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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. GILLMOR).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
December 5, 2001.

I hereby appoint the Honorable PAUL E. GILLMOR to act as Speaker pro tempore on this day.

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

PRAYER

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

Lord, we seek Your blessing upon all Members of the House of Representatives and the people of this Nation.

Once Abram responded to Your call of faith he was given Your promise: ''I will make you into a great nation. I will bless you and make your name so great that it shall be used in blessings.''

You fulfilled Your promise to our father in faith even as now You fulfill Your promise in us and in our time. Ever since the founding of this Nation in faith, You have blessed this land and its people. As in the past, so now and forever, we seek Your blessing and hope that these United States will be the Nation You design; the place where Your promise is fulfilled.

In turbulent times, Lord, do not allow us to lose our primal focus: It is You who will make us into a great Nation.

In present circumstances of war and economics, let us not simply react as if we alone counted, but guide us to wisely respond as a great Nation. By Your blessing upon us and our daily work, make us a great people called to do noble deeds and truly be a blessing upon the world both 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 his approval thereof.

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from New York (Mr. MCNULTY) come forward and lead the House in the Pledge of Allegiance.

Mr. McNULTY 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.

AMERICA NEEDS STIMULUS BILL

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

Mr. FOLEY. Mr. Speaker, how low will the Democratic Party go? I read in USA Today that the gentlewoman from New York (Mrs. LOWEY), the chairman of the DCCC, was planning on running ads blaming President Bush for the recession, calling it his recession. Well, for those Americans who are out of work and unemployed, it is a personal recession; and I take great umbrage at the gentlewoman for running ads at a time when we are in a national crisis fighting an evil enemy in Afghanistan and would make this a political opportunity to attack our Commander in Chief. It is regrettable, it is shameful, and it is out of bounds.

Mr. Speaker, Members should cease these kind of play games and start working. On the other side of this building, the Senate dawdles, fails to address a stimulus bill because the majority leader wants to run for President of the United States. If he was President now, we would have real problems because he cannot make a basic decision. I urge my colleagues to insist that the Senate pass a stimulus bill so we can repair the economy and move forward, and say to the Democrats and the DCCC, take your ads and shove them.

NOTICE

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ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded not to criticize the Senate in their remarks.

CONGRATULATIONS TO THE UNIVERSITY OF TENNESSEE

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

Mr. CLEMENT. Mr. Speaker, President Bush has said let us get back to normal as much as we possibly can. We had a football game, the gentleman from Tennessee (Mr. DUNCAN) and I know, that happened in Florida between the University of Tennessee and Florida, and we had not beaten Florida in 30 years in Florida, in Gainesville, but we won that battle.

Mr. Speaker, we were an 18-point underdog, but we did very well and now are playing for the SCC championship, and I want to congratulate the University of Tennessee, my alma mater. I am a former college president at Cumberland University, and I want my colleagues to know that we hold the distinction at Cumberland of being defeated worse in football than any other school in America: Cumberland 0, Georgia Tech 222.

If Members want to know more about that game, there is a book written about that game, ''You Dropped It, You Pick It Up.'' One of the Cumberland players dropped the ball during the game. The Cumberland player said, ''Pick it up, pick it up.'' Another Cumberland player said, ''You dropped it, you pick it up.''

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The previous speaker and all Members are reminded to observe proper decorum in the House during 1-minute speeches.

MILITARY TRIBUNALS

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

Mr. GIBBONS. Mr. Speaker, much debate has occurred recently on President Bush's decision to utilize military tribunals to hold all terrorists responsible for their actions. I come to the floor to state my whole-hearted support for his decision. Let us get one thing straight. Terrorists do not, by definition, conduct themselves as lawful combatants. They began this war with us; and, consequently, they should be treated as war criminals if captured.

Mr. Speaker, I strongly disagree with the arguments of the other side that say using military tribunals would not ensure a fair trial. To the contrary, it allows for an appeals process through all levels of the military courts and ultimately to the United States Supreme Court.

I remind my colleagues that President Bush's decision to use military tribunals as a means of bringing terrorists to justice has historical precedence dating back to Presidents Franklin Roosevelt, Abraham Lincoln, and even George Washington.

Mr. Speaker, terrorists are not abiding by the rules of a civil society. They should be held accountable for their actions as war criminals.

AMERICA'S STEEL INDUSTRY IS DYING

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

Mr. TRAFICANT. Mr. Speaker, Congress has bailed out everybody, airlines, insurance companies, even car makers. Chrysler is now owned by Germans. Bailout for almost everyone except America's steel industry, which is dying. Since 1998, 25 American steel companies have filed for bankruptcy, with thousands and thousands of unemployed steelworkers losing their benefits, losing their health care, losing their families, losing their homes. Unbelievable. Meanwhile, Daimler Chrysler is now lighting up cigars. Beam me up.

Mr. Speaker, I yield back the fact that America cannot build smart bombs with Styrofoam; and we had better take a look at our domestic ability to produce steel for our national defense.

CLONING BAN MUST BE PASSED BY SENATE

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

Mr. PITTS. Mr. Speaker, Congress' job is to represent the people. That does not mean that we should be a rubber stamp for every poll that is taken. The American people expect us to exercise our judgment; and, in fact, that is our constitutional duty. But when the Gallup organization tells us that 88 percent of the American people oppose cloning, it is pretty hard to deny the will of this country.

Mr. Speaker, creating human life through cloning is unethical, and it is bad science. Creating human life with the intent to kill it in experiments is even worse. Yet that is the justification we are hearing. The scientists that are cloning human beings say that it is okay as long as they kill them off before they reach maturity. That is sick. It is time to demonstrate that at least we can still tell right from wrong.

Mr. Speaker, the House has already passed a ban on human cloning. The other body needs to act immediately. There is no time to wait.

HOMELAND SECURITY NEEDS TO BE STRENGTHENED

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

Mrs. CHRISTENSEN. Mr. Speaker, the war that our country is waging in response to the attacks of September 11 and to eliminate the terrorists who are responsible for it is, without question, necessary and important. But so are our homeland security needs.

The U.S. Customs Service, Immigration and Naturalization Service, the Coast Guard and regional defense forces need more staff, assets and funding. Our public health infrastructure, which will be our frontline biological and chemical defense, is full of holes and needs to be strengthened, especially in poor communities.

Our children, who must be prepared to carry out the long-term security mission, are being undereducated in rundown schools and need a major investment of our time and capital.

The biggest obstacles to meeting our obligations for security for our communities, including access to quality health care and a sound education for our children, is the tax cut. The insistence that we move forward and, worse, move it up at this time is putting our country and every citizen at risk.

Mr. Speaker, we need to roll back the tax cut so that we can properly prepare this country to meet our critical health, education and security needs.

PASS TRADE PROMOTION AUTHORITY

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

Mr. LINDER. Mr. Speaker, more than 95 percent of the world's population lives outside of the United States. For most American businesses this means that, in order to remain competitive, they must be allowed to market their goods and services across borders. This is particularly true for small business. There are more than 25 million small businesses in America, and they employ more than half the country's private workforce. Small businesses create three out of four new jobs and account for half of the America's annual economic production. Undoubtedly, small businesses are vital to the United States, and trade in turn is vital to them.

Mr. Speaker, nearly 97 percent of U.S. merchandise exporters are small- and medium-sized businesses. Companies with less than 20 employees account for more than two-thirds of all U.S. exporting firms. Further, the number of American small businesses that export grew by more than 200 percent between 1987 and 1997.

The United States is the single most competitive nation in the world. Tomorrow, Congress will have an opportunity to enable America's small businesses to prove their global competitiveness. We must pass Trade Promotion Authority and allow our small businesses to compete.

PASS TRADE PROMOTION AUTHORITY

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

Mr. PENCE. Mr. Speaker, I, too, rise in strong support of the bipartisan Trade Promotion Authority that this House will take up tomorrow. Just like a labor union designates one person to negotiate its contract with management, America needs one voice empowered to put our interest first at the world trade negotiating table.

As my colleague from Georgia just expressed so well, Trade Promotion Authority is in the interest of small business. Ninety percent of exports come from companies with less than 500 employees. For every $1 billion in increased exports, we create 20,000 new jobs that pay an average of 17 percent more than the domestic economy.

Mr. Speaker, the only question for my colleagues is simply this: Do Members trust this President to put America's interests first at the trade negotiating table? I say proudly, along with some 80 percent of the American people, I trust this President. President Bush deserves a vote of confidence from this House. He deserves Trade Promotion Authority, and I urge a ''yes'' vote tomorrow.

