generated with respect to the facility;

''(B) a business entity (including a parent, subsidiary, or affiliate of the entity) that, during its 3 taxable years preceding the date of transmittal of written notification from the President of its potential liability under this section, employed on average not more than 100 full-time individuals, or the equivalent thereof, and that is a small business concern (within the meaning of the Small Business Act (15 U.S.C. 631 et seq.)) from which was generated all of the municipal solid waste attributable to the entity with respect to the facility; or

''(C) an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code that, during its taxable year preceding the date of transmittal of written notification from the President of its potential liability under this section, employed not more than 100 paid individuals at the location from which was generated all of the municipal solid waste attributable to the organization with respect to the facility.

For purposes of this subsection, the term 'affiliate' has the meaning of that term provided in the definition of 'small business concern' in regulations promulgated by the Small Business Administration in accordance with the Small Business Act (15 U.S.C. 631 et seq.).

''(2) EXCEPTION.—Paragraph (1) shall not apply in a case in which the President determines that—

''(A) the municipal solid waste referred to in paragraph (1) has contributed significantly or could contribute significantly, either individually or in the aggregate, to the cost of the response action or natural resource restoration with respect to the facility;

''(B) the person has failed to comply with an information request or administrative subpoena issued by the President under this Act; or

''(C) the person has impeded or is impeding, through action or inaction, the performance of a response action or natural resource restoration with respect to the facility.

''(3) NO JUDICIAL REVIEW.—A determination by the President under paragraph (2) shall not be subject to judicial review.

''(4) DEFINITION OF MUNICIPAL SOLID WASTE.—

''(A) IN GENERAL.—For purposes of this subsection, the term 'municipal solid waste' means waste material—

''(i) generated by a household (including a single or multifamily residence); and

''(ii) generated by a commercial, industrial, or institutional entity, to the extent that the waste material—

''(I) is essentially the same as waste normally generated by a household;

''(II) is collected and disposed of with other municipal solid waste as part of normal municipal solid waste collection services; and

''(III) contains a relative quantity of hazardous substances no greater than the relative quantity of hazardous substances contained in waste material generated by a typical single-family household.

''(B) EXAMPLES.—Examples of municipal solid waste under subparagraph (A) include food and yard waste, paper, clothing, appliances, consumer product packaging, disposable diapers, office supplies, cosmetics, glass and metal food containers, elementary or secondary school science laboratory waste, and household hazardous waste.

''(C) EXCLUSIONS.—The term 'municipal solid waste' does not include—

''(i) combustion ash generated by resource recovery facilities or municipal incinerators; or

''(ii) waste material from manufacturing or processing operations (including pollution control operations) that is not essentially the same as waste normally generated by households.

''(5) BURDEN OF PROOF.—In the case of an action, with respect to response costs at a facility on the National Priorities List, brought under section 107 or 113 by—

''(A) a party, other than a Federal, State, or local government, with respect to municipal solid waste disposed of on or after April 1, 2001; or

''(B) any party with respect to municipal solid waste disposed of before April 1, 2001, the burden of proof shall be on the party bringing the action to demonstrate that the conditions described in paragraphs (1) and (4) for exemption for entities and organizations described in paragraph (1)(B) and (C) are not met.

''(6) CERTAIN ACTIONS NOT PERMITTED.—No contribution action may be brought by a party, other than a Federal, State, or local government, under this Act with respect to circumstances described in paragraph (1)(A).

''(7) COSTS AND FEES.—A nongovernmental entity that commences, after the date of the enactment of this subsection, a contribution action under this Act shall be liable to the defendant for all reasonable costs of defending the action, including all reasonable attorney's fees and expert witness fees, if the defendant is not liable for contribution based on an exemption under this subsection or subsection (o).''.

(b) EXPEDITED SETTLEMENT.—Section 122(g) of such Act (42 U.S.C. 9622(g)) is amended by adding at the end the following new paragraphs:

''(7) REDUCTION IN SETTLEMENT AMOUNT BASED ON LIMITED ABILITY TO PAY.—

''(A) IN GENERAL.—The condition for settlement under this paragraph is that the potentially responsible party is a person who demonstrates to the President an inability or a limited ability to pay response costs.

''(B) CONSIDERATIONS.—In determining whether or not a demonstration is made under subparagraph (A) by a person, the President shall take into consideration the ability of the person to pay response costs and still maintain its basic business operations, including consideration of the overall

financial condition of the person and demonstrable constraints on the ability of the person to raise revenues.

''(C) INFORMATION.—A person requesting settlement under this paragraph shall promptly provide the President with all relevant information needed to determine the ability of the person to pay response costs.

''(D) ALTERNATIVE PAYMENT METHODS.—If the President determines that a person is unable to pay its total settlement amount at the time of settlement, the President shall consider such alternative payment methods as may be necessary or appropriate.

''(8) ADDITIONAL CONDITIONS FOR EXPEDITED SETTLEMENTS.—

''(A) WAIVER OF CLAIMS.—The President shall require, as a condition for settlement under this subsection, that a potentially responsible party waive all of the claims (including a claim for contribution under this Act) that the party may have against other potentially responsible parties for response costs incurred with respect to the facility, unless the President determines that requiring a waiver would be unjust.

''(B) FAILURE TO COMPLY.—The President may decline to offer a settlement to a potentially responsible party under this subsection if the President determines that the potentially responsible party has failed to comply with any request for access or information or an administrative subpoena issued by the President under this Act or has impeded or is impeding, through action or inaction, the performance of a response action with respect to the facility.

''(C) RESPONSIBILITY TO PROVIDE INFORMATION AND ACCESS.—A potentially responsible party that enters into a settlement under this subsection shall not be relieved of the responsibility to provide any information or access requested in accordance with subsection (e)(3)(B) or section 104(e).

''(9) BASIS OF DETERMINATION.—If the President determines that a potentially responsible party is not eligible for settlement under this subsection, the President shall provide the reasons for the determination in writing to the potentially responsible party that requested a settlement under this subsection.

''(10) NOTIFICATION.—As soon as practicable after receipt of sufficient information to make a determination, the President shall notify any person that the President determines is eligible under paragraph (1) of the person's eligibility for an expedited settlement.

''(11) NO JUDICIAL REVIEW.—A determination by the President under paragraph (7), (8), (9), or (10) shall not be subject to judicial review.

''(12) NOTICE OF SETTLEMENT.—After a settlement under this subsection becomes final with respect to a facility, the President shall promptly notify potentially responsible parties at the facility that have not resolved their liability to the United States of the settlement.''.

SEC. 3. EFFECT ON CONCLUDED ACTIONS.

The amendments made by this Act shall not apply to or in any way affect any settlement lodged in, or judgment issued by, a United States District Court, or any administrative settlement or order entered into or issued by the United States or any State, before the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. GILLMOR) and the gentleman from Illinois (Mr. COSTELLO) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. GILLMOR).

GENERAL LEAVE

Mr. GILLMOR. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation, and to insert extraneous material on the bill.

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

There was no objection.

Mr. GILLMOR. Madam Speaker, I ask unanimous consent that the gentleman from Tennessee (Mr. DUNCAN) be permitted to control 10 minutes of the time on this side of the aisle.

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

There was no objection.

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

Today my colleagues and I bring environmental legislation before this House that we believe will make a difference in the lives of everyday Americans. This bill, the Small Business Liability Protection Act, will help to end the long nightmares suffered by so many small businesses which become liable for substantial amounts of money only for throwing regular, ordinary household waste in the local dump.

As a member of the House's Subcommittee on Hazardous Materials for the past several Congresses, I have heard repeated stories of businessowners who found themselves involved in serious Superfund liability litigation for either throwing out just regular trash, or having legally disposed of some material that years later was found to be improperly disposed of. The bill before us, H.R. 1831, will take a major step toward trying to bring some sanity and to bring some fairness to Superfund liability.

To illustrate my point, Madam Speaker, I would like to provide a few examples of how the current system produces unfair results.

Greg Shierling took over a McDonalds business from his parents in 1996. In 1999, he was informed that he was financially responsible to the tune of $65,000 for cleanup of a landfill that his parents had legally trucked trash to 30 years ago when Greg was still in grade school.

Mike Nobis owns a printing shop. In February of 1999, he was informed that six large local companies were coming after him and 147 other small businesses for $3.1 million in cleanup costs because he had legally sent paper and ordinary trash to the local landfill.

Pat McClean was forced to pay $21,900. His problem was that his business, a restaurant, sent chicken bones, potato peelings, and soiled napkins to a local dump.

Mr. McClean's story is practically identical to Barbara Williams of Gettysburg, Pennsylvania. Her former restaurant, the Sunny Ray, became enmeshed in the financial quagmire of Superfund liability because she too threw chicken bones and other ordinary trash in the local dump.

Each of these stories is somewhat different, but in many ways are the same. A person legally disposed of ordinary trash. They were then sued by someone else, trying to get money for cleanup, and in order to pay the bill, pay the debt, the small business laid off trusted employees, had to sue friends in the community, built substantial legal bills, and suffered undue personal anguish. That outcome simply is not right.

To address these concerns, our bill provides relief to small business, those of 100 employees or less; it provides liability protection to small businesses that disposed of very small amounts of ordinary garbage, and it shelters small businesses from serious financial hardship by offering the businesses affected expedited settlements.

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It does not save any business from Superfund liability if their waste stream caused serious environmental harm. The bill provides an appropriate helping hand while keeping the onus on all businesses to be responsible stewards of our environment.

This legislation is not the type of comprehensive Superfund legislation that many have supported over the years, including myself. There have been several unrealized attempts over the years to reach that Holy Grail. It has resulted not in a better Superfund program, but in more lawsuits, more stigmas, and less clean-up.

Rather, this bill is an acknowledgment that something must be done and that the best way to provide commonsense liability relief to those who need it is to find those areas of agreement within the Superfund universe and move them forward.

In fact, Mr. Speaker, I look forward to working diligently on brownfields legislation once this bill passes.

I want to make a few comments about some other Members who have worked on this bill. I want to thank the vice-chairman of our subcommittee, the gentleman from Illinois (Mr. SHIMKUS), who first brought this matter before Congress last year.

I want to express appreciation to the gentleman from Ohio (Mr. OXLEY) for his help in laying the groundwork for today.

I also want to thank the ranking members of both our subcommittee and full committee, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Michigan (Mr. DINGELL). Their work on this issue has been instrumental in bringing this bill before us.

Finally, I want to thank the gentleman from Louisiana (Mr. TAUZIN), the chairman, and the committee staff for their hard work in support of this legislative effort.

I urge all Members to vote for the passage of H.R. 1831.

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,
Washington, DC, May 21, 2001.

STATEMENT OF ADMINISTRATION POLICY

H.R. 1831—SMALL BUSINESS LIABILITY PROTECTION ACT

The Administration strongly supports enactment of H.R. 1831. The bill will promote the cleanup of Superfund sites and reduce needless lawsuits by drawing a bright line between large contributors of toxic waste and small businesses who disposed of only small amounts of waste or ordinary trash. The Administration commends the bipartisan sponsors of H.R. 1831 for developing legislation that will reduce litigation and thereby increase the time and resources that can be spent on cleaning the environment. The Administration will continue to work in the legislative process to address concerns with the provisions that cut off citizens' access to courts and withhold the benefits of the bill for small businesses unless they comply with all information requests imposed by EPA, whether the law requires the furnishing of that information or not.

Madam Speaker, I reserve the balance of my time.

Mr. COSTELLO. Madam Speaker, I yield 10 minutes to the gentleman from Florida (Mr. DEUTSCH), of the Committee on Energy and Commerce; and I ask unanimous consent that he be permitted to allocate time.

The SPEAKER pro tempore (Mrs. BIGGERT). Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. COSTELLO. Madam Speaker, I strongly support H.R. 1831, the Small Business Liability Protection Act.

For over 8 years, there has been a general consensus among the Members of this House that too many small businesses, homeowners, and small charitable organizations were being sued by large businesses for Superfund clean-up costs when these parties did nothing more than put out their normal trash.

Unfortunately, the House has not been able to pass legislation to stop these abuses because liability protection was always a component of a larger and more controversial bill.

Today, we are taking a critical step to ending this abuse, which has been called a nightmare for small businesses, their families, friends, and neighbors. This bill is brief, only 13 pages; but its impact will be widespread among the small business community. Businesses with not more than 100 employees will now be able to feel secure that they will not be sued by larger businesses when all they did was send out ordinary trash to a Superfund site.

In my district in southwestern and southern Illinois, for example, virtually all businesses will now be protected from such lawsuits. In addition to protecting those who sent the trash, the bill also exempts any party that sent very small amounts of waste to a Superfund site.

At too many sites across the country, polluters at Superfund sites have engaged in abusive practices of literally suing every business in the phone book as a way of spreading out their cost for Superfund clean-up. The theory was that everyone's trash must contain some hazardous substances. This bill will stop that abuse.

This bill demonstrates that by working in a bipartisan manner, we can in fact get results that help real people, real benefits to real people. It is no secret that this bill is of major interest to the National Federation of Independent Business. That organization should be congratulated for reaching out in a bipartisan manner and working with Democrats and Republicans to develop this legislation.

Madam Speaker, I urge my colleagues to support this legislation, and I reserve the balance of my time.

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

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

Mr. DUNCAN. Madam Speaker, I rise in strong support of H.R. 1831, the Small Business Liability Protection Act.

Madam Speaker, virtually every Member of Congress has a story to tell about the abuses of the Superfund program in his or her district. We have just heard a number of examples of that by my friend, the gentleman from Ohio (Mr. GILLMOR). The worst abuses often involve using this statute to threaten small parties and small businesses with liability for millions of dollars to pay for the clean-up of a Superfund site, even if the contamination that requires cleaning up has nothing to do with their waste.

When Congress passed the Superfund statute in 1980, Congress was not aiming at small businesses and ordinary garbage. However, at the urging of overzealous attorneys representing both EPA and third-party plaintiffs, courts have expanded Superfund liabilities so far that someone can be held liable for cleaning up a site even if they sent only a quart of oil, ordinary household garbage, or even a single copper penny.

This theory of joint and several liability, holding someone liable for all of the costs regardless of their degree of involvement at a site, has created unfairness, to say the least, for all parties caught up in Superfund liability.

But the burden of this liability falls most heavily on small businesses, which often cannot even afford to hire a lawyer. In fact, Madam Speaker, I have said before that we should pin a medal on anyone who survives in small business today, and certainly Superfund problems of small businesses are a prime example.

While we have not yet addressed all of the problems with the Superfund statute, I am proud to say that today we can make this flawed program a little bit fairer. Today we can pass legislation to protect small businesses from at least some Superfund liability. H.R. 1831 accomplishes this goal by providing an exemption from liability for people or companies who send only a small amount of waste to a Superfund site and households, small businesses, and now nonprofit organizations that send only ordinary trash to a Superfund site.

Under the bill, these parties will not have to hire a lawyer to gain the protection of these exemptions. In most cases, H.R. 1831 places the burden on the plaintiff to prove that the small party is not exempt.

Finally, we realized that not all small businesses will be eligible for these exemptions. For these small businesses, H.R. 1831 provides an expedited settlement based on a limited ability to pay so that they are not trapped in Superfund litigation for years and years, as we have seen some small businesses in the past years since we have passed the original Superfund legislation.

This bill does not accomplish everything we want to accomplish on Superfund reform, but it is certainly a good first step in the right direction.

I want to say that, first of all, I would like to commend my good friend, one of the great leaders of this Congress, the gentleman from New York (Mr. BOEHLERT), of the Committee on Science and a Member who chaired the Subcommittee on Water Resources and Environment of the Committee on Transportation in the past 6 years in the Congress, and held numerous hearings on this legislation and other Superfund-type issues.

I also want to commend the gentleman from Ohio (Mr. GILLMOR) for the work that he has done, because he has worked on this for several years.

I want to thank another close friend, the gentleman from Illinois (Mr. COSTELLO), for his support, as he has expressed today; and the ranking member, his ranking member of our full committee, the gentleman from Minnesota (Mr. OBERSTAR); and certainly, last but not least, the chairman of our full committee, the gentleman from Alaska (Mr. YOUNG), all of whom have expressed strong support for this very fine legislation to provide at least some assistance to the small businesses of this Nation.

Madam Speaker, I urge all Members to support this very moderate and reasonable legislation, and I reserve the balance of my time.

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

Madam Speaker, over the past 7 years, Members on the Democratic side of the aisle have supported bills to deal with the three issues covered by the bipartisan compromise that the House considers today.

I support the fair, balanced compromise contained in this bill. It deals with the liability of parties who sent very small amounts of hazardous substance to a site, and the liability of homeowners and small businesses that

has arisen from the generation of municipal solid waste, basic household trash.

I congratulate all of my colleagues from both sides of the aisle for their dedication in resolving these difficult issues. Ideology has been put aside to produce a common-sense bill that can and should become a public law.

This legislation codifies the Environmental Protection Agency's current ability-to-pay policy, and contains two tailored exemptions from liability at final Superfund national priority list sites.

The first exemption is available for any person who sent very small amounts of waste to a Superfund NPL site. The second exemption provides liability protection for homeowners and small businesses who have had their trash picked up by their city trash collector and then disposed of at a local landfill which has been listed as a Superfund NPL site.

Under the bill, the costs associated with the two exemptions and the ability-to-pay provision are not transferred to the Superfund trust fund or the Federal program. This paragraph reflects the EPA policy that de micromis parties who have contributed only a minuscule amount of waste to the site should not participate in the financing of the clean-up.

However, to deal with the equities of the situation where the waste material could contribute significantly to the cost of the clean-up, the bill gives the President the right, which cannot be challenged in court, to deny the exemption.

During discussions of this bill, representatives of small business emphasized that their problem is not with the government but with large, responsible parties who go after or threaten small businesses or homeowners as part of a scorched-earth litigation strategy.

For example, we have heard of situations where large responsible parties threaten to sue small businesses and homeowners listed in the local phone book because their trash was picked up by the municipality and deposited in the local landfill. To address these problems, this legislation will provide that no homeowner can be sued for merely putting household trash out on the curb which was picked up by the municipality.

Small businesses and those who sent extremely small amounts of waste material to the Superfund site obtained additional protection by having the burden of proof shifted in their favor in these third-party actions, as well as providing them the ability to collect reasonable attorneys' fees.

This bill represents a targeted and workable reform that is warranted and long overdue. I urge my colleagues to support the legislation.

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

Mr. GILLMOR. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. TAUZIN), the chairman of the full committee.

Mr. TAUZIN. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, first I would like to thank and appreciate the great work of the subcommittee chairman, the gentleman from Ohio (Mr. GILLMOR), in bringing this legislation to the floor today, and to recognize that this is the first, I think, significant reform in environmental laws in this country in 5 years; and that for this to happen, it required an extraordinary amount of bipartisan cooperation and support.

I particularly want to single out the ranking member of the Subcommittee on Environment and Hazardous Materials of the Committee on Energy and Commerce, the gentleman from New Jersey (Mr. PALLONE), who has done an extraordinary job of reaching across the aisle to the gentleman from Ohio (Mr. GILLMOR) and bringing this bill forward.

I owe a great deal of gratitude to my own ranking member, the gentleman from Michigan (Mr. DINGELL), who is working closely with me on the Committee of Energy and Commerce to bring a bipartisan spirit to much of our work. Again, this bill is the best symbol of that effort to date. I want to thank him for that.

I of course would like to thank the gentleman from Illinois (Mr. SHIMKUS), the gentleman from Tennessee (Mr. DUNCAN), and the gentleman from Oregon (Mr. DEFAZIO), who have put in so many hours and years.

There are numerous other people in this room who deserve credit.

It is important to note that this is indeed a bipartisan effort to find an answer to a very troubling problem in Superfund law, that is, how to protect the innocent folks who get caught up into this amazing and deep liability and litigation scheme that was designed to make sure that real polluters were punished by making them responsible for cleaning up Superfund sites in this country.

This particular area of small business relief I think was really brought to our attention for all Americans by Barbara Williams, the former owner of SunnyRay Restaurant in Gettysburg, Pennsylvania, who told us here in Congress about her own nightmare experience of being drawn into Superfund liability and transaction costs and litigation expenses. And for what reason? That her restaurant had put some chicken bones into her waste, and this had eventually gone to a site. All of a sudden she found herself wrapped up in the system in a way that the law never was intended to give Americans those kinds of problems.

The passage of this bill, which is hugely endorsed by NFIB and by the administration, is not the end; but it is certainly the beginning of Superfund reform. I commend the authors and encourage passage of the bill.

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

Mr. DUNCAN. Madam Speaker, I yield 4 minutes to the gentleman from New York (Mr. BOEHLERT), the chairman of the Committee on Science and a gentleman who has been a real leader on this particular legislation.

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

Mr. BOEHLERT. Madam Speaker, first of all, let me thank the gentleman from Tennessee (Mr. DUNCAN) for the outstanding leadership he has provided, and so many others, in support of this legislation.

I, too, support the legislation. While the bill provides some long-needed relief for small businesses and communities caught up in the Superfund liability net, it also signals a missed opportunity to enact more comprehensive reform.

For those of us familiar with the world of Superfund, H.R. 1831 specifically provides a de micromis exemption for those who are contributors of truly tiny amounts of waste.

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It also exempts those who contributed nonhazardous garbage, translate that, municipal solid waste. Finally, it encourages faster and fairer settlements through ''ability to pay'' procedures.

Make no mistake, though, this is not comprehensive reform. I continue to believe that the best approach is a more comprehensive one, an approach that addresses broader inequities in the liability scheme; that accelerates brownfields revisitization; that puts an end to joint and several liability; that embraces the concept of fair-share allocation, rejecting the just plain goofy concept of deep pockets.

If you are more successful, you have to pay more, regardless of what you contributed to the problem; that just does not make sense. We have to come to grips with the reality of the need to reauthorize Superfund taxes to ensure the principal of the fund, as well as the polluter pays principal.

Do not get nervous. We are talking about 12/100 of a percent on profits in excess of $2 million when figured under the alternative minimum tax scheme. That sounds like so much mumbo jumbo.

But for a short period of time if we do not reauthorize the lapsed corporate environmental income tax, which I am convinced all America would embrace, then we do not have a Superfund fund to pay the bills.

We have to do it. That was the basis of the bill H.R. 1300 that moved through the Committee on Transportation and Infrastructure on a 69 to 2 vote in the last Congress. It continues to be the right approach, and that is why I have reintroduced it as H.R. 324 this year.

Madam Speaker, however, I am a realist. Given the complications of moving a more comprehensive bill, I support moving forward today with this targeted compromise, and I congratulate the gentleman from Ohio (Mr.

GILLMOR) and the gentleman from Tennessee (Mr. DUNCAN) for bringing it forward as long as we continue to work on other important components of the Superfund issue.

Let me point out, we know the impediment to reauthorizing the lapsed corporate environmental income tax, the 12/100 of a percent tax, it is the oil industry. Last time I checked, they were doing pretty well. One company, in the first quarter of this year, made $5 billion in profits; and you know what this 12/100 of a percent tax would cost the entire industry, not the one company, but the entire industry, $33 million.

The oil industry should be embarrassed, some members of the industry, some are responsible, I am not painting with a broad brush, to tell us they are opposed to reauthorizing it. That just does not make sense.

We have to deal with brownfields legislation. That is something else that is very important. Over 450,000 brownfields from coast to coast, mainly in our urban centers, laying idle because people are afraid to touch them because of some future liability. Those are where the jobs are needed in our center cities.

If you want to deal with urban sprawl, deal with it in a responsible way, pass brownfields legislation. So I hope this is only chapter 1 in a rather dramatic story that this Congress is writing dealing with Superfund in a comprehensive, sweeping way.

Madam Speaker, this is good public policy for America. This is a start. Madam Speaker, I am proud to identify with chapter 1, but I want to see more chapters.

Mr. DEUTSCH. Madam Speaker, I yield the remainder of the time to the gentleman from New Jersey (Mr. PALLONE), the ranking member of the Subcommittee on Environment and Hazardous Materials.

Mr. PALLONE. Madam Speaker, I want to thank the gentleman from Florida (Mr. DEUTSCH) for taking the time and being here to lead the bill on the Democratic side.

As I did last week in committee, I wanted to take a moment to recognize the significance of the consensus legislation that we will be considering in the House today. H.R. 1831, the Small Business Liability Protection Act, is a result of the hard work of Democrats and Republicans alike working towards a common goal. I believe our bipartisan efforts have produced an effective piece of legislation.

Madam Speaker, this bill will provide relief from private third-party litigation against homeowners and small businesses who had their trash taken to the local landfill and anyone who generates a minuscule amount of waste material containing hazardous substances. It is the EPA policy not to pursue or sue persons who meet these criteria.

Unfortunately, in many places, like Gettysburg, Pennsylvania, and Quincy, Illinois, large responsible parties have threatened or sued small businesses with litigation. This legislation provides real protections for small businesses, homeowners, and contributors of very small amounts of waste material.

Most important is the fact that this legislation provides necessary protection while, at the same time, preserving the government's burden of proof, upholding important environmental provisions, and insuring that cleanup funds are not affected because there are no cost shifts to the Superfund trust fund or the Federal program.

Again, Madam Speaker, I wanted to point out my pleasure with this consensus legislation. I want to thank the staff of the Committee on Energy and Commerce who helped us on both sides of the aisle put this together, and I look forward to a joint effort to help pass this bill obviously today in the House and also in the Senate soon and have it enacted into law.

Madam Speaker, I want to again thank the gentleman from Florida (Mr. DEUTSCH), my colleague, for being here to be in charge of the bill on the Democratic side.

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

Mr. GILLMOR. Madam Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. SHIMKUS).

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

Mr. SHIMKUS. Madam Speaker, I want to thank the gentleman from Ohio (Mr. GILLMOR), chairman of the Subcommittee on Environment and Hazardous Materials; the gentleman from Louisiana (Mr. TAUZIN), chairman of the Committee on Energy and Commerce; the gentleman from Michigan (Mr. DINGELL), the ranking member of the Committee on Energy and Commerce; and the gentleman from New Jersey (Mr. PALLONE), the ranking member on the Subcommittee on the Environment and Hazardous Materials, for their help in this legislation.

From my perspective, this legislation is for Quincy, Illinois.

On February 10, 1999, letters were sent from the EPA with a suspense date of March 15, 1999 to settle or get sued. It was as simple as that. We were able to go up to Quincy right after that letter hit the street on a Saturday morning to meet with over 100 small businesses.

We were able to get the EPA to delay the suspense date until March 24, and they actually sent out a legal person to basically make the case that they needed to settle or sue.

They were constrained by current law, so that is why I got involved with this battle that has been going on for many, many years to draft legislation to change the law.

The EPA gave a lot of the small businesses in Quincy, Illinois until March 24 to settle. There was 165 small businesses, and the settlement amount was over $3.1 million. I personally was in contact with over 100 constituents. Some of these are still in litigation today.

The Speaker of the House, the gentleman from Illinois (Mr. HASTERT), came to visit Quincy, along with the gentleman from Iowa (Mr. BOSWELL), the gentleman from Missouri (Mr. HULSHOF), the gentlewoman from Missouri (Mrs. EMERSON). In those meetings, legislation was dropped in June of 1999, which was brought to the floor in the fall of 2000 on the suspension calendar, just like today. Unfortunately, although it had the majority of votes, it did not have the two-thirds required for passage.

We went back at it again in the new 107th Congress with new chairmen and a new attitude. Again, I want to thank the gentleman from Ohio (Mr. GILLMOR), chairman of the Subcommittee on Environment and Hazardous Materials; the gentleman from Louisiana (Mr. TAUZIN), chairman of the Committee on Energy and Commerce; the gentleman from Michigan (Mr. DINGELL), the ranking member of the Committee on Energy and Commerce; and the gentleman from New Jersey (Mr. PALLONE), the ranking member on the Subcommittee on the Environment and Hazardous Materials, who pushed this through.

We have a book that many of us read when we go to schools, especially grade schools, the House Mouse book in which there is a big debate on legislation about American cheese or Swiss cheese. Finally, both bodies of the legislative branch get together, and they decide American cheese, and the bill gets signed into law. And the little class that sent the letter is watching on TV as the President signs the bill. The story ends with the teacher saying we live in a wonderful, wonderful land.

Our ability to breach compromise and move legislation to get small businesses out of this trap of this Superfund liability is truly a remarkable compromise. I want to thank all of those who were involved. Yes, we do live in a wonderful, wonderful land.

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

Madam Speaker, I will simply say that this legislation is designed to remove some unintended consequences from this original Superfund legislation. In effect, it would have been done many years ago if we had been able to foresee what would happen in regard to some of these Superfund cleanup projects.

So this is very good environmental legislation. It is very good small business legislation, very fair and reasonable and moderate, and is something that I think can be proudly supported by Members on both sides of the aisle.

Mr. OXLEY. Madam Speaker, for twenty years, small business owners have lived in fear of the onerous Superfund law. With the

passage of H.R. 1831, the Small Business Liability Protection Act, the House of Representatives is saying, ''Enough!''

As you may know, Superfund reform consumed a good portion of my legislative career during the last half decade. That's how I came to meet Barbara Williams, the restaurant owner in Gettysburg who found herself ensnared in Superfund liability even though she did little more than dump a few chicken bones and leftover mashed potatoes in the local landfill.

Small business owners across the country have suffered through the same expensive experience. Superfund was never supposed to drive these hard-working business people into bankruptcy. The National Federation of Independent Business has been out in front, trying to correct this injustice. And over the years, I came to feel that many Members also regarded this as unfair.

Barbara Williams and the NFIB started a crusade that is culminating in this bill. The legislative process can move slowly . . . and while it's moving, some us move along. But I have a sense of satisfaction that we are doing the right thing for innocent small businesses. I'd like to thank all of the people who worked with me on Superfund reform, and congratulate all those involved in bringing H.R. 1831 to the floor, including my colleague and good friend from Ohio, Representative PAUL GILLMOR.

Ms. MCCARTHY of Missouri. Madam Speaker, for years now, Congress has tried to bring relief to small business owners with Superfund concerns. I applaud bipartisan effort on this legislation to alleviate the unnecessary financial burdens on small business owners who are unjustly brought into the legal fray for sites where they did not contribute to the contamination. The Superfund program and the redevelopment of Brownfield sites are essential to the economic prosperity of our communities. H.R. 1831, the legislation before us today, is a balanced and fair approach because while it provides protections to relieve small business that did not contribute to the contamination from unnecessary and unwarranted litigation, it holds the appropriate contaminators accountable.

Much more work needs to be done to reform the Superfund program, including helping others seeking legitimate liability relief and holding those who did the actual contamination accountable, but this bill, seven years in the making, provides the long awaited relief that small businesses throughout our nation need. We must keep making progress on broader Superfund legislation

Our actions at the Federal level should complement the successes of the Brownfields Program. Redevelopment of Brownfield sites helps all our communities and ultimately the small business owner. In 1998 the Kansas City Region was one of only 16 designated as a ''Showcase Community'' by the Environmental Protection Agency (EPA). This past year the program was awarded the EPA Region 7's Phoenix Award, a national honor recognizing excellence in Brownfield redevelopment work. These honors translate to true results.

Results in my district include jump starting the Lewis and Clark Redevelopment Area located in the historic West Bottoms known for years in Kansas City's growth as the ''stock yards.'' This area was ravaged by a devastating fire in 1998, leaving business and abandoned buildings gutted. Normally, a rebuilding process would begin except when there is a contamination complicating the process. In this instance, there were mitigating factors associated with contamination (mainly asbestos) and the federal Brownfields program was used to partner with the city and economic development to eliminate the contamination. With the involvement of the Brownfields program, a blighted eyesore on the threshold of downtown Kansas City has been removed and rejuvenated to restore and create jobs and economic development. A success story through the partnership of Brownfields and Superfund.