□ 1015

DECREASING DELAY AND INCREASING SECURITY AT AIRPORTS

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

Mr. DUNCAN. Mr. Speaker, I rise today to commend the National Air Transportation Association and its leader, James K. Coyne, for coming up with an innovative Sky ID program. This plan would identify frequent flyers on commercial and general aviation planes and aviation personnel who could be classified as trusted travelers. They would have to undergo an intensive background check to be included in this program, but it would be completely voluntary, and people would be free to choose whether to participate or not. Their carry-on and other bags would still be screened, but this plan would be a significant step toward the goal of shortening the lines and reducing the delays at our Nation's airports.

The plan would use advanced digital identification technology and would produce smart cards with biometric template information so they could not be used by others. This plan would be similar to security systems used in very sensitive areas by the Department of Defense.

I want to encourage and urge the FAA to work closely with the National Air Transportation Association in this effort to decrease delays and, at the same time, increase security in a very low-cost way at our Nation's airports.

SUPPORT TRADE PROMOTION AUTHORITY

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

Mr. ISAKSON. Mr. Speaker, 10 weeks ago this Congress, with one lone dissenting vote, granted the President of the United States the authority to send our sons and daughters in harm's way, to root out and bring justice to the terrorists or take justice to them.

Tomorrow, this House will have the chance to vote on Trade Promotion Authority for our President, an exact comparable authority for the President of the United States to do for the global economy what we have allowed him to do militarily across the ocean and in Afghanistan.

If there were ever a time for us to ensure prosperity in the long-term in the 21st century, it is to give the President the same power to make the American economy the strongest weapon for peace and security and for employment of all our citizens.

I urge my colleagues to support Trade Promotion Authority tomorrow when it reaches the floor of the House of Representatives.

CREATING AN ENVIRONMENT OF GROWTH

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

Mr. TOOMEY. Mr. Speaker, we all know we have got a weak economy right now. The slowdown that began in September of 2000 accelerated in September of 2001, and the result is that hundreds of thousands of Americans have lost their jobs as a result.

What is our responsibility in Congress? I think it is to help to create an environment of growth and hope and opportunity to enable our neighbors to get back to work, and there are two vital ways we can do that.

One is to pass an economic stimulus package that lowers the tax burdens that are keeping people out of work. We have done that in the House. The President supports that. I hope the rest of the necessary steps are taken soon.

The second thing we can do is pass Trade Promotion Authority tomorrow. Give this President the authority to lower the barriers to open up foreign markets to American goods and services and help people get back to work producing those goods and services. The fact is, Mr. Speaker, that the American workforce is the most productive workforce in the world. If we are given a chance to compete, we win.

Let us give this President the opportunity to open up those markets, give our workers the opportunity to compete and let people get back to work.

BEEFING UP RESEARCH TO STIMULATE ECONOMIC GROWTH

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

Mr. SMITH of Michigan. Mr. Speaker, yesterday I introduced a bill, H.R. 3400, that I think moves in the direction of establishing spending priorities. That legislation provides for beefing up the kind of research that is going to stimulate economic growth. A companion bill develops extra protection against cyber terrorism.

I chair the Subcommittee on Research of the Committee on Science. The bill increases our emphasis on basic research for information technology and networking, which has been so important in our economic expansion. The other bill increases our research effort to counter cyberterrorism. We will take up these two bills tomorrow in the Committee on Science.

As we approach additional spending on defense, we need to understand that defense spending has gone down while social spending since 1991 has increased by about 30 percent; and we need to start setting priorities that are going to help the two main goals that this Congress should be looking at: one is the defense and security of the people of this country, and the other is continued economic growth.

Our goal should be to reduce spending that is lower priority so as to accommodate security and economic needs without mounting huge deficits.

SMALL BUSINESS AND TRADE IN ILLINOIS

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

Mrs. BIGGERT. Mr. Speaker, today I rise to talk about the success of a small business in Illinois, a business that can continue to offer products and services to foreign markets if we pass H.R. 3005, a bill to renew Trade Promotion Authority.

W.S. Darley & Company, a Melrose Park, Illinois-based, family-owned small business will have to hire more workers to fill a $12.8 million order for 40 fire trucks, spare parts and services from the Ghana National Fire Service. The company, founded in 1908, overcame stiff foreign competition to win Ghana's government contract, which is expected to lead to substantial additional business.

Passing H.R. 3005 is a necessary step in continuing to expand exports to foreign markets, including new and emerging marketplaces. W.S. Darley & Company is just one of more than 14,000 Illinois companies that rely on exports and are eager to find new opportunities in the global marketplace. Passing TPA will give U.S. negotiators the credibility they need to make agreements that will create those opportunities.

GRANT TRADE PROMOTION AUTHORITY TO PRESIDENT

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

Mr. OXLEY. Mr. Speaker, I rise this morning to speak on granting Trade Promotion Authority to the President. Free trade is good for our overall economy; but as chairman of the Committee on Financial Services, I would like to focus this morning on how important trade is to our country's vital financial services sector.

Ambassador Zoellick gave a compelling presentation to our committee just recently on the advantages of trade and services. Note, for example, that our financial services trade surplus was $8.88 billion last year. That is a surplus. Financial services exports have seen an overall net increase of 273 percent over the last 10 years.

Clearly, we want to encourage continued growth in this vital industry. In my home State of Ohio, Columbus has had the distinction of being one of the fastest growing cities in the country, partly because of its emergence as a financial services center. But U.S. exports of financial services also help to promote the development of capital markets, open economies and democracy across the world.

When the President does not have Trade Promotion Authority, other countries are reluctant to enter into new agreements with the United States, so it is more difficult to get the kind of trade agreements that open up new markets for our financial services companies; and ultimately, that threatens U.S. preeminence in the international financial world.

We cannot afford to lose that standing. It is just one reason why this Congress needs to approve TPA tomorrow.

OPPOSE FAST TRACK TRADE AUTHORITY

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

Ms. McCOLLUM. Mr. Speaker, tomorrow the House will vote on a bill offered by the chairman of the Committee on Ways and Means which concedes to the executive branch this body's constitutional authority to negotiate trade agreements. My role in Congress is to represent the voices and values of the working men and women of Minnesota's fourth district, not to abdicate my vote to the President.

I want an opportunity to have input on agreements that promote global trade. Trade agreements are essential to our economic well-being, to our role as a global leader in promoting workers' rights, human rights and healthy environment. This Fast Track trade authority requires no congressional approval prior to the signing of a trade agreement, only consultations. This body may only vote to certify that the administration has failed to consult with Congress.

I was not elected to Congress to be a consultant. We are the House of Representatives, not the House of Consultants. I urge my colleagues to oppose H.R. 3005.

TIGHTENING BORDER CONTROL

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

Mr. GRAVES. Mr. Speaker, we have taken many good steps since September 11 toward protecting our country. As our focus returns to the domestic issues, let us not overlook one critical piece missing from our Nation's security plan, tightening border control.

Each day, countless travelers freely cross our borders without proving their right to be in our country. Our ability to screen these people, even when this is an option, is severely compromised and must be addressed by bolstering the technology and intelligence capabilities at our ports of entry.

I, along with some of my colleagues, have introduced the Enhanced Border Security Act to strengthen our border security and monitor foreign nationals, particularly those on student visas visiting our country.

Our legislation would allow government law enforcement and intelligence agencies to share background information through a shared database. Additionally, this legislation will track foreign students receiving visas from educational institutions to ensure they are accounted for upon their arrival, during their study, and when their visa expires.

I urge my colleagues to join me in supporting this comprehensive legislation that will help ensure the safety of our Nation.

SUPPORT TRADE PROMOTION AUTHORITY

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

Mr. CRANE. Mr. Speaker, I just heard the gentlewoman from Minnesota commenting about Trade Promotion Authority, and there were a couple of comments that she made that I think need clarification.

One of these is the President has trade negotiating authority and has always had trade negotiating authority. What TPA does is let us participate in the process during the negotiating process, with consultation before, during and after the agreement is reached with another country.

The important thing to keep in mind is we had President Clinton go forward with his executive authority to negotiate that agreement with Jordan. He did bring it back, and we ultimately have the authority to vote it up or vote it down; that authority is retained.