In all parts of my district there are similar success stories whether it is the Historic 18th and Vine Jazz Entertainment District, to the Beacon Hill Neighborhood housing redevelopment, and the Blue River Industrial Corridor. Brownfields afford the opportunity to build upon the synergies of public and private partnerships, resulting in business and job growth, improvement of quality of life, and reinvestment in what would otherwise continue to be a depressed area.

Ultimately, this translates into a thriving small business community. This is what the Superfund and Brownfields redevelopment programs were intended to create—not additional and unwarranted litigation.

Madam Speaker, I support this legislation and urge its adoption, along with further Superfund reform efforts. 20

Mr. DOYLE. Madam Speaker, I rise today in strong support of H.R. 1831, The Small Business Liability Protection Act. I was pleased to join fellow members of the Energy and Commerce Subcommittee on the Environment and Hazardous Materials in becoming an original cosponsor of this bill and I am pleased to see it moving forward towards implementation.

We all agree that small businesses are in great need of appropriate relief from unintended consequences posed by Superfund's liability structure. I realize that the parameters of what constitutes appropriate relief was a contentious matter during debate on related legislation considered in the previous session of Congress. I am pleased that continued discussions on the matter have produced consensus on how best to provide this relief such that we are now poised to advance a legislative remedy that is fair, balanced, and is supported by a diverse group of interested parties. Superfund reform has been a pressing need not only in Pennsylvania, but also throughout the country. Clearly, there is a need for more comprehensive Superfund reform. While this bill is limited in its scope, it will provide a much-needed clarification regarding small business liability that for too long has been misconstrued by the courts to the detriment of many small business owners.

It is my hope that the tone set by today's debate on H.R. 1831 will carry the bill to swift enactment, as well as foster an atmosphere in the House in which other significant achievements such as advancing brownfields legislation can be achieved.

In closing, I want to express my appreciation to both Subcommittee Chairman GILLMOR and Ranking Member PALLONE for exhibiting exemplary leadership and bipartisanship on this most critical issue.

Mr. OTTER. Madam Speaker, I rise today to express my strong support for H.R. 1831, the Small Business Liability Protection Act. As an original co-sponsor of this bill, I believe it is vital that we pass this legislation and help end the fear of so many small businessmen and women that they will be held liable for unlimited toxic cleanup costs that are not their fault. Under current law, any contribution of hazardous material to a Superfund site makes any contributor wholly liable for the costs of cleanup. H.R. 1831 is an important and necessary improvement to Superfund, because it will exempt small businesses and non-profits that only contributed to Superfund sites a nominal amount of hazardous material. It will also exempt those who only contributed regular household waste to these sites. This reform will provide certainty and protection for small business that seek to start new enterprises and will provide incentives for businesses to take responsibility for mildly contaminated areas at the lowest possible cleanup cost.

While I strongly support H.R. 1831, I believe that we need to move quickly to pass even more substantive and comprehensive Superfund reform. In my own district, the Bunker Hill Superfund site in Kellogg, Idaho is a prime example of how hazardous waste cleanup can transform into open-ended federal government control of a community and its economy. I hope that the members who vote for H.R. 1831 will work with me to make additional needed Superfund reforms. Final approval for listing a Superfund site should be given to the governor of the state concerned after local input. States should have the opportunity to draw up their own cleanup plans before the federal government becomes involved.

I wish to thank Chairman YOUNG and Chairman TAUZIN for bringing this important legislation to the floor today. I urge my colleagues to protect small business from government run amok and vote for H.R. 1831.

Mr. YOUNG of Alaska. Madam Speaker, I rise in strong support for H.R. 1831, The Small Business Liability Protection Act.

Like most Members of Congress, I know small businessmen in my district who have been caught up in Superfund litigation. It is terrible to see the toll it takes on the lives of these individuals. They don't know if they will lose their businesses, or even their homes.

If there is one thing all of us should be able to agree on, it is liability relief for small businesses that sent only 2 drums of waste or only ordinary garbage to a Superfund site.

Congress never intended that these parties be subject to Superfund liability.

To those of you who are concerned about ''Cherry-Picking'' Superfund reforms—let me assure you I am very interested in addressing additional Superfund legislation in this Congress.

We still need to address natural resource damages, liability relief for innocent parties, finality for state cleanup programs and Brownfields generally, and Superfund's joint and several liability scheme.

I urge you to vote ''yes'' on H.R. 1831.

Mr. TOWNS. Madam Speaker, as the recent past ranking member of the subcommittee

with jurisdiction over superfund, I am proud to be an original co-sponsor of the small business liability protection act. This bill that sits before us today includes a significant achievement that has eluded us in the past, small business relief. I congratulate the bipartisan coalition that has worked together to achieve this worthy end. Small business which disposed of basically household trash or very small quantities of waste materials containing hazardous substances should not be a target of environmental cleanup efforts if they are not responsible for the environmental damage. Instead we should continue to pursue the polluter pays principle. The limits established by this legislation strike the right balance between the protection of small business and the continued protection of the environment. This will ensure that small business does not get inappropriately caught in a web of litigation.

We have worked long and hard to bring relief to small business owners. I am pleased that we have come to a bipartisan conclusion. I believe that bipartisan congratulations should be offered to the leadership of the Energy and Commerce Committee as well as the Environmental and Hazardous Materials Subcommittee.

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

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

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Ohio (Mr. GILLMOR) that the House suspend the rules and pass the bill, H.R. 1831.

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. GILLMOR. Madam 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.

SECTION 245(i) EXTENSION ACT OF 2001

Mr. SENSENBRENNER. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1885) to expand the class of beneficiaries who may apply for adjustment of status under section 245(i) of the Immigration and Nationality Act by extending the deadline for classification petition and labor certification filings, and for other purposes.

The Clerk read as follows:

H.R. 1885

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 ''Section 245(i) Extension Act of 2001''.

SEC. 2. EXTENSION OF DEADLINE.

Section 245(i)(1) of the Immigration and Nationality Act (8 U.S.C. 1255(i)(1)) is amended—

(1) in subparagraph (B)(i), by striking ''2001;'' and inserting ''2001, or during the 120-day period beginning on the date of the enactment of the Section 245(i) Extension Act of 2001;''; and

(2) by amending subparagraph (C) to read as follows:

''(C) who, in the case of a beneficiary of a petition for classification, or an application for labor certification, described in subparagraph (B) that was filed after January 14, 1998—

''(i) was physically present in the United States on December 21, 2000; and

''(ii) demonstrates that the familial or employment relationship that is the basis of such petition for classification or application for labor certification existed on or before April 30, 2001;''.

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).

GENERAL LEAVE

Mr. SENSENBRENNER. Madam 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. 1885.

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

There was no objection.

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

Madam Speaker, Section 245(i) of the Immigration and Nationality Act has been a controversial part of our immigration law since its inception in 1994. 245(i) allows illegal immigrants who are eligible for immigrant visas but who are illegally in the United States to adjust their status with the INS in the U.S. upon payment of a thousand dollar penalty.

In the absence of section 245(i), illegal immigrants must pursue their visa applications abroad. Pursuant to the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, those who have been illegally present in the United States for a year would be barred for reentry for 10 years.

Supporters of section 245(i) argue that it promotes family unity because, without it, illegal immigrants would be forced to leave the United States and their American families for many years. I believe we must also recognize that by allowing illegal immigrants to adjust their status in the United States, section 245(i) serves as an open invitation to those waiting in the queue for immigrant visas to jump the line and enter the United States illegally.

This is not fair to those immigrants who respect the immigration laws of our country and wait patiently in their home countries for visas, sometimes for years.

Such line-jumping negates the deterrent power of the bar on readmission for long-term illegal immigrants, which was a key reform of our immigration laws.

As a part of last year's Legal Immigrant Family Equity Act, Congress decided to allow illegal immigrants who were in the United States as of December 21, 2000 and who would have green card petitions filed in their behalf by April 30, 2001 to utilize section 245(i). This was a delicately crafted compromise.

Now that April 30 has come and gone, supporters of 245(i) push for an extension of the application deadline, some arguing that we should make the program permanent. Many others oppose any extension whatsoever.

On what grounds can we find a principled compromise? President Bush has pointed the way. He has noted that illegal immigrants eligible to utilize section 245(i) under the LIFE Act may not have had their 4-month window to apply that the Act promised them. The INS did not issue implementing regulations until this March and bureaucratic delays may have prevented many individuals from taking advantage of the 245(i) extension, individuals that Congress intended to benefit.

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Furthermore, many illegal immigrants claim to have difficulty procuring the services of immigration lawyers in time to apply. The gentleman from Pennsylvania (Mr. GEKAS), the chairman of the Subcommittee on Immigration and Claims of the Committee on the Judiciary, has introduced a bill that ensures that illegal immigrants have the promised 4 months to apply.

H.R. 1885, the Section 245(i) Extension Act of 2001 would allow illegal immigrants to utilize section 245(i) as long as they have green card petitions filed on their behalf within 120 days of enactment after this 245(i) sunsets for good.

H.R. 1885 retains the LIFE Act's requirement that illegal immigrants must have been in the United States as of December 21, 2000, so as not to encourage further illegal immigration into the United States.

This bill also requires that illegal immigrants must have entered into family or business relationships qualifying them for green cards by April 30, the original filing deadline. This requirement ensures that we do not encourage a new wave of marriages designed purely to procure green cards.

Countless news articles have reported that many thousands of illegal immigrants rushed to get married to U.S. citizens to beat the April 30 deadline. Under H.R. 1885, the marriage or employment, in the case of a petitioning employer, must have begun by April 30.

I believe that H.R. 1885 is fair and balanced legislation which does not solve the requirements of people who have taken strong positions on either side of the issue but which gets the job done. It ensures that the intent and compromises embodied in the LIFE Act are carried out. I urge my colleagues to support this legislation.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I come to the floor to congratulate all the parties that have worked on the extension of 245(i) because underlying that there is the understanding that we realize this is a subject matter that needs the kind of bipartisan support for those folks that are trying, working so hard as good citizens to get their green card and apply for citizenship.

The President of the United States has indicated that this measure is insufficient. There was hope up until 3 minutes ago that this measure might be removed from the floor because there is still so much negotiation swirling around it. Why? Because even though we are in recognition of a difficult problem that there is bicameral and bipartisan support for relief for going beyond April 30, we simply do not have enough time within the 4-month period that is provided to take care of this complex filing and requirements that are needed.

Number one, the immigration lawyers have already advised myself and the gentlewoman from Texas (Ms. JACKSON-LEE), the ranking member of this Subcommittee on Immigration and Claims of the Committee on the Judiciary, that frequently one has to go back to the country of origin to get birth certificates, records. Sometimes they are there. Sometimes they are not. It is not a simple matter.

Number two, the Immigration and Naturalization Service itself needs a lot more time. They would be inundated under this. Of course, the irony of ironies is that the regulations themselves would require, and we have been advised this by the reg writers, would require 3 months.

So compassion may be the order of the day here, Madam Speaker. What we need to do is, now that we recognize a problem, now that we are resolved to solving it, what we really need to do is step back and look at the amount of time that is involved.

That is why I appeal to the distinguished chairman of the committee and the ranking member to understand the detail that we are dealing with. We are having people from four different countries, four different languages. It is something like buying a movie ticket to go to the premier of the show; and by the time one gets up to the door to go in, they close the doors.

Please. Let us see if there is something more we can do to perfect the good intentions of all the parties, the White House, the Congress, the Senate, to make this measure something that we can all be proud of.

Madam Speaker, I reserve the balance of my time.

Mr. SENSENBRENNER. Madam Speaker, I yield 3 minutes to the distinguished gentleman from Pennsylvania (Mr. GEKAS), the author of the bill and the chairman of the Subcommittee on Immigration and Claims.

Mr. GEKAS. Madam Speaker, I thank the chairman for yielding me this time.

Madam Speaker, the opening statement of the chairman and the response by the ranking member have framed the issue very, very well. It is only a matter of degree, then, that we now stand before the House to present views. How long shall be the extension?

The gentleman from Michigan (Mr. CONYERS) says that the lawyers involved are the ones who are claiming that they require more and more time to complete this process. In December 2000, they had adequate notice; all the lawyers in the land, every one of them had notice that this issue was pending and about to close its doors in May of this current year. Because they faced that big deadline, they were only able to handle 450,000 or so applications out of the 600,000 that are extant.

Now, we are supplying an additional 4 months to cover about 200,000 pending applicants. We think that that is a balanced approach. Today's debate on this floor serves as an additional notice to everyone that something is afoot.

The applications have to be filed now. One has another 4 months that the proclamation will go out, from the time that the President signs it into law, and it is many more months than the 4 months that come from this date because we know that this will take another month, 2 months to bring into full enactment. So the full notice is there for everyone to heed.

The opening statements were correct. We and the subcommittee had the benefit of consultations on every side of this issue, and there are many sides to it: from those who opposed even 1-day extension, we consulted with them, we listened to them; to those who wanted to make it permanent and never visit the subject matter again with whom we consulted; with Members of Congress on every side of the issue; with advocacy groups; and with the White House itself.

So we are not without a wealth of views and opinions and facts that lead us to the position that we now find ourselves in, asking the House to allow a 4-month extension so that we can be fair to the applicants, so that we can be fair to the people lined up for legal immigration, and so that we will not give incentive for people to become illegal aliens, and, most of all, to begin once and for all the process to allow our country to seize control of its borders and of its immigration policy.

Mr. CONYERS. Madam Speaker, I yield 5 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE), the distinguished ranking member of the Subcommittee on Immigration and Claims of the Committee on the Judiciary.

Madam Speaker, will the gentlewoman yield to me?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Michigan, the distinguished ranking member.

Mr. CONYERS. Madam Speaker, when the gentleman from Pennsylvania (Mr. GEKAS), subcommittee chairman, hits a nerve, he said how long. That is what we have been saying in the civil rights movement for a long time, Madam Speaker. How long? How long will it take? Well, it is taking not enough time, it is not long enough this time. So I am glad the gentleman from Pennsylvania brought that refrain of the civil rights movement back into this debate.

Ms. JACKSON-LEE of Texas. Madam Speaker, it is interesting, without dialoguing with the gentleman from Michigan (Mr. CONYERS), we have the same sort of line of reasoning. But I would like to thank those who have gathered here on the floor with the particular singular point, and that is that, of course, we need an extension.

I think the only redeeming value of this debate is that we are on the floor of the House saying that 245(i) should not have ended on April 30, 2001. Frankly, it should have been extended primarily because, Madam Speaker, the regulations that those who were seeking legal access to immigration, legalization, did not come into play until March 26, 2001. So it is evident that we have a problem.

It is interesting that the ranking member chose to draw upon the civil rights analogy. Let me draw it a little further. As I heard the debate on the floor, I have heard a comment that we spoke to many persons. We even spoke to those that do not want even 1 day.

I am reminded of the work of Lyndon Baines Johnson at the passage of the 1964 Civil Rights Act and the Voter Rights Act of 1965. There were enormous numbers of Americans and elected officials who did not want any legislation. But I am gratified that that Texan, the President of the United States at that time, saw fit to do the right thing, to ensure that, regardless of the opposition, we do the right thing.

Today of course I believe that we have not done fully the right thing in the 4-month extension and hope that we will have an opportunity to see this process go forward, to work with the Senate, and to work reasonably around time to address the concerns that we need to address.

First of all, Madam Speaker, I have to say to my colleagues that all these Members cannot be wrong. These Members are supporting permanent extension, 1-year extension, 6-month extension. So there is no great weight of authority for what we call a 4-month extension. That is not going to be enough time even with added language that says that one must define or one must have been in the family relationship on April 30 or a business relationship, employment relationship, which means that the INS will have to draft more regulations.

245(i) is not opening the doors to illegal immigration. It is, in fact, providing access to legalization. It is reuniting families. It is pro business so

that people who are engaged in the work that they have already been doing, paying taxes, can in fact have the opportunity to continue in a legal manner.

There are a number of bills that I have been gratified to support, by the gentleman from Illinois (Mr. GUTIERREZ), by the gentleman from New York (Mr. RANGEL), a previous bill by the gentleman from New York (Mr. KING), my bill, H.R. 1615, for a 1-year extension. I am gratified to work with Members of the other body who have a 1-year extension with 20 cosponsors. I certainly hope that that will be the rule of the day.

Four months is not enough time, because the INS itself is not structurally prepared to deal with visas, the V visas, the K visas that have to be done. These are other visas that have to be dealt with.

A 4-month extension creates a greater risk that mistakes will be made or that the application will be improperly filed. Madam Speaker, I will submit these articles into the RECORD; but it shows the enormous lines that occurred at the time, where people were attempting not to be illegal, not to have employees that are illegal, not to have families that are broken up, but to be legal. Look at these lines. Look at the pain.

Similar to the civil rights movement when people were standing in line to access accommodations, to access equality and the right to vote, we had to stand up and do the right thing and be against those who would do the wrong thing.

A 4-month extension will cost the government more money. It will cost the government additional dollars. Four months will end right at the appropriations time frame. We will not be finished. We will not know whether or not we have to give a supplemental appropriation to rush the last group in. We do not know what may transpire.

It opens itself up to people to be abused, going after anybody who gives them permission to say or suggest that I can get you in.

I believe we can do the right thing. I will just suggest to my colleagues in closing that we have many stories of people like Norma who settled in North Carolina and married a United States citizen. They have been married over 2 years, have a child, and expecting another one. They are torn apart because of this lack of 245(i).

I know there are good intentions on the floor. I hope we can extend this and move this bill forward.

Madam Speaker, as we know in Section 245(i) allows some people to remain in the country while pursuing legal residency, instead of returning to the native countries to apply for U.S. residency, which breaks up families. Section 245(i) is an immigration policy which provides a path to legalization. Furthermore, it encourages family reunification and is also pro-business. Any time period short of a year will deny family reunification and access to legalization for many. Thus a four month extension gives no real opportunity to anyone.

H.R. 1885, introduced by Congressman GEKAS only allows for a four month extension of section 245i. This is a bad bill. We have been giving the message to immigrants who come to the United States that we are a nation of immigrants. However, this message that we are attempting to communicate in a unified voice is muffled by the wrong bills such as the one on the floor today.

H.R. 1885's four month extension is going to fuel the fire of all the problems that we have right now in immigration. A four month extension is simply masquerading itself as help to those in need. H.R. 1885 is merely skating over the problem that has occurred—an estimated number of 200,000 people who were not given enough time to benefit from taking advantage of section 245i. Such a short extension is surely to cause another round of mass confusion that we have already witnessed.

How do we know that a four month extension is simply not enough time for people to benefit from section 235(i)? We know this from consulting with immigrants, immigration advocates, and nonprofit groups that work with immigrants.

BILLS WITH A ONE-YEAR EXTENSION

My bill H.R. 1615 allows for a year extension. My bill provides that the April 30, 2001 deadline should be extended to April 30, 2002. Congressman RANGEL has a bill, H.R. 1195 which provides for the same one year extension. Furthermore, Senator HAGEL has a one year extension with a sunset date of April 30, 2002. A one year extension is the proper amount of time to allow people to take advantage of section 245(i). A year is necessary for the following reasons:

REASONS WHY WE HAVE A ONE-YEAR EXTENSION

1. Four months is not enough time for people to get the help that they need to file before the deadline. Regulations for the new V visas, K visas and late legalization are due out at the end of this month. This will cause attorneys' workloads to rise at an unprecedented rate. Immigration attorneys when dealing with only section 245i said they have never been so busy before and did not have enough time to schedule appointments with people who sought out their expertise. If that was the case with section 245i we can only imagine the chaos that will ensue with the issuance of the regulations for the new V visas, K visas and late legalization. People will not be able to get appointments with legal service providers in a four month period and as a result will be unable to take advantage of section 245i. This is why a year extension is necessary.

2. A fourth month extension creates a greater risk that mistakes will be made or that the applications will be improperly filed. Without access to legitimate and professional assistance, many people will be forced to try and figure this law out for themselves. In some cases, the process is very difficult. Even in simple cases, there is enormous confusion about who is eligible, which applications must be filed by the deadline, where to the applications, what office to file applications with, and what are the filing fees. Without a fair opportunity to have these questions answered, eligible applicants may submit incomplete or incorrect applications and be unable to correct the mistakes before the deadline passes. Thousands of eligible applicants will lose their right to apply simply because they made an innocent mistake.

3. Short deadlines benefit scam artists. If people are not given the chance to schedule appointments with attorneys then they may fall into the wrong hands—those of scam artists, who ripped thousands of people off during the previous 245i extension. These scam artists charged thousands of dollars to prepare applications that were never filed, or submitted applications on behalf of people who were not eligible. Another short four month extension guarantees that scam artists will benefit once again.

4. A four month extension will cost the government more money. Providing a short window of opportunity will dramatically increase the need for government services. As a result of the previous short four-month extension of Section 245(i), tens of thousands of people rushed to government offices to collect documents, request applications, and ask questions. Thousand of people camped overnight at INS offices to get copies of application forms or request information about their eligibility. With a four month extension the same problems will occur. Petitions and applications will suffer while INS diverts resources to deal with the long lines of people outside their office. Providing a one year extension would spread this work out.

5. The new language of H.R. 1885 will require new regulations that could not be implemented in four months. H.R. 1885 adds a new requirement that applicants show that ''the familial or employment relationship'' that is the basis for the application existed before April 30, 2001. ''Familial Relationship'' and ''Employment Relationship'' are not simple terms and will have to be defined. INS will have great difficulty drafting this restriction, especially for employers. and as we have seen before, INS will be unable to issue these regulations until most of all of a four-month extension is over.

6. Finally, The physical presence requirement in the LIFE Act already ensures that people will not be coming to the United States to apply. Under the LIFE Act, only those people who were in the United States on December 21, 2000 are eligible to apply for the new extension of Section 245(i). This limitation addresses the fear that the extension of 245(i) will be a magnet for people to come into the United States illegally.

Let me provide you with two examples of how people are affected by section 245i.

A. Norma entered the United States illegally from Mexico. She settled in North Carolina and married a United States citizen. They have been married over two years, have a child, are expecting another this fall, and have recently purchased a new home for their growing family. Norma and her husband are torn on what to do about her immigration status. As the wife of a citizen, she qualifies for an immigrant visa. However, if she returns to Mexico to obtain her visa, she would be barred from re-entering the United States for 10 years. Norma does not want to leave her husband, her children, or her home for 10 years. Restoration of 245i would allow this family to stay together.

B. Apolinaro came to the United States illegally from El Salvador four years ago. He came from a large, poor family and moved to the U.S. to find work to support his parents and siblings. After being here for a couple of years he met his present wife. After they were married, his wife wanted to start the paperwork to naturalize him, but he is undocumented. The couple was faced with the harsh

reality: they only way Apolinaro could become a legal resident was to go back to El Salvador and be barred from re-entering the U.S. for ten years. On his one-year wedding anniversary, Aploinaro returned to El Salvador and does not know when he will see his wife again. He and his wife could not imagine being separated for 10 years, but if the harsh provision of the 1996 law is not changed, this separation may become a reality.

CONCLUSION

A four month extension will not provide the necessary relief. And as proof we will see the exact same reaction that we saw on April 30, 2001—thousands of people who were not given enough time to take advantage of a law that benefits them and were left confused and frustrated because they did not have enough time to file the required paperwork. Furthermore, there is no question that at the end of this proposed four month extension, people will claim that it was not enough time and will seek another extension.

Only a year extension will guarantee people a chance to see an immigration legal service provider as well as guarantee parties a sufficient period of time to file the proper applications. We must remember that while this is a nation of laws, it is also a nation of immigrants.

Madam Speaker, the articles that I referred to earlier are as follows:

[From the Washington Post, May 1, 2001]

A RUSH FOR RESIDENCY—IMMIGRANTS FLOOD INS AS SPECIAL PROGRAM ENDS

(By Mary Beth Sheridan and Christine Haughney)

Tens of thousands of undocumented foreigners packed U.S. immigration centers, besieged lawyers' offices and said ''I do'' in assembly-line weddings yesterday as they scrambled to apply for residency under a special program that expired at midnight.

The Immigration and Naturalization Service kept many of its offices open until the last minute to handle the record crush. Still, many immigrants missed the deadline because overwhelmed lawyers could not give them appointments to help them with the necessary paperwork, immigrant advocates said.

Several members of Congress and a key U.S. Catholic bishop called in vain for an extension of the program, which gave illegal immigrants a four-month window to apply for residency without first having to leave the United States.

''The deadline must be extended,'' insisted Bishop Nicholas DiMarzio of Camden, N.J., chairman of the U.S. Catholic Bishops' Migration Committee, which organized efforts to help immigrants fill out the forms. ''Our programs have been unable to meet the demand for services.''

Like many immigration offices across the country, the Washington area INS center on North Fairfax Drive in Arlington opened its doors yesterday to a line snaking around the building. Throughout the day, the office was a tableau of desperation and confusion.

Santos Hernandez, a Mexican landscape worker, had driven to Arlington from North Carolina after discovering that he was required to pass a physical—and that all the INS-approved doctors in his area were too booked to give him one.

After waiting in line for several hours yesterday, Hernandez and his brother stared blankly as a frazzled immigration officer demanded in English to know what they wanted.

''We came for the program that expires today. Everyone talks about this,'' Hernandez murmured in Spanish, clutching a tan envelope of tattered documents. But his quest would end in failure an hour later.

Just a few miles away, the D.C. Department of Employment Services took applications from immigrants being sponsored by businesses in the area. ''This is the busiest we've ever seen it,'' supervisor Dorothy Robinson said. She said her office alone was on track to receive at least 1,000 applications by midnight—as many as it usually receives in a year.

Usually, undocumented immigrants seeking U.S. residency must apply at the U.S. consulate in their native land. But in December, Congress passed the special measure that allowed them to apply while still in the United States, as long as they did so by April 30 and paid a $1,000 penalty. The change was important because most illegal immigrants are barred from returning, for a period of three to 10 years, if they leave the United States.

INS officials estimated that 640,000 illegal immigrants nationwide would apply for residency under the measure, which required that the immigrant be sponsored by an employer or a close family member.

The lines didn't form just at INS offices. Across the country, couples rushed to get married so that one spouse—the legal U.S. resident—could sponsor the other.

In New York, couples had gathered as early as 2 a.m. in recent weeks to secure one of the 700 daily passes for weddings at the Manhattan municipal building, said Denise Collins, spokeswoman for the Department of Citywide Administrative Services. The number of marriage ceremonies and licenses citywide was twice as high on Friday as for the same date last year, according to city clerk Carlos Cuevas.

Yesterday, Lynda Rosado lined up at 4 a.m. for one of the passes, finally tying the knot after nine years of dating Bernardino Hernandez, an undocumented Mexican immigrant. Around her, couples exchanged sweet nothings in English, Spanish and Cantonese. Vendors hawked $20 bouquets and cardboard ''you and me forever'' frames.

But Rosado quickly got down to business. ''We'll celebrate later,'' she said after the brief wedding ceremony. ''Now we're going straight to a lawyer.''

Not everyone was lucky enough to get into a lawyer's office, however. Many lawyers were booked solid weeks ago, said Judy Golub, a lobbyist for the American Immigration Lawyers' Association. Although a lawyer's assistance was not required, many immigrants needed help filling out the complex forms.

Because such problems caused some immigrants to miss the deadline, several U.S. legislators have submitted bills to extend the special measure, known as Section 245(i). But they have been unsuccessful.

In an effort to avoid a last-minute crush, immigrant aid groups such as the Spanish Catholic Center in Gaithersburg worked frantically to spread the word about the program and make appointments for people who needed help with applications.

One recent Friday night, Celia Rivas, the immigration services coordinator, started appointments to work on immigrant applications at 6:30 p.m. She was so swamped she finished 24 hours later.

''I wanted to avoid April 30 being the day everyone came for services,'' she said.

Still, many immigrants didn't find out about the measure until the last few days or were confused by it.

Hernandez, the Mexican landscaper, thought he could just drop off his documents at the Arlington INS office. But he needed to fill out special forms. So he went to the car and returned with his longtime American girlfriend, Renee Garland, 33. Nearly three hours after they had arrived at the INS office, with their two small children in tow, the couple made it to the front of the documents line.

It was a short-lived victory.

''He's your boyfriend?'' the officer asked Garland, who nodded yes, ''When you gonna get married?'' the officer asked.

Garland suggested that her boyfriend could be sponsored by his employer. But the landscaper had simply typed a one-paragraph letter verifying that Hernandez worked for him.

''Where's the form from his boss?'' the immigration officer asked. Garland, crestfallen, acknowledged that she didn't know he needed one. And Hernandez wasn't about to get married yesterday. Garland slunk away from the line, hitting a seemingly insurmountable roadblock on the road to her boyfriend's citizenship.

''I don't know what I'm going to do,'' she sighed.

[From the New York Times, May 1, 2001]

ILLEGAL IMMIGRANTS RACE AGAINST CLOCK TO GET THROUGH A SMALL WINDOW OF OPPORTUNITY

(By Michael Janofsky)

DENVER, April 30.—Some arrived as early as Saturday night, with sleeping bags, reclining chairs, even dining room chairs to make the wait more bearable. By today, when the immigration office here opened at 6 a.,m., the crowd had swelled to several thousand, and many more were on the way.

With a midnight deadline approaching, the scene was repeating at immigration offices all around the country as illegal immigrants scrambled to take advantage of a program that allows those with family or employer sponsors to apply for legal status in the United States without leaving the country.

''They tried to line up on Saturday when they heard the lines were starting,'' said Michael Comfort, acting district director for the Denver Immigration and Naturalization Service office. ''I suppose we all do that when it comes to taxes and other deadlines,'' he added.

Known as 245(i), the program was passed by Congress in December, creating a four-month window in which immigrants would be spared the cost and anxieties of returning to their home countries to fill out the paperwork. Immigration officials estimated that more than 600,000 people might be eligible for the program, even though waiting for their applications to be approved could take years, during which they could still face deportation, as several people in Ohio recently discovered.

Acting on information provided in applications, immigration agents in Cleveland arrested seven people at their homes and initiated deportation. Officials in Washington have since stepped in to prevent such actions, instructing all its districts not to arrest illegal immigrants on the basis of their 245(i) applications.

The program has been so widely applauded by human rights groups that some have urged Congress to extend the deadline. Bishop Nicholas DiMarzio of Camden, N.J., chairman of the national Roman Catholic bishops' committee on migration, said, ''without immediate Congressional action, many immigrant families in the United States face unnecessary upheaval and possibly lengthy separations.''

Congressional officials said tonight that the White House was expected to support a bipartisan bill to extend the program by one year.

Supporting the measure would be another step for President Bush toward fulfilling the

pro-immigrant positions he articulated during the campaign. Mr. Bush has pledged to work closely with Vicente Fox, the new president of Mexico, to improve border safety and working conditions for Mexicans living in the United States.

The crowds of people seeking the change in status today were especially thick in cities with large numbers of illegal immigrants. Luisa Aquino, a spokeswoman for the immigration service in Houston, said nearly 2,000 people had applied by midday and by midnight the number was expected to have doubled. Immigration officials in Los Angeles said 2,600 people were standing in line when the office reopened at 6 a.m.

In New York this morning, the police said the line stretched from the entrance of the Federal Building, winded its way through six rows of metal barriers and around a corner.

Elba Contreas, 51, sat on the building steps this afternoon with her brother, Jaime de la Fuente, 55, who is from Chile. ''We're going to be very happy when this is all over,'' said Mrs. Contreas, who is a citizen.

Walter Diaz, 22, and his wife, Maria, beamed after they dropped off Mrs. Diaz's application. ''I feel like a weight has been lifted from my shoulders,'' Mrs. Diaz, who is from Honduras, said as she kissed her husband, who is a citizen.

By 3 p.m. in Chicago, officials at the Chicago Loop district had accepted nearly 600 applications, and in Boston, where the immigration office typically handles paperwork from 35 to 50 people a day, officials said they expected to process as many as 700 by midnight.

''The staff is mentally and physically exhausted,'' said Steven J. Farquharson, the Boston district director.

An immigration service spokesman in Washington, William Strassberger, said several offices around the country had reported lines snaking for blocks around buildings. In Montgomery County, Md., he said, couples were being married every 15 minutes at county courthouses to enable them to beat the midnight deadline. Denver and other cities also reported a recent surge in marriage license applications.

Many immigrants said they had waited so long because of the difficulties of raising the minimum filing fee of $1,000.

''It's the money, that's what we've been waiting for,'' said Gladys Duran, 20, who stood in line in Chicago with her husband of one year, Carlos, 29, a painter.

The same was true for Jose Melendez, 23, a native of Chihuahua, Mexico, who works as a drywall specialist in Sterling, in northeast Colorado. He is the father of two of his wife's five children.

''We didn't have no money,'' he said, as his wife of two years, Stephanie, 24, waited in line.

Like other immigration offices, the one here had been dealing with crowds swelling by the day. Last week, officials said, they had arranged for two portable toilets to be stationed outside the building. Today, they added two more. A food truck selling only tocos and burritos pulled up and quickly had its own line.

Roxanne Calderon, a 30-year-old cashier at a Safeway supermarket, sat on a curb with her husband, Juan, 24, a drywaller from Zacatecas, Mexico. He joined the line for the paperwork at 9 p.m. Sunday; she joined him at 6 a.m. today.

''I want liberty, not to be hiding from deportation,'' he said in Spanish. ''I want to go to Mexico and come back without being deported.''

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Mr. SENSENBRENNER. Madam Speaker, I yield 2 minutes to the gentleman from New York (Mr. GILMAN).

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

Mr. GILMAN. Madam Speaker, I am pleased to support H.R. 1885, sponsored by my distinguished colleague, the gentleman from Pennsylvania (Mr. GEKAS), and the ranking minority member, the gentlewoman from Texas (Ms. JACKSON-LEE), and I thank the distinguished chairman of our Committee on the Judiciary, the gentleman from Wisconsin (Mr. SENSENBRENNER), for bringing this measure to the floor at this time.

Madam Speaker, this measure expands the class of individuals who may apply for adjustment of status under section 245(i) of the Immigration and Nationality Act by expanding the deadline for classification petition and labor certification filings by employers by 120 days.

Section 245(i) is a vital provision of our U.S. immigration law allowing immigrants who are on the brink of becoming permanent residents to apply for their green cards in the United States rather than returning to their home countries to apply. The beneficiaries of 245(i) are immigrants residing in our Nation or are sponsored by close family members or employers who cannot find necessary workers in our Nation to perform the duties.

Immigrants applying for permanent status under this section are eligible for green cards but are unable to obtain them in the United States because they are not in a legal nonimmigrant status. The immigrants situation may materialize on technical ground regarding the visa process or because of INS delays.

In most instances, the question is not whether these individuals are eligible to become permanent residents, because they already are. The issue is where they can apply from. Each applicant must pay the processing fee of $1,000. Not only does 245(i) generate revenue for our INS, but it does not cost the taxpayers one cent.

Section 245(i) is supported by the 60,000 attorneys that comprise the American Immigration Lawyers Association, and this extension will afford those who, due to a lack of legal resources, could not file. To force these hard working immigrants to return to their home countries to apply for their green cards after they, in many cases, have built a life for themselves in our Nation, creates an even greater injustice.

In closing, Madam Speaker, I urge my colleagues to support this measure which will allow those immigrants, who satisfy critical labor shortages, to apply for their green cards while living in our Nation and not having to return to their home countries to wait for what could be many years to get their approval.

Mr. CONYERS. Madam Speaker, I ask unanimous consent that each side be granted 15 additional minutes.

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

There was no objection.

Mr. CONYERS. Madam Speaker, I yield 4 minutes to the gentleman from New York (Mr. RANGEL), the ranking member of the Committee on Ways and Means and former chairman of the Congressional Black Caucus.

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

Mr. RANGEL. Madam Speaker, let me thank the distinguished chairman and ranking member of the Committee on the Judiciary for allowing me to enter into this debate, which of course they have had so much sensitivity, so much expertise, and have done so much work on.

Madam Speaker, I value American citizenship so much that I would hate to see the day that we did not have rules that were strict or standards that were high, because I think that citizenship is such a precious thing that it should not be gained that easily. The thing that concerns me, however, is how so many people whose families were able to come to America under different standards, how sometimes when they get here, they so easily forget and find it not only comfortable to pull the ladder up behind them, but almost get emotional and angry in terms of other people just trying to live here and trying to become citizens. It is such a contagious disease that sometimes people who have yet to learn to master the English language are condemning those who would want to enter the United States.

I want to commend those Members of Congress that have asked us to extend the time for good people to file. As the gentleman from New York (Mr. GILMAN) has said, these are people who, by every standard, have done everything that they can. Some have families. Some have children that have been born and are already citizens of this great country.

We cannot value being an American so much so we lose, as the gentleman from Michigan (Mr. CONYERS) has said, the compassion of being American. That is a part of it. And I would think those of us who did not ask to come here or were brought from our country, torn away from the breasts sometimes of mothers as they came as chattel, as slaves, can almost visualize in our own congressional districts almost the same thing happening, as people who work every day, work on farms, work in diners, work in menial jobs, and then would have to believe that they are going to be deported or they would have to leave and leave their families.

Now, the President has paused and asked the Congress to take a deep breath. The gentleman from Pennsylvania (Mr. GEKAS) has said 4 months, but of course we need to take a look at the technicalities and how high the bar is, we need to try to understand what has to be done. Come and visit my office and see the number of people that

have no idea as to what I can help or what I cannot help them to do, but they actually come in and they come begging and they come crying, they come bringing their children with little American flags saying, ''Congressman, help me.''

Now, I know that this Congress is not going to say that we value that flag so much that it has to fly so high that so many hardworking people who love this country are not going to be given the opportunity to abide by our rules, to abide by our regulations, and to keep our standard and become Americans. And I know the gentleman from New York (Mr. KING) knows this: They will become better Americans than those who were just born here and take it for granted.

So let us not feel so proud when we are able to say we gave those people enough time. They should have known. They should have had lawyers. They should have understood. No, no, no. We are the ones that have to understand. We are the ones that God blessed. We are the ones that were born in this country. We are the ones that set the rules, and we are the ones that can open our doors and our hearts to allow them to become citizens.

Mr. SENSENBRENNER. Madam Speaker, I yield 3 minutes to the gentleman from New York (Mr. KING).

Mr. KING. Madam Speaker, I thank the distinguished chairman for yielding me this time, and I rise in support of H.R. 1885. And in doing so, I want to commend the chairman, the gentleman from Wisconsin (Mr. SENSENBRENNER), for his work, the gentleman from Pennsylvania (Mr. GEKAS), but also my colleagues on the Democratic side, the gentleman from New York (Mr. RANGEL), the gentlewoman from Texas (Ms. JACKSON-LEE), and others who have put so much effort into this.

I also want to commend the President for coming forward on this issue, which can be an emotional issue, and setting the standard and saying that 245(i) must be extended.

I introduced a bill myself, a bill which would have extended it 6 months. I also was an original cosponsor of the bill introduced by the gentleman from New York (Mr. RANGEL), which would have extended it 1 year. It was important to me 245(i) be extended because of the fact I strongly believe immigrants are the lifeblood of our society.

As my colleague, the gentleman from New York (Mr. RANGEL) said, in many cases, they become the very best Americans because they are here by choice and they overcame great adversity to be here. Also, the gentlewoman from Texas (Ms. JACKSON-LEE), even though I am considerably older than she is, we had the good opportunity to grow up in the same borough in New York City, so we saw firsthand the tremendous impact and positive impact that immigrants have had on our city, our State and our country. So that is why I support strongly an extension of 245(i).

Now, today's bill is a 4-month extension. Some wanted 6, some wanted a year, some wanted it to be permanent. But as the gentleman from Pennsylvania (Mr. GEKAS) said, this 4-month extension, when it all plays out, will be closer to a 6-month extension. Let us not let the perfect be the enemy of the good. Let us get what we can at this time and protect those 200,000 people whose fortunes and lives are very literally in our hands. It would be a tragedy if, by trying to get more, we lost everything.

So I again commend the people who have put the time and effort into this. I fully understand the sentiments for those who want a longer extension. As I said, I could have supported a longer extension myself. But the reality is there are many voices in the Congress; not all the voices support the same thing. Not everyone supports an extension at all. So to make sure that we protect the rights, the human rights of those people living in this country who are entitled to have legalized status, but because of the fact they could not file their papers on time, for whatever reason, let us, not them, become victims by our trying to achieve more than we can. Let us do the possible; let us do what is real; what can be done.

Even the gentlewoman from Texas (Ms. JACKSON-LEE) mentioned President Johnson. The fact is, President Johnson did not do everything in 1964 or in 1965. There were further civil rights bills to continue that revolution. Nothing is ever final. Let us get through what we can. Let us do the art of the possible. Let us do the art of the practical and stand together in our commitment to the American Dream, which is to, yes, encourage immigration, do it in a legal way, but let us not make the mistake today of not going forward on what is, at base and in substance, a very sound piece of legislation.

Mr. CONYERS. Madam Speaker, I am proud now to yield 4 minutes to the gentleman from Illinois (Mr. GUTIERREZ), chairman of the Hispanic Task Force on Immigration.

Mr. GUTIERREZ. Madam Speaker, I thank the gentleman for yielding this time to me, and I thank all those working on this issue.

Let me just say that it would be nice to do what is possible, but let us get one thing very, very clear. There was a vote on this House floor in 1997, after the program was eliminated, and the House voted affirmatively not to extend but to reinstate 245(i). That is the record of the House of Representatives. It is the record of the Senate on more than one occasion that they have voted to reinstate 245(i), the problem is when it comes to conference.

So I think some of our colleagues think too little of the compassion and of the justice that can be done in this House. It is my belief that if we brought a vote back here for the reinstatement of 245(i), it would pass the House of Representatives. This should have been dealt with in the committee, the Committee on the Judiciary, marked up in the Committee on the Judiciary, and brought before this House to have a full debate so that we could amend it, so that we could listen to other points of view.

I am standing here asking myself if my recollection of history has somehow failed me. Last year, it was the Congressional Hispanic Caucus who went to Member after Member after Member; who went to the Congressional Black Caucus, the Congressional Progressive Caucus, the Democratic Caucus, members of the Republican Party, and we put together a coalition where over 155 Members of the House signed a letter stating that they would not vote for any final budget unless there was a reinstatement of 245(i). Forty-six Senators signed the same letter saying they would vote for it. It was the Congressional Hispanic Caucus that 2 months ago sat with President George Bush, and we did not ask for an extension of the program with an arbitrary deadline of May 1, we asked for a reinstatement of the program. That is what we asked for.

And then it seems almost spectacular to me that we come on this House floor and everybody has been spoken to. I do not remember one occasion where members of the Congressional Hispanic Caucus or those of us that have put in bills have been spoken to. This is a one-way dialogue that we are having here. If anyone had spoken to us, we would have all come together. I think the gentleman from New York (Mr. KING) and many, many others know what is necessary, and I think they do not truly have a sense of what this House would do.

Now, let me state very, very clearly who we are talking about and what is wrong with this legislation. It says that an individual had to have qualified by April 30 in order to get in on the program. That is wrong. Why is it wrong? I want to tell my colleague, the gentleman from Pennsylvania (Mr. GEKAS) why it is wrong. Because there are tens of thousands of people who have waited 2, 3, and 4 years for their application for citizenship. They are still processing them; gathering dust. And because of those years and years and years of delay on the part of our government, on the part of our government, where people have played by the rules, they cannot apply for their loved ones to get their visas, since they are waiting for years, and they are going to continue to wait for more years, and then we have an arbitrary 4 months.

Now, if all that backlog were cleared up, I could understand it. The fact is that if tomorrow a citizen of the United States becomes 21 years old, tomorrow, they cannot go and apply for a visa under 245(i) for their mother, for their father. Yes, some may say they are here undocumented illegally. That does not mean that is not their mother and their father and they do not want to keep their families together. Think about it a moment.

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An American citizen who has a wife, a person that he loves, and that couple may be bringing children into this world, may not qualify under this program because they have consummated the marriage after the arbitrary deadline.

Madam Speaker, we are talking about keeping families together. Some say, ''They are here illegally.'' Maybe that is the case, but we eat the fruits that they pick and labor for. We know that they are here in our restaurants and our hotels. They work and slave every day. Let us give them the chance to become full partners in this great democracy.

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

Mr. CONYERS. Madam Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. MENENDEZ), a distinguished member of the Hispanic Caucus, a leader on our side of the aisle.

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

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

Madam Speaker, what is section 245(i)? For my colleagues who may be watching in their offices, to the American people listening to the debate, it was the law of the land. It was the law of the land.

We actually had as part of our immigration law a recognition for several years as part of the immigration law that United States citizens who have a member of their family, their husband or wife, their mother or father, their brother or sister, their son or daughter, who could be naturalized or seek permanent residency through them, would have the opportunity to do so under that part of what was the law of the land, and so that they could keep families together. That was the law until not too long ago. So that is what we are debating about.

Madam Speaker, why not reinstitute what was the law of the land and worked well. We have a public policy that I have heard debated on this floor so many times in a domestic context about family unification and the role of the family in our society, and the importance of family in our society.

Madam Speaker, my colleagues have hundreds of thousands of United States citizens and permanent residents who cannot keep their family together because in a previous Congress we stripped what was the law of the land and we took it away from all of them. Therefore, their families were forced to make a decision: stay together but not be here in a legal context; or divide and strip families apart.

We simply believe that 245(i), which was the law of the land, should be the law of the land again because it produces a basic fundamental public policy which I believe both sides of the aisle, but certainly my Republican colleagues, have said time and time again is a primary context of their efforts, which is the preservation of the family. That is why 245(i) should proceed.

This is not about getting at the head of the line, not about getting something that otherwise cannot be obtained because you will through your relationship with a United States citizen ultimately be able to become a permanent resident. Through a relationship with a permanent resident of the United States, you will ultimately be able to get your residency in terms of a spouse or a child. So why not keep these families together? That is the public policy question before us.

Yes, we recognize that 4 months is an effort in the minds of some, but it does not ultimately reach the goal that we want. Let us turn this temporary extension into a permanent one. Let us understand if we had a vote in this House, we would have a positive vote for a permanent extension of 245(i), as we had in the last Congress.

Let us do the right thing. Let us seek a permanent extension, and let us give the dignity to those families of United States citizens to be able to keep their families together.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. BIGGERT). The Chair will remind Members to address their remarks to the Chair and not to persons outside the Chamber.

Mr. CONYERS. Madam Speaker, I yield 3 minutes to the gentleman from California (Mr. BECERRA), a former member of the Committee on the Judiciary, a distinguished lawyer.

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

Madam Speaker, I thank the gentleman from Wisconsin (Mr. SENSENBRENNER), the chairman of the Committee on the Judiciary and the gentleman from Pennsylvania (Mr. GEKAS), the chairman of the subcommittee, for bringing this matter to the floor.

I wish we could all say that it is the complete solution to the problem that we encounter, that many families in America encounter, but it is not. We are taking a step forward.

We were pleased to receive the word from the President recently that he also believes that we need to address the problem under section 245(i), but we are going to come back. We are going to be back here again because this will not be the final solution. In 4 months you will not address the problems that are facing American families. You cannot tell a spouse or a father or a daughter to stop trying if 4 months cuts them off. That is not how you handle policies in Congress. We need to move forward, but we are not going to do it in 4 months. I say we are going to come back. We shall return.

Madam Speaker, we have to recognize something. In the past we were just trying to get this Congress to do the right thing. Well, at least now we are getting Congress to do the right thing; but we have to get Congress to do the thing right.

That is where I hope that we will recognize that this is a way to go about it. It is not going to deal with the problems that many of America's families will face if we truly are about family unification and if we are concerned about family values. We will recognize that. It is not good enough if we leave one child out, if we leave one spouse away from home. It is not good enough if we tell that one father, that one daughter, that one sister, sorry, they missed the cutoff date. It is time for us to try to deal with this in a permanent way.

Madam Speaker, we are here on the floor. We are going to move forward, but I guarantee my colleagues, we will be back. I appreciate the work that is being done on both sides of the aisle. I hope the President recognizes that Members are working this issue, and we will work together to try to fashion a solution to this that will tell American families that we believe in family unification, and the value of American families being part of the fabric of life.

Madam Speaker, I support this measure understanding that we will still have to come back.

Mr. CONYERS. Madam Speaker, I yield 3 minutes to the gentleman from New York (Mr. SERRANO).

Mr. SERRANO. Madam Speaker, I want to take the gentleman from California's approach also and thank the majority party and the gentleman from Pennsylvania (Mr. GEKAS) for bringing this measure to the floor; and I will vote for it tonight.

However, upon voting for it I will continue to insist that we make this a permanent situation. Obviously, bringing a bill to the floor indicates a desire to solve this problem; but the 4-month extension does not solve the problem. The President's comment about fixing this problem means that he recognizes a need to do the right thing, but he did not say 4 months, he said just fix it.

The INS, which came before the Appropriations Subcommittee on Commerce, Justice, State and Judiciary, said that they will accept at the minimum a 1-year extension. Everyone has said that they will take longer to solve the problem, and yet it has been decided to curtail the time; and, thus, create perhaps another problem.

Let me remind my colleagues what the gentleman from New York (Mr. RANGEL) said. ''The folks that we are talking about are the folks who will make the next generation of great Americans; who are, in fact, today doing all those jobs Americans do not want to do, and doing those things that so many of us need to have done.''

These are people who want to keep their families together, and that is what this country is about. It is about immigration and it is about family. It is ironic that this side, who gets accused for not talking about family, we are the ones who are saying, let the

time be so these folks can stay in the country and continue to work and continue to make our country strong.

Like my colleague, the gentleman from New York (Mr. RANGEL), and so many others, if one were to go to my district office on any given day, over 80 percent of all the case work that we do is on the issue of immigration. This issue is really hurting a lot of people.

If my colleagues had opened it up and said everyone can come in for 4 months, that still would have been better. But to suggest only those who were ready April 30 to have their paperwork done, that is still setting more stumbling blocks.

Yes, I will support this bill tonight. Hopefully my colleagues have the votes to get it done. But immediately, let us begin to work on a permanent situation. Madam Speaker, notice that I have mastered the English language enough to know that it is incorrect to say a ''permanent extension,'' because somehow that is improper use of the language. But let us do the right thing so we can all do what is right for America and for these folks.

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

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

Madam Speaker, this bill is a compromise, as was the provision in the omnibus appropriation bill that was passed at the end of last Congress was a compromise.

The 4-month provision in this bill seems to be attacked from all sides. There are some who would like to make section 245(i) permanent; and there are those who argue that we should not extend 245(i) because there was a deadline, and the people who missed the deadline knew full well what it was and did not file timely applications. This bill attempts to take a middle course.

What is so wrong with 4 months? The provision in the omnibus appropriation bill which was signed by former President Clinton on December 21, 2000, established a period of 4 months and 10 days for 245(i) applications to be timely filed.

A lot of people did not timely file their 245(i) applications because the Immigration and Naturalization Service waited until the middle of March in order to issue the regulations for the extension. That was not the fault of those who were eligible to apply; that was the fault of the Immigration Service, and I think most of us who have immigration cases in our own congressional office realize that this agency is probably more dysfunctional or nonfunctional than any of the other agencies of the Federal Government.

But they did get their act together until 2½ to 3 months after the time established by the law went by. What this bill does is it says okay, the INS goofed up and did not give everybody the 4 months, and so we will start the clock ticking again. The 245(i) deadline will be 4 months from the date of enactment of the law that is proposed in H.R. 1885.

Now, whether the extension is 4 months or 6 months or a year or some other time, human nature, being what it is, everybody waits until the last minute to file their applications.

Madam Speaker, I think that the word should go out today from this House of Representatives that if this legislation passes, do not wait until the last day to file an application. I would hope that the Immigration and Naturalization Service would be geared up to receive these applications, and I know I speak for most of the members of the Committee on the Judiciary, to inform the INS that we are going to be all over them so they will receive the applications as of the date of the enactment of the law; but the immigration groups and the immigration bar should not tarry so that the immigration petitions under section 245(i) will end up being filed well before the deadline so that the INS can be in the process of adjudicating them and issuing the proper visa.

Madam Speaker, this is a compassionate compromise to a very contentious issue. I think that 4 months is a legitimate extension because it was just a little more than 4 months that was contained in the omnibus appropriation bill.

I would strongly urge the House to endorse this legislation, and I urge my colleagues to vote ''yes'' on it.

Ms. PELOSI. Madam Speaker, I rise to express my strong support for a real extension of Section 245(i) of the Immigration and Nationality Act, and my concern that the four-month extension in this bill is far too short.

Section 245(i) allows undocumented immigrants who are in the United States and who become eligible for permanent residency because of their family relationships or job skills to remain in the country while they seek to adjust their status. They must qualify and pay a $1,000 penalty before they obtain permanent residency.

In last year's final budget agreement, this provision was extended by four months, through April 30 of this year. With the expiration of Section 245(i), immigrants who wish to apply for legal residence must return to their country of origin, where they are barred from returning to the U.S. for up to 10 years. I know from my constituents that this requirement will create a serious hardship for many families, forcing loved ones to live apart for years.

The extension of Section 245(i) through April 30 offered a woefully insufficient window of opportunity for immigrants to pursue legal status. There simply were not enough community, professional, and INS resources to meet the demand in such a brief amount of time. I am pleased to be a cosponsor of H.R. 1195, introduced by Mr. RANGEL, which would extend the deadline by a full year.

The bill we are considering today, while it takes a step in the right direction by extending Section 245(i) by four months, would result in a replay of the same problems we witnessed leading up to the April 30 deadline. At the INS office in my district in San Francisco and around the country, thousands of individuals stood in line on April 30, trying to beat the deadline. Many were unsuccessful. Four months is simply too short.

I will continue my efforts to implement a long-term solution to this problem. If we care about families, we need to help keep them together.

Mr. TOWNS. Madam Speaker, I am very pleased that the House of Representatives will act today to extend the Section 245(i) program which would allow family and employment-based immigrants who are already eligible to become legal permanent residents to adjust their immigration status while remaining in the U.S.

The four month extension provided in H.R. 1885, offers a direct benefit to many people who are the immediate relatives of U.S. citizens. Those individuals who are eligible for permanent residence status will be able to remain in the U.S. while their visa applications are processed. This relief will protect families from separation as they seek to finally regularize their status. Without this extension, many immigrants would be forced to make the difficult choice of leaving the country and being barred from re-entry for as long as 10 years, or remaining in the U.S. as undocumented aliens.

I am pleased that we are able to take this humanitarian step today to promote family unity for thousands of people who will soon become our ''newest Americans''. I am hopeful that the House's vote today will lead to quick action by the Senate and a bill being signed into law by the President. And I would urge my colleagues to support its passage.

Mrs. MORELLA. Madam Speaker, I rise in support of an extension of section 245(i) of the Immigration and Naturalization Act. In fact, on May 3, 2001, Congressman GUTIERREZ and I introduced H.R. 1713 which would permanently extend this critical section.

The 245(i) provision allows for eligible immigrants to apply for residency while remaining with their families and in their jobs in the United States, provided they pay a $1,000 penalty. Section 245(i) does not change the rules under which a visa is granted, merely the location where the processing of the visa occurs. Those who participate in this section must be eligible to obtain legal status in the form of permanent residence in this country and must qualify for immigrant visas on a family relationship or an offer of employment. They must also have a visa number immediately available and must be otherwise admissible to the United States.

With passage of the ''Legal Immigrant and Family Equity Act of 2000'' during the waning days of the 106th Congress, the grandfather clause deadline of Section 245(i) was extended from January 14, 1998 until April 30, 2001. The April 30th deadline is now well past. Eligible immigrants are now required to apply at American consulates in their home countries and, therefore, must risk being barred from returning to their families and American jobs for anywhere between 3 and 10 years.

As the April 30th deadline approached, many immigrants suffered from confusion surrounding 245(i) eligibility, as well as frustration with fraudulent immigration service providers, commonly known as notarios. In my District Office, my staff and I heard about many such cases each and every month.

President Bush himself stated that roughly 200,000 immigrants who had been eligible to file to adjust their status failed to do so in time. He indicated that much of the confusion was a result of the United States' government failure to issue instructions in a timely fashion.

President Bush even suggested that section 245(i) should be extended for one year. For this reason, I support Congressman GEKAS' legislation only with the hope that it would lead to a longer extension or even a permanent one.

A temporary extension is only a temporary solution. It is only with a permanent extension of the deadline for Section 245(i) that Congress will forever end the suffering of immigrant families that are ripped apart by technicalities in immigration law.

In America, in the land of the free, we must restore our tradition as a nation of immigrants, and a nation of justice, by enacting such corrective legislation. The extension of 245(i) is pro-family, pro-business, and overall humane policy.

Mr. TOM DAVIS of Virginia. Madam Speaker, I rise to support H.R. 1885, a bill which will expand the class of beneficiaries who may apply for adjustment of status under section 245(i) of the Immigration and Nationality Act by extending the deadline for classification petition and labor certification filings.

H.R. 1885 will allow immigrants to apply for legal residence while remaining in the United States, four months from the date of enactment of this legislation. This extension is consistent with the Legal Immigration Family Equity (LIFE) Act's intention to provide a small window—which has been cut short due to administrative problems—to permit aliens to adjust their status.

Immigrants may qualify if they have been in the United States since December 21, 2000. I believe this legislation is fair and equitable because it does not encourage illegal immigration or punish those who are presently waiting to enter the United States legally. In addition, H.R. 1885 requires that the family relationship or employment exists by April 30, 2001 to discourage the possibility of false marriages by illegal immigrants. Furthermore, H.R. 1885 will assist only the group of immigrants eligible by the April 30th date, but failed to meet the deadline.

This is an important adjustment to the law because Section 245(i) allows prospective family and employment based immigrants to adjust their status to that of permanent resident while remaining in the United States, rather than requiring them to return to their home country to obtain an immigrant visa.

I believe that failing to extend the 245(i) provision would burden American families and businesses, effectively splitting families apart and placing business projects on hold for an inordinate and undue amount of time. This is not in America's best interest.

I, therefore, encourage Members from both sides of the aisle to support this fair and equitable adjustment to present immigration law.

Mr. MORAN of Virginia. Madam Speaker, I rise today in support of H.R. 1885, the 245(i) Extension Act of 2001.

Section 245(i) is a vital provision of U.S. immigration law that allows some immigrants on the brink of becoming permanent residents to apply for their green cards while staying in the United States, rather than having to return to their home countries to complete this time consuming process.

Unfortunately we allowed this law to expire on April 30, 2001, despite the fact that the INS said they had not had enough time to notify everyone who was eligible to take advantage of this status. Although I believe 245(i) should be permanent, extending it for 120 days through H.R. 1885 is a step in the right direction.

If we do not extend this law tonight people who are fully eligible for green cards will be forced to return to their home countries and barred from returning to the United States for anywhere from 3 to 10 years, despite the fact that they have homes, jobs, and families here.

I firmly believe that restoring 245(i) is pro-family, pro-business, fiscally prudent, and a matter of common sense. It will allow immigrants with close family members here in the United States to stay with their relatives while applying for legal permanent residence; it will allow businesses to retain valuable employees; and it will provide the INS with millions in annual revenue with absolutely no additional cost to taxpayers.

Extending section 245(i) will not give special benefits to illegal immigrants and it will not allow anyone to cut in line ahead of others.

Madam Speaker, I urge my colleagues to join me in supporting this legislation that is so important to thousands of American families.

Ms. SCHAKOWSKY. Madam Speaker, I rise today in opposition of H.R. 1885, 245(i) Extension Act of 2001. This 245(i) proposal in the House is insufficient in time and stingy in scope.

The White House has stated support for an extension of 245(i) for 6 to 12 months, and there is bipartisan legislation in both Houses of Congress for similar extensions. This new proposal of a limited 4-month extension with restrictions has come to the floor without a hearing and without appropriate, fair consideration. It is not consistent with the spirit of President Bush's letter where he advocated for policies that strengthen families and recognized that there was not enough time with the previous four-month extension.

In December 2000, when Congress passed a 245(i) extension that expired April 30, 2001, it took the INS over 3 months to issue the new regulation, causing great panic and confusion among immigrants and creating an opportunity for unscrupulous and fraudulent immigration ''advisors.'' This new provision, needing new regulations will only create more delay, chaos and unnecessary hardship on immigrants with real claims to legal status.

A 245(i) provision helps people in this country who otherwise qualify for legal permanent residency. It is not an amnesty, but rather a way for people with deep roots in this country to reunite their families and work their way towards citizenship and full participation in their adopted country. A meaningful extension must go beyond 4 months and should not impose new arbitrary requirements.

This proposed extension is a superficial and transparent political gesture, which recreates problems we are seeking to rectify from the last extension we passed. It appears to do something positive for immigrant families. However, I believe that it is a proposal that demonstrates that we have not learned anything from our previous mistakes. We need to pass and implement a comprehensive solution to families that are separated from their loved ones and not prolong, perpetuate, or further complicate their problem. While I fully support a 245(i) extension that provides real relief to families, I strongly stand in opposition to this hastily considered, incomplete and impractical proposal before us now.

Ms. SOLIS. Madam Speaker, I rise to speak about H.R. 1885, which would extend Section 245(i) of the Immigration and Nationality Act for four months.

I am disappointed that H.R. 1885 will only allow the extension of 245(i) for four months. This small extension will not offer enough time for thousands of people to apply. Section 245(i) needs to be extended for a longer period of time because thousands of immigrants were not able to meet the April 30, 2001 deadline.

I am also concerned that the new requirements of H.R. 1885 will force the INS to issue regulations that will take three months or more to be implemented. This will only leave people with a month or less to apply.

H.R. 1885 also imposes unfortunate new restrictions on eligibility that will greatly limit the pool of potential beneficiaries.

The Congressional Hispanic Caucus has written a letter to President Bush stating our disappointment in H.R. 1885. In order to unite and strengthen families, we need a permanent extension of 245(i). A permanent extension will keep the maximum number of families united, help avoid fraud perpetrated against immigrants seeking assistance, and allow for a steady stream of funding for Department of Justice programs.

This month President Bush sent a letter to Congress indicating his support of a six to twelve month extension of 245(i). I do not understand why the Republican leadership has chosen to advance a bill with only a four month extension when the Bush Administration clearly supports a longer extension.

H.R. 1885 does not do enough to help immigrants in need. I hope Congress and the Administration can work together in the future to implement either a one year or permanent extension of 245(i).

Ms. DEGETTE. Madam Speaker, I rise in support of H.R. 1885, a bill that will extend by four months the time for eligible individuals to apply for permanent resident status in the United States. While this bill does not extend the deadline by a year or make it permanent as I would prefer, it is a humane effort and a good first step to assist people eligible for permanent residency.