I hope the gentlewoman will look at this, because TPA gives us greater opportunity for involvement in the process than anything that we have done in the past. Please, we need support on both sides of the aisle. It is a bipartisan issue.

FREEZING COPAY FOR VETERANS' PRESCRIPTION COSTS

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

Mr. STRICKLAND. Mr. Speaker, I think veterans across this country would be upset to learn that at a time when we are giving multi-billion dollar tax breaks to wealthy corporations, we are in fact contemplating increasing the cost of prescription medications available to our veterans by a whooping 250 percent. We are in the process of increasing the copay for our veterans from $2 per prescription to $7 per prescription.

Now, many veterans receive 10 or more prescriptions per month. Ten times seven is $70 a month. This is absolutely outrageous and unacceptable, when we are providing billions of dollars in tax breaks to profitable corporations, we would burden the veterans in our country by increasing the copay for their medications by 250 percent.

This House should support my bill, H.R. 2820, which would freeze the copay for 5 years at its $2 per prescription level.

THANKING THOSE SERVING AND WHO HAVE SERVED IN THE MILITARY

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

Mr. SHIMKUS. Mr. Speaker, it has been quoted as saying that war is hell. We mourn the reported deaths of our soldiers in Afghanistan. We know the risks of combat. We know that wars are fought and won on the battlefield, and it is only on the rarest of occasion that in warfare we do not lose some of our own.

The military accepts these risks, the military and our government. We do not like it, but it is reality. To serve and protect, that is what they do. Duty, honor, country. Our liberty is paid for by the blood of our sons and daughters.

I pause to thank those who are serving in the military and those who have served in the past.

APPOINTMENT OF CONFEREES ON H.R. 2883, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2002

Mr. GOSS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2883) to authorize appropriations for fiscal year 2002 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

Mr. GIBBONS. Mr. Speaker, since September 11, all Americans have witnessed our intelligence community at its best.

We have witnessed their loss, our first combat loss of an American hero in our war against terrorism, CIA agent Johnny "Mike" Spann. We must provide the resources needed to combat terrorism at the most basic level, intelligence.

This is a good bill. It provides significant resources to the intelligence community, which during the 1990s was underfinanced, understaffed, and underappreciated.

The 1990s was a "risk averse" period, during which the bullies of the world began to get the idea that the United States had gone soft, and no longer had a will to defend American lives and American interests.

The intelligence community often was not performing aggressively enough, though this was by no means the fault of the dedicated men and women who constitute the intelligence agencies' rank-and-file.

They are now doing a stupendous job of catchup, and they deserve the best support we can give them.

Regarding today's needs, we are providing logistical and technical resources for a worldwide campaign to root out terrorism.

Our intelligence officers are working on the ground in Afghanistan, as the American public is now aware—sadly aware with the news of our fallen CIA hero.

What the American public will probably never know is that American intelligence officers are working around the clock, worldwide, to neutralize terrorist cells and otherwise diminish the possibility of future attacks on innocent American citizens.

As for future needs, this bill provides resources for greater foreign language expertise, increased specialized training, increased analytical expertise to include measures to restore the intelligence community's ability to provide worldwide analytical coverage.

This administration and this Congress are acutely aware of the need for a strong intelligence capability. We on the Intelligence Committee have done our utmost to give the intelligence agencies what they need to do their job.

I urge your support on this motion.

□ 1030

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

The Chair hears none and, without objection, appoints the following conferees:

From the Permanent Select Committee on Intelligence, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Messrs. GOSS, BEREUTER, CASTLE, BOEHLERT, GIBBONS, LAHOOD, CUNNINGHAM, HOEKSTRA, BURR of North Carolina, and CHAMBLISS; Ms. PELOSI, Mr. BISHOP, Ms. HARMAN, and Messrs. CONDIT, ROEMER, HASTINGS of Florida, REYES, BOSWELL, and PETERSON of Minnesota.

From the Committee on Armed Services, for consideration of defense tactical intelligence and related activities: Messrs. STUMP, HUNTER and SKELTON.

There was no objection.

GENERAL LEAVE

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.J. Res. 76, and that I may include tabular and extraneous material.

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

There was no objection.

FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2002

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations be discharged from further consideration of the joint resolution (H.J. Res. 76) making further continuing appropriations for the fiscal year 2002, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

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

Mr. OBEY. Mr. Speaker, reserving the right to object, I would first yield to the gentleman from Florida for an explanation of his request, after which I have a series of questions I would like to put to him about it.

Mr. YOUNG of Florida. Mr. Speaker, I thank the gentleman for yielding. This continuing resolution extends the current CR until December 15. The terms and conditions of the previous CR will remain in effect. All ongoing activities will be continued at current rates under the same terms and conditions as fiscal year 2001, with the exception of the agencies covered by fiscal year 2002 appropriations bills that have been enacted into law.

Mr. Speaker, this CR is noncontroversial, and I urge the House to move the legislation to the Senate so that the government can continue to operate smoothly and efficiently and so that we can continue our work to finish those few regular appropriations bills that are still remaining.

Mr. OBEY. Mr. Speaker, continuing under my reservation, I would like to ask the gentleman several questions.

It is my understanding that the defense appropriations bill, and I do this because I think there are a lot of unrealistic expectations which are being directed at this committee by people who I do not think have sufficient appreciation for the detailed work that is required in order to produce legislation on, for instance, something as complicated as the defense bill.

My understanding is that that bill is 197 pages long and is expected, by the time the Senate is finished deliberating on it, to contain literally thousands of differences between the House and the Senate; is that not correct?

Mr. YOUNG of Florida. Mr. Speaker, the gentleman is correct.

Mr. OBEY. Mr. Speaker, let me ask another question under my reservation. Assuming that the Senate could pass the Department of Defense bill immediately, how long, in the gentleman's experience, does it usually take for the staff to put together the conference notes so that members of the conference understand what the differences are, and how long does it take usually after the conclusion of the conference for the staff to put together the required papers so that we know that what we vote on is what we actually agreed to in the conference?

Mr. YOUNG of Florida. Mr. Speaker, will the gentleman yield?

Mr. OBEY. Surely.

Mr. YOUNG of Florida. Mr. Speaker, the answer is, of course it depends on the bill and the situation with that bill. In the case of the defense bill that we are dealing with now, the basic bill, the $317 billion defense bill, probably will not be that difficult to conference. Where there will be difficulty will be in the $20 billion supplemental that we have dealt with here in the House and that the other body is now dealing with and is possibly changing considerably. So it could take 4 or 5 working days, or longer, just to get that bill ready to go to conference.

Once the agreements are actually reached in conference, it could take as many as 10 days in order to complete consideration of this bill. It is a major bill. Of our discretionary accounts, it is half of our discretionary spending. In most years we do not have a lot of differences going into conference on that bill, but this year, because of the $20 billion supplemental that is a result of the September 11 attacks, there are substantial differences between the House-passed bill and what the Senate is probably going to consider today or tomorrow.

Mr. OBEY. Mr. Speaker, continuing under my reservation, I thank the gentleman for his comments. I think that they are most accurate and, to me, what it demonstrates is that, under the most optimistic assumptions, if the Senate could proceed virtually immediately to conclude its action on that bill, we are talking about at least a

week after that point before we could possibly have this bill close to coming back to the House and probably a significant number of additional days.

I would add to that that, obviously, the Senate is not going to be in a position, based on what has been happening over there, to conclude this bill today.

So I have asked these questions, Mr. Speaker, in order to indicate my judgment that the date of December 15 for the expiration of this continuing resolution is incredibly optimistic. I do not think it, in fact, recognizes reality, and that it seems to me that if we are trying to extend this CR to the point where we think that the Congress will actually finish its work for this year that the date would have to be significantly later, I regret to say.

I would also say, continuing under my reservation, that with respect to the homeland security issue which the gentleman has mentioned, as I think has been obvious around this town for years, Congress often loses the off button at the end of the session. I do not know who has it, but, obviously, it is a whole lot easier to hit the start-up button for a congressional session than it is to find the off button at the end of the year, and whoever has that off button, I wish they would come forward, or we are going to be sitting here Christmas Eve still not having our work done.

I would also say that I think one of the keys to finding that off button is a willingness to compromise. I wish I thought I could see that on the part of the White House, especially on the part of OMB, with respect to the homeland security package. What is at stake in that package is, very simply, the security of every American citizen on the home front. With something that is that important, in order for Congress to finish its business on that item, for instance, we need a spirit of cooperation on both sides.