To be eligible to apply for permanent residency, an individual must have family in the US or must be sponsored by an employer. However, under current law, eligible individuals cannot file while in the US. Instead, they must leave the country and file from abroad. By forcing people to leave the country, we are ensuring that lives are uprooted, families are separated, and valuable jobs are lost.

Expanding Section 245(i) of the immigration code is necessary to keep families together and to promote steady employment. It would grant no special rights or status for immigrants but would instead clear an expensive and time-consuming procedural hurdle for people already living in the United States who are eligible to apply for permanent residency status. As the deadline approached last month, INS offices across the country remained open for extended hours to allow eligible people to apply in the US. Almost all the people who apply are approved, therefore, we should extend the deadline. H.R. 1885 is a logical and

humane response to a provision of the law that does not make sense and should be changed. It is my hope and understanding that although this bill does not make this section of immigration law permanent, Congress will act soon to enact further extensions. I urge my colleagues to vote for this bill.

Mr. BEREUTER. Madam Speaker, this Member rises in strong opposition to H.R. 1885, the 245(i) Extension Act of 2001. By allowing illegal aliens to buy legal permanent residence for $1,000, Section 245(i) places American lives at risk.

Although the current legal immigration structure is by no means perfect, it does provide for crucial health screening and criminal record background checks which determine if potential immigrants will place the well-being and security of American citizens and legal immigrants in danger. To make such determinations is not only the right of the United States as a sovereign country, it should be its foremost responsibility.

Madam Speaker, Section 245(i) ultimately rewards those people who have thwarted the legal immigration structure by entering the country illegally or by allowing their legal status to lapse. Simultaneously, the policy penalizes potential immigrants who have patiently waited many years, completed many forms, and undergone appropriate screenings for the privileged opportunity to be reunited with family members and to work in the United States.

Madam Speaker, Section 245(i) was a bad policy when it was first enacted in 1994. It was not worthy of being re-instated during the previous 107th Congress, and it should not be further extended.

Mrs. MINK of Hawaii. Madam Speaker, today I rise in strong support of at least a minimum one-year extension to the April 30, 2001, filing deadline under Section 245(i), allowing certain persons to remain in the United States while they pursue legal residency.

The bill before us, H.R. 1885, would extend the immigration filing deadline under Section 245(i) for only four months. At best, it acknowledges the importance of this program. However, it is absolutely inadequate time to resolve the problem.

In the 106th Congress, the Legal Immigration and Family Equity Act (LIFE) had a filing deadline of April 30, 2001. INS did not finalize the regulations for LIFE until March 26, 2001. This allowed only barely a month—just over 30 days—for petitioners to be informed of the regulations and to file their applications. This short time frame fostered the dissemination of wrong or inadequate information.

Additionally, H.R. 1885 requires that an applicant seeking to adjust his status under 245(i) must prove that he was physically present on December 21, 2000, and that they established a familial or employment relationship that serves as the basis of their petition. Fulfilling this requirement is not an easy process. Obtaining the necessary documentation will require more than 4 months.

At the April 30, 2001, deadline, 200,000 persons had pending applications. This is due partly to the fact that INS was not able to handle the tremendous influx of applications.

Madam Speaker, a minimum one year extension of the filing deadline is imperative in order to fulfill the purpose and intent of the LIFE Act.

I urge my colleagues on both sides of the aisle to support a minimum one-year extension of the filing deadline under Section 245(i). It is the right thing to do.

Mrs. MCCARTHY of New York. Madam Speaker, it goes without saying that, as legislators, our goal is to pass the best legislation possible. Extending the deadline for people to adjust their immigration status under Section 245(i) of the Immigration and Naturalization Act is the right thing to do. In this case, the goal is to allow everyone who is eligible under the law, to obtain permanent legal residence. Unfortunately, I fear a four month extension is an incomplete remedy.

Consideration of this legislation says volumes about the way business is conducted in the House. The Speed with which this bill has been brought to the floor was noticeably absent on April 30th. This House was uncharacteristically silent about the pending deadline. While I'm pleased that we finally have the opportunity to talk about extending the deadline, I'm concerned about the circumvention of the committee process and the noticeably shorter extension period. We have not had a fair hearing on the alternatives, such as the bill Congressman KING and I introduced after working closely with state and local officials in New York, that gives eligible people an adequate window of opportunity to adjust their status by extending the deadline by six months.

The process of adjusting one's immigration status can be confusing and that misinformation is rampant in the immigrant community. As we cast our votes for or against this bill, we have to ask ourselves a number of important questions: is four months enough time; are we setting ourselves up for a repeat of the last deadline, when long lines of eligible people inundated the I.N.S. offices and many were excluded; and finally, is this bill a fair and reasonable compromise designed to help those who deserve it. I fear it is something less. We could have done better. The people deserve better.

Mr. DAVIS of Illinois. Madam Speaker, I rise to support the House Resolution 1885 to expand the class of beneficiaries who may apply for adjustment of status under section 245(i) of the Immigration and National Act.

As I understand it, the purpose of this legislation is to enable eligible illegal immigrants to apply for legal residence in the United States without being forced to leave the country while waiting for clearance.

Whereas President Bush would like this program to be extended for another 12 months, the four-month extension proposed by my colleague, Representative GEORGE GEKAS is a sensible approach. This alternative approach would be beneficial to all concerned parties, particularly if family or employment ties are already in existence.

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

□ 1630

The SPEAKER pro tempore (Mrs. BIGGERT). 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. 1885.

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. Madam 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.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 6 p.m.

Accordingly (at 4 o'clock and 31 minutes p.m.), the House stood in recess until 6 p.m.

□ 1800

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. ISAKSON) at 6 p.m.

VACATING ORDERING OF YEAS AND NAYS ON H.R. 1801, ELDON B. MAHON UNITED STATES COURTHOUSE, AND H. CON. RES. 109, HONORING THE SERVICES AND SACRIFICES OF THE UNITED STATES MERCHANT MARINE

Mr. LATOURETTE. Mr. Speaker, I ask unanimous consent to vacate the ordering of the yeas and nays on H.R. 1801 and House Concurrent Resolution 109 to the end that the Chair put the question on each measure de novo.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend the rules and pass the bill, H.R. 1801.

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.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 109.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

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 motions to suspend the rules on which further proceedings were postponed earlier today.

Votes will be taken in the following order:

H. Con. Res. 56, by the yeas and nays; and

H.R. 1885, by the yeas and nays.

Pursuant to clause 8 of rule XX, the Chair redesignates tomorrow as the time for resumption of further proceedings on H.R. 1831.

The Chair will reduce to 5 minutes the time for any electronic voting after the first vote in this series.

NATIONAL PEARL HARBOR REMEMBRANCE DAY

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 56.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 56, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 368, nays 0, not voting 64, as follows:

[Roll No. 126]

YEAS—368

Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Castle
Chabot
Chambliss
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cramer
Crane
Crenshaw
Crowley
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Ford
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Hall (OH)
Hall (TX)
Harman
Hastings (FL)
Hastings (WA)
Hayes
Hefley
Herger
Hilliard
Hinojosa
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Lewis (CA)
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
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Nethercutt
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Oxley
Pallone
Paul
Payne
Pelosi
Pence
Peterson (MN)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sandlin
Sawyer
Saxton
Schaffer
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Stump
Stupak
Sununu
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thurman
Tiahrt
Tierney
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Walden
Walsh
Watkins
Watt (NC)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—64

Abercrombie
Barr
Barrett
Berkley
Blumenauer
Carson (OK)
Clay
Cox
Coyne
Cubin
Emerson
Fossella
Graves
Gutknecht
Hansen
Hart
Hayworth
Hill
Hilleary
Hinchey
Hobson
Hostettler
Hulshof
Hutchinson
Johnson (IL)
Kelly
Kingston
Kirk
Lantos
Largent
Levin
Lewis (GA)
Lewis (KY)
Moakley
Mollohan
Neal
Ney
Otter
Owens
Pascrell
Pastor
Peterson (PA)
Phelps
Rahall
Riley
Rogers (KY)
Sanchez
Sanders
Scarborough
Schakowsky
Simpson
Strickland
Sweeney
Taylor (NC)
Thune
Tiberi
Toomey
Towns
Vitter
Wamp
Waters
Watts (OK)
Waxman
Weiner

□ 1830

So (two-thirds having voted in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. KIRK. Mr. Speaker, on rollcall No. 126, I was delayed due to flight problems. Had I been present, I would have voted "yea."

Mr. PASTOR. Mr. Speaker, on rollcall No. 126, due to weather my plane was delayed. Had I been present, I would have voted "yea."

Mr. WAMP. Mr. Speaker, I was absent for a vote today because I was attending my son's middle school graduation. Had I been present, I would have voted "yea." on H. Con. Res. 56, expressing the Sense of Congress regarding National Pearl Harbor Remembrance Day.

Mr. BARRETT of Wisconsin. Mr. Speaker, my flight was canceled coming from Chicago here, so I missed the vote on House Concurrent Resolution 56 expressing the sense of Congress regarding National Pearl Harbor Remembrance Day.

If I had been here, I would have voted yea.

Mr. GUTKNECHT. Mr. Speaker, due to air delays, I was unavoidably detained and unable to vote on roll call vote 126, House Concurrent Resolution 56, the National Pearl Harbor Remembrance Day resolution.

Had I been present, I would have voted in the affirmative.

Ms. SCHAKOWSKY. Mr. Speaker, for the RECORD, my plane was delayed. Had I been here, I would have voted in favor of House Concurrent Resolution 56 expressing the sense of Congress regarding National Pearl Harbor Remembrance Day.

Mr. JOHNSON of Illinois. Mr. Speaker, I would likewise like to be recorded as voting yes on rollcall number 126. We were all subject to the same delay at Reagan Airport.

I would like to be recorded as voting yea on roll call 126.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ISAKSON). 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.

245(i) EXTENSION ACT OF 2001

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 1885.

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.

1885, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 336, nays 43, not voting 53, as follows:

[Roll No. 127]

YEAS—336

Ackerman
Akin
Allen
Andrews
Armey
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Barton
Bass
Becerra
Bentsen
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Clayton
Clement
Clyburn
Collins
Condit
Conyers
Cooksey
Costello
Cramer
Crane
Crenshaw
Crowley
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Ford
Frank
Frelinghuysen
Frost
Gallegly
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Hall (OH)
Hall (TX)
Harman
Hastings (FL)
Hastings (WA)
Hayworth
Hilliard
Hinojosa
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Keller
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Lewis (CA)
Lewis (KY)
Linder
Lipinski
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
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Northup
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Oxley
Pallone
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sandlin
Sawyer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stenholm
Stupak
Sununu
Tanner
Tauscher
Tauzin
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thurman
Tiahrt
Tierney
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vitter
Walden
Walsh
Watkins
Watt (NC)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—43

Aderholt
Bachus
Baker
Ballenger
Bartlett
Bereuter
Burton
Chambliss
Coble
Combest
Culberson
Deal
Duncan
Everett
Goode
Goodlatte
Graves
Gutknecht
Hayes
Hefley
Herger
Hunter
Johnson, Sam
Jones (NC)
Kerns
LoBiondo
Mica
Nethercutt
Norwood
Putnam
Rohrabacher
Roukema
Royce
Saxton
Schaffer
Sessions
Spence
Stearns
Stump
Tancredo
Taylor (MS)
Visclosky
Weldon (FL)

NOT VOTING—53

Abercrombie
Barr
Berkley
Blumenauer
Clay
Cox
Coyne
Cubin
Emerson
Fossella
Ganske
Gordon
Hansen
Hart
Hill
Hilleary
Hinchey
Hobson
Hostettler
Hulshof
Kelly
Kingston
Lantos
Largent
Levin
Lewis (GA)
Moakley
Mollohan
Neal
Ney
Owens
Pascrell
Peterson (PA)
Phelps
Rahall
Riley
Rogers (KY)
Sanchez
Sanders
Scarborough
Simpson
Strickland
Sweeney
Taylor (NC)
Thune
Tiberi
Toomey
Towns
Wamp
Waters
Watts (OK)
Waxman
Weiner

□ 1842

Ms. SCHAKOWSKY and Mrs. JONES of Ohio changed their vote from ''nay'' to ''yea.''

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.

PERSONAL EXPLANATION

Mr. THUNE. Mr. Speaker, on rollcall Nos. 126 and 127, I was detained due to flight problems. Had I been present, I would have voted ''yea'' on both.

PERSONAL EXPLANATION

Ms. SANCHEZ. Mr. Speaker, during rollcall votes numbered 126 and 127, I was unavoidably detained. Had I been present, I would have voted ''yea'' on both.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed with amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 1696. An act to expedite the construction of the World War II memorial in the District of Columbia.

The message also announced that pursuant to Public Law 106–286, the Chair, on behalf of the President of the Senate, and after consultation with the Majority Leader, appoints the following Members to serve on the Congressional-Executive Commission on the People's Republic of China—

the Senator from New Hampshire (Mr. SMITH);

the Senator from Kansas (Mr. BROWNBACK);

the Senator from Arkansas (Mr. HUTCHINSON);

the Senator from Oregon (Mr. SMITH); and

the Senator from Nebraska (Mr. HAGEL), Chairman.

The message also announced that pursuant to Public Law 102–246, the Chair, on behalf of the Majority Leader, in consultation with the Democratic Leader, appoints Leo Hindery, Jr., of California, to the Library of Congress Trust Fund Board, vice Adele Hall, of Kansas.

The message also announced that pursuant to sections 276d–276g of title 22, United States Code, as amended, the Chair, on behalf of the Vice President, appoints the following Senators as members of the Senate Delegation to the Canada-United States Interparliamentary Group during the First Session of the One Hundred Seventh Congress, to be held in Canada, May 17–21, 2001:

The Senator from South Carolina (Mr. HOLLINGS).

The Senator from Vermont (Mr. LEAHY).

The Senator from Maryland (Mr. SARBANES).

The Senator from Hawaii (Mr. AKAKA).

The message also announced that pursuant to sections 276d–276g of title 22, United States Code, as amended, the Chair, on behalf of the Vice President, appoints the following Senators as members of the Senate Delegation to the Canada-United States Interparliamentary Group during the First Session of the One Hundred Seventh Congress, to be held in Canada, May 17–21, 2001:

The Senator from Iowa (Mr. GRASSLEY).

The Senator from Ohio (Mr. VOINOVICH).

The message also announced that in accordance with sections 1928a–1928d of title 22, United States Code, as amended, the Chair, on behalf of the Vice President, appoints the following Senators as members of the Senate Delegation to the North Atlantic Treaty Organization Parliamentary Assembly during the First Session of the One Hundred Seventh Congress, to be held in Vilnius, Lithuania, May 27–31, 2001—

the Senator from Ohio (Mr. VOINOVICH);

the Senator from Maryland (Mr. SARBANES);

the Senator from Maryland (Ms. MIKULSKI); and

the Senator from Illinois (Mr. DURBIN),

□ 1845

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF HOUSE CONCURRENT RESOLUTION 73

Mr. FLAKE. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of House Concurrent Resolution 73.

The SPEAKER pro tempore (Mr. ISAKSON). Is there objection to the request of the gentleman from Arizona?

There was no objection.

U.S. TRADE AND INVESTMENT POLICY TOWARD SUB-SAHARAN AFRICA AND IMPLEMENTATION OF THE AFRICAN GROWTH AND OPPORTUNITY ACT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 107–73)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Ways and Means and ordered to be printed:

To the Congress of the United States:

As required by section 106 of title I of the Trade and Development Act of 2000 (Public Law 106–200), I transmit herewith the 2001 Comprehensive Report of the President on U.S. Trade and Investment Policy toward Sub-Saharan Africa and Implementation of the African Growth and Opportunity Act.

GEORGE W. BUSH,

THE WHITE HOUSE, *May 18, 2001*.

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 gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

A BRIEF DISCUSSION OF PART OF THE PRESIDENT'S PROPOSED NATIONAL ENERGY POLICY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Speaker, I come to the floor this evening for a brief discussion of a part of the President's proposed national energy policy, the document of May, 2001.

This goes to the issue of electricity and electricity supply. If we look in Appendix I, way in the back of the report here under ''Summary of Recommendations,'' there are a couple of things which I think Members of the House and members of the public should pay attention to.

At the top of this unnumbered page, in Appendix I it says, ''The NEPD Group recommends the President direct the Secretary of Energy to propose comprehensive electricity legislation that promotes competition, protects consumers, enhances reliability, promotes renewable energy, improves efficiency, and repeals,'' there is the key part, ''the Public Utility Holding Company Act and reforms the Public Utility Regulatory Policy Act.''

What does that mean? That means national deregulation. Now, of course there is a little problem in proposing national deregulation. We have the California model, where this year the same amount of electricity will be sold as 2 years ago. Two years ago, that electricity sold for $7 billion. This year that same amount of electricity, despite the myths about huge increases in the demand and all that, the same electricity as 2 years ago will sell for $70 billion, a 1,000 percent increase in the price in 2 years.

That money has to be going somewhere, and it is. A good deal of it is flowing to a number of large energy companies based in Houston, Texas. They are saying this is such a successful model. The lights were on in parts of California for part of the day yesterday, and most people still can afford to pay their energy bills, although they are about to get a retroactive 47 percent-plus rate increase and tiered rates, which will penalize anybody with an all-electric home.

The President, under the guise of the summary buried in the back of this report, wants to take that across the Nation. People will say, that is not fair. The California plan was poorly written. Look at some of the other great models of deregulation. Let us look at some of the other great models of deregulation.

We have Montana, right near my State. Montana, until 2 years ago, had the sixth cheapest electricity in the United States of America. They were producing 150 percent, 1½ times their peak demand, on their own hydro power; affordable, cheap, reliable. But what happened? They deregulated. Montana Power sold all of its generation resources to PP&L, Pennsylvania Power & Light, who now controls the generation in Montana.

Pennsylvania Power & Light finds they can sell Montana's electricity more lucratively elsewhere, and they have lifted the cap on industrial customers, so industry after industry in Montana is closing. They are laying people off. They are saying they cannot afford the huge increase in electric rates.

Luckily for residential consumers, their prices are capped for another year. But a year from today, it will hit them, too. They will say, Montana did not work out too well, California did not work out too well, but look at the deregulation in Pennsylvania. Look how well it is working.

First off, dereg is supposed to give us choice. I have yet to have a consumer come up to me and say, Congressman, I want to choose my energy company. I am tired of this company that just delivers the electricity day in, day out, reliably at a low price. I would like to choose, to gamble. I would like to see what would happen. Nobody, nobody wants that except a few big energy companies that are getting filthy rich off this scheme.

So they gave choice to Pennsylvanians, and very few of them chose it. Now, even though they had rate caps, and that is why people say it is a success, rates did not go up; yes, if we have capped rates. What happens when the caps go away? The same thing that has happened in California, the same thing that is happening in Montana: huge increases in price.

This is nothing but a scheme to extract more money from tens of millions of Americans and small businesses and big businesses across this country, and move that money to a few big energy companies.

So I would hope that this Congress, as it has in the last two Congresses when President Clinton proposed national energy, as they want to call it now, restructuring, because deregulation has become a dirty word, we cannot use that. It is like around here we do not talk about the estate tax, but we call it the death tax. Now they call deregulation restructuring, as does this report.

It is a scam on the American public. Let us not have it perpetrated under the guise of this report.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Hawaii (Mrs. MINK) is recognized for 5 minutes.

(Mrs. MINK of Hawaii addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

REMARKS OF THE VICE PRESIDENT CONCERNING THE CALIFORNIA ENERGY CRISIS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. SHERMAN) is recognized for 5 minutes.

Mr. SHERMAN. Mr. Speaker, this weekend I was disappointed by the comments of the Vice President in talking about the California energy crisis.

Vice President CHENEY put forward the theory that California made a mistake with its deregulation, and therefore, California should suffer without

any Federal action; that the blackouts and outrageous prices being faced by people in my State are somehow part of a divinely ordained morality play.

Well, California did make a mistake. We put ourselves at the mercy of gougers, chiefly independent energy companies based in Houston, Texas. Our theoretical economist told us that if we deregulated, all these companies would produce independently as long as they could make a profit; that they would maintain their output.

What we discovered instead was that if we came anywhere close to a shortage, a few of them would close down, create the prospect of blackouts, all in an effort to drive up the price. That is why the California Public Utilities Commission determined that not only are we paying outrageous prices, but deregulation, which according to the theorists should maximize the production of electricity, is actually causing the blackouts by causing them to underproduce. By producing a little less, they can charge us the outrageous prices that my colleague, the gentleman from Oregon, just pointed out to this House.

But returning to the Vice President's idea of fault, that this is somehow California's fault, and therefore, Californians should suffer, this might make some sense if Californians were rushing to this floor asking for tens of billions of dollars of aid. But that is not what we are asking for. We are only asking for the right to reregulate, whether that is done at the Federal level or whether it is done at the State level. We are asking for the reinstitution of the same system of regulation that served this country so well for 100 years.

The Vice President's statements are analogous to the following situation. Assume our neighbor's house is burning down. If that happens, one approach is to steal our neighbor's hose and lecture our neighbor about fire safety, that the fire should never have started.

That is in fact what this administration is doing. On the one hand, we are lectured that California made a mistake, and given the current outcome, that is no doubt true. But then, instead of being given help, instead of even being left alone, the hose is stolen, impounded, and a smile comes across the administration's face as the house burns down.

At a very minimum, California needs to see cost-based regulation of the electric plants located in California. Federal law prevents us from doing so. We are bound and gagged by Federal law. It is time for this House and this administration to direct FERC, the Federal Energy Regulatory Commission, to institute the kind of price caps, the kind of rate regulation, that all California is asking for.

Instead, we are lectured. We are lectured and told that we will be prevented from helping ourselves, we are going to be prevented from regulating that wholesale price, and that the Federal government will not do so. We are told by people who suffer not at all that we should adopt their economic theories.

It is time for the Federal government to return the hose. It is time for the administration to remove its foot from the neck of California. We are not asking for billions in aid, although, if this house burns down, we will need it. We are only asking for regulation of the same type that we imposed ourselves when the plants were under California regulation. We need this level of regulation, either from the Federal government, or we need the right to do it ourselves.

□ 1900

NATIONAL SECURITY

The SPEAKER pro tempore (Mr. ISAKSON). Under the Speaker's announced policy of January 3, 2001, the gentleman from Pennsylvania (Mr. WELDON) is recognized for 60 minutes as the designee of the majority leader.

Mr. WELDON of Pennsylvania. Mr. Speaker, I rise tonight to speak about national security, but I cannot help but respond to the plea of the gentleman from California (Mr. SHERMAN), my colleague, that the State of California is the suffering State.

I wonder why the rest of our States are not having the same level of problems. Perhaps our colleagues from California, when they were rah-rahing tough environmental regulations, when they were rah-rahing limitations on offshore drilling, when they were rah-rahing the overwhelming control of the nuclear industry, perhaps now they are paying a price for that.

Mr. SHERMAN. Will the gentleman from Pennsylvania (Mr. WELDON) yield?

Mr. WELDON of Pennsylvania. No, I will not yield. This is my time. You had your time. You get your own special order.

Mr. SHERMAN. I yielded back some time.

Mr. WELDON of Pennsylvania. Mr. Speaker, I would ask for regular order.

The SPEAKER pro tempore. Regular order. The time is controlled by the gentleman from Pennsylvania.

Mr. WELDON of Pennsylvania. Mr. Speaker, I come from Pennsylvania, and we are having the same concerns that the gentleman from California (Mr. SHERMAN) has, but our State is doing fine. Perhaps, the State of California should have had its act together before this administration came in. It is too bad that my colleagues are shedding crocodile tears today.

Mr. SHERMAN. Will the gentleman yield——

Mr. WELDON of Pennsylvania. I will not yield.

Mr. SHERMAN. Or will his arguments not stand scrutiny?

Mr. WELDON of Pennsylvania. I will not yield, and I will ask the Speaker to enforce the rules of the House.

The SPEAKER pro tempore. The House will suspend. The gentleman will suspend. The time is controlled by the gentleman from Pennsylvania. The gentleman from Pennsylvania does not yield time.

The Chair will return the time to the gentleman from Pennsylvania.

Mr. WELDON of Pennsylvania. Mr. Speaker, I would not have spoken on this issue, but for my colleague to get up here on the floor and rant and rave about the administration and what they have not done in 5 months in office and talking about not giving them the hose to put out the fire, well, it was the California liberal establishment that was throwing gasoline on the fire, throwing gasoline and accelerants to burn down the State of California's economy.

Now for those from California to say that somehow George Bush and DICK CHENEY are responsible is utter hogwash. I, too, want to work with my colleagues from that State, but I am not going to sit here and listen to rhetoric coming out from one Member's mouth that somehow lays the blame at the feet of George Bush or Vice President DICK CHENEY.

So I make those comments to my colleagues, even though my major topic tonight is national security. In a way, it ties into national security, because we have not had a national energy policy for the past 9 years. We had an energy policy under Ronald Reagan. It was a very defined energy policy.

We had no energy policy under President Clinton or Al Gore. We did not allow offshore drilling. We did not allow drilling in Alaska. We did not stop the incessant controls of the oil and gas industry. We did not permit new nuclear power plants. We did not license new refining operations.

And we wonder why today certain States, where they were aggressively excessive in their regulations, we wonder why today they have energy problems.

Mr. Speaker, this President and this Vice President have taken the lead. They have developed a detailed comprehensive energy strategy that just does not address the concerns of the oil and gas industry.

They have addressed the need to look at lowering the amount of usage by sport utility vehicles. They have addressed cafe standards. They have addressed the need to encourage conservation to encourage alternative energy supplies and tax credits for those alternative energy resources, and I applaud them for that.

But for one of our colleagues to come on the floor in a 5-minute unchallenged speech and rant and rave about how California's problem today is George Bush and DICK CHENEY's problem is an absolute travesty, and I could not help but stand up and refute what the gentleman said.

Mr. Speaker, I yield to the gentleman from North Carolina (Mr. JONES), a friend and colleague.

Mr. JONES of North Carolina. Mr. Speaker, I thank the gentleman from Pennsylvania (Mr. WELDON) for yielding.

Mr. Speaker, I could not agree more with what the gentleman from Pennsylvania just said. But I wanted to take just a couple of minutes of the gentleman's time, the gentleman's one hour tonight, to talk about the needs of our military as it relates to readiness.

I want to first say that I enjoyed very much being with the gentleman today. The Subcommittee on Military Readiness, both Republicans and Democrats, joined the gentleman in Philadelphia today for a hearing on the V–22 Osprey. I thought that went extremely well.

Towards the end of the hearing that the gentleman held in Philadelphia today, we were able to question those in charge, the Navy, the Marine Corps, and the Air Force, to ask them about the readiness needs of their pilots.

Being a member of Subcommittee on Military Readiness, I am imploring and encouraging this administration to please come forward with an emergency supplemental for our men and women in uniform. I do not think we have the luxury of time.

I would wish the gentleman, as the expert on this issue and I mean that most respectfully, I wish the gentleman would speak to my concern.

Mr. WELDON of Pennsylvania. Mr. Speaker, first of all, I want to thank the gentleman from North Carolina (Mr. JONES), my colleague, for joining me. He brings up a topic that I was going to start off this special order with tonight, which is our national security.

Energy is a part of that, but I was not planning on discussing energy, per se, but rather three other issues. The gentleman has highlighted my first concern, which is the absolute need for an emergency supplemental.

As the chairman of the Subcommittee on Military Readiness, and as my distinguished friend and colleague knows, he heard it today from the mouths of the Marine Corps general in charge of Marine Aviation, General McCorkle, the Navy admiral in charge of all Navy aviation, Admiral Dyer, and our special operations leadership, we are at a crisis situation right now.

This administration, which I have just supported in terms of coming out with an aggressive energy policy and which I have supported, I know my colleague does as well, their plan to provide a comprehensive review of our national security needs, is failing to come to this Congress with a definitive short-term plan to fund the readiness shortfall that we are now experiencing.

We have been told, Mr. Speaker, both my colleague, myself, the members of the Committee on Appropriations, the Armed Services Committees in both bodies have been told that unless this Congress responds with an emergency supplemental by June, we will have as of July 1 Navy units that will stop sailing, Air Force units that will stop flying, Army units that will stop training, because we will have run out of money.

It is absolutely outrageous that we are facing a crisis situation. Even though we all respect the fact that Don Rumsfeld and President Bush are working on looking at reforms which I support, we have to deal with the needs that we know are going to be there. Those needs have to be addressed with an emergency supplemental.

Our colleagues on the other side have recognized this. The gentleman from Missouri (Mr. SKELTON) has made this plea time and again. The gentleman from South Carolina (Mr. SPENCE) has made this plea. The gentleman from Arizona (Mr. STUMP) has made this plea. Members of this body from all sides have said very publicly we have to have an emergency supplemental.

So my colleague is right on the mark. He represents one of the largest military unit bases in the country. He knows better than any of us the impact, and perhaps he would like to elaborate on that impact in his own home installation in North Carolina.

Mr. Speaker, I yield to the gentleman.

Mr. JONES of North Carolina. Mr. Speaker, I thank gentleman from Pennsylvania (Mr. WELDON), the chairman of the Subcommittee on Military Readiness, for yielding to me.

The gentleman is absolutely right. I have the privilege to represent the Third Congressional District of North Carolina, which is the home of Camp Lejeune Marine Base, Cherry Point Marine Air Station, New River Air Facility, and also Seymour Johnson Air Force Base, including the Coast Guard, they are all in my district, with a total of over 50,000 retired military and veterans combined.

I will say to the gentleman from Pennsylvania that the gentleman is absolutely on target. I am very proud of the Bush administration. But during the campaign, Mr. Bush, the President of the United States, and the Vice President, talked about we need to rebuild the military; they are absolutely right.

The gentleman knows better than anyone, and in a few minutes the gentleman will be talking about this subject, this is a very unsafe world that we live in. My concern is that if we do not move quickly on this emergency supplemental, the morale of the men and women in uniform, who are going to have to stop taking care of those planes, the helicopters, or prepare those ships for sailing, they are going to become a little bit discouraged.

I do not want to see that happen, because I know the men and women in uniform that live in the Third District of North Carolina are pleased as they can be that George Bush is the President of the United States. All I am asking, respectfully, is the same thing that the gentleman is asking, please, Mr. President, let us move forward on that emergency supplemental for our military sooner rather than later.

Mr. Speaker, with that, I want to thank the gentleman for yielding to me; and I look forward to hearing the rest of his hour.

Mr. WELDON of Pennsylvania. Mr. Speaker, I thank my colleague for being here. He is one of the most tireless advocates for the men and women who wear the uniform. And he is one of the most respected members of our Committee on Armed Services. He represents his district well, but, more importantly, he represents America's needs extremely well.

My colleague is absolutely right. We are in a crisis situation right now. Now some might ask, well, how did we get to this situation? Why do we not have enough money to finish out the rest of this year to pay for the training and steaming and flying hours that our military needs?

Part of the problem, Mr. Speaker, is that we have overextended our military. Over the past 10 years, we have seen our troops deployed 36 times. None of those deployments, except for one, was paid for in advance. Every time the President would assert our troops into Bosnia, Kosovo, Haiti, into East Timor, Macedonia, South America, all of those deployments, when our troops were put in, had to be paid for by the Congress finding other monies to reimburse those accounts to pay for the steaming and the flying and the airlift and sea lift costs that were associated with various deployments.

As a result, having raided those procurement and R&D accounts, we do not have enough money for readiness for allowing our troops to be prepared, by providing the proper training, the proper flying time, the proper steaming time and training time on the ground to go into harm's way, and as a result, this year's budget is woefully inadequate.

We have to have relief. We know there is money available, both the President and the leadership in the Congress have acknowledged that there are short-term dollars available to fix the shortchange of funding this year. And we, as a Congress, have to know what that number is.

Mr. Speaker, in closing in this part of my special order, I would implore the Secretary of Defense, who I have the highest regard for, an outstanding leader and a perfect person to lead our military in today's environment, and I would implore the President and the Vice President, two outstanding leaders, to come forward and give us a number.

Mr. Speaker, I talked to the staff director of the Committee on Appropriations just a few short minutes ago on the floor of the House and I talked to the chairmen and ranking members on the Committee on Appropriations who are very talented individuals. They think that perhaps they could turn around a supplemental within a month.

We cannot wait through the entire month of June and then go into July and August or we are going to face an extremely serious, even more serious situation as our military has to take drastic actions and shut down training operations.

I will say this, Mr. Speaker, as a loyal supporter of the President and a loyal member of his party, I will not hesitate as the chairman of the Subcommittee on Military Readiness to speak out when those stop budgets start to occur; and I am not doing that to embarrass anyone, but our men and women in uniform deserve better.

They deserve to have the funding they need and that dollar amount that they need to replenish those accounts needs to be given to us within the next week.

So I ask my colleagues to continue to urge the White House and the Secretary of Defense to give us that number so that we can respond.

Mr. Speaker, the second topic of my defense special order tonight I briefly discussed last week in part of a 5-minute speech, and I want to elaborate on that.

It deals with another of President Bush's top priorities, and that is national missile defense. When President Bush came out with his major speech and when we came out with our bill that passed in the last session of Congress making it our national policy to deploy missile defense, there were those on the left who began to criticize the decision that the Congress made and, more recently, the decision that President Bush made to defend America.

Now, last year in the height of the debate of the Presidential campaign, even though President Clinton reversed himself politically and came out in support of our missile defense initiative, there were those in the Congress who were opposed to missile defense.

They largely based their opposition on the findings of one person. That one person is a scientist at MIT, one person who has consistently opposed America's efforts to defend herself from the standpoint of a long-range intercontinental ballistic missile.

That individual was given prime air time on national TV by Dan Rather as he focused for 20 minutes on one professor's opposition to missile defense and one professor's public accusations that the missile defense organization leaders, General Kadish and our other top brass, as well as the Secretary of Defense were lying, were involved in a massive cover-up, were involved in giving the American people false information, were hiding information from the American people, were denying America's innocent citizens the right to know all the facts.

This individual on national TV and also in national print media who gave him prime exposure went on to say, this is a massive cover-up. It is fraud against the American people. It is outrageous what is happening. All of these statements were made last year in the height and the midst of a Presidential election.

Mr. Speaker, a few of our colleagues got together and decided even though they were the same ones who opposed our missile defense bill, even though it passed with a veto-proof margin earlier in the session, they came together as a group and signed a letter to the head of the FBI demanding a criminal investigation of the Department of Defense, of the ballistic missile defense organization, of General Kadish and of the contractors working on missile defense.

They had a special order. They had a press conference out in the Triangle. They were on national TV. They were on talk radio and fed this story of one professor around the country saying that America was having this massive fraud committed against it, and that no one should support missile defense until the FBI had conducted a complete and thorough investigation of the allegations made by this professor.

□ 1915

That was what occurred last year, Mr. Speaker.

Like so many other issues the media focuses on, the American people were sold a bill of goods. Now, amazingly, Mr. Speaker, with all of this rhetoric that spewed out of this city, claiming that there was fraud and abuse and lies and criminal activity, even in denying the facts, in fact, the professor cited a former TRW employee who claims they had hard evidence that one company was falsifying data, that one company was dumbing down the tests, that one company was, in fact, committing criminal activity.

What has been amazing, Mr. Speaker, is that we are now into the middle of May. The silence since the end of February has been deafening, because we just found out within the last 2 weeks that, on February 26 of this year, the FBI concluded its investigation. The Department of Justice issued a statement.

Now, we did not hear that professor go back on the Dan Rather show. We did not hear Dan Rather call for an update for the American people. We did not hear my colleagues on the other side stand up and present the statement.

So, Mr. Speaker, I took the time tonight to go over what the FBI said in their memo dated February 26, 2001.

Mr. Speaker, I include the FBI memo for the RECORD as follows:

NATIONAL MISSILE DEFENSE SYSTEM FRAUD AGAINST THE GOVERNMENT—DEPARTMENT OF DEFENSE

In a June 15, 2000, letter to Director Freeh, Dennis J. Kucinich, U.S. House of representatives, and 52 other members of Congress requested an FBI investigation into allegations that the Department of Defense (DOD) covered up fraud relevant to the experimental failure of testing involving the National Missile Defense System. This anti-missile defense system is designed to defeat nuclear warheads launched at the United States by inexperienced nuclear powers such as Iran, Iraq and North Korea by intercepting the warhead carrying missiles in the air.

Specifically the Congressional letter detailed allegations by anti-missile critic Dr. Theodore Postol, a respected scientist from the Massachusetts Institute of Technology, that not only is the $50 billion National Missile Defense System incapable of distinguishing between warheads of incoming missiles and decoys, but the DOD and its contractors have altered data to hide the failure. Dr. Postol also contended that his letter to the White House, its attachments, and all the information and data he used to draw his conclusions of fraud and coverup, were derived from unclassified material and were subsequently classified by the DOD in an effort to conceal the fraud and wrongdoing.

The Washington Field Office (WFO) of the FBI opened a preliminary inquiry into allegations of fraud in the National Missile Defense System to specifically address the following items: (1) Coordinate with Defense Criminal Investigative Service (DCIS) and obtain copies of material alleging fraud and coverup prepared by Dr. Postol; (2) address DOD's justification for classifying Dr. Postol's information and (3) obtain details of a DCIS Qui Tam inquiry that precipitated Dr. Postol's criticism of the National Missile Defense System.

WFO opened up a preliminary inquiry into allegations of fraud in the National Missile Defense System on July 25, 2000. Contact was made with the DCIS who agreed to work jointly with the FBI in conducting the preliminary inquiry. WFO obtained a copy of Dr. Theodore Postol's letter to the White House from Philip Coyle, Director, Operational Test and Evaluation, at the Pentagon. Postol had sent Coyle a copy of his letter to the White House.

The Director of Security for the Ballistic Missile Defense Organization (BMDO) requested a line by line review of Postol's package when it was suggested that classified material may be attached to Postol's letter. This line by line review revealed that four pages of Attachment B to Postol's letter contained previously classified data, and Attachment D contained 12 previously classified figures and one classified table. All this material had been previously classified and was not newly classified. Postol had obtained this information from other individuals involved in a Qui Tam law suit against TRW. Those involved in the Qui Tam suit believed that the information they had was unclassified. A good faith effort had been made by a DCIS investigator to declassify a report that had been previously classified. In the process, certain classified information was inadvertently left in the report. Postol used this information believing it to be unclassified.

Postol's information was based on data he received from Dr. Nira Schwartz, a scientist and former employee of TRW, a defense contractor involved with BMDO. Schwartz had filed a Qui Tam action in the Western District of California alleging wrongful termination and false claims on the part of TRW. Dr. Schwartz's allegations were scientific in nature and concerned false claims made by TRW regarding the data obtained from the first test flight, IFT–1A. Postol expanded Schwartz's allegations to include criminal conduct. Investigation revealed that Postol's claim that data had been altered was unfounded. As to Postol's claim that the system is incapable of distinguishing between warheads and decoys, there is a dispute among scientists about the ability of the system to discriminate based on scientific grounds. This is a scientific dispute and Postol's attempt to raise it to the level of criminal conduct had no basis in fact. A Department of Justice civil attorney and an

Assistant United States Attorney in the Central District of California, both advised that during the Qui Tam investigation, there was no indication of fraud or criminal activity.

The joint FBI/DCIS investigation failed to disclose evidence that a federal violation has been committed. Since all logical investigation has been completed, this matter is being closed.

The title of the FBI memo, dated February 26, Washington, D.C., is ''National Missile Defense System, Fraud Against the Government, Department of Defense.''

In the text of the FBI memo, they mention a June 15, 2000, letter directed to Director Freeh, signed by 53 Members of Congress, alleging that the Department of Defense covered up fraud relevant to experimental failure of testing involving the National Missile Defense System.

Specifically, the letter detailed allegations by an antimissile critic from MIT, a scientist from MIT, that this entire process was ripe with fraud and that the DoD and its contractors had altered data to hide the failure. The professor was invited to submit all of his documents and all of his claims, as was anyone else, relative to fraud and cover-up. That data was both classified and unclassified.

The FBI memo, it goes on to say, the Washington field office opened the preliminary inquiry, and they came to certain conclusions. The conclusions were that there were no criminal activities by anyone; that, in fact, there was no fraud committed against the people of America. In fact, I will quote from the report: ''Investigation revealed that the professor's claim that data had been altered was unfounded.''

Is Dan Rather listening out there? Because, Mr. Speaker, as we all know, the national media has a tremendous ability to affect what the American people think. When they have 20 minutes of totally controlled air time, that leaves a lasting impression on the American people.

Now, why am I singling out one man, Dan Rather? It is because Dan Rather called my office and asked if he could interview me about national missile defense. As the author of the legislation, I said sure, I will be happy to talk about anything you want to talk about. He proposed, through his producer, to me that it would be a fair and unbiased analysis of national missile defense.

Mr. Rather came into my office last fall and spent over 2 hours interviewing me on videotape. When I was into about 15 minutes of the interview, I knew then and there he had already written his story. He was just looking to get a quote from me that would further the fraud he was going to commit on the American people based on the allegations by one MIT professor. But I went on for 2 hours.

When Mr. Rather ran his story, which was 20 minutes in length, the total amount of time that I appeared on that story was 30 seconds. The professor from MIT was on repeatedly for probably half the show. The report was totally biased, was totally ripe with allegations by one man that the Federal Government, in this case the Department of Defense, was committing fraud.

I will repeat the statement that I take from the text of the FBI document: ''Investigation revealed that the professor's claim that data had been altered was unfounded.''

When people make allegations in today's society and are allowed access to our national media that affects the public's understanding of what we are doing here, I think there is a responsibility for the media and the people who push that allegation to come out when the investigation is complete and give the American people the results.

The final paragraph of the FBI memo says: ''The joint FBI/DCIS investigation failed to disclose evidence that a Federal violation has been committed. Since all logical investigation has been completed, this matter is being closed.''

The silence has been deafening since February 26 because no one has acknowledged that the FBI finished its investigation of the charges made by one professor which resulted in 53 of our colleagues asking for a criminal investigation of individuals and leaders in our Department of Defense.

Now, I could read some of the quotes from my colleagues and from others who spoke out in support of this professor; but, Mr. Speaker, I would rather insert into the RECORD a news article dated May 4 relative to the allegations and the actual results of the findings of the investigation.

Mr. Speaker, I include the article as follows:

[From the Forbes CFO Forum, May 16–18, 2001]

FBI CLEARS TRW INC. OF FRAUD CHARGE IN MISSILE DEFENSE TEST

(By Tony Capaccio)

WASHINGTON.—The Federal Bureau of Investigation cleared TRW Inc. of allegations it manipulated the test results in a program for the U.S. missile defense system, according to a government document.

It's the second time the allegation has been dismissed. A 1999 review by the Justice and Defense departments in a separate whistleblower lawsuit dealing with the same charge also found no basis for fraud in TRW's testing.

Last June, 53 members of the U.S. Congress asked the FBI to investigate charges by Massachusetts Institute of Technology professor Theodore Postol that TRW and Pentagon officials committed ''fraud and cover-up,'' by tampering with the results of program's first test flight to conceal that company's warhead can't distinguish between decoys and the real thing.

Postol and another antimissile critic, Dr. Nira Schwartz, alleged that TRW and the Pentagon manipulated the results of a June 1997 flight test. Military and TRW officials said the company's warhead succeeded.

Postol and Schwartz claimed the data was manipulated to indicate success after the test failed. The test was conducted in a competition between TRW and Raytheon Co., which TRW eventually lost. Their charges were aired in March and June 2000 front page New York Times articles that became the basis for the congressional request and fodder for arms control critics.

The FBI closed the case in late February, saying Postol's charges were ''a scientific dispute and Postol's attempts to raise it to the level of criminal conduct had no basis in fact.''

The FBI's action removes a cloud over the missile defense program just as the Bush administration presses ahead with plans to expand it.

A spokesman for TRW said the company hadn't been told of the finding and is ''delighted'' if it's true. Both Postol and Rep. Dennis Kucinich, an Ohio Democrat who organized the congressional opposition, said they too were unaware.

TRW'S ROLE

TRW is a top subcontractor on the National Missile Defense program managed by Boeing Co. TRW provides the command and control system, or electronic brains, that receive and process target information to missile interceptors carrying Raytheon Co. hit-to-kill warheads.

The TRW system has performed well in the three missile intercept tests to date, though two of them ended in failure after glitches in technology unrelated to the basic system.

Postol argues the Pentagon's system is fundamentally flawed and is incapable of distinguishing decoys from real warheads. He alleged the Pentagon watered down its decoy testing, substituting simpler and fewer decoys that were easier for the warhead to recognize. The Pentagon has acknowledged shortcomings in its decoy testing and says it plans improvements.

The program needs to ensure the ability of the system to deal with likely countermeasures,'' Pentagon program manager Army Gen. Willie Nance wrote in an April 12 review.

'NO FEDERAL VIOLATION'

''The investigation failed to disclose evidence that a federal violation has been committed,'' the FBI said in a February 26 memo to the Justice Department. ''Since all logical investigation has been completed, this matter is being closed.''

The allegation was first made by Schwartz in an April 1996 False Claims Act whistleblower suit. Schwartz was a senior staff engineer who worked on the project for 40 hours, according to TRW. The federal government declined to join her lawsuit after determining there was no evidence to support criminal charges. The case is pending. Schwartz would received a monetary award if TRW was found guilty.

Schwartz alleged that TRW ''knowingly and falsely certified'' as effective discrimination technology that was ''incapable of performing its intended purpose.''

''Dr. Schwartz's allegations were scientific in nature and concerned false claims made by TRW regarding the data obtained from the first test flight,'' said the FBI memo. ''Postol expanded Schwartz's allegations to include criminal conduct. Investigation revealed that Postol's claim that data has been altered was unfounded.''

GAO REVIEW

Postol said in an interview he was surprised by the FBI's decision because he was under the impression that the Bureau would wait to wrap up its review until the General Accounting Office completed a separate noncriminal technical review of the charges.

The GAO review, which was requested by two Democrats, Representative Ed Markey of Massachusetts and Howard Berman of California, won't be finished until later this year.

''I am amazed the FBI would have done this without checking with the GAO,'' Postol

said. ''It looks to me that the FBI was simply not interested in doing anything except covering its back.''

Kucinich, who organized the June letter that prompted the FBI inquiry, said he hadn't heard of the FBI's conclusion.

''It is interesting that the day after the president announced plans to spend billions more dollars on a missile defense system, it's revealed that the FBI had terminated its fraud investigation of the missile defense program—despite plain proof this technology doesn't work and substantial evidence suggesting that the Ballistic Missile Defense Organization covered it up,'' he said in a statement.

Kucinich was referring to President George W. Bush's May 1 speech outlining his plans for a missile defense shield that will likely include the ground-based system.

TRW spokesman Darryl Fraser in a statement said ''if this report is accurate, we are delighted to hear that the FBI has vindicated TRW for the years of hard work.''

Mr. Speaker, I would hope my colleagues would look at the evidence provided by the FBI that there was no fraud and get back to facts when discussing, as we will this year, whether or not to support the President's missile defense request.

My third national security issue, Mr. Speaker, is of grave concern to me. I also raised this briefly in a 5-minute Special Order last week. All our colleagues need to pay attention to what has been happening with the Departments of Defense, Energy, Commerce, and the CIA.

Mr. Speaker, I was one of nine Members assigned to the Cox committee, five Republicans and four Democrats, who spent 7 months of our lives behind closed doors, in some cases 6 days a week, through the holidays, working with the FBI and the CIA and our Defense Department, to answer a simple question for our colleagues in the Congress who had passed legislation creating our commission. The question that we were asked to provide an answer for to our colleagues was: Was America's national security harmed by the transfer of technology to China?

Mr. Speaker, after the 7 months of deliberations, we came to a unanimous verdict. The vote was not five to four. It was not seven to two. It was nine to zero that America's security was harmed by the transfer of technology to China.

Now, the spin by the administration at that time was that somehow China had stole the technology. That may have been true in a few isolated cases; but, Mr. Speaker, by and large, we gave the technology to China. We gave the technology to China.

In fact, Janet Reno assigned one of her top prosecutors, Charles LaBella, to investigate in response to the Cox committee why that technology was transferred. He wrote a 94-page memorandum called the LaBella Memo back to her suggesting she should empower a special prosecutor. She chose to ignore his advice, and the American people will never know the full story as to why that technology was transferred to China. I have some strong suspicions.

But one of the areas that we looked at was China's acquisition of high-performance computers. In fact, Dr. Steve Bryen, who was the first director of DTSA, the Defense Technology Support Agency, testified before the Cox committee that up until 1995 and 1996, China had zero high-performance computers, in the range above eight to 10,000 MTOPS, which is considered a high-performance computer, even by today's standard. Up until 1996, China had none.

China wanted these computers desperately, and we looked at that issue in the Cox committee but were not given access to an individual who now has come forward as a lifetime, long-term Dealy employee. This employee by the name of Stillwell had access to China's nuclear program, in fact, traveled back and forth regularly to China, was able to gain the confidence of the Chinese leadership so that he could get access to information about China's nuclear program that was very helpful to America's military leadership and our security leadership in terms of where China was going with its nuclear program.

Mr. Stillwell kept detailed notes of his trip to China. He has now reported that he knew the Chinese were desperate to acquire high-performance computers. Because he has reported to us, Mr. Speaker, that Chinese nuclear leaders told him they did not have the ability to miniaturize their nuclear weapons, to do simulated nuclear testing for one reason; and that reason was that China lacked high-performance computers to do the significant calculations required to simulate nuclear testing and to miniaturize nuclear weapons. This was in the 1990, 1992 and 1993 time frame.

The reason why this is so critical, Mr. Speaker, is that we now have someone, an American citizen, a recognized expert on China's nuclear program, perhaps more an expert than anyone else in this country, who has come forward and who has tried to publish a book where he documents China's wanting and desire to obtain high-performance computers.

Why is that so critically important? Because in 1996, in the middle of a Presidential reelection campaign, for reasons that are yet unknown, our administration unilaterally changed the policy and, in 1996, allowed American firms that, up until then had been prohibited from selling high-performance computers, to sell those high-performance computers to China.

Now, the reasons why those computers were allowed to be sold would make for an interesting investigation as to why the President all of a sudden unilaterally decided to reverse a policy decision that previous administrations had had in limiting high-performance computers to China.

Now, piecing the facts together, if we get the comments from Mr. Stillwell, who now tells us that China was desperately in need of high-performance computers and could not get them in the early 1990s, and then, 1996, we see a decision by the U.S. administration to lower the threshold and allow China to acquire something that they had been prohibited from acquiring up until that year.

In fact, Mr. Speaker, Dr. Steve Bryen when he testified said, up until 1996, only two countries had companies manufacturing such high-performance computers, Japan and the U.S. There was an unwritten understanding between the two countries that neither of us would sell high-performance computers to certain countries that might use them for questionable purposes. Dr. Bryen told us that we did not even consult with Japan. We simply changed the threshold in 1996 and allowed those companies to sell the high-performance computers to China.

So, Mr. Speaker, I rise to ask my colleagues to join with me in letters that I am sending to the Department of Defense, the Departments of Energy and Commerce, and to the CIA asking specifically for the following information and demanding that this information be made available to Members of Congress and to the American people.

□ 1930

From the period of time from January 1, 1994, to January 1, 1999, we demand the following information:

Number one. Records of all license applications for computers that the U.S. Department of Commerce approved, suspended, denied, or returned without action for export to China, including Hong Kong.

Number two. Information for each application showing the applicant, the case number, the date received, the final date, the consignee or end user, the ECCN number, the value, and the statement of end use.

Number three. Information showing the Federal agencies to which each license application was referred for review, and each agency's recommendation on the application referred.

In addition to the above, we want any information possessed by these agencies on the acquisition by China, including Hong Kong, of any computer operating at more than 500 MTOPS during the above period, whether such acquisition was made pursuant to an export license or not, and whether from the United States or some other country. And we need to demand this information, Mr. Speaker, immediately.

I am going to ask my colleagues from both sides of the aisle to join with me in demanding that we get some accountability because the American people deserve to know what happened.

Mr. Speaker, today, China is working on simulation of nuclear testing. They are miniaturizing nuclear weapons. They are using American high performance computers in that process. When Dr. Bryen testified before the Cox Committee, he said up until 1996, China had zero high performance computers. Within 2 years after we lowered the

threshold, China had acquired between 400 and 600 high performance computers, all from the United States of America.

When those in this Chamber rail against spending more money on defense, I ask them to join with me, because if China had not acquired those high performance computers, they would not be where they are in developing their nuclear technology, in miniaturizing their nuclear capabilities, in designing new weapon systems.

Mr. Speaker, my fear is that the bulk, if not all, of those high performance computers are not at Chinese universities doing academic research; they are not affiliated with technical institutions studying the weather of China; but, in fact, those American-sold high-performance computers are being used to design the next generation of weapons that we are now going to have to defend against.

To me, Mr. Speaker, the American people deserve some answers. And so all of us in this Chamber, I would hope, would join together in demanding that this administration give us access to answer the questions that I have posed relative to the transfer of high-performance computers to China, the applications for those transfers, the agencies' recommendations, and the number of those computers in place today and who controls them.

Mr. Speaker, the letter I referred to follows:

To: the Departments of Defense, Energy and Commerce, and to the CIA

Please provide, for the period from January 1, 1994 to the January 1, 1999, the following information:

Records of all license applications for computers that the U.S. Department of Commerce approved, suspended, denied or returned without action for export to China, including Hong Kong;

Information for each application showing the applicant, the case number, the date received, the final date, the consignee or end user, the ECCN number, the value, and the statement of end use;

Information showing the federal agencies to which each license application was referred for review, and each agency's recommendation on the application referred.

In addition, please provide all information that you possess on the acquisition by China, including Hong Kong, of any computer operating at more than 500 MTOPS during the above period, whether such acquisition was made pursuant to an export license or not, and whether from the United States or some other country.

Please submit this information in both electronic and hard-copy form no later than.

Sincerely yours,

PRESIDENT BUSH'S ENERGY PLAN

The SPEAKER pro tempore (Mr. GRUCCI). Under the Speaker's announced policy of January 3, 2001, the gentleman from New Jersey (Mr. PALLONE) is recognized for 60 minutes as the designee of the minority leader.

Mr. PALLONE. Mr. Speaker, last week President Bush announced his energy plan in front of a backdrop on which was printed the word ''conservation,'' and I strongly suggest that my colleagues not be misled by this subliminal approach. I have always said that actions speak louder than words, and President Bush's actions during his first 100 days clearly illustrate that he will undermine any environmental regulation that prevents implementation of the administration's energy plan. So, please, I caution my colleagues, do not be confused by the fact that he has the word ''conservation'' printed prominently behind him in a backdrop. There is nothing conservation-oriented about President Bush's energy policy.

Clearly, neither President Bush nor Vice President Cheney nor the National Energy Policy Development Group believes that conservation should be the foundation of sound comprehensive energy policy. In fact, the Vice President recently stressed that the Bush administration views conservation as a sign of personal virtue but not a sufficient basis for a sound comprehensive energy policy.

And when we talk about conservation, conservation is the planned management of a natural resource to prevent exploitation, destruction or neglect. It is the only basis on which to build a comprehensive energy policy that provides for the responsible long-term use and development of our Nation's energy resources. And by missing this simple principle, President Bush's energy plan is immediately flawed.

Mr. Speaker, I would like to examine some parts of the Bush plan beyond its fundamental flaw, because I think many Americans do not understand the direct impact it will have on them. First, the administration's plan will do nothing to lower the prices that Americans are paying for energy today and will do little to mitigate price fluctuations in the future.

When I talk to my constituents, they are concerned about the high cost of gasoline and the fact that gas prices keep going up. When I talk to my colleagues from California who are facing blackouts on a somewhat regular basis and more potential for blackouts as the summer progresses, they are concerned about the fact that they cannot get electricity. But if we look at the Bush policy, it will not lower gasoline prices, and it does nothing to prevent the rolling blackouts in California or prevent price gouging by the industry. It will not significantly affect America's dependence on foreign energy sources.

On the other hand, what it does do, the President's energy plan does impact the quality of life for every American. The President's plan will damage public health through increased pollution of the air and water, it will speed up the impact of global warming and industrialize our Nation's pristine wilderness and open spaces.

In my home State of New Jersey, we are already facing relatively dirty air and major problems that we have had with polluted water. And, frankly, I just do not see how we could possibly face a situation where the impact of the energy policy is to actually increase air pollution or increase water pollution, nor in New Jersey are people willing to tolerate the risk of contamination of our coastal environment by drilling off the coast.

Now, I know that the President has not specifically mentioned drilling off the coast of New Jersey, but the Minerals Management Service within the Department of the Interior has a plan to drill off New Jersey, as it does for most of the coast. And the logical extension to President Bush's policy would be to seek out offshore oil essentially in every State.

The reason that I believe that the President is moving in the direction he is, which basically is to drill more, try to increase production without addressing conservation, is primarily because of his alignment and his historic involvement with the oil industry. If we look at his references, they are all oil. And when we talk about the environment, conservation, and efficiency, I think we just see him giving more and more lip service.

The National Energy Policy Development Group, which put together the President's plan, did not once have a substantive meeting with environmental - or conservation - minded organizations, so there really was no input from conservationists or environmentalists. The input was all from the oil industry.

Let me talk a little about some of the problems I foresee with the President's new energy policy. First, I think it is going to accelerate the problem that we have with global warming. He calls for increasing coal and oil production. Specifically, the President requests a 10-year, $2 billion subsidy for clean coal to make coal plants less polluting. However, in the energy budget, the administration did not specifically earmark funding for less polluting technologies, and instead, the budget requested this funding only to expand the use of coal in the United States.

So the problem is that what we are going to see is essentially more coal-fired plants, and the emissions that come from those will only aggravate the situation that we already face with some of the air emissions that are coming from those plants right now. The largest contributors of greenhouse gases are coal-fired power plants and gasoline-powered automobiles.

Power plants in the United States emit almost 2 billion tons of carbon dioxides pollution each year, and this is equivalent to the carbon dioxide emissions of the entire European Union and Russia combined. But as we know, or we learned a couple months ago, the President completely ignores this fact and he does not recommend any solution to reduce carbon dioxide emissions, even though he talked about that during the campaign. The President's plan regulates only three pollutants, and so carbon dioxide is completely left out.

I have to point out that even in my home State there are utilities and utility executives who come to me and say that they are more than willing to regulate carbon dioxide. Around the time of Earth Day, the end of April, we actually did a bus trip where some of the Members of Congress joined me and we went around the State. One of the stops that we made was in Linden, New Jersey, where Public Service Electric & Gas, which is one of the two largest utilities in New Jersey, was about to construct a new generating plant which would cut back on the carbon dioxide that was generated by the old plant by about a third. So the reality is that many companies, not only in New Jersey, but around the country, are taking actions to reduce the carbon dioxide output from their plants and there is a significant segment of the power industry that supports the regulation of carbon dioxide emissions.

Now, why are we not dealing with it? Why does the President not want to deal with it? I do not know, other than I think he is the captive of the special interests and the oil interests and those who do not want to see this kind of regulation.

Utility executives who support reducing carbon dioxide emissions take the science of global warming seriously and they understand that carbon dioxide emission regulations are likely to develop within the life expectancy of coal-fired plants built today. One of the biggest problems that I see with the President's energy policy is that he is advocating taking these old coal-fired plants that are grandfathered, and most of them are in the Midwest, that are allowed to generate emissions that do not meet the air quality standards that we have adopted in the last, say, 10 or 15 years, and which continue to spew forth the air pollution that the newer plants that were built more recently are not allowed or not built to do, and in his energy policy, the President is saying he would allow those older coal-fired plants to expand their operation and basically generate more capacity and still be grandfathered for that additional capacity power that they generate.

What we are saying, and those who would be concerned about conservation and the environment would say, is rather than allowing these older plants to expand, they should be retrofitted to reduce carbon dioxide. In the long run, it probably saves money. And there are industry executives now that are willing to do that, but they are not going to do it unless they are told by the Federal Government they have to. And so essentially what President Bush's plan does is ignore them and says, okay, let us expand, let us continue to pollute, that is okay.

The administration's plan also calls for the creation of 1,300 to 1,900 more power plants in the United States over the next 20 years. Now, 1,300 power plants equates to an additional 26 power plants per State, in every State, and that equals five new power plants on line every month for the next 20 years. The question is where are we going to place these plants; and is that really doable? I do not think it is. But the major problem with that, of course, is that if we somehow managed to do that, we would increase air emissions and air pollution tremendously, particularly if we did not require them to meet the existing strict standards.

□ 1945

Mr. Speaker, I can give an example in my State. In New Jersey, we had a government analysis of our air quality this year reported that every county in New Jersey has poor air quality. So one can understand why I would not want to see any backsliding on the issue of air emissions from power plants because if we are already in a bad situation, what the President proposes would only make it worse.

Finally, on this point I wanted to mention if one looks at the President's plan, he claims the goal of his energy plan is to reduce America's dependence on foreign oil. However, the solutions espoused will sacrifice our environment and do little to alter the imported quantities of oil the U.S. will actually need. Let me talk about why I think what he is proposing will not reduce our dependence on foreign oil.

First, the Bush administration supports drilling in the ANWR. They claim there are responsible ways to go about the drilling. However, if you think about it, drilling for oil in the Arctic refuge would require hundreds of miles of roads and pipelines, millions of cubic yards of gravel and water from nearby water bodies, housing, power plants, processing strips, air strips, landfills and services for thousands of workers. There is certainly nothing environmentally responsible about that.

But even more important, there remains significant oil reserves in already-developed areas of Alaska's North Slope. Estimates from the State of Alaska project from 1999 to 2020 another 5.7 billion barrels of oil could be produced from the Prudhoe Bay region while 15 to 20 billion barrels could be produced in nearby WSAK oil field. This land was made available under the Clinton administration, as were thousands of other acres around the country.

I do not think President Bush wants to open the ANWR, the Arctic National Wildlife Refuge, because there is an energy crisis; I think his aim is to open this wilderness to drilling because he believes he has the political support to do so. I do not think he does. I think if you talk to Members on both sides of the aisle, both in the House and Senate, you will find that there is a majority against drilling in ANWR. But he persists that we should drill there.

Let me go back to why opening up ANWR does little to reduce the U.S.'s dependence on foreign oil. The U.S. Geological Survey estimates there are between 3.2 and 16 billion barrels of oil, of which about 3 billion barrels are economically recoverable. Furthermore, the DOE's EIA, which is environmental impact assessment, reports that the U.S. exported 339 million barrels of oil in 1999, far more than the 106 million barrels that might be produced in the Arctic.

I can go through the statistics all night, but the general point I want to make clear is that drilling in ANWR is not a reasonable solution to meeting energy needs. Even if one were able to do what the President wants, it is not going to have an impact.