I must say I do not find that kind of spirit of cooperation coming from the White House on this item when we are called down to the White House for a meeting and, before we can get a word out of our mouths to explain what it is that our concerns are about homebased security, we are told immediately, ''Fellows, no matter what you are about to say, we are going to veto anything that you are thinking before we have even heard what it is you are thinking of.'' I do not think that is a way to promote compromise, and I do not think that creates the right atmosphere for resolving differences.

So I would simply say that I believe that, while I am not going to object to this, Mr. Speaker, I think December 15 is unreasonably optimistic, unless we have a major attitude adjustment on the part of OMB, and I have not detected a spectacular capacity of that agency to provide that.

Mr. OBEY. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 76

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Law 107–44 is further amended by striking the date specified in section 107(c) and inserting in lieu thereof ''December 15, 2001''.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and 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 three motions to suspend the rules on which further proceedings were postponed yesterday.

Votes will be taken in the following order:

H. Con. Res. 242, by the yeas and nays;

H.R. 3348, by the yeas and nays;

H. Con. Res. 102, by the yeas and nays.

H. Res. 298 will be postponed until later today.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

RECOGNIZING RADIO FREE EUROPE/RADIO LIBERTY'S SUCCESS IN PROMOTING DEMOCRACY

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 242.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa (Mr. LEACH) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 242, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 404, nays 1, not voting 28, as follows:

[Roll No. 469]

YEAS—404

Abercrombie
Ackerman
Aderholt
Akin
Allen
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
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)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Culberson
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kirk
Kleczka
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Dan
Miller, Gary
Miller, George
Miller, Jeff
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanders
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak

Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Weiner
Weldon (FL)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (FL)

NAYS—1

Paul

NOT VOTING—28

Andrews
Berman
Boozman
Cubin
Cummings
DeFazio
Gutierrez
Hefley
Hostettler
Johnson (CT)
Johnson, Sam
Kingston
Kucinich
LaTourette
Meehan
Meek (FL)
Ney
Pelosi
Quinn
Reyes
Roukema
Sanchez
Souder
Thomas
Thurman
Waxman
Weldon (PA)
Young (AK)

□ 1106

Mr. OXLEY changed his vote from ''nay'' to ''yea.''

So (two-thirds having voted in favor thereof) 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:

Mrs. JOHNSON of Connecticut. Mr. Speaker, on rollcall No. 469 I was unavoidably detained. Had I been present, I would have voted ''yea.''

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GILLMOR). Pursuant to the provisions of clause 8 of rule XX, the Chair announces that he will reduce to 5 minutes the period of time within which a vote by electronic device will be taken on each question on which the Chair has postponed further proceedings.

GEORGE P. SHULTZ NATIONAL FOREIGN AFFAIRS TRAINING CENTER

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the bill, H.R. 3348.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa (Mr. LEACH) that the House suspend the rules and pass the bill, H.R. 3348, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 407, nays 0, answered ''present'' 2, not voting 24, as follows:

[Roll No. 470]

YEAS—407

Abercrombie
Ackerman
Aderholt
Akin
Allen
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Boozman
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)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Hulshof
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kirk
Kleczka
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Dan
Miller, Gary
Miller, George
Miller, Jeff
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Radanovich
Ramstad
Rangel
Regula
Rehberg
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanders
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Weiner
Weldon (FL)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wynn
Young (FL)

ANSWERED ''PRESENT''—2

Rahall
Wu

NOT VOTING—24

Andrews
Berman
Cubin
DeFazio
Gutierrez
Harman
Hostettler
Hunter
Johnson (CT)
Johnson, Sam
Kingston
Kucinich
LaTourette
Meehan
Meek (FL)
Ney
Quinn
Reyes
Roukema
Sanchez
Thurman
Waxman
Weldon (PA)
Young (AK)

□ 1117

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.

Stated for:

Mrs. JOHNSON of Connecticut. Mr. Speaker, on rollcall No. 470 I was unavoidably detained. Had I been present, I would have voted ''yea.''

HUNGER TO HARVEST: DECADE OF SUPPORT FOR SUB-SAHARAN AFRICA RESOLUTION

The SPEAKER pro tempore (Mr. GILLMOR). The unfinished business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 102, as amended.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa (Mr. LEACH) that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 102, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 400, nays 9, not voting 24, as follows:

[Roll No. 471]

YEAS—400

Abercrombie
Ackerman
Aderholt
Akin
Allen
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonior
Bono
Boozman
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Fletcher
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kirk
Kleczka
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Dan
Miller, Gary
Miller, George
Miller, Jeff
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanders
Sandlin
Sawyer
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Weiner
Weldon (FL)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (FL)

NAYS—9

Barr
Berry
Bonilla
Collins
Flake
Goode
Herger
Paul
Rohrabacher

NOT VOTING—24

Andrews
Camp
Cubin
DeFazio
Dicks
Foley
Gutierrez
Hostettler
Johnson, Sam
Kingston
Kucinich
LaTourette
Meehan
Meek (FL)
Ney
Quinn
Reyes
Roukema
Sanchez
Saxton
Sessions
Waxman
Weldon (PA)
Young (AK)

□ 1125

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

The title of the concurrent resolution was amended so as to read: ''Concurrent resolution encouraging the development of strategies to reduce hunger and poverty, and to promote free market economies and democratic institutions, in sub-Saharan Africa.''.

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 announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

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

BEAR RIVER MIGRATORY BIRD REFUGE VISITOR CENTER ACT

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3322) to authorize the Secretary of the Interior to construct an education and administrative center at the Bear River Migratory Bird Refuge in Box Elder County, Utah.

The Clerk read as follows:

H.R. 3322

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 ''Bear River Migratory Bird Refuge Visitor Center Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The Bear River marshes have been a historical waterfowl oasis and an important inland waterfowl flyway for thousands of years.

(2) Congress created the Bear River Migratory Bird Refuge as one of the first National Wildlife Refuges, for the purpose of protecting waterfowl habitat and migratory birds, educating the public regarding, and enhancing public appreciation of, waterfowl habitat and migratory birds.

(3) The Bear River Migratory Bird Refuge was virtually destroyed by the devastating floods that occurred between 1983 and 1985.

(4) Refuge employees, aided by volunteers, have taken valiant actions to rebuild the Refuge by restoring habitat, increasing its attractiveness to waterfowl, reducing waterfowl botulism, and providing recreational and educational opportunities to the public.

(5) The Bear River Migratory Bird Refuge lacks a functional education and administrative center.

(6) The creation of such a facility would significantly enhance public appreciation of waterfowl and the need to preserve waterfowl habitat.

(7) Congress has taken significant steps to provide funding for the construction of an education and administrative center.

SEC. 3. DEFINITIONS.

For the purpose of this Act, the following definitions apply:

(1) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(2) REFUGE.—The term ''Refuge'' means the Bear River Migratory Bird Refuge in Box Elder County, Utah.

(3) EDUCATION AND ADMINISTRATIVE CENTER.—The term ''Education and Administrative Center'' means the facility identified in the Environmental Assessment dated 1991 and entitled ''Restoration and Expansion of the Bear River Migratory Bird Refuge''.

SEC. 4. AUTHORIZATION OF CONSTRUCTION OF THE EDUCATION CENTER.

(a) CONSTRUCTION.—The Secretary shall construct the Education and Administrative Center at the Refuge for the purposes of providing for the interpretation of resources of the Refuge for the education and benefit of the public, the advancement of research, protection, and health of waterfowl habitat, and for the administration of the Bear River Migratory Bird Refuge.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $11,000,000 to carry out subsection (a).

SEC. 5. MATCHING CONTRIBUTIONS REQUIREMENTS.

(a) DONATION OF FUNDS AND SERVICES.—The Secretary may accept donations of funds and services from nonprofit organizations, State and local governments, and private citizens for the construction of the Education and Administrative Center.

(b) MATCHING FUNDS.—The Secretary may not require matching funds or contributions in kind with a combined total value of more than $1,500,000 for construction of the Education and Administrative Center.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

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

The Bear River marshes in the northern portion of the Great Salt Lake have been a waterfowl oasis and an important inland waterfowl flyway for centuries, and I am pleased that the House is taking action to improve research opportunities and educational experiences at the refuge.

To give a little history of the Bear River marshes, in 1843, explorer John C. Fremont described the area by saying ''The waterfowl made a noise like thunder, as the whole scene was animated with waterfowl.'' Later, settlers moved in and began draining the marshes so slowly that no one noticed until 1910 when botulism killed over 2 million birds and another deadly outbreak in 1920 killed 1.5 million birds. In 1928, at the urging of many individuals and organizations, Congress turned this unique area into a National Wildlife Refuge. The refuge soon became a popular attraction for various groups from sportsmen and school groups to wildlife photographers.

Then came Utah's 100-year floods of 1983 and 1985 when there was a manmade river running down State Street in Salt Lake City and Glen Canyon Dam was spilling over. Those wet years also caused the rising Great Salt Lake to breach the refuge dikes and saltwater contaminated wildlife habitat, destroyed marsh vegetation and destroyed the newly constructed visitors and administrative facilities.

In 1989, the water finally receded, and since that time refuge employees and scores of volunteers have worked tirelessly cleaning debris, moving 1 million cubic yards of earth, restoring 47 water control structures and 47 miles of dikes, and purchasing easements to restore the habitat to its previous condition.

□ 1130

Mr. Speaker, thanks to their good efforts, the refuge once again attracts hundreds of waterfowl and an increasing number of human visitors. There are 221 species of birds that have been recorded at the refuge, and 206 of those constantly come back each year. However, the refuge still lacks a functional education and administrative center which denies the public a rich educational opportunity.

I have worked with my colleagues on the Committee on Appropriations and with the Senate Committee on Appropriations to provide funding for the reconstruction of these facilities. Local communities, the Friends of Bear River Bird Refuge and other nonprofit groups have demonstrated their interest and dedication to a research and education center by raising an additional $1.5 million for the project.

This bill recognizes the efforts of the refuge staff, the community, and the local Friends group to rebuild the refuge. Between the prior appropriations and the contribution from local supporters, over 80 percent of the funding has already been secured. This is a good bill.

Finally, I would like to compliment Al Trout, the refuge manager, who has worked so diligently to put this together, a truly dedicated public servant.

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

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

Mr. Speaker, I am pleased to support the legislation of the distinguished gentleman from Utah (Mr. HANSEN) which would authorize the construction of a new education and administrative center at one of our Nation's oldest migratory bird refuges. It was unfortunate that floods destroyed the center nearly 18 years ago. I understand the frustration of the gentleman from Utah (Mr. HANSEN) that a new facility has not been built to replace the original building.

As Members may recall, the 1997 National Wildlife Refuge Improvement Act established environmental education and resource interpretation as priority uses at all national wildlife refuges. Education centers like the one planned for Bear River are essential to ensure that the Fish and Wildlife Service promotes the wildlife wonders throughout our national wildlife refuge system and generates public awareness and appreciation for these resources.

Mr. Speaker, I urge Members to support this legislation. I look forward to working with both the gentleman from Utah (Mr. HANSEN) and our ranking member, the gentleman from West Virginia (Mr. RAHALL), who adds his commendation and support for the bill to improve visitor services within our national wildlife refuges.

Mr. MATHESON. Mr. Speaker, it is with great pleasure that I rise today in support of the Bear River Migratory Bird Refuge Visitor Center Act. This legislation will allow the Refuge to construct an educational and administrative headquarters. It is my hope that bird enthusiasts throughout the West will be able to come to see the thousands of birds that visit the area each year and hear what explorer John C. Fremont called ''a noise like thunder.''

The Refuge was created by Congress in 1928 to ensure the survival of the birds and natural wetlands of the area. Unfortunately, due to massive flooding in the 1983 to 1985, the entire Refuge was destroyed and the wetlands completely covered with water.

Today, the Refuge consists of 74,000 acres. In 1993, land acquisition added nearly 9,000 acres of uplands, wetlands, and mudflats. The historic 65,000 acres of the Refuge, consisting mainly of marsh, open water, and mudflats, have slowly seen salt deposits from the flood flushed out. Now, the wetland is on the verge of full recovery, and with marsh plants thriving, birds are returning in increasing numbers to the Refuge.

I am excited to see this legislation come before the body. I strongly believe that this bill will be beneficial to the Bear River Migratory Bird Refuge habitat by increasing its attractiveness to birds, and to people.

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

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

The SPEAKER pro tempore (Mr. GILLMOR). The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 3322.

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.

FERN LAKE CONSERVATION AND RECREATION ACT OF 2001

Mr. RADANOVICH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2238) to authorize the Secretary of the Interior to acquire Fern Lake and the surrounding watershed in the States of Kentucky and Tennessee for addition to Cumberland Gap National Historical Park, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2238

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 ''Fern Lake Conservation and Recreation Act of 2001''.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds the following:

(1) Fern Lake and its surrounding watershed in Bell County, Kentucky, and Claiborne County, Tennessee, is within the potential boundaries of Cumberland Gap National Historical Park as originally authorized by the Act of June 11, 1940 (54 Stat. 262; 16 U.S.C. 261 et seq.).

(2) The acquisition of Fern Lake and its surrounding watershed and its inclusion in Cumberland Gap National Historical Park would protect the vista from Pinnacle Overlook, which is one of the park's most valuable scenic resources and most popular attractions, and enhance recreational opportunities at the park.

(3) Fern Lake is the water supply source for the city of Middlesboro, Kentucky, and environs.

(4) The 4500-acre Fern Lake watershed is privately owned, and the 150-acre lake and part of the watershed are currently for sale, but the Secretary of the Interior is precluded by the first section of the Act of June 11, 1940 (16 U.S.C. 261), from using appropriated funds to acquire the lands.

(b) PURPOSES.—The purposes of the Act are—

(1) to authorize the Secretary of the Interior to use appropriated funds if necessary, in addition to other acquisition methods, to acquire from willing sellers Fern Lake and its surrounding watershed, in order to protect scenic and natural resources and enhance recreational opportunities at Cumberland Gap National Historical Park; and

(2) to allow the continued supply of water from Fern Lake to the city of Middlesboro, Kentucky, and environs.

SEC. 3. LAND ACQUISITION, FERN LAKE, CUMBERLAND GAP NATIONAL HISTORICAL PARK.

(a) DEFINITIONS.—In this section:

(1) FERN LAKE.—The term ''Fern Lake'' means Fern Lake located in Bell County, Kentucky, and Claiborne County, Tennessee.

(2) LAND.—The term ''land'' means land, water, interests in land, and any improvements on the land.

(3) PARK.—The term ''park'' means Cumberland Gap National Historical Park, as authorized and established by the Act of June 11, 1940 (54 Stat. 262; 16 U.S.C. 261 et seq.).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Director of the National Park Service.

(b) ACQUISITION AUTHORIZED.—The Secretary may acquire for addition to the park lands consisting of approximately 4,500 acres and containing Fern Lake and its surrounding watershed, as generally depicted on the map entitled ''Cumberland Gap National Historical Park, Fern Lake Watershed'', numbered 380/80,004, and dated May 2001. The map shall be on file in the appropriate offices of the National Park Service.

(c) AUTHORIZED ACQUISITION METHODS.—

(1) IN GENERAL.—Notwithstanding the Act of June 11, 1940 (16 U.S.C. 261 et seq.), the Secretary may acquire lands described in subsection (b) by donation, purchase with donated or appropriated funds, or exchange. However, the lands may be acquired only with the consent of the owner.

(2) EASEMENTS.—At the discretion of the Secretary, the Secretary may acquire land described in subsection (b) that is subject to an easement for water supply facilities and equipment associated with the withdrawal and delivery of water by a utility from Fern Lake to the city of Middlesboro, Kentucky, and environs.

(d) BOUNDARY ADJUSTMENT AND ADMINISTRATION.—Upon the acquisition of land under this section, the Secretary shall revise the boundaries of the park to include the land in the park. Subject to subsection (e), the Secretary shall administer the acquired lands as part of the park in accordance with the laws and regulations applicable to the park.

(e) SPECIAL ISSUES RELATED TO FERN LAKE.—

(1) PROTECTION OF WATER SUPPLY.—The Secretary shall manage public recreational use of Fern Lake, if acquired by the Secretary, in a manner that is consistent with the protection of the lake as a source of untreated water for the city of Middlesboro, Kentucky, and environs.

(2) SALE OF WATER.—

(A) CONTRACT WITH UTILITY.—Upon the Secretary's acquisition of land that includes Fern Lake, the Secretary shall enter into a contract to sell untreated water from the lake to a utility that delivers and distributes water to the city of Middlesboro, Kentucky, and environs. The Secretary shall ensure that the terms and conditions of the contract are equitable, ensuring a balance between the protection of park resources and the delivery and distribution of sufficient water to continue meeting the water demands of the city of Middlesboro, Kentucky, and environs.