What we really should do if we want to be serious about trying to reduce America's dependence on foreign oil is increase the fuel efficiency of our own automobiles. If one thinks about what we could accomplish, one could increase the fuel economy of automobiles today to 40 miles per gallon. That would save more than 50 million barrels of oil over the next 50 years. This would change the oil use charts in the President's energy brochure. But again, he does not want to do that. The President does not want to change efficiency standards until another government agency finishes another government study, determining the effectiveness of raising fuel standards. Basically that is the excuse he uses. That is another agency, that is another department.

I think that the biggest thing that bothers me about the President's policies and the ideology around President Bush's policies, they do not take into consideration American ingenuity and creativity. We have the ability to find new ways of doing things: efficiency, renewable resources, conservation. We have the ability and the know-how to effectively implement those kinds of strategy, rather than reverting to the supply-side, energy-based approach which is drill, drill, drill. I think it is backward, and I think it is not in the tradition of Americans trying to find solutions to their problems.

If I could, Mr. Speaker, I want to spend a little time talking about what the House Democrats have put forward in terms of an energy policy, and contrast that a little bit with the President's plan. I have been to the floor. I was here last week with some of my Democratic colleagues where we talked about the Democratic proposal.

I think the most important thing I can say about the Democratic proposal which was unveiled just a couple of days before the President's proposal is that we try to address the immediate concern that the average American has. And when I talk to my constituents, I am home every weekend and I hear from them, they say look, the biggest problem are gas prices. Even though we do not think that that we are going to have blackouts in New Jersey, they remember last summer. And when we hear about what happened in California, we think maybe that is going to reoccur.

What the Democrats have done in our energy plan, first of all, with regard to

the California situation, we have basically put what I would call caps, if you will, on wholesale prices for gasoline. The Democrats believe that the FERC, the Federal Energy Regulatory Commission, basically has failed to enforce the law and should step in and essentially put in place ways of controlling prices and looking at the wholesale prices.

We have asked specifically for the Department of Justice to investigate energy pricing to assure that illegal price fixing does not occur.

The other thing that we do that directly impacts what needs to be done in terms of foreign sources, is that we say that the President should go to the next OPEC meeting, which I believe is going to take place within the next couple of weeks in June, and he should request that there be an increase in production at this time.

During the campaign, then-candidate Bush said if it were up to him, President Clinton should demand that OPEC increase production. Now as President, he says that is not necessary, I am not going to ask them to increase production.

Similarly, we have a source of oil called the strategic petroleum reserve which basically is a storage of petroleum that the U.S. Government has made over the years. During the Clinton administration, the Republicans and then-candidate Bush said the SPR should be used to control prices in the fashion that has been done many times over the last 10 years or so. Even under former President Bush, we used the SPR in that fashion. Now President Bush says no, we do not want to touch the SPR, that is not its purpose.

The Democrats are saying look at wholesale prices, control wholesale prices of energy so we can hopefully help out California and the other western States. With regard to gasoline, demand more production from OPEC. Use the SPR as a hammer, and try to deal with the immediate crises that we face.

I see some of my colleagues have come in, and particularly I see two colleagues from western States who I think are very knowledgeable about what has been going on.

Mr. Speaker, I yield to Mr. Sherman who has been up here for the last couple of weeks on a regular basis talking about this problem very effectively.

Mr. SHERMAN. Mr. Speaker, I thank the gentleman from New Jersey. He may have noticed that 60 minutes ago on this very floor, the gentleman from Pennsylvania attacked me personally, and attacked my State. This gentleman refused to yield for even 30 seconds because his arguments were subject to such total rebuttal.

Mr. Speaker, I thank the gentleman from New Jersey for yielding more than 30 seconds because to outline all of the mistakes of the gentleman from Pennsylvania, a man who would not yield 30 seconds, yet ended his speech a full 20 minutes before his time had expired, this gentleman needs rebuttal on this floor, not to the attacks against me personally, but to the attacks against my State.

The gentleman tried to create the image that California's suffering is somehow the just-desserts for environmental extremism in California, and that our energy shortage is as a result of opposing offshore oil drilling. Keep in mind that all offshore oil drilling would be an attempt to develop petroleum, and we do not use petroleum in the West, and certainly not in my State, to generate electricity.

This attack that we somehow prevented the building of a sufficient number of plants. First of all, California has had sufficient plants to generate all of the electricity we need. Now at times the supply might be a little tight, but enough electricity to keep every light bulb on in the State was available except for one thing: They deliberately withheld supply.

Nothing the environmentalists do or have been accused of doing rises to the level of deliberately withholding supply in order to jack up prices; and nothing the environmentalists did or were accused of doing would solve that problem.

But let us go through this argument that somehow environmentalists prevented the creation of plants in California. First, it is simply not true. The incredible lack of knowledge about what is going on in California is matched only by the loud vituperation of those who are not from anywhere near my State when they come to this floor. There was no effort to build plants in California. I know, as every elected official in California knows what happens when powerful interests want to build something and environmentalists are trying to hold them back. It becomes a political question. It is brought to a variety of political levels.

Nobody made any attempt to build a major power plant in California until quite recently. The utter proof of that was that there was no big, political brouhaha anywhere in the State, except for one plant in San Jose, and that related to just a few miles one way or the other, and was very recent. Over the last 10 years, no plants were built because the private sector did not want to build them.

And a further proof of that is when the private sector had the chance to buy all of the existing plants, they did not pay a premium price for them. So to say that private industry was desperate to build plants, they did not even pay a premium for the plants that were already there.

But also, contrary to the physics that may be taught on the other side of the aisle, the physicists that I consulted tell me that electrons are unaware when they pass a State border. You can supply Los Angeles with power just as easily building a power plant in Nevada or Arizona as you can building one in Northern California or far Eastern California. Yet no private company was trying to build plants in Nevada or Arizona unless we are to believe that these are States where environmental extremists are in total control.

So they did not try to build plants in our State, they did not try to build plants near our State, and they were not anxious to buy plants already built in our State because there was not a lot of money to be made until they saw that opportunity to withhold supply; and then the absence of rate regulation on the wholesale utilities became obvious. Then, by withholding supply, by redefining ''closed for maintenance'' as meaning ''closed to maintain an outrageous price for every kilowatt,'' these gouging utilities, chiefly based in Texas, have been able to charge sometimes 10 times, sometimes 100 times the fair price for energy they generate from those same old plants that served California so well under the previous regulated regime.

So we are told that the Federal Government must do everything possible to ensure that Californians suffer, and this administration is doing that, but it is not out of a sense of justice or retribution; but rather, for the beneficiaries. You see, as long as gouging occurs, there will be a huge transfer of wealth from California to a few very rich corporations, mostly based in Houston, mostly very close friends of the current administration.

□ 2000

We paid $7 billion for electricity in 1999. In the year 2000, we paid over $30 billion for the same electricity. This year we will pay over $60 billion. We are not using any more; we are paying more, and we are paying more to those who withhold supply to drive up price.

Let us not blame environmentalists in California. Let us not come to this floor and assert that somehow environmental extremists control Carson City and Phoenix. Let us realize that the private sector bought these plants thinking they would earn modest profits. They fell into an opportunity. They fell into the opportunity to withhold supply and charge outrageous profits. That is what they are doing for the benefit of a few companies based in Texas.

This is not a morality play. This is an economic crisis. California needs price regulation based on cost of our wholesale electric generators.

Mr. PALLONE. Mr. Speaker, I want to thank the gentleman from California (Mr. SHERMAN) for his comments, and I want to continue talking about the issue of what is happening in California.

I know that our other colleague, the gentleman from Washington (Mr. INSLEE), has actually introduced a bill that is designed to return the West to just and reasonable cost of services, and I know that his bill was actually part of the Democratic proposal that we have been talking about. So I was going to ask if the gentleman, which is probably what the gentleman was

going to do anyway, but I wondered if the gentleman would specifically continue with what our colleague from California said and what we can do in that regard.

Mr. INSLEE. Mr. Speaker, I appreciate the gentleman from New Jersey (Mr. PALLONE) being here and asking that question. I am reporting from the State of Washington up in the Pacific Northwest about what is not just a California problem, but indeed a western United States problem of price gouging on the electrical markets.

I now can report back to the House the reaction the President's energy inaction plan is getting from my constituents in the State of Washington. In the immortal words of Siskel and Ebert, it is two thumbs down, big time as they would say. The reason is that while California-bashing is one of the favorite sports of the State of Washington, the President's callous indifference to the whole West Coast is not just hurting California. It is hurting small businesses and people in Washington and Oregon who are paying wholesale electrical prices that have gone up a thousand percent, a thousand percent wholesale electrical prices, from last year.

Where communities that paid $25 for a megawatt of energy in Washington, not California but in Washington State, $25 a megawatt hour last year, we are now paying $600-plus for a megawatt. No one on this floor, I have heard, had the courage, I guess it would be, to come and try to defend that kind of a pricing change over a year.

It just bears repeating that it is not just California that is suffering here. The State of Washington may lose 43,000 jobs as a result of the President's willful neglect of this crisis on the West Coast.

Now, if the President has some indifference to the State of California, for whatever reason, we do not appreciate allowing him to have the energy-gouging locusts that sort of visited that plague on the whole West Coast, and we are getting hurt, too.

Last weekend when I went home, I had people coming up to me in the ferry boat lines and in the supermarkets absolutely shaking their heads, livid about this failure of the elected official.

The President, he has had ties to the oil and gas industry. That is not exactly a secret. But he does not work for the oil and gas industry anymore. He works for us on the West Coast, and he has simply sent a message to the West Coast in this moment of trial, to guys like Cliff Syndon, who has cut his energy bill by like 40 percent and has seen his bill go up; who has been dedicated to conservation, a guy who wrote me an e-mail and said, I have cut my energy almost in half and my bill went up.

What are we supposed to tell people like that who are trying to be good Americans in this moment of crisis, as we are when everybody wants to pull together, and then have the President say, well, Cliff, go fish; you can just go fish, for all I care. Yet, that is the signal the President is sending to the West Coast of the United States.

Now it is not like he does not have a tool. As the gentleman has indicated, I have introduced a bill supported by a goodly number of folks that essentially would have a short-term cost-based pricing system in the western United States. This is a very reasonable, common-sense tool the President already has. We should not have to pass a bill here to make him do this. He should do this because it is already the law, because the law of the Federal Energy Regulatory Commission is that they will require reasonable rates to be charged in this country for wholesale electricity.

What our bill does is simply call a time-out for this plague, and the time is that for 2 years we simply have cost-based plus a reasonable degree of profit for the wholesale electrical market, something similar we have done for decades in this country since the Edison Round; we are simply saying we ought to do this at least for 2 years while these markets become better established.

We also would respond to the President. I talked to the President. He told me he did not want to do that because, well, nobody will build any more plants to generate electricity if we did that. Well, the President missed one aspect of our bill. We would exclude new generating capacity from the impact of this cost-based pricing.

It cannot be a disincentive for someone when they are excluded from the application of this system, which we would do to make sure that these energy sources can continue to come online. That is something he has simply missed in his analysis.

So I can say that on the Main Streets of the first district in the State of Washington people are very, very angry about this President's callous indifference to their plight. It is small businesses that are curtailing hours. We have heard about the big industries, the aluminum industry that is going to heck in a handbasket; the pulp and paper industry that has shut off hundreds of jobs, but the small businesses are getting hit, too; the Highland Ice Rink in Shoreline that has to curtail its hours because they cannot pay the energy costs. Restaurants are having trouble. School districts, they are now not being able to hire the teachers they need to. Edmonds School District, the prices are going up $600,000 in one year for energy.

These are real people that are really suffering. For the life of me, I cannot understand why the President will not seriously consider this issue, except perhaps the history of their economic lives. And that is extremely disappointing.

We are going to continue on this floor to advance this issue because it is too important to let go.

Let me also say that I think there are short-term and long-term strategies we have to have on energy. The problem with the President's proposal is he has exactly zero short-term proposals. Zero. It is sort of like the people in the West are drowning and he says, well, I have a strategy for them as soon as they can swim to shore. Well, 43,000 people are not going to make it to shore. They are going to lose their jobs in the State of Washington alone; and he has offered them exactly zero short-term relief, no caps on electrical prices; no jawboning OPEC; no nothing. We are going to suffer as a result of that.

We are going to continue this effort. We hope FERC will reexamine this issue.

Let me point out one other thing, too. I will give you some good news. We should have some good news in the House just for a moment. I talked to Steve Wright, who is the acting administrator of the Bonneville Power Administration, last week who told me that there are currently 28,000 megawatts of energy plants which in the Pacific Northwest or at least in some fashion are considering opening up plants in the Pacific Northwest, 28,000 megawatts. That is a big chunk of electricity. That is the good news. The market is responding to what is going on.

When we have an economic major dislocation with the economy going to be in the tank by the time that new energy gets here, we are going to look back at this period and the White House's indifference is going to have to cost this economy a good amount. That is why we are going to continue to insist that the President reconsider this, and we are going to pass legislation here if we have to do that.

I hope I explained this proposal.

Mr. PALLONE. I am glad the gentleman did. The gentleman explained it in detail. Of course, I characterize it sort of briefly and probably too generally as wholesale price caps, but it is not exactly that. It is, as the gentleman said, more detailed than that. Nonetheless, the point is that neither the President nor the FERC are willing to do anything about prices at the wholesale level.

I thought the gentleman said something very interesting. If we think about it, when one tries to say to their constituents why is it that the President and the Vice President do not want to deal with this, it obviously makes sense to deal with the immediate problem and have in place something to address wholesale costs the way the gentleman describes. I am convinced and the only way to explain it is because of the administration's ties to big oil and their history.

I am not going to go on forever about it, but I just wanted to mention that big oil give $3.2 million to the Bush campaign in the last election and $25.6 million to Republicans overall, and other sectors of the energy industry have been similarly generous.

If one thinks about it, we have the President himself who was involved in oil ventures in Texas and abroad in the 1980s. He run Arbusto Energy Firm, which after a few years become the Bush Exploration Oil Company. It merged with two other companies.

Vice President CHENEY, who was the former CEO of Halliburton, the world's largest oil fuel services company, in August of last year he received $20.6 million for a sale of Halliburton stock. But it is not just them. The National Security Adviser Condoleeza Rice served on the board of directors for Chevron, a major U.S. oil company, for 10 years. Chevron gave GOP candidates and committees in the last cycles $758,000; $224,000 to Republican Congressional candidates. The list goes on. The Secretary of Commerce Evans who spent 25 years at Tom Brown, Inc., a $1.2 billion Denver-based oil and gas company. We can mention the Energy Secretary and the Interior Secretary. They were also big oil money recipients when they ran for public office.

There is no other way to explain it other than the special-interest money they are getting. Otherwise they would not be doing these things because they do not make sense.

Mr. INSLEE. Mr. Speaker, will the gentleman yield?

Mr. PALLONE. I yield to the gentleman from Washington.

Mr. INSLEE. I need to leave the floor. There is just one point I would like to add. I want to make sure people understand that our proposal is not going to leave these energy-generating companies penurious. What we are suggesting is that they receive, for a 2-year period, their costs plus a reasonable degree of profit. They are going to be assured making money.

What we have suggested is pick the highest level of profit ever historically enjoyed by anyone possibly in the oil industry and these prices probably are still going to be cut in half.

We are very generous, profit-oriented in saying pick the highest number that we cannot have people laugh at us on Main Street and we will go along with it; but when they are charging, as the gentleman knows, the equivalent of $190 a gallon for milk, that is wrong.

We ought to restore some sanity, just for a couple of years, while this industry gets back into a market-based approach and we get some of that 28,000 megawatts back on line.

Mr. PALLONE. I could get into the oil companies' profits, and maybe I will do that later; but obviously the profits have just soared in the last year. Maybe we will give some examples of that later.

I would like to yield to the gentleman from California (Mr. SHERMAN) at this time.

Mr. SHERMAN. I would like to comment on the misperception of some of our colleagues that California is asking for a handout. California wants nothing more than to have our hands untied. For 100 years we were successful with cost-plus profit regulation of our private utilities. A few years ago, we made a mistake. We went with this new-fangled system. Had there not been conspiracies and probably illegal actions that we will never be able to prove, it would have worked. We were not completely stupid. We went with a system that worked on paper, but it did not work in reality. So we went with a system that did not work. We now want to go back to the system that we know works. We do not want to affect anybody else. We do not want any tax revenue. We just want to have cost-plus profit price regulation of electric generators.

Federal law prohibits us from doing it. Federal law preempts. Federal law has us bound and gagged while the muffled laughter from the White House can almost be heard here on Capitol Hill. All we ask is that we who benefit or are harmed by the electrical policies affecting our State be able to return to the policies that served us and almost every other State very well for nearly 100 years. Instead, we are told it is California's problem, California has to deal with it and, oh, by the way, they will remain tied, bound and gagged.

Now, the White House tells us that we will be tied; we will be bound and gagged for our own benefit because the kind of sane regulation described in detail by our colleague from the State of Washington is somehow bad for us and the White House should protect us from it.

□ 2015

We are told that reasonable prices for electricity will prevent conservation. The President himself has admitted that California is already doing a spectacular job of conservation, that we are about to be first, we are now second, we are about to be the first on the list of States who minimize their use of kilowatts per person. We are doing a spectacular job of conservation, and I can assure the House that everyone in our State will continue to do so.

Now, I might say the President does not praise us for this conservation effort in order to praise California. He praises California's conservation effort in order to degrade the concept of conservation, saying conservation must be terrible, they are good at it in California. But nevertheless, even the President admits, we are doing a spectacular job of conservation. We do not need to be hog-tied by Federal preemption laws in order to diminish our usage.

But second, we are told that price regulation will diminish supply. As the gentleman from Washington points out, both his bill and the bill put forward by the gentleman from San Diego, California (Mr. HUNTER) and the gentlewoman from northern California (Ms. ESHOO) exempts new production. So it cannot prevent the production of electricity through the construction of new plants.

But then we are told that only if there was unlimited prices are we going to get maximum production. Now, think about it for a minute. If it costs $40 to create a megawatt and you are allowed to sell it for $60, you only make $20 for every one you make and you maximize your effort by making as many as possible. But what if, instead, it still costs $40 to create a megawatt and one of your options was to make as many as you could and sell them at a nice profit, but your other option was to produce less, produce fewer megawatts, force the price up not to $60 a megawatt, not to $600, but to $700, $800 a megawatt. By producing less, the price goes crazy, the profits go crazy, the transfer of wealth from California to Texas exceeds anything that anybody ever thought was possible. So that is what is happening. The California Public Energy Commission has determined that we are getting less because we are paying more than a fair price. About withholding supply, we get blackout and enormous electric bills.

The solution is obvious. Let California have the system that Californians are begging for. Allow California to regulate its own wholesale generators, or better yet, have the Federal Energy Regulatory Commission do its job and impose these regulations. That is why the bill of the gentleman from Washington (Mr. INSLEE), the bill of the gentleman from California (Mr. HUNTER), these are the bills that this House ought to pass. But the only reason we have to pass them is because the President of the United States has instructed his Federal Energy Regulatory Commission to stand on the neck of California, and the laughter is almost audible here over 2 miles from the White House from which it emanates.

Mr. Speaker, I yield back to the gentleman from New Jersey.

Mr. PALLONE. Mr. Speaker, I want to thank the gentleman. I was talking before about the oil company profits, and it is amazing. We just have a little table here that talks about six of the largest companies, and to just give my colleague some examples, for ExxonMobil in the first quarter of this year, profits were up 43 percent; for Texaco in the first quarter, profits were up 45 percent compared to last year; Chevron, 53 percent compared to last year; Conoco, 64 percent compared to last year; and the first quarter of this year for Phillips Petroleum, profits are up 96 percent by comparison of last year.

Mr. SHERMAN. Mr. Speaker, if the gentleman would yield, I would point out that these price gougers in California, the ones that are generating electricity, withholding some of that possible generation, driving up prices, their profits are not up 40 percent, their profits are up 400 percent. And, the four big companies, the four big companies that have pipelines that bring natural gas into California from Texas and Colorado, they have increased their prices by a factor of 12, they have increased their profit by a factor of 2,000 to 3,000 percent.

The gouging from a few huge Texas-based companies is not limited to those that deal with petroleum companies that are having the rather startling profit increases that the gentleman from New Jersey indicates, but those that are crucial to the generation of power in California. The natural gas pipeline companies and the wholesale electric companies are beyond comprehension in their profit increases. I yield back.

Mr. PALLONE. Mr. Speaker, I am going back to the oil companies again now, but if we think about these examples for oil, electric utilities, nuclear waste and coal, just to compare what they gave to the Bush and Republican campaigns as opposed to what they are going to get if the Bush energy policy went through, to talk about the oil and gas industry, which gave $3.2 million to the President's campaign, $25.6 million to the Republicans in the Congress. But if we look at what they stand to gain based on the President's energy policy that just came out, he would permit oil drilling in the Arctic National Wildlife Refuge, permit oil drilling on Federal lands, that is, national parks, national forests, national monuments, permit oil drilling off the cost of Florida, undercut environmental protections to permit new oil refineries and pipelines, review and potentially lift economic sanctions against Iraq, Libya, and Iran so that U.S. oil companies can do business there, and lock in place record prices at the pump at the same time that they see record profits. Now, that is the oil and gas industry. Let us go to the electric utilities.

They gave $1.3 million to Bush, $12.9 to Republicans. The Bush energy plan says no price caps in the western United States, which is what the gentleman from California (Mr. SHERMAN) and the gentleman from Washington (Mr. INSLEE) have been talking about. The Bush policy would waive environmental standards for the Endangered Species Act, for hydroelectric plants, and it would enable FERC to seize private lands for constructing electric transmission lines.

Then we go to the nuclear industry. They gave $105,000 to Bush, $1.2 million to Republicans in Congress. They get to gut current licensing procedures for nuclear plants to ensure public input on safety and nuclear waste disposal and tax credit for more nuclear plant construction.

Then lastly, coal. The coal industry gave only $110,000 to Bush, $3.3 million to GOP Republican congressional candidates. If we look at what they get out of the energy policy, the Bush energy policy, basically it is what I mentioned before, the permission for coal-fired power plants to exceed clean air limits.

I have to stress that last one again, because as the gentleman knows, in my home State of New Jersey, much of the air pollution comes from these old coal-fired plants in the Midwest that do not meet current clean air standards, but were grandfathered. What they would do in order to expand is that they would expand their existing plants and they would use the same old standards, the grandfather standards, rather than the new ones under the Clean Air Act. It went so far and got to be so outrageous that the EPA, under the Clinton administration, actually brought suit in Federal court and managed to win, to succeed in the Federal courts with their suits, and the courts required these companies to put in place new standards when they expanded their generating capacities.

So we actually are in a situation now where those court actions are in the process, if they are allowed to continue over the next few years, they will have settlements in place that basically require these old coal-fired plants to meet the up-to-date standards, not for the old generation, but for new generation, expanding the capacity.

The way I understand the Bush policy, he basically would throw that all out and say, okay, maybe they have been sued, maybe they have been successful, but we are just going to let them expand their capacity and not have to meet the new standards.

First of all, what does that do to the air quality? Obviously, it deteriorates, but what does it also say to those utilities who have been the good actors and who have built the new plants and have expended resources to do so and who are now told, well, you probably are stupid that you did that and did the right thing, because you could have just waited around and you would have gotten an exemption, and you will not even be able to compete with them because the dirty guys are going to be able to produce and generate capacity at a much lower rate.

So it is really outrageous. Every day when I look over the President's proposal, I get more and more upset, because he started out, if anyone watched him last week, he had all of these charts and big bulletin boards behind conservation, everything was green and blue, and we are supposed to either think of trees or maybe the ocean. Everything was beautiful. I said it was subliminal. I do not know much about these subliminal things, but if you looked at it on TV, I think it was trying to give the impression that he was green or he was blue or he was a good guy, conservationist. Then we look at the details and it is just the opposite. It really upsets me, because I do not like to see that kind of chicanery, if you will, pulled by government officials. Everybody thinks we all do that, but I do not think we all do. That was particularly egregious, in my opinion.

Mr. SHERMAN. Mr. Speaker, to chime in on this, I am so focused on the short-term disaster in California that so far I have not mentioned the long term.

Some of the less progressive elements in the energy industry have sought to crush the alternatives. They have sought to eliminate conservation as a way to go, to eliminate research and to slash renewables. The President's budget reflects these worst elements in the energy industry. He cut by an average of one-third, here in the middle of an energy crisis, cut the precrisis efforts for renewables, research, and conservation. That is the budget he brought here to us. Then, that budget is rammed through both Houses, and this week they are going to ram through the tax cut that locks that budget in. Then, the President, having arranged for the passage of a budget that cuts by one-third the amount for conservation renewables and research, dares to have a press conference in which he says he wants to spend more money, tax credits he wants, expenditures he wants.

What hot air it is to propose things only after one has maneuvered a budget through the House and the Senate that guarantees that there will not be a penny to do any of the things the President was talking about. In fact, the President's budget does not provide adequately for the other tax cuts that he is working so hard to achieve, some of them as necessary as extending the R&D tax credit, does not provide for the military increases that we know this House will adopt; provides nothing, not one penny of an increase in Federal spending on education, and does not reflect the proposal of our Secretary of the Treasury that every corporation in America should be exempted from income tax.

So how, how are we going to provide for conservation research and renewables? Obviously not at all. The only source of money would be dipping deep into the Social Security trust fund, and I do not think even those of us who are dedicated to new forms of energy want to see that.

So the President stands before the green and the blue posters and promises while, at the same time, his people are here on Capitol Hill making sure that not one penny will be provided to meet the President's promises.

Mr. Speaker, there is something else subliminal about those blue posters, and that is, and I hesitate to say this, Californians will be very blue when they review, will be singing the blues when they see their electric bill.

□ 2030

But what Californians have to understand is if their electric bill is double, that does not mean that these wholesale gougers are only getting double a fair price. Sixty percent of the energy we use in California is regulated, so 60 percent of our bill is made up of electrons sold to us at a fair price. Forty percent is what we are getting from these gougers. Yet, our bill is double. That is because 60 percent of the energy we are buying at a fair price and 40 percent we are buying not at double but at triple or quadruple the fair price.

Now, we might think that means triple or quadruple profits. No, profits is what is left over when we pay our expenses. If we are able to jack up the

price by a factor of three or four while the expenses are not affected by the gouging activity, then the profits might be going up by 800 percent, 1,200 percent.

That is indeed what is happening for a few huge corporations based in Texas who are, with such a powerful friend in the White House, able to avoid commonsense rate regulation on the electricity they are selling in California.

Mr. PALLONE. Mr. Speaker, I know we only have a couple more minutes, so I am going to try to wrap up. If the gentleman from California would like to add to this, please do not hesitate.

I just wanted to point out, I started out this evening by saying that actions speak louder than words. Really, I think that describes what we are seeing from this administration and from the President. We are seeing a lot of rhetoric about conservation and no action.

The gentleman talked about the budget. Two things I wanted to mention. We know that renewable energy programs were slashed by 50 percent in the President's budget proposal. But what he did in his energy plan that he came out with last week, and I think it is really hypocritical and really outrageous, he recommended the creation of a royalties conservation fund. This fund would provide money in royalties from new oil and gas production in the Arctic National Wildlife Refuge to fund land conservation efforts, and it would also pay for the maintenance backlog at national parks.

So what we are basically being told is that we have to destroy the wilderness, the Arctic wilderness, in order to protect the national parks, or to provide money for other land conservation efforts. I just think it is a slap in the face to any conservation or environmental efforts to suggest that that is the way we are going to fund these things, and then just go ahead and cut all things in the Federal budget.

I think the only thing we can do is to continue to speak out, as the gentleman has so well done. I know the gentleman is probably going to be back again tomorrow night or another night this week, and I plan on doing the same thing, because we have to get across to the public that as much as the President has a lot of rhetoric about conservation, his energy policy really is a disaster for the environment, and is not going to do anything, either long-term or short-term, to deal with the problems that we face now with gas prices or blackouts. Does the gentleman wish to add anything else?

Mr. SHERMAN. I thank the gentleman for his leadership on this issue, especially because his State is not facing quite the disaster we are facing in California.

I think it is simply outrageous that we in California are prevented from having the kind of rate regulation at the wholesale level that we all want, that we so desperately need, and that we are precluded from having by Federal preemption.

Mr. PALLONE. Mr. Speaker, we will continue until we get that opportunity. I want to thank the gentleman again.

CORRECTING RECENT MISSTATEMENTS MADE ON THE FLOOR REGARDING PRESIDENT BUSH AND THE ENERGY CRISIS IN CALIFORNIA

The SPEAKER pro tempore (Mr. GRUCCI). Under a previous order of the House, the gentleman from California (Mr. ISSA) is recognized for 5 minutes.

Mr. ISSA. Mr. Speaker, I rise not just in opposition but in absolute dismay that for the last hour my colleagues have spoken so many disingenuous statements that I absolutely had to come to the well. I did not plan on speaking today. It was only watching this from my office that made me realize how important it was that somebody come here without a prepared speech but with a few of the facts that can set the record straight.

First of all, I think the most important one is when Members start to talk about dollars given to the President, they should be very careful not to say they came from companies. In fact, President Bush accepted no soft dollars. He did not receive a single penny from the utility companies, as was alleged, or from any other companies.

My colleagues simply looked at the employers of individual contributors, or the sources of employees, individual employees from PACs who gave to President Bush. If we went to the other side, any of the other candidates, we would find the same. It is wrong to talk about money as being tainted when it comes from individual Americans, as every penny President Bush received did.

Additionally, my friends forget to note that Governor Gray Davis showed an absence of leadership for 2 full years on this subject, and President Clinton showed an absence of any regard for California as our prices skyrocketed. It was only when President Bush was sworn in that the FERC, under his leadership, began ordering price rollbacks and refunds for excess charges.

More importantly, I am here to speak for the President, not because I have his permission, but because he will not speak for himself. He will not defend himself. He has led both sides of this aisle, and refused to disparage those who disparage him.

President Bush has made an unprecedented reaching out to the other side to ask for what they want done, and he has tried to grant every single request he could. In the President's first 100 days, he invited Republicans and Democrats to the White House on more than ten occasions. Once, the entire House was invited.

One of the most heinous of all lies that was told here tonight, maybe unintended but certainly untrue, was that these prices have skyrocketed. When they quote the prices that are available on the spot market, they quote the last kilowatt, the last megawatt, that was purchased on a daily basis.

I think it is only fair that the people of California and of Oregon and of Washington recognize that these companies that deliver power now have the power to lock in long-term rates again. Those companies in California, such as the city of Los Angeles and other municipal authorities, enjoy much lower prices because they have long-term commitments and buy very little on the spot market.

Even today, most of the private power under the Governor's control in the State of California is bought on the spot market. Once the Governor shows the leadership to get those long-term contracts in place, those contracts are at dramatically lower prices, nearly where they should be.

There was a claim here tonight of criminal collusion, of conspiracy. I challenge my colleagues here tonight to find any evidence of that, and if they do, I will challenge the administration and the Attorney General to prosecute. But to simply sit on the floor and claim that unlawful behavior is going on is intolerable.

The President in his first 100 days has taken on conservation, and in a big way. The President has announced that, unlike the previous administration that for 8 years did not improve CAFE standards a bit, that he will improve vehicle economy, fuel economy, and environmental standards, if for no other reason than that it is the right thing to do.

He has announced that SUVs in the near future will no longer be exempted, as they once were. They will not be treated as light trucks, they will soon be treated as automobiles, thus bringing an end to one of the most illogical growths in gas guzzlers ever to face America.