(B) PROCEEDS FROM WATER.—The Secretary shall negotiate a reasonable return to the United States for the sale of the water, which the Secretary may receive in the form of reduced charges for water service. Proceeds from the sale of the water, reduced by any offsets for water service to the park, shall be available for expenditure by the Secretary at the park without further appropriation.

(f) CONSULTATION REQUIREMENTS.—In order to better manage Fern Lake and its surrounding watershed, if acquired by the Secretary, in a manner that will facilitate the provision of water for municipal needs as well as the establishment and promotion of new recreational opportunities made possible by the addition of Fern Lake to the park, the Secretary shall consult with—

(1) appropriate officials in the States of Kentucky, Tennessee, and Virginia, and political subdivisions of these States;

(2) organizations involved in promoting tourism in these States; and

(3) other interested parties.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. RADANOVICH) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. RADANOVICH).

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

Mr. Speaker, H.R. 2238 was introduced by the gentleman from Kentucky (Mr. ROGERS) and would authorize the Secretary of the Interior to acquire Fern Lake and its surrounding watershed in Tennessee and Kentucky from willing sellers for addition to the Cumberland Gap National Historical Park. The boundary expansion would enhance the visitors' recreational experience and allow the National Park Service to preserve the 4,500 acre Fern Lake watershed and the water supply for the city of Middlesboro, Kentucky. Since the early 1900s, Fern Lake has been the sole source of drinking water for the city of Middlesboro, Kentucky.

Cumberland Gap, located where the borders of Tennessee, Kentucky and Virginia meet, forms a major break in the Appalachian Mountain chain. The park commemorates the story of the first gateway to the West, first used by the Native Americans and then by pioneers.

Mr. Speaker, during the subcommittee hearing on H.R. 2238, concerns were raised by the National Park Service on how it is to manage the water system once it acquires Fern Lake. At the Committee on Resources markup, I offered an amendment to address the water issue. The amendment was adopted and supported by both the majority and minority of the committee. However, since that time, the National Park Service has continued to express concern with the water management section of the bill.

Mr. Speaker, late yesterday afternoon the administration, the majority and the minority of the committee and the gentleman from Kentucky (Mr. ROGERS) agreed to the amendment before us. I believe the amendment further clarifies for the Service its responsibility protecting the resources in the park, while assuring the city of Middlesboro, Kentucky, that their continued water needs will be met.

H.R. 2238 is a unique and complex bill. The gentleman from Kentucky (Mr. ROGERS) has worked hard to accommodate the concerns raised by the administration, while remaining focused on his priority of ensuring long-term protection for Fern Lake and a continued supply of water for his constituents. I urge my colleagues to support H.R. 2238, as amended.

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

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

Mr. Speaker, Cumberland Gap National Historical Park serves two important purposes: The park preserves an absolutely beautiful area, while also allowing people to explore the important historical role played by the Cumberland Gap. The gap, located at the intersection of the Kentucky, Tennessee and Virginia borders, was first a passageway for large game animals, then Native Americans, and finally hundreds of thousands of American settlers heading to the American West.

Like the park itself, H.R. 2238 serves two important purposes. The bill would authorize the Secretary of the Interior to acquire for addition to the park an approximately 4,500 acre parcel known as the Fern Lake Watershed. During the hearings we held on this matter, photographs showed it to be a lush, undeveloped area, and the administration testified as to its eagerness to add the land to the park.

In addition, passage of H.R. 2238 will ensure a reliable, long-term water supply for a community that depends on Fern Lake. The Secretary would be authorized to grant easements over the newly acquired property to facilitate the continued use of the lake as the municipal water supply for the town of Middlesboro, Kentucky, and to contract with the utility for the sale and distribution of the water to the town and its environs.

Mr. Speaker, we realize this is a somewhat unusual arrangement. However, the lake will be a valuable addition to the park, and we feel sure that the National Park Service, the utility and the town will develop a good, mutually beneficial working relationship.

Mr. Speaker, our ranking member, the gentleman from West Virginia (Mr. RAHALL), joins me in commending the gentleman from Kentucky (Mr. ROGERS) for his hard work on this legislation, and we urge support for H.R. 2238.

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

Mr. RADANOVICH. Mr. Speaker, I yield such time as he may consume to the gentleman from Kentucky (Mr. ROGERS), who is the sponsor of the legislation.

Mr. ROGERS of Kentucky. Mr. Speaker, I am pleased and honored to have the opportunity to rise in support

of H.R. 2238, the Fern Lake Conservation and Recreation Act of 2001. This has been a long road, but with the help and services of the gentleman from Utah (Mr. HANSEN) and the gentleman from California (Mr. RADANOVICH), as well as the gentleman from West Virginia (Mr. RAHALL) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) on the floor this morning, we have come together and crafted an excellent bill that is worthy of the Chamber's support. I appreciate their efforts in getting this legislation to the floor in such a timely manner and making the necessary corrections to it that enables it to become, I think, a successful bill.

Mr. Speaker, the bill before the House today is an essential piece of legislation which will forever protect one of the most pristine areas in the Commonwealth of Kentucky, indeed the Nation, for future generations. The bill aims to incorporate, as has been said, Fern Lake, an unspoiled body of water nestled in the Appalachian Mountains, into the Cumberland Gap National Historical Park.

The photographs that stand before us this morning are simple testimony to the absolute beauty of this pristine area. For those who are not familiar with this part of the world, the Cumberland Gap National Park is 20,000 acres of virtually untouched frontier, mountains and countryside, established by Congress in 1940. It is, as some have said, the first frontier, where Daniel Boone blazed the Cumberland Gap Trail in the late 18th century leading the way for thousands and tens of thousands of other settlers hoping to find a fresh start in this new world, moving from the Eastern Seaboard, 13 colonies, into the hinterlands of this great Nation. This is where they first came through.

Congress rightly recognized the importance of permanently protecting this frontier, and today we will hopefully vote to continue these endeavors by approving this Fern Lake addition. In short, this bill will protect the lake as a clean and safe source of rural water for the city of Middlesboro, Kentucky, its only source, enhance the scenic, recreational, wildlife, cultural value of the park, and increase tourism opportunities in the tristate areas of Kentucky, Tennessee and Virginia.

As one can see from the pictures on display, the lake and the surrounding watershed are of unparalleled beauty, and these pictures capture the essence of what thousands of park visitors see each year. This spectacular landscape is visible from Pinnacle Overlook, the highest point, the most popular attraction in the national park, and it is typical of what many of our ancestors experienced as they trudged forward through this uncharted territory over 200 years ago.

Just from the photos alone, it is not hard to understand why Congress should act today to ensure the preservation of this pristine area. Because of the conditions set forth in the original Cumberland Gap legislation, no appropriate funds can be used to purchase additional acreage unless specifically authorized by Congress. H.R. 2238 provides that authorization and paves the way for an additional 4,500 acres to be included in the park if willing sellers appear and appropriations become available.

One of the principal goals of the legislation that we have before us is to ensure the continued use of the lake as a clean and safe water supply for the city of Middlesboro, Kentucky, a small city which borders the Cumberland Gap Park.

The dam was constructed in 1893, forming the lake, and that 150-acre lake has been privately owned for most of its existence, but it has been for sale on the open market since last year. Given the fact that the lake serves as the sole water source for the city, there is considerable concern that a new owner may not share the same interest as the community.

As our local resident witness testified before the hearings here, many businesses in the area rely on the uncommon purity of the water for their livelihood. With that in mind, the bill we crafted provides a valuable resource for the park, while at the same time ensuring that the city's water demands are sufficiently met.

□ 1145

We expect the Park Service to act in good faith with this community, so that the citizens of Middlesboro will be secure with the knowledge that their water supply source will always be there. I am confident the Park Service will prove to be a valuable and responsible partner in this regard.

Lastly, Mr. Speaker, it cannot be overstated how important this legislation is to the economic well-being of the citizens of rural Appalachian Kentucky. This proposed Federal investment in our rich cultural heritage would certainly bring added tourism revenue and jobs to this impoverished area. Tourism is an essential part of our region's economic development, and we must seize every opportunity to further strengthen this sector.

In conclusion, Mr. Speaker, I want to extend my special gratitude and thanks to everyone who has made this day possible. The committee and the subcommittee have been very forthcoming, the staff has been extraordinarily helpful in this respect, and we appreciate it on both sides of the aisle.

I want to extend a special thanks to Middlesboro Mayor Ben Hickman and County Executive Jennifer Jones, who first brought this idea to my attention, and also Mrs. Karla Bowling, the president of the Bell County Chamber of Commerce, who traveled not just once but twice to this city to provide her expert testimony in support of this bill. We are grateful especially for their service.

Mr. Speaker, I strongly urge passage of this important legislation. I thank Members for their support.

Mrs. CHRISTENSEN. Mr. Speaker, I yield myself such time as I may consume to just thank the distinguished gentleman from Kentucky. He has brought the wonderful pictures and really laid out all of the reasons why this bill should be supported.

We would also like to add our congratulations on his having passed the transportation appropriations bill with such a broad consensus and such a strong vote.

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

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

The SPEAKER pro tempore (Mr. GILLMOR). The question is on the motion offered by the gentleman from California (Mr. RADANOVICH) that the House suspend the rules and pass the bill, H.R. 2238, as amended.

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

A motion to reconsider was laid on the table.

RECLAMATION WASTEWATER AND GROUNDWATER STUDY AND FACILITIES ACT AMENDMENT

Mr. RADANOVICH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2115) to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of a project to reclaim and reuse wastewater within and outside of the service area of the Lakehaven Utility District, Washington.

The Clerk read as follows:

H.R. 2115

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

SECTION 1. LAKEHAVEN, WASHINGTON, WASTEWATER RECLAMATION AND REUSE PROJECT.

(a) AUTHORIZATION.—The Reclamation Wastewater and Groundwater Study and Facilities Act (Public Law 102–575, title XVI; 43 U.S.C. 390h et seq.) is amended by adding at the end the following:

"SEC. 1635. LAKEHAVEN, WASHINGTON, WATER RECLAMATION AND REUSE PROJECT.

''(a) AUTHORIZATION.—The Secretary, in cooperation with the Lakehaven Utility District, Washington, is authorized to participate in the design, planning, and construction of, and land acquisition for, a project to reclaim and reuse wastewater, including degraded groundwaters, within and outside of the service area of the Lakehaven Utility District.

''(b) COST SHARE.—The Federal share of the cost of the project authorized by this section shall not exceed 25 percent of the total cost of the project.

''(c) LIMITATION.—The Secretary shall not provide funds for the operation and maintenance of the project authorized by this section.''.

(b) CLERICAL AMENDMENT.—The table of sections in section 2 of such Act is amended by inserting after the item relating to section 1634 the following:

''Sec. 1635. Lakehaven, Washington, Water Reclamation and Reuse Project.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. RADANOVICH) and the gentleman from Washington (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. RADANOVICH).

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

Mr. Speaker, the bill H.R. 2115, as sponsored by the gentleman from Washington (Mr. SMITH), would authorize the Bureau of Reclamation to add the Lakehaven Utility District reclamation projects to its current list of 25 specifically authorized projects under title XVI of the Reclamation Wastewater and Groundwater Study and Facilities Act.

Lakehaven Utility District is proposing a water reclamation program that would result in the reduction or elimination of local secondary wastewater to the Puget Sound, conjunctive use of reclaimed water, groundwater and surface water, and enhancement of existing wetlands and fish habitat.

Lakehaven has two secondary wastewater treatment plants currently discharging over 6 million gallons of water a day to the Puget Sound. They would use reclaimed water to manage groundwater levels, thereby enhancing the reliability of existing water supplies. The project would result in the construction of additional treatment systems at the district's two wastewater treatment plants and would further purify all or portions of the plant's secondary effluent.

Lakehaven is also planning the construction of transmission and distribution pipeline systems to transport water to reuse areas where facilities will be developed to direct the water to the aquifer. This would be done through injection wells, sub-surface infiltration galleries and land applications in areas that are currently wetland restoration project areas.

The cost for these facilities is estimated to be $38 million. Under title XVI, the Federal portion of the cost of constructing facilities cannot exceed 25 percent, with a maximum of $20 million.

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

Mr. SMITH of Washington. Mr. Speaker, I yield myself such time as I may consume.

(Mr. SMITH of Washington asked and was given permission to revise and extend his remarks.)

Mr. SMITH of Washington. Mr. Speaker, first of all I want to thank the chairmen of the subcommittee and the full committee for bringing this issue through the committee and to the floor. It is an issue that is very, very important to my district.

The Lakehaven Utility District is one of the largest utility districts that I represent and have some critical wastewater needs, as was mentioned. The projects that they have put forward are very innovative and show a great deal of promise in developing new technology to help us deal with wastewater, both in terms of recycling it and properly disposing of it.

Some of the problems that we have in this country that do not get as much attention or are not as well noticed are some of the critical infrastructure problems. When most people think of infrastructure, they think of transportation, they think of airports, maybe they think of education; but wastewater treatment is one of the more critical infrastructure issues that our country faces, and we are facing a critical backlog of projects that need help and support.

This bill would give us the authorizing language that we need in order to move forward in this project. We are fully aware of the fact we also have to get in line with the other 25 projects to try to get it appropriated, but this is the first necessary step in that process.

I really want to compliment the Lakehaven Utility District and their commissioners, who have worked so hard on this project. I think they have been very forward-thinking, and the project they have put forward looked at new technologies and new ways to deal with wastewater in ways that hopefully will help become a model for the country and move forward.

They are fully prepared to fund, obviously, a portion of this project and just need a little Federal help to make it happen.

Again, I want to thank the chairman, I want to thank all the people on the committee, for allowing this to come forward, and, again, the folks in Lakehaven for doing the work.

Lastly, I am going to take a personal moment. It is my wife's birthday today; and, unfortunately, she is back home in my district. So this is my only opportunity to say happy birthday to her in any sort of visual format. So, happy birthday.

Again, I thank the chairman for bringing this bill up, and urge passage.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. RADANOVICH) that the House suspend the rules and pass the bill, H.R. 2115.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. RADANOVICH. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on the three bills just considered, H.R. 3322, H.R. 2238, and H.R. 2115.

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

There was no objection.

NATIVE AMERICAN SMALL BUSINESS DEVELOPMENT ACT

Mr. MANZULLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2538) to amend the Small Business Act to expand and approve the assistance provided by Small Business Development Centers to Indian tribe members, Native Alaskans, and Native Hawaiians, as amended.

The Clerk read as follows:

H.R. 2538

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 ''Native American Small Business Development Act''.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds the following:

(1) Approximately 60 percent of Indian tribe members and Alaska Natives live on or adjacent to Indian lands, which suffer from an average unemployment rate of 45 percent.

(2) Indian tribe members and Alaska Natives own more than 197,000 businesses and generate more than $34,000,000,000 in revenues. The service industry accounted for 17 percent of these businesses (of which 40 percent were engaged in business and personal services) and 15.1 percent of their total receipts. The next largest was the construction industry (13.9 percent and 15.7 percent, respectively). The third largest was the retail trade industry (7.5 percent and 13.4 percent, respectively).

(3) The number of businesses owned by Indian tribe members and Alaska Natives grew by 84 percent from 1992 to 1997, and their gross receipts grew by 179 percent in that period. This is compared to all businesses which grew by 7 percent, and their total gross receipts grew by 40 percent, in that period.

(4) The Small Business Development Center program is cost effective. Clients receiving long-term counseling under the program in 1998 generated additional tax revenues of $468,000,000, roughly 6 times the cost of the program to the Federal Government.

(5) Using the existing infrastructure of the Small Business Development Center program, small businesses owned by Indian tribe members, Alaska Natives, and Native Hawaiians receiving services under the program will have a higher survival rate than the average small business not receiving such services.

(6) Business counseling and technical assistance is critical on Indian lands where similar services are scarce and expensive.

(7) Increased assistance through counseling under the Small Business Development Center program has been shown to reduce the default rate associated with lending programs of the Small Business Administration.

(b) PURPOSES.—The purposes of this Act are as follows:

(1) To stimulate economies on Indian lands.

(2) To foster economic development on Indian lands.

(3) To assist in the creation of new small businesses owned by Indian tribe members,

Alaska Natives, and Native Hawaiians and expand existing ones.

(4) To provide management, technical, and research assistance to small businesses owned by Indian tribe members, Alaska Natives, and Native Hawaiians.