I have little time here tonight, and so much that I could rebuff. I wish I could go on longer, because the people of California need to know and need to hear that lower prices will come from leadership, which has not been shown in California and has been shown in Washington.

THE TRUTH ABOUT CALIFORNIA'S ENERGY CRISIS AND THE DEATH TAX

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Colorado (Mr. MCINNIS) is recognized for 60 minutes.

Mr. MCINNIS. Mr. Speaker, I appreciate the comments just made by the gentleman from California.

I cannot believe the comments that I heard in the last 30 minutes from the gentleman from New Jersey (Mr. PALLONE) and the gentleman from California (Mr. SHERMAN). I have great respect for the gentleman from New Jersey (Mr. PALLONE). He and I have

shared this floor many nights on special orders. I have never heard the kind of comments that I heard this evening from my colleague, the gentleman from New Jersey. Let me quote exactly what he said.

Referring to the President of the United States, the gentleman from New Jersey (Mr. PALLONE) said, ''The only reason that the crisis exists is because,'' referring to the President, ''he is getting special-interest money.''

If the gentleman from New Jersey is suggesting, and I am not sure, I do not think he is, I think this is way below the gentleman from New Jersey; the gentleman from New Jersey is, in my opinion, a man of great integrity; but if he is suggesting that the President of the United States has accepted bribes from an oil company, he has an inherent responsibility, in fact, he has a fiduciary responsibility, to tomorrow morning go immediately to the Federal Bureau of Investigation and to the U.S. Attorney's Office and present the evidence that he has against the President of the United States for bribery.

Short of that, he should never, ever make those kind of remarks on this House floor, at least in my presence. There was no justification whatsoever, and I second the gentleman's remarks.

This floor is an exercise of freedom of speech. This floor, Mr. Speaker, is for us to debate among each other. I know that tempers get short once in a while. I know we all believe intensely in our positions. But before Members allege what is considered to be a high crime, to me almost equal to crime of treason, and that is acceptance of a bribe, Members darned well better have their evidence before they do that to a colleague or to a President of the United States. That evidence, in my opinion, is not in existence.

Let me conclude those comments by telling Members once again, I do not think that is what the gentleman from New Jersey intended. It is what he said. I do not think that is what he intended, because, as I said earlier, in my opinion, the gentleman from New Jersey, while I rarely agree with him, I consider him a gentleman. I consider him professionally to be a man of integrity. But his comments this evening were out of order.

Now let us talk about the gentleman from California (Mr. SHERMAN). Of course, the gentleman makes these remarks because he is unrebutted for an hour. The gentleman from California (Mr. SHERMAN), all of us, we know on my side of the party we have some very partisan politicians. On the Democratic side of the party, the gentleman from California (Mr. SHERMAN) is among the most partisan politicians in these Chambers.

Now, there is nothing wrong with that. But I ask Members not to come to these Chamber floors and pretend, or we should be very clear so we do not pretend exactly where a person's position is politically. The key here is to plan for the future of California. The key is not to spend one's entire time up here trying to insinuate that the President, and let me give a few quotes from the gentleman, that they want to eliminate conservation.

I defy the gentleman from California to show me one Congressman, Republican or Democrat, show me one Congressman who wants to eliminate conservation. Just show me one, I say to the gentleman from California (Mr. SHERMAN). There is not anybody on this House floor, there has never been anybody on this House floor, and I doubt that there is ever going to be anybody on this House floor that wants to eliminate conservation.

That is the kind of exaggeration that creates the partisan battles, or certainly does not move us forward in a positive direction to plan for California's future.

Now let us talk about the accusations that somehow President Bush is responsible, because after all, he has been in office 120 days or something, a little over 100 days, that somehow he is responsible for the problem in California.

I say to the gentleman from California (Mr. SHERMAN), he sounded like a defense attorney this evening: Blame everybody; make sure the gentleman's client is protected and without blame, but blame everybody else. We are not going to get anywhere around here doing that.

Let me point out, there are 50 States in this union. There is one State suffering rolling blackouts, one State. It is California. There is one State in the last 10 years that has refused to allow electrical generation plants to be built in their State. That is California. There is one State in the Union out of those 50 States that has refused to have natural gas transmission lines. It is California. There is one State that allowed deregulation, allowed the price caps to come off electrical generation companies. It is California. Now they are beginning to reap some of what they sowed.

I heard comments, and let me find it here, that we have been told, apparently by the administration, we have been told to do everything possible to make California suffer. I say to the gentleman from California, I do not know one person on this floor, Democrat or Republican, that really, truly wants California to suffer.

I know a lot of Congressmen like myself that would like the leadership, the Governor of California, to quit blaming everybody else and to help pull himself up by his bootstraps. But I do not think anybody in here has said California ought to suffer. We want California to learn from its lessons, and frankly, we are all learning from the mistakes California made with deregulation. We are all learning from that. There would have been other States that would have deregulated, but they did first, and there are some problems with it.

□ 2045

What we wanted to do with California is help, but you cannot help shift all the blame to Washington, D.C. Washington, D.C., California, should not be the solution for your problems. In California, you need to lift yourself up. You need a governor who is willing to say, all right, we will put in generation facilities. All right, we are going to have to pay the price, even though it is expensive. We are going to have to pay the price to allow electrical generation plants to go in there.

Let me tell my colleagues I have been to California. I think it is a beautiful State, by the way. I like California, but I have been to your airport and I have been to your hotels. You do not hesitate to raise the price for tourists to pay for your stadiums down there and for your recreational facilities.

I have gone to your airport and they add some kind of tax. I feel like I am getting gouged. Let us take a look at what we are trying to accomplish here. What we want to do is help plan for California's future, but have the direction come from your governor of that State. The governor of your State's time would frankly be much better spent, instead of this blame game, getting down to brass tacks and figuring out how to get a gas transmission line into that State, how to build some electrical transmission lines in that State, how to build electrical generation facilities in that State.

It would be a very serious mistake for any of my colleagues on this floor, it would be a very mistake for us to really want California to suffer. It would be a serious mistake for anybody on this floor to turn their back on California. It would be a serious mistake not to look into the allegations that perhaps somebody intentionally violated the law by withholding a supply.

But with that said, it would also be a serious mistake not to allow some electrical generation to be built in that State of California. It would also be a serious mistake for us to say that we do not need to look for more supplies.

I wanted to bring a chart up here. This is growth in the U.S. energy consumption and it is outpacing production. This is what happened to California years ago, drip by drip by drip. California under its leadership, these are not the people, these are the people's elected representatives, continued to oppose, while demand went up, supply was stagnated in part because of the fact they will not allow additional supply sources to come on board.

The result is exactly what is happening, and, frankly, we have to take a serious look at it across the country. We are all going to benefit from California's ills in that we will learn what not to do. I do not think a State should deregulate their electrical business. I think it is a mistake.

I have been opposed to deregulation. Here is our problem: This is the energy production. At this career's growth's

rate, that green line, that is our energy production. It is flat. This is our energy consumption. This is the gap. This is the projected shortfall.

Now contrary to what the gentleman from California (Mr. SHERMAN) said I do not know one Member of Congress in here who is opposed to conservation. But the reality of it is conservation cannot fill that entire gap. Look where we are. Conservation can make a big hit there.

Mr. Speaker, I gave a speech on this floor last week suggesting everything from checking the direction that your ceiling fans are turning to only changing your vehicle oil in your engine every 6,000 miles instead of every 3,000 miles. But the fact is, conservation helps, and it is important. It makes common sense. It is good practice for future planning in this country.

Conservation ought to be adopted on a permanent basis, but we also have to face the reality that even with conservation, you still have a gap in there. We have to produce more.

You say well, it is these big oil companies. And I cannot tell my colleagues how many times I heard the gentlemen say big oil company, big oil company. The gentleman from New Jersey (Mr. PALLONE) said it. The gentleman from Washington (Mr. INSLEE) said it. The gentleman from California (Mr. SHERMAN) said it.

I will bet my colleagues that all three of them this evening right now as I am speaking are probably driving home in a car. I doubt they walked. When they get home, I will bet you they turned the lights on in their house. If it is hot, I bet they have the air conditioning on. If it is cold, I bet they have the heater on.

My guess is that my three colleagues are going to also take a shower. My guess is it is not going to be with cold water, they probably will have warm water, et cetera, et cetera, et cetera, et cetera.

We get into this problem of exaggeration when you keep talking about big oil and special interests money. We want to help plan for the future of this country. We do not want to leave California abandoned out there.

California, by the way, I say to colleagues is, I think, it is the third or seventh, I think it is the third strongest economy in the world, what is bad for California frankly in a lot of cases is bad for the other 49 States, but by gosh, California has to help pull the wagon.

They cannot ride the wagon all the time. They have to help pull the wagon, and what I mean by that is, you cannot continue, California, to depend on your neighbors for electrical generation, for natural gas transmission, for electrical transmission.

I am not asking you to carry an unfair burden, California. I say to the gentleman from California (Mr. SHERMAN) I am not asking the gentleman to carry something unfairly. I am just saying, by gosh, if you want to sit by the campfire at night, you ought to help gather the firewood.

Instead of sitting by the campfire and saying well, keep the fire warm but by the way let us not use as much firewood, well, then maybe you ought to move away from the campfire instead of enjoying the comforts of the campfire to continue.

I say to the gentleman from California (Mr. SHERMAN), if you want to enjoy the comforts of the campfire, by gosh, you can help gather some wood and you can throw a log on once in a while. I do not think we need a bonfire out there. I think we can have a campfire.

I was surprised by the partisan remarks that were made this evening. And by the way, on the tax bill that passed out, judging from the remarks of the gentleman from California (Mr. SHERMAN), this is a Republican bulldozer going through the U.S. Capitol.

Mr. Speaker, that tax plan is going to be passed on a bipartisan basis. Many of your colleagues, I say to the gentleman are going to vote for this tax bill, and they ought to vote for this tax bill.

Many of your colleagues in the United States Senate, my guess would be, will be voting for this tax bill.

This is a bipartisan vote we will be taking this week. Why? Because it needs a bipartisan solution. What about the energy problem? That needs a bipartisan solution.

Let me point out, that the gentleman from Washington (Mr. INSLEE) was talking about how somehow the President was responsible for the shortage of supply and power that may occur up in the Northwest. He spoke, first of all, of the Western States. I can tell the gentleman from Washington I am from a Western State.

As the gentleman knows, I represent the mountains of the State of Colorado. So the gentleman does not speak for the entire Western United States, but your problem in Washington State is not Washington, D.C., although Washington, D.C. is a problem for a lot of things. Your problem in Washington State is something the President does not have a lot of control over, and that is rainfall.

Take a look. In fact, I have a poster here to give the gentleman an idea. The gentleman from Washington (Mr. INSLEE) speaks about the Pacific Northwest, the second worst drought on record. That is not the doings of President George W. Bush. The gentleman or the gentlewoman that made that, if you have direct contact with them, you are doing pretty good.

This is the second worst drought on record, and that is why the mighty Columbia River is way down. That is where your power shortage is coming from. It is not because Washington State refused to put in transmission lines like California.

It is not because Washington State refused to build generation facilities like California. Washington State, in fact, was prudent, and Washington State did not deregulate their electrical generation. So for Washington State, it is an act of nature that is creating some problems.

By the way, I think these problems are nationwide frankly, and the other 49 States, we actually are going to be fine with electrical supply here in the next year or so. We have a lot of facilities that are going on online.

My point, before I move on to the death tax, that I am saying to my colleagues is nobody on this floor really wants to abandon California. Sure, we all get upset with California. It is like as I said earlier, if you are going out camping and you set up a campfire and you have one member of your camping team that is not bringing any wood to the fire but continues to sit around and enjoy the fire, does not help cook breakfast but continues to eat breakfast, does not help wash dishes but continues to use the dishes, yes, you get upset with them.

But does that mean that you abandon them somewhere in the mountains? Of course, you do not. You try and sit down with them and say, look, you are not doing your fair share. We need to plan for your future and our future.

That is what we are saying to California. We want to plan with you, but, by gosh, you have to do a little self help. And one of the best things you can do for self help is get your governor off the airwaves and tell the governor in the State of California to sit in the office, put some pencil in paper and let us have some conservation. By the way, California does exercise good conservation.

But there are some other things we can do. Let us get the governor from California to approach us on a nonpartisan basis and come up with some solutions.

Mr. Speaker, it appears that my colleague from South Dakota would like to speak on this topic before I move on to the death tax.

Mr. Speaker, I yield to the gentleman from South Dakota (Mr. THUNE).

Mr. THUNE. Mr. Speaker, before the gentleman from Colorado (Mr. MCINNIS) moves on to the death tax, I would like to echo a couple of things that he was saying. And I too was in my office and I heard much of the discussion of our colleagues on the other side prior to the gentleman assuming your discussion here on the floor.

I just wanted to point out that this is the President's energy proposal. It is about 170 pages long and I will put that next to the last administration's energy proposal, which I cannot find, oh, that is right. They did not have an energy proposal for the last 8 years.

This President has assumed leadership, has taken the initiative, has put together a comprehensive, specific and detailed plan to help address this country's energy problems.

And as the gentleman from Colorado noted earlier, you know we come over here a lot of times and things get a little hot from time to time, but this is

not a partisan issue. This is not a Republican problem or a Democrat problem. This is an American problem.

President Bush has laid out an American solution. My colleagues came out here and talked a lot about how it is heavy on oil, on fossil fuels, and that sort of thing.

But if we look at the proposal specifically in here of the 105 specific recommendations in the President's plan: Forty-two of those recommendations have to do with modernizing and increasing conservation and protecting our environment; thirty-five of those recommendations have to do with diversifying our supply of clean, affordable energy and modernizing our antiquated infrastructure; twenty-five of the recommendations help the U.S. strengthen its global alliances and enhance national energy security; twelve of these recommendations can be implemented by executive order; seventy-three of them are directives to Federal agencies, and 20 are recommendations that are going to have been acted on by Congress.

This is a specific plan and the balance of this plan, in fact, almost half of the entire plan with respect to the recommendations have to do with one conservation or other alternative sources of energy.

I come from South Dakota. We care a lot about ethanol. We think ethanol is an important part in the solution to this country's energy future. But we also understand that it is a bigger and more comprehensive issue that is going to require an increase in supplies not just of ethanol but of many of the other sources of energy that we currently depend upon in this country.

But the point I would make to the gentleman from Colorado and just agree with what he has said earlier is that this is something and South Dakota cares deeply about what happens in California. California I think also has been there for South Dakota in the past.

But if you look at the record of this Congress in reacting to problems that have been created over a long period of neglect, and I will use the example when I came to Congress in 1996, it was 2 years after the 1994 Congress came here.

But we came here to try and deal with what had been 40 years of overspending by Congresses that were controlled by liberals. We had this huge debt and deficits piling up year after year after year. Well, after a 5-year period now we have basically gotten our fiscal house in order.

Welfare reform was another example of something that had been ignored for years and years and years. We had a welfare program that was spending billions and trillions of dollars and not solving any of the problems. And so we came here, came up with welfare reform proposal before my time. Actually that happened in 1995 or 1996 before I arrived on the scene. But, nevertheless, it was a solution to a problem that had been created by years and years and years of neglect.

Social Security and Medicare, the Federal Government and Congress had for years and years and years been spending that. We have now walled that off as of the last 3 years since we have had control of this Congress and addressed a problem that had been ignored and neglected for years and years and years by our friends on the other side.

This is a problem that has been created by years of neglect. We have before us this proposal. I hope that this Congress will act on a number of these recommendations, a proposal which is comprehensive. It is 170 pages long, which is detailed, which is specific, and which is balanced in the approach that it takes.

□ 2100

It calls on the need for the best and the brightest in this country in the area of coming up with solutions that are conservation oriented, those solutions that deal with renewables like ethanol and wind and other things that are important to my part of the country, and creates tax credits and tax incentives for development of those types of energy alternative energy sources, and, yes, also look for more supply because we just flat have to. If one looks at our growing dependence upon other sources of energy from outside this country, we have no alternative.

So the gentleman from Colorado (Mr. McINNIS) is exactly right. I am disappointed to hear the rhetoric and the tone that is already occurring on this floor, because we have a responsibility as the Congress of the United States to work and to solve what is an American problem. It is going to afflict everybody in this country.

I have been to the gentleman's district in Colorado. I know the people that he represents care deeply about the price of gasoline. That is about all I hear about in South Dakota these days. We have to come up with solutions.

That is what this plan, the President has given us an opportunity to work with something. This may not be the final product. We are going to work through the Congress. This is open to discussion and to debate. But to hear the other side get up here on this floor time after time after time, speaker after speaker after speaker, and show no evidence or no inclination or no desire to work in a bipartisan way, to try and take a plan that has been presented by the President of the United States, the first plan that we have seen, I might add, in many, many years through the administration, the last two 4-year terms of that Presidency in which their party controlled the White House, we now have a President who has taken leadership, who has taken the initiative to present a detailed and specific plan.

They may not like everything in here. I may not like everything in here. But the reality is we now have a framework and something to work with that gives this country some direction in the area of energy policy, something that has been frankly lacking and absent in the last 8 years.

I, like the gentleman from Colorado, am not going to sit here and tolerate and listen to people get up here and rail on and on and on when this is a proposal that we have in front of us to work with and, as I said earlier, in contrast to the one that we had the last 8 years, which could be the equivalent of my empty hand, because we have not had a proposal. We now have some specific direction.

We have a responsibility as a Congress to work together as Republicans and as Democrats to try and solve the energy crisis in this country. It is something that affects everybody in America. It affects their pocketbooks in a very profound way.

The people in Colorado that the gentleman represents, the people in South Dakota that I represent, we have a responsibility and an obligation, I believe, as the Congress of the United States to come together and to work in a constructive way, not in a destructive way where we sit there and point fingers and holler and talk about contributions from oil companies and how the special interests are running this debate.

They know better than that, and the American people know better than that. I believe the American people are going to rally behind the efforts that are being made for the first time in a long time to address what is a serious and perplexing and chronic problem in this country that is desperately in need of a solution. We need to work together toward that end.

I am glad that the gentleman from Colorado is here and is pointing out some of these issues and look forward to working with him as well as with my colleagues on the Democrat side, many of whom have gotten up tonight and had nothing to offer but criticism.

Yet, I hope that, when it is all said and done, that we can come together and work in a constructive way for the betterment of America and do something that is meaningful in terms of addressing what is a very, very serious crisis, an energy crisis that is affecting every American no matter where you live. Whether it is in California or Colorado or in South Dakota, we all need to work together to try and solve this problem.

So I appreciate the gentleman from Colorado yielding to me and look forward to working with him as we begin the process of trying to implement solutions to this very serious problem.

Mr. McINNIS. Mr. Speaker, I appreciate the gentleman's comments. Just to reiterate a couple of things, it is the first energy policy we have had in 9 years. Why? Because we need to plan for the future of this country, and we need to have some type of blueprint. We need to put things up on the table

for discussion, not for obstruction policy or strategy, but for discussion. That is exactly what this energy plan does.

I should say that the remarks, first of all, I want people to know that, as we talk about this side of the aisle, the Democrats, obviously I am a Republican, the Democrats, we have a lot of Democrats who are working very constructively to help us put this plan together. We have a lot of Democrats that want to work with us. But what we have heard this evening is the liberal side of that party. All we heard was a partisan attack.

Now, I realize that they are not going to join our efforts, which, by the way, is a bipartisan effort, both Republicans an Democrats, to put an energy policy into place. But at least they should refrain or at least adjust the tone of their attacks that frankly cannot be substantiated.

I mean, we heard comments tonight, I heard that this plan calls for the complete, mind you, complete destruction of the Arctic National Wildlife in Alaska, that it wipes out all types of conservation, wipes out all efforts at conservation. I mean, these kind of exaggerations do not get us anywhere.

What does get us somewhere, frankly, are the Democrats and the Republicans, and there are a lot of them who are doing it as we speak, are sitting down with this administration, coming up with a policy to plan for our future.

One other point I would make, and then we probably ought to move on to the death tax. But the gentleman from South Dakota (Mr. THUNE) brought up the dependency of this country on foreign supply of energy. I mean, if one wants to put our environment at risk, and, by the way, I am very sensitive about that, as my colleague knows, my district is a beautiful district as is his; but if one wants to put an environment at risk, if one wants to put the future generations of this country at risk, one continues on the policy of increasing our dependency on foreign oil.

Maybe the gentleman would like to comment on that. But I am telling my colleagues, his point, that is the most dangerous thing we have got out there. This thing in California is going to work itself out. Our situation, we actually have lots of electrical supply coming on for 49 of the 50 States here in the next year and a half. This is going to work out. But the kind of the iceberg under the water is this continued inching up and dependence on dependency on foreign sources for our energy needs.

Mr. THUNE. Mr. Speaker, will the gentleman yield?

Mr. MCINNIS. I am happy to yield to the gentleman from South Dakota.

Mr. THUNE. Mr. Speaker, the gentleman from Colorado is absolutely right. Again, as he noted, he has an absolutely spectacular landscape in his district. Like my State of South Dakota, most of the people in my State care very deeply about the environment. Most of them tend to be very conservation oriented to start with. That is part of the ethic that comes in places like South Dakota.

Yet we have a very, very serious crisis. The gentleman from Colorado has hit it exactly on the head; that is, the fact that today we are dependent to the tune of almost 60 percent of all of our oil coming into this country, or oil that we use in this country is coming from sources outside the country. That is something that we cannot sustain and that grows every year. It has grown actually, I think, since President Clinton took office. It was about 40 percent. It is about 60 percent today.

So as I said earlier, we have had basically 8 years of neglect where essentially Saddam Hussein has been Secretary of Energy in this country. That has to change. That is exactly, I think, the realization that people in this country have come to.

It certainly is, I think, evidenced in the President's proposal which acknowledges the fact that we have to do something to increase our supply in this country, and we have to do it in an environmentally friendly way. The new technologies that enable us to develop some of those oil resources I think are remarkable and will make a profound difference in where we head in the future.

But the gentleman from Colorado is absolutely right. This crisis exists today. If we do not as a country become energy independent, become energy self-sufficient, find more and more ways of producing more energy in this country, and if we have to continue to depend upon very unreliable and unstable areas of the world, I think for our energy supplies, we are going to be in a world of hurt down the road.

So I look forward to the opportunity again to work in a bipartisan and constructive way to try and solve this problem. It is a problem. It is a crisis. It needs to be dealt with. The President has laid down the first marker. He has put something on the table. We may not all like it. I mean, the Democrats may come in here, and they may not like every aspect of this; but at least we have a plan.

It is comprehensive. It is specific. It is detailed. It addresses conservation. It addresses renewables. It addresses development, exploration in a balanced and reasonable way of our oil resources. That is where we start. Let us get to work and start attacking this problem, because it has been overlooked for far too long.

I know the gentleman wants to get on and discuss the death tax.

Mr. MCINNIS. Mr. Speaker, I appreciate the gentleman's time this evening. I say to the gentleman from South Dakota, it is kind of fun, because when we speak about conservation, there are lots of neat things. I told my staff over the weekend, I said, why do you not all put your heads together over the weekend, each one of us, including myself, let us come up with 10 separate items of what we can suggest to our constituents of ways we can conserve and make them as painless as possible.

For example, as I mentioned earlier, most car manuals, the engineers that design the cars, build the cars and test the cars, in most car owners' manuals, you will find you should change the oil in your car every five or 6,000 miles. Yet, if you pick up your newspaper and advertising, you will see the quick lube outfits and so on market you and convince the American public that you need to change your oil every 3,000 miles. You do not have to change it every 3,000 miles. Follow the owners' manual. That is painless. Not only is it painless, you can put money in your pocket.

So I just did this to reiterate the emphasis of the gentleman from South Dakota on what the President has said about conservation. Conservation can begin to close that gap that we have right here in the blue that the gentleman spoke of. If we continue to allow this to go without additional supply and without conservation, our dependency on foreign oil, of course, increases.

So I will wrap it up with that. Again, I appreciate the gentleman's time.

Mr. Speaker, I intended to come to the House floor this evening. Last week, I had, really, the privilege to meet two wonderful and very, very brave families. Ken and Bambi Dixie from Parker, Colorado. Ken and Bambi lost their two youngest sons tragically as a result of a poisoning last year, as a result of carbon monoxide coming out of the back end of a houseboat, as a result of a defect that could have been avoided, should have been avoided, should have never existed in the first place. Their friend Mark Tingee and his wife, Polly, were also on the boat at this time that this horrific tragedy took place.

Now, why are they courageous? A lot of us in this country have suffered tragedy. I do not know a lot of people that have suffered tragedy as the Dixies suffered. But, nonetheless, the courageousness of this couple was that they were willing to come out and relive this tragedy over and over again last week here on Capitol Hill with testimony in hopes of saving some lives this summer so that, when people are recreating out there in the lake, they are not poisoned as a result of houseboat usage, on improper venting on carbon monoxide.

So tomorrow evening, Mr. Speaker, I hope to have an opportunity to address my colleagues and go in some detail. I hope they listen because the message we need to take back to our constituents about the possibility of this defect, the existence of it, and the tragic results of it is very important. Thank goodness we had somebody as brave as the Dixie family and as brave as the Tingee family to come forward. So I am going to speak on that tomorrow night.

I want to spend the balance of my time talking about the death tax. When I take a look at our tax system in this country, I am not sure one can find a tax that is more punitive, that is more unjustified than what is called the death tax.

Now, the death tax is imposed upon the assets or the property that an individual has accumulated during their lifetime. Now, this is property upon which taxes have already been paid. This is not property where, for some reason or another, taxes were evaded or taxes were avoided. This is property in which taxes have already been paid. In other words, the due tax owed to the government has been paid.

The tax bill, zero, until the moment of your death. Upon the moment of your death, the government comes into you, to your property, to your future generations, and as a punitive measure takes your property or takes a good share of your property if you qualify for the death tax.

Now, the death tax came about theoretically to help finance World War I. But where you really see the fundamental origins of the death tax is when this country was moving towards kind of a socialistic angle, and they were angry at the Carnegies and they were angry at J. P. Morgan and they were angry at the Rockefellers. They said we should go and redistribute wealth. That is what really started this ball rolling.

But now what has happened is a country, which is the greatest country in the history of the world, our country, now our country is one of the leading countries in the world, discourages small family farms or family businesses from going from one generation to the next generation.

Now, why do I say small? Because it was with some interest I noticed that the father of Bill Gates, Mr. Gates we will call him, it is not Bill Gates, I am not sure he agrees with his father, but Bill Gates, Sr., very, very wealthy man spoke about how important it was to keep the death tax in place.

Do my colleagues know where he spoke from? He was speaking from the foundation offices. What does that mean? Well, the foundation was created to help avoid these death taxes. So the wealthy, some of the wealthiest people in this country have already pretty well protected themselves against this punitive measure.

It is the small. It is the small kid on the block. It is the farmer or the rancher or the contractor who has a bulldozer, a dump truck and a backhoe; and, all of a sudden, one day, they are doing business, and because of some tragedy, he loses his life or she loses her life. The next day, the next generation is being taxed, so that they cannot continue the business.

□ 2115

The wealthy families in this country, and I have no objection to wealth, I think that is one of the great incentives that has made this country a superpower, but the fact is the wealthiest people of this country have prepared for the death tax. They have teams of lawyers and they have done estate planning, but there are a lot of families who have not had either the resources or the knowledge of the tax law to be able to help protect the next generation.

I was asked a question not long ago when I was down in Durango, Colorado, and they said, you know, in this country, nobody should have the right to inherit. Well, I guess if there is not a will, there should be a right to inherit, it should not go to the government. However, although you may not have the right to inherit, you certainly ought to have the right to bequeath, to give this property to people of your choosing, and most of the time, all of us would like to give that property to our children.

I will tell you about my personal experience. A goal of my wife and myself, our dream in life is to give something to our children. Not just give it to them, they are going to work hard, and they have worked hard. In fact, I graduated two of them from college last week. I have the other in college. I am pretty proud of them, as my colleagues are of their children. But during our life, we hope to give them some kind of a little start like my parents helped me. They gave me a lot of love, and that is what we are giving to ours. My father and mother had six children. My mother and father worked very hard in their careers and they were able to provide a college education to their children, and then we were on our own. All of us want to do that. And why should a death tax step in; why should the government come in and destroy the opportunity for one generation to help the next generation?

I thought I would just read a couple of examples here. Years ago, Tim Luckey's great grandfather started a farm in Tennessee. When his grandfather and then his father inherited the farm, both of them paid inheritance tax. Someday Tim hopes to inherit the farm, and when he does, he will have to pay the tax again. Notice I say ''again.'' If party A owns a farm and dies, and party B inherits the farm, then party B pays those taxes. But if party B all of a sudden dies, say a year later in some kind of accident, the property now is inherited by C, and the property is taxed once again. There are multiple layers of tax on that property.

And I am not talking about like Mr. Gates and some of his cronies that signed that letter. We are not talking about the super wealthy. We are talking about a lot of people in this country today, farmers and ranchers and small business people. They have paid their taxes and they are going to be punished as a result of this death tax. But we are about to eliminate it. That is the good news, both Democrats and Republicans, not the liberal wing of the Democratic party. I did not say all the Democrats. I understand that. But the conservative Democrats and the Republicans have all joined together. We are in the process of beginning the repealing of the death tax, and that is part of that tax package that is going to go to the President by Memorial Day.

Brad Efford owns a lumber yard in Columbia, Missouri. He pays $36,000 a year just for a life insurance policy so his children can inherit the yard unincumbered. What is interesting is the untold number of businesses, as this article goes on, the untold number of businesses that prior to an owner's death are sold precisely to avoid the death tax. By selling before death, a small business owner may avoid the death tax in exchange for paying a capital gains tax at the rate of 20 percent.

That is important to know. What we are saying is if you have the business upon your death, we are going to grab it, or force you to sell it. Or if you like to, you go ahead and go out and sell your lumber yard, or we are going to force you to go out and sell that small contracting business you have.

When I was in Durango, Colorado, speaking to this group, where the question, do you have a right to inherit came up, another couple, who were interior decorators, and they were pretty proud of the business they had built up, it was a wife-and-husband team, they had put together apparently a fairly lucrative interior decorating business in this small town of Durango. What the couple did not realize is that if either one of them were killed in an accident, and the business went to the remaining spouse, or if both of them were killed, let us say both were killed, as happens in this country or throughout the world, if both of them were killed, that interior decorating business they worked so hard, if they had a couple of children beginning to learn the business, that business would evaporate because of the need to pay those taxes.

Let me read a couple other letters. I am very sensitive about what is happening to our open spaces in the State of Colorado, up in our mountains. Here is another letter. ''The fate of 1,810 acres of ranch land featuring stunning views and prime elk habitat north of Carbondale will be determined at auction. The ranch now belongs to the son and daughter of the owner. The estate taxes are basically forcing this sale. They were just raising cows on it, but with the value of the land as it now is, we can't afford to raise cows. We have to sell the land just to pay the death taxes.''

Let me go on. This is from Anthony Allen. Mr. Allen writes: ''Mr. McInnis, I am writing to encourage you to keep the repeal of the 'Death Tax' on the front burner. As an owner of a family business, it is extremely important that upon our death, the business will be able to be passed to our daughter and our son, both of whom work in the business, without the threat of having to liquidate to pay inheritance taxes

on assets that have already been taxed once. Of all the taxes we pay, this tax is truly double taxation.'' It is punishment.

''I am aware that several wealthy people, i.e. William Gates, Sr., George Scoros, have come out against the repeal of the death tax. This is one of the most self-serving demonstrations I have ever seen. They have theirs in trusts, foundation, offshore accounts and will pay no taxes,'' or limited taxes. ''Whatever their political motivations are, they certainly don't represent or speak for the vast majority of business owners or farmers in this country.''

Now I have heard some people say, well, look, only the top 2 percent are going to pay this tax. But look what it does to a community, and I could give hundreds of examples. Go into a community like the community in my district, when we had a person who was the largest employer, the largest contributor to his local church, the largest owner of real estate, the largest bank accounts in town, and they hit that family with the death tax.

Do my colleagues think that money that went to the government stayed in that small community in Colorado, where previously it had helped the church and the bank and the people with jobs and the real estate market, et cetera, et cetera? No, that money is transferred. The bulk of it goes straight to Washington, D.C. for redistribution somewhere in the country. And I would bet money that not one single penny goes back to that community. So no one should be bamboozled on this top 2 percent. Take a look at what it does to families.

John Happy writes this letter. John, thanks for writing. ''Dear SCOTT: I wish there were some way I could help get this death tax eliminated. It is the most discriminatory and socialistic tax imaginable. I can't, for the life of me, understand how this tax was ever passed in our system to begin with. How can anybody advocate taxing somebody twice? I don't care,'' and this is his quote. This is what John says. ''I don't care if it's a millionaire or a pauper, it is not the government's money. The taxes have already been paid.'' It is not the government's money. The taxes have been paid. ''Why should a family working for 45 years and paying taxes on time every year be forced into this position? Sincerely, John.''

Marshall Frasier writes me a letter. ''Dear SCOTT: I was encouraged by the President's fight on the death tax and the repeal of that. We've operated a family partnership since the 1930s. My parents died about 5 years apart in the 1980s and the estate tax on each of their one-fifth interest,'' listen to this, ''the estate tax on each one-fifth interest was three to four times more than the original cost of the ranch.'' Three to four times more than the family member paid to get their share of the ranch. ''Eliminating the death tax and reducing tax rates will go a long ways towards helping retain open space, providing jobs, and allowing one generation's business to go on to the next generation.''

You know, this is a great country we live in, but the United States of America should have the policy of encouraging family business to go from one generation to the next generation. The United States of America is about to adopt a policy to repeal the death tax so that one family can have their dreams alive so that upon their death, no pun intended, that upon their death, the next generation can carry on for maybe the next generation. It is fundamentally important for the foundation of our country that we encourage family activities, family businesses to go from one generation to the next.

Let me go on to another one. This is a college student who writes me this letter, Nathan Steelman. ''Dear Mr. MCINNIS: I am a college student at the University of Southern Colorado in Pueblo, which is in your district. My parents and grandparents are involved in a typical family farm, a farm that has been in the same family for 125 years.

''My grandpa is 76 years old, and he is in the last years of his life. My parents have been discussing the situation for the past several months. My parents worry about this death tax. They worry about how are they going to keep the farm running once grandpa passes away. The eventual loss of grandpa will trigger this tax upon my family. My parents hope they can pay the tax without selling part of the family operation that they have worked so hard in maintaining over the years. The outcome doesn't look very good.

''Farmers and ranchers are having a tough enough time keeping family operations running the way it is. Statistics show that 70 percent of all family businesses do not survive a second generation, and 87 percent don't survive the third. My family, Mr. McInnis, has worked very hard to keep the family farm running this long. We feel as if we are being penalized for the death of a family member. From what I understand, the opposition is concerned about what many of the individuals who are affected by the death tax are those with very wealthy businesses. Statistics show, however, that more than half of all the people who pay death taxes had estates worth less than $1 million. My family falls in that category. It just doesn't seem fair to me, Mr. MCINNIS.

''Mr. MCINNIS, my family's farm is not located within your district, but when I moved to Pueblo, I felt like I needed to express concerns to somebody. This death tax should be abolished.''

Chris Anderson, another young man. ''I'm 24 years old. I currently run a small mail order business. I'm not a constituent of yours, I reside in New Jersey. However, I listened with great interest as you spoke on the death tax not long ago. In all likelihood, I will not face the problems you are outlining, at least not in the near future. I am not in line to inherit a business. My families have no wealth. However, I'm soon to be married, and I look forward to having a family, and perhaps one day my children will want to follow in my footsteps. I hope and pray they will not face the additional grief caused by this death tax.

''A 55 percent tax is at best a huge burden on a family business and the loved ones of the deceased. At worst, it can be the death blow that ruins what could otherwise have been a future for another generation.

''This letter is not a plea for your help. I just want you to know that although I'm not a victim of this tax, I appreciate the effort against it. I firmly believe, and have always believed, that success in family is firmly rooted in our country. I spent a few years working for a small family business, not just myself, but several workers depended on the income they derived from that business. So it's more than just the owners, it's also the people that work for these businesses. Hope your constituents recognize how important this is to repeal the death tax.''

Well, Chris Anderson, I have got good news for you. Chris, we are about to do it.

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The President's tax plan has by now passed the Senate. It will come to the House tomorrow, and we will put some conferees together. This marks a special moment for those of us who care about a future generation and those of us planning for our own family future. We are about to see the death knell of that unfair and punitive death tax.

It is about time. It is about time that this country finally recognized what a rotten policy it was to put a tax in that taxed you upon your death, that prevented in many cases small farms and small businesses from going from one generation to the next, that sent out a terrible message, a message that suggests that the transfer of wealth is what creates capital, instead of the innovation of products. I am pleased to be a part, and I congratulate those Democrats that have joined us.

Mr. Speaker, by the way, I want the gentleman to know that by Memorial Day all of us on this floor will have an opportunity to once and for all repeal the death tax. I urge every one of my colleagues to vote to get rid of that death tax. If you do not, I hope that you have a good reason why you decided that this country should continue to tax somebody upon death.

Mr. Speaker, my time is about up. Let me conclude with three quick remarks: One, I am pleased we are getting rid of the death tax.

Number two, to the gentleman from California (Mr. SHERMAN), the gentleman from New Jersey (Mr. PALLONE), and the gentleman from Washington (Mr. INSLEE), partisan,

highly emotionally charged statements of special interests, et cetera, et cetera, are not going to help California. We have to come together as a team to help California, and we are willing to do it as long as you are willing to pitch in. If California wants to pitch in, we ought to help them out of this situation.

Finally, colleagues, I hope tomorrow you have time to sit and listen to my remarks about the Dixie family and the terrible tragedy that they went through; but the bravery and the courageousness that they, along with the Tingee family, have been able to show as an example so that hopefully this tragedy will not be repeated this summer as that tragedy unfolded last summer for the Dixie family.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GRUCCI). The Chair reminds all Members that remarks in debate should be addressed to the Chair and not to those outside the Chamber.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HILL (at the request of Mr. GEPHARDT) for today on account of travel complications.

Mr. ABERCROMBIE (at the request of Mr. GEPHARDT) for today and May 22 on account of official business in the district.

Mr. LEVIN (at the request of Mr. GEPHARDT) for today on account of a funeral in the district.

Mr. HANSEN (at the request of Mr. ARMEY) for today and May 22 on account of the death of his sister.

Mr. WATTS of Oklahoma (at the request of Mr. ARMEY) for today on account of attending daughter's graduation.

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. MCNULTY) to revise and extend their remarks and include extraneous material:)

Ms. NORTON, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mrs. MINK of Hawaii, for 5 minutes, today.

Mr. SHERMAN, for 5 minutes, today.

(The following Members (at the request of Mr. GUTKNECHT) to revise and extend their remarks and include extraneous material:)

Mr. BURTON of Indiana, for 5 minutes, May 22, 23, and 24.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. ISSA, for 5 minutes, today.

ADJOURNMENT

Mr. MCINNIS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 33 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, May 22, 2001, at 9 a.m., for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

2003. A letter from the Chief, Programs and Legislation Division, Office of Legislative Liaison, Department of Defense, transmitting notification that the Commander of Whiteman Air Force Base (AFB), Missouri, has conducted a cost comparison to reduce the cost of the Heat Plant function, pursuant to 10 U.S.C. 2461; to the Committee on Armed Services.

2004. A letter from the Chief, Programs and Legislation Division, Office of Legislative Liaison, Department of Defense, transmitting notification that the Commander of the U.S. Air Force Personnel Center is initiating a single-function cost comparison of the Personnel Computer Support function at Randolph Air Force Base (AFB), Texas, pursuant to 10 U.S.C. 2461; to the Committee on Armed Services.

2005. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Applicability of Section 23A of the Federal Reserve Act to the Purchase of Securities from Certain Affiliates [Miscellaneous Interpretations; Docket R–1015] received May 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2006. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Applicability of Section 23A of the Federal Reserve Act to Loans and Extensions of Credit Made by a Member Bank to a Third Party [Miscellaneous Interpretations; Docket R–1016] received May 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2007. A letter from the Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's final rule—Assessment of Fees [Docket No. 01–08] (RIN: 1557–AB90) received May 8, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2008. A letter from the Secretary, Division of Market Regulation, Securities and Exchange Commission, transmitting the Commission's final rule—Definition of Terms in and Specific Exemptions for Banks, Savings Associations, and Savings Banks Under Sections 3(a)(4) and 3(a)(5) of the Securities Exchange Act of 1934 [Release No. 34–44291; File No. S7–12–01] (RIN: 3235–AI19) received May 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2009. A letter from the Secretary, Department of Energy, transmitting the Department's Annual Report on Federal Government Energy Management and Conservation Programs during Fiscal Year 1999, pursuant to 42 U.S.C. 6361(c); to the Committee on Energy and Commerce.

2010. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule—Medicaid Program; Home and Community-Based Services [HCFA–2010–FC] (RIN: 0938–AI67) received May 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2011. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule—Secondary Direct Food Additives Permitted in Food for Human Consumption; Alpha-Acetolactate Decarboxylase Enzyme Preparation [Docket No. 92F–0396] received May 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2012. A letter from the Chairman, National Committee on Vital and Health Statistics, transmitting the Fourth Annual Report to Congress on the Implementation of the Administrative Simplification Provisions of the Health Insurance Portability and Accountability Act, pursuant to Public Law 104—191, section 263 (110 Stat. 2033); to the Committee on Energy and Commerce.

2013. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on proliferation of missiles and essential components of nuclear, biological, and chemical weapons, pursuant to 22 U.S.C. 2751 nt.; to the Committee on International Relations.

2014. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

2015. A letter from the Deputy Assistant Secretary, Export Administration, Department of Commerce, transmitting the Department's final rule—Entity List: Revisions and Additions [Docket No. 9704–28099–0127–10] (RIN: 0694–AB60) received May 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

2016. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a report concerning compliance by the Government of Cuba with the U.S.-Cuba Migration Accords of September 9, 1994, and May 2, 1995; to the Committee on International Relations.

2017. A letter from the Acting Chief Executive Officer, Corporation for National and Community Service, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2018. A letter from the Acting Chief Executive Officer, Corporation for National and Community Service, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2019. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2020. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2021. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2022. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform

Act of 1998; to the Committee on Government Reform.

2023. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2024. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2025. A letter from the Executive Director, Interstate Commission on the Potomac River Basin, transmitting a copy of the Sixtieth Financial Statements and Independent Auditor's Report for the period October 1, 1999 to September 30, 2000, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform.

2026. A letter from the Deputy Archivist, National Archives and Records Administration, transmitting the Administration's final rule—Records Disposition; Technical Amendments (RIN: 3095–AB02) received May 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

2027. A letter from the Acting Executive Secretary, U.S. Agency for International Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2028. A letter from the Acting Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Final Rule for Endangered Status for Astragalus pycnostachyus var. Lanosissimus (Ventura marsh milk-vetch) (RIN: 1018–AF61) received May 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2029. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–8 Series Airplanes [Docket No. 99–NM–272–AD; Amendment 39–12193; AD 2001–08–16] (RIN: 2120–AA64) received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2030. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Raytheon Aircraft Company Beech Models 35–C33A, E33A, E33C, F33A, F33C, S35, V35, V35A, V35B, 36, and A36 Airplanes [Docket No. 99–CE–63–AD; Amendment 39–12185; AD 2001–08–08] (RIN: 2120–AA64) received May 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2031. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Flight Crewmember Flight Time Limitations and Rest Requirements—received May 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2032. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Parachute Operations [Docket No. FAA–1999–5483; Amendment No. 65–42, 91–268, 105–12 and 119–4] (RIN: 2120–AG52) received May 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2033. A letter from the Secretary, Department of Health and Human Services, transmitting a report on the initial estimate of the applicable percentage increase in hospital inpatient payment rates for Federal Fiscal Year (FY) 2002, pursuant to Public Law 101–508, section 4002(g)(1)(B) (104 Stat. 1388—36); to the Committee on Ways and Means.

2034. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule—National Medical Support Notice (RIN: 0970–AB97) received May 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2035. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule—Child Support Enforcement Program; Incentive Payments, Audit Penalties (RIN: 0970–AB85) received May 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2036. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule—State Self-Assessment Review and Report (RIN: 0970–AB96) received May 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2037. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule—Comprehensive Tribal Child Support Enforcement Programs (RIN: 0970–AB73) received May 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2038. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the President's Determination No. 2001–13, entitled, ''Waiver and Certification of Statutory Provisions Regarding the Palestine Liberation Organization''; jointly to the Committees on International Relations and Appropriations.

2039. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule—Medicare Program; Additional Supplier Standards [HCFA–6004–FC] (RIN: 0938–AH19) received May 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

2040. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule—Medicare, Medicaid, and CLIA Programs; Extension of Certain Effective Dates for Clinical Laboratory Requirements Under CLIA [HCFA–2024–FC2] (RIN: 0938–AI94) received May 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

2041. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule—Medicare Program; Criteria for Submitting Supplemental Practice Expense Survey Data [HCFA–1111–IFC] (RIN: 0938–AK14) received May 15, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

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. TAUZIN: Committee on Energy and Commerce. H.R. 1831. A bill to provide certain relief for small businesses from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (Rept. 107–70 Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Transportation and Infrastructure. H.R. 1831. A bill to provide certain relief for small businesses from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (Rept. 107–70 Pt. 2). Referred to the Committee of the Whole House on the State of Union.

Mr. YOUNG of Alaska: Committee on Transportation and Infrastructure. H.R. 495. A bill to designate the Federal building located in Charlotte Amalie, St. Thomas, United States Virgin Islands, as the ''Ron de Lugo Federal Building'' (Rept. 107–71). Referred to the House Calendar.

Mr. YOUNG of Alaska: Committee on Transportation and Infrastructure. House Concurrent Resolution 76. Resolution authorizing the use of the East Front of the Capitol Grounds for performances sponsored by the John F. Kennedy Center for the Performing Arts (Rept. 107–72). Referred to the House Calendar.

Mr. YOUNG of Alaska: Committee on Transportation and Infrastructure. House Concurrent Resolution 79. Resolution authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby (Rept. 107–73). Referred to the House Calendar.

Mr. YOUNG of Alaska: Committee on Transportation and Infrastructure. House Concurrent Resolution 87. Resolution authorizing the 2001 District of Columbia Special Olympics Law Enforcement Torch Run to be run through the Capitol Grounds (Rept. 107–74). Referred to the House Calendar.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

[The following action occurred on May 18, 2001]

H.R. 1088. Referral to the Committee on Government Reform extended for a period ending not later than May 25, 2001.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. GILMAN:

H.R. 1917. A bill to amend title 38, United States Code, to provide for the payment of a monthly stipend to the surviving parents (known as ''Gold Star parents'') of members of the Armed Forces who die during a period of war; to the Committee on Veterans' Affairs.

By Mr. CANNON (for himself, Mr. BERMAN, and Ms. ROYBAL-ALLARD):

H.R. 1918. A bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine state residency for higher education purposes and to amend the Immigration and Nationality Act to cancel the removal and adjust the status of certain alien college-bound students who are long-term U.S. residents; to the Committee on the Judiciary, 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. CASTLE:

H.R. 1919. A bill to remove civil liability barriers surrounding donating fire equipment to volunteer fire companies; to the Committee on the Judiciary.

By Mr. CHAMBLISS (for himself, Mr. RILEY, Mr. JONES of North Carolina, Mr. RODRIGUEZ, and Mr. BISHOP)

H.R. 1920. A bill to amend the provision of title 5, United States Code, commonly referred to as the ''Monroney amendment'', to read as it last did before the enactment of Public Law 99–145; to the Committee on Government Reform.

By Mr. DEFAZIO (for himself, Ms. LEE, Ms. BALDWIN, Mr. SANDERS, and Ms. MCKINNEY):

H.R. 1921. A bill to eliminate the requirement for students to register with the selective service system in order to receive Federal student financial assistance; to the Committee on Education and the Workforce, and in addition to the Committee on Armed Services, 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. DEGETTE (for herself, Mr. ABERCROMBIE, Mr. BLAGOJEVICH, Mr. BLUMENAUER, Ms. BROWN of Florida, Ms. CARSON of Indiana, Mrs. JONES of Ohio, Ms. NORTON, Ms. WOOLSEY, Mr. CAPUANO, Mr. DAVIS of Illinois, Mr. KENNEDY of Rhode Island, Mr. MEEHAN, Mr. NADLER, Mr. WEXLER, Mr. WYNN, Mr. COYNE, Mr. FRANK, Ms. SCHAKOWSKY, Mr. MCGOVERN, Mr. GEORGE MILLER of California, Mr. BARRETT, Mrs. TAUSCHER, and Mr. MORAN of Virginia):

H.R. 1922. A bill to ban the importation of large capacity ammunition feeding devices, and to extend the ban on transferring such devices to those that were manufactured before the ban became law; to the Committee on the Judiciary.

By Mr. DEMINT (for himself and Mr. BAIRD):

H.R. 1923. A bill to amend the Internal Revenue Code of 1986 to provide for Start-up Success Accounts; to the Committee on Ways and Means.

By Mr. DUNCAN:

H.R. 1924. A bill to provide for the establishment of a commission to review and make recommendations to the Congress and the States on alternative and nontraditional routes to teacher certification; to the Committee on Education and the Workforce.

By Mr. EDWARDS:

H.R. 1925. A bill to direct the Secretary of the Interior to study the suitability and feasibility of designating the Waco Mammoth Site Area in Waco, Texas, as a unit of the National Park System, and for other purposes; to the Committee on Resources.

By Mr. MCINNIS:

H.R. 1926. A bill to amend the Internal Revenue Code of 1986 to allow the capital loss deduction with respect to the sale or exchange of an individual's principal residence; to the Committee on Ways and Means.

By Mr. ROGERS of Michigan (for himself and Mr. GILLMOR):

H.R. 1927. A bill to authorize States to prohibit or impose certain limitations on the receipt of foreign municipal solid waste, and for other purposes; to the Committee on Energy and Commerce.

By Mr. STARK (for himself, Mr. RANGEL, Mr. MATSUI, Mr. MCDERMOTT, Mr. LEWIS of Georgia, Mrs. THURMAN, Mr. WAXMAN, Mr. BONIOR, Mr. FROST, Ms. KAPTUR, Mr. FILNER, Mr. HILLIARD, Mr. RUSH, Mr. BENTSEN, Mr. CUMMINGS, Ms. JACKSON-LEE of Texas, Mr. DAVIS of Illinois, and Ms. BERKLEY):

H.R. 1928. A bill to amend title XVIII of the Social Security Act to provide for full payment rates under Medicare to hospitals for costs of direct graduate medical education of residents for residency training programs in specialties or subspecialties which the Secretary of Health and Human Services designates as critical need specialty or subspecialty training programs; to the Committee on Ways and Means, 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 Mr. UDALL of New Mexico (for himself, Mr. EVANS, Mr. ABERCROMBIE, Mr. JEFFERSON, Mr. KENNEDY of Rhode Island, Mr. BONIOR, Mr. CARSON of Oklahoma, Mr. BACA, Ms. BROWN of Florida, Mr. GEORGE MILLER of California, Mr. FILNER, Mr. PALLONE, Mr. UDALL of Colorado, Ms. PELOSI, and Mr. CONDIT):

H.R. 1929. A bill to amend title 38, United States Code, to extend the Native American veteran housing loan pilot program, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WICKER:

H. Con. Res. 139. Concurrent resolution welcoming His Holiness Karekin II, Supreme Patriarch and Catholicos of All Armenians, on his visit to the United States and commemorating the 1700th anniversary of the acceptance of Christianity in Armenia; to the Committee on International Relations.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 41: Mr. FILNER, Mr. MATHESON, Mr. PRICE of North Carolina, Mr. PLATTS, Mr. BOEHLERT, Mr. BARCIA, Mr. DREIER, and Mr. CAPUANO.

H.R. 85: Mr. PASTOR.

H.R. 87: Mr. FRANK and Mr. OWENS.

H.R. 157: Mr. BOEHLERT.

H.R. 168: Mr. PUTNAM.

H.R. 210: Mr. HAYWORTH.

H.R. 218: Mr. KELLER, Mr. UDALL of New Mexico, Mr. BOEHNER, Mr. CANNON, and Mr. CHABOT.

H.R. 250: Mr. PAUL, Mr. OXLEY, Mr. CHAMBLISS, Mr. CLYBURN, Mr. GREENWOOD, Mr. BARCIA, Mr. AKIN, and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 287: Mr. HINCHEY.

H.R. 298: Mr. CLAY and Mr. ISSA.

H.R. 394: Mr. THORNBERRY and Mr. GOODLATTE.

H.R. 448: Mr. SHADEGG and Mr. BARTLETT of Maryland.

H.R. 572: Mr. ISAKSON and Mr. THOMPSON of California.

H.R. 590: Mr. BONIOR.

H.R. 595: Mrs. MALONEY of New York and Mr. TURNER.

H.R. 611: Mr. NETHERCUTT, Mr. CLAY, and Mr. TERRY.

H.R. 612: Mr. PETERSON of Pennsylvania, Mr. LANTOS, and Mr. BONIOR.

H.R. 619: Mr. SCHIFF.

H.R. 641: Mr. HASTINGS of Washington, Mr. HONDA, Ms. HARMAN, Mr. CLAY, Mr. BACA, Mr. LUCAS of Kentucky, Mr. SCHIFF, and Mr. HUNTER.

H.R. 663: Ms. SOLIS and Mr. ROSS.

H.R. 664: Mr. PRICE of North Carolina, Mr. GOODLATTE, Ms. DEGETTE, Ms. KILPATRICK, Ms. RIVERS, and Mr. DEUTSCH.

H.R. 686: Mr. CLAY and Mr. GUTIERREZ.

H.R. 737: Mr. LATOURETTE and Ms. WATERS.

H.R. 778: Ms. ESHOO.

H.R. 839: Mr. DAVIS of Florida.

H.R. 912: Mr. CAMP and Mr. WOLF.

H.R. 918: Mr. ROYCE, Mr. WAMP, Mrs. LOWEY, Ms. WOOLSEY, Mr. MATHESON, and Mr. RODRIGUEZ.

H.R. 936: Mr. MCDERMOTT, Ms. NORTON, and Mr. SMITH of Washington.

H.R. 953: Mr. MOORE and Mr. SNYDER.

H.R. 968: Mr. BAIRD, Mr. THORNBERRY, Ms. BALDWIN, and Mr. BALDACCI.

H.R. 981: Mr. ISAKSON, Mr. LUTHER, and Mr. SKEEN.

H.R. 1004: Mr. CLAY and Mr. WAXMAN.

H.R. 1017: Mr. PLATTS.

H.R. 1076: Mr. PASCRELL, Ms. MCCOLLUM, and Mr. THOMPSON of Mississippi.

H.R. 1089: Mr. TOWNS.

H.R. 1110: Mr. SPRATT.

H.R. 1165: Mr. GORDON and Mr. BAIRD.

H.R. 1178: Mr. ACEVEDO-VILA, Mr. PETERSON of Pennsylvania, Mr. CROWLEY, Ms. MCKINNEY, Mr. GRUCCI, Mrs. THURMAN, Mr. MCHUGH, Mr. SCHAFFER, and Ms. HART.

H.R. 1192: Mrs. MINK of Hawaii and Mr. PETERSON of Minnesota.

H.R. 1193: Ms. CARSON of Indiana.

H.R. 1275: Mr. KUCINICH.

H.R. 1280: Mrs. CHRISTENSEN.

H.R. 1291: Mr. NORWOOD, Mr. GRAHAM, and Ms. SCHAKOWSKY.

H.R. 1293: Mr. ROTHMAN, Mr. DOYLE, and Mr. MANZULLO.

H.R. 1305: Mrs. CUBIN.

H.R. 1336: Mr. BARR of Georgia.

H.R. 1338: Mr. GUTIERREZ and Ms. JACKSON-LEE of Texas.

H.R. 1340: Mr. DEUTSCH.

H.R. 1351: Mr. FARR of California.

H.R. 1354: Mr. LANTOS and Mr. JONES of North Carolina.

H.R. 1362: Ms. RIVERS and Mrs. MALONEY of New York.

H.R. 1366: Mr. HUNTER.

H.R. 1367: Mr. EHLERS.

H.R. 1377: Mr. ISAKSON, Mrs. THURMAN, Mr. BISHOP, and Mr. WICKER.

H.R. 1384: Mr. SKEEN and Mr. OLVER.

H.R. 1406: Mr. RUSH.

H.R. 1412: Mr. BASS, Mr. DINGELL, Ms. MILLENDER-MCDONALD, Mr. OSE, Mr. BROWN of Ohio, Mr. TERRY, and Mrs. TAUSCHER.

H.R. 1427: Mr. CROWLEY.

H.R. 1435: Mr. GALLEGLY, Mr. NEY, Mr. YOUNG of Alaska, Mrs. EMERSON, Mr. FARR of California, Mr. ACKERMAN, Ms. HART, Mr. LANGEVIN, Mr. WAXMAN, Mr. DEFAZIO, Mr. GUTIERREZ, and Mr. BONIOR.

H.R. 1438: Mr. FOLEY.

H.R. 1470: Mr. HOEFFEL and Mr. EVANS.

H.R. 1471: Mr. MATSUI and Mr. SIMMONS.

H.R. 1494: Mr. RUSH, Mr. MEEHAN, and Mr. WATT of North Carolina.

H.R. 1507: Mr. DREIER.

H.R. 1522: Mrs. CHRISTENSEN, Ms. BERKLEY, and Mr. NADLER.

H.R. 1541: Ms. SCHAKOWSKY and Mr. ENGLISH.

H.R. 1556: Mr. ENGEL, Mr. CAPUANO, Mr. ANDREWS, Mr. FOSSELLA, Mr. SWEENEY, Mr. OBERSTAR, Mr. MCDERMOTT, and Mr. NADLER.

H.R. 1585: Mr. FORD and Mr. GEORGE MILLER of California.

H.R. 1591: Mr. SERRANO and Ms. BALDWIN.

H.R. 1607: Ms. LEE and Mr. NADLER.

H.R. 1609: Mr. LEACH, Mr. CLYBURN, Mr. BERRY, and Mr. SESSIONS.

H.R. 1629: Mr. ISRAEL, Mr. GREEN of Wisconsin, Mr. CLAY, and Mr. ROSS.

H.R. 1635: Mr. BONIOR.

H.R. 1642: Mr. TOWNS, Mr. ANDREWS, Mrs. MORELLA, and Ms. PELOSI.

H.R. 1650: Mr. RODRIGUEZ, Ms. JACKSON-LEE of Texas, Ms. SCHAKOWSKY, and Mr. GUTIERREZ.

H.R. 1657: Mr. MCINNIS.

H.R. 1663: Mr. KLECZKA, Mrs. THURMAN, and Mr. MCDERMOTT.

H.R. 1688: Mr. EHRLICH.

H.R. 1690: Mr. CUMMINGS, Mr. NADLER, and Mr. OWENS.

H.R. 1700: Mr. PETERSON of Pennsylvania and Mr. POMEROY.

H.R. 1704: Mr. DOOLEY of California.

H.R. 1705: Mr. ABERCROMBIE.

H.R. 1707: Ms. ESHOO.

H.R. 1733: Ms. SOLIS and Mr. NADLER.

H.R. 1734: Mr. SANDERS and Mr. BISHOP.

H.R. 1770: Mr. GUTKNECHT, Mr. GOODE, Mr. SCHAFFER, Mr. TANCREDO, Mr. SHOWS, Mr. BURTON of Indiana, and Mr. NORWOOD.

H.R. 1774: Mr. FOSSELLA, Mr. GRAHAM, Mr. GRAVES, Mrs. JO ANN DAVIS of Virginia, Mr. PETERSON of Pennsylvania, and Mr. SIMPSON.

H.R. 1781: Mr. WEINER, Mr. NORWOOD, and Mr. CAPUANO.

H.R. 1786: Mr. BARRETT, Mr. CALLAHAN, Mr. TURNER, and Mr. BOUCHER.

H.R. 1786: Mr. BARRETT, Mr. CALLAHAN, Mr. TURNER, and Mr. BOUCHER.

H.R. 1801: Mr. STENHOLM, Mr. HALL of Texas, Mr. ARMEY, Mr. THORNBERRY, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. BARTON of Texas.

H.R. 1805: Mr. GOODE.

H.R. 1810: Mr. KENNEDY of Rhode Island, Mr. SABO, and Ms. LEE.

H.R. 1831: Mr. STEARNS, Mr. TURNER, Mrs. ROUKEMA, and Mr. CONDIT.

H.R. 1839: Mr. LATOURETTE, Mr. FROST, Mr. SNYDER, Mr. FRANK, Mr. LAFALCE, and Mr. KENNEDY of Rhode Island.

H.R. 1841: Mr. STUPAK, Mr. TOM DAVIS of Virginia, Mrs. THURMAN, Mr. SMITH of Washington, Mr. KUCINICH, Ms. DELAURO, Mr. BACA, Mr. HOLT, and Mr. BERMAN.

H.R. 1846: Mr. ENGLISH.

H.R. 1847: Mr. ENGLISH.

H.R. 1848: Mr. SMITH of Texas, Ms. LOFGREN, Mrs. CAPPS, and Mr. DOOLEY of California.

H.R. 1852: Mr. SANDERS, Ms. MCKINNEY, Ms. NORTON, Mr. FILNER, and Ms. KAPTUR.

H.R. 1885: Mr. COX.

H.R. 1907: Ms. SOLIS, Mr. SERRANO, and Mr. OBERSTAR.

H.J. Res. 20: Mr. GRAVES.

H.J. Res. 36: Mr. ROYCE, Mr. ROTHMAN, Mr. SANDLIN, Ms. DUNN, and Mr. HALL of Texas.

H. Con. Res. 3: Mr. KENNEDY of Rhode Island.

H. Con. Res. 42: Mr. LUCAS of Kentucky and Mr. BENTSEN.

H. Con. Res. 58: Mr. GUTIERREZ.

H. Con. Res. 81: Mr. NADLER.

H. Con. Res. 102: Mr. YOUNG of Alaska, Ms. BALDWIN, Mr. BOYD, Ms. CARSON of Indiana, and Mr. THOMPSON of Mississippi.

H. Con. Res. 104: Mr. RANGEL.

H. Con. Res. 109: Mr. YOUNG of Alaska and Mr. ACKERMAN.

H. Con. Res. 116: Mr. CROWLEY and Mr. LANTOS.

H. Res. 18: Mrs. CHRISTENSEN, Mr. FALEOMAVAEGA, Mr. ACKERMAN, Mr. NADLER, Mr. SHERMAN, Mr. BLAGOJEVICH, and Mr. DEFAZIO.

H. Res. 120: Mr. SERRANO.