(5) To seek the advice of the governing bodies of Indian tribes, corporations organized pursuant to the Alaska Native Claims Settlement Act and other Alaska Native entities, and Native Hawaiian organizations on where small business development assistance is most needed.

(6) To ensure that Indian tribe members, Alaska Natives, and Native Hawaiians have full access to existing business counseling and technical assistance available through the Small Business Development Center program.

SEC. 3. SMALL BUSINESS DEVELOPMENT CENTER ASSISTANCE TO INDIAN TRIBE MEMBERS, ALASKA NATIVES, AND NATIVE HAWAIIANS.

(a) IN GENERAL.—Section 21(a) of the Small Business Act (15 U.S.C. 648(a)) is amended by adding at the end the following:

''(7) ADDITIONAL GRANT TO ASSIST INDIAN TRIBE MEMBERS, ALASKA NATIVES, AND NATIVE HAWAIIANS.—

''(A) IN GENERAL.—Any applicant in an eligible State that is funded by the Administration as a Small Business Development Center may apply for an additional grant to be used solely to provide services described in subsection (c)(3) to assist with outreach, development, and enhancement of small business startups and expansions that are owned by Indian tribe members, Alaska Natives, or Native Hawaiians and that are located in Alaska or Hawaii, or on Indian lands in the 48 contiguous States.

''(B) ELIGIBLE STATES.—For purposes of subparagraph (A), an eligible State is a State that has a combined population of Indian tribe members, Alaska Natives, and Native Hawaiians that comprises at least 1 percent of the State's total population, as shown by the latest available census.

''(C) GRANT APPLICATIONS.—An applicant for a grant under subparagraph (A) shall submit to the Associate Administrator an application that is in such form as the Associate Administrator may require. The application shall include information regarding the applicant's goals and objectives for the services to be provided using the grant, including—

''(i) the capability of the applicant to provide training and services to a representative number of Indian tribe members, Alaska Natives, and Native Hawaiians;

''(ii) the location of the Small Business Development Center site proposed by the applicant;

''(iii) the required amount of grant funding needed by the applicant to implement the program; and

''(iv) the extent to which the applicant has consulted with the governing bodies of Indian tribes, corporations organized pursuant to the Alaska Native Claims Settlement Act and other Alaska Native entities, and Native Hawaiian organizations, as appropriate.

''(D) APPLICABILITY OF GRANT REQUIREMENTS.—An applicant for a grant under subparagraph (A) shall comply with all of the requirements of this section, except that the matching funds requirements of paragraph (4)(A) shall not apply.

''(E) MAXIMUM AMOUNT OF GRANTS.—No applicant may receive more than $300,000 in grants under this paragraph in a fiscal year.

''(F) REGULATIONS.—After providing notice and an opportunity for comment and after consulting with the Association recognized by the Administration pursuant to paragraph (3)(A) (but not later than 180 days after the date of enactment of this paragraph), the Administrator shall issue final regulations to carry out this paragraph, including regulations that establish—

''(i) standards relating to educational, technical, and support services to be provided by Small Business Development Centers receiving assistance under this paragraph; and

''(ii) standards relating to any work plan that the Associate Administrator may require a Small Business Development Center receiving assistance under this paragraph to develop.

''(G) DEFINITIONS.—In this paragraph, the following definitions apply:

''(i) ASSOCIATE ADMINISTRATOR.—The term 'Associate Administrator' means the Associate Administrator for Small Business Development Centers.

''(ii) INDIAN LANDS.—The term 'Indian lands' means, in the 48 contiguous States, land that is a 'reservation' for the purposes of section 4 of the Indian Child Welfare Act of 1978 (25 U.S.C. 1903) and land that is an 'Indian reservation' for the purposes of section 151.2 of title 25, Code of Federal Regulations (as in effect on the date of enactment of this paragraph).

''(iii) INDIAN TRIBE.—The term 'Indian tribe' means a federally recognized Indian tribe.

''(iv) INDIAN TRIBE MEMBER.—The term 'Indian tribe member' means an individual who is a member of an Indian tribe.

''(v) ALASKA NATIVE.—The term 'Alaska Native' means an individual who is—

''(I) a 'Native' for the purposes of section 3(b) of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(b));

''(II) a descendent of an individual who is a 'Native' for the purposes of section 3(b) of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(b)); or

''(III) a Tsimshian Indian who is an enrolled member of the Metlakatla Indian Community.

''(vi) NATIVE HAWAIIAN.—The term 'Native Hawaiian' means any individual who is a descendant of the aboriginal people, who prior to 1778, occupied and exercised sovereignty in the area that now constitutes the State of Hawaii.

''(H) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this paragraph $7,000,000 for each of fiscal years 2002 through 2004.

''(I) FUNDING LIMITATIONS.—

''(i) NONAPPLICABILITY OF CERTAIN LIMITATIONS.—Funding under this paragraph shall be in addition to the dollar program limitations specified in paragraph (4).

''(ii) LIMITATION ON USE OF FUNDS.—The Administration may carry out this paragraph only with amounts appropriated in advance specifically to carry out this paragraph.''.

SEC. 4. STATE CONSULTATION WITH LOCAL TRIBAL COUNCILS.

Section 21(c) of the Small Business Act (15 U.S.C. 648(c)) is amended by adding at the end the following:

''(9) ADVICE OF GOVERNING BODIES OF INDIAN TRIBES, ALASKA NATIVE CORPORATIONS AND OTHER ENTITIES, AND NATIVE HAWAIIAN ORGANIZATIONS.—A State receiving grants under this section shall request the advice of the governing bodies of Indian tribes, corporations organized pursuant to the Alaska Native Claims Settlement Act and other Alaska Native entities, and Native Hawaiian organizations, as appropriate, on how best to provide assistance to Indian tribe members, Alaska Natives, and Native Hawaiians and where to locate satellite centers to provide such assistance.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. MANZULLO) and the gentleman from New Mexico (Mr. UDALL) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois (Mr. MANZULLO).

GENERAL LEAVE

Mr. MANZULLO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2538.

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

There was no objection.

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

Mr. Speaker, I am pleased to join with my good friend, the gentleman from New Mexico (Mr. UDALL), in offering this bill today.

While many Americans are justifiably anxious about a one-half percent jump in the unemployment rate, about 60 percent of our Native American population lives in or adjacent to Indian lands that suffer from an average unemployment rate of 45 percent. This past summer I had the opportunity to visit Santa Fe in the heart of the district of the gentleman from New Mexico (Mr. UDALL); and at that time we held a hearing involving the contracting practices of one of our labs out there, the Los Alamos lab.

The evidence adduced at the hearing pointed out quite significantly that the Native American tribes are not getting their share of the amount of Federal dollars that are being poured into the Los Alamos facility.

One of the purposes of this bill is to extend the facilities of the SBCDs, the Small Business Development Centers, of which there are over 1,000 in this country, for the purpose of business counseling and technical assistance to the Native Americans who may wish to become involved in the procurement process.

What is good about this bill, Mr. Speaker, is the fact that this is a self-help program, it involves the outlay of a relatively small amount of money, it is aimed directly at the Native Americans that really need the assistance, and it is the type of learning of business techniques that makes the Native Americans better able to compete to go after these Federal contracts and in the private sector.

So I join in the support of this bill and would encourage my colleagues to support H.R. 2538.

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

Mr. UDALL of New Mexico. Mr. Speaker, I yield myself such time as I may consume.

First of all, let me thank the majority leader for allowing this legislation to come before the House for consideration. I also would like to thank the gentleman from Illinois (Chairman MANZULLO) and the ranking member, the gentlewoman from New York (Ms. VELÁZQUEZ), for their work and commitment to expanding small business opportunities for all Americans.

H.R. 2538 will establish a 3-year pilot program for providing grants to Small Business Development Centers for assisting Native American, Native Alaskan and Native Hawaiian populations with their small business development needs.

Today we have demonstrated how important small business is to the health of our economy, but there are still places in this country where economic prosperity has often failed to reach. These areas deserve our attention and assistance.

Consider this: nowhere in America has poverty persisted longer than on or near Native American reservations, which suffer an average unemployment rate of 45 percent. However, the number of businesses owned by Indian tribe members and Native Alaskans grew by 84 percent from 1992 to 1997, and their gross receipts grew by 179 percent in that period. This is compared to all businesses which grew by 7 percent, and their total gross receipts grew by 40 percent in that period.

I would like to continue this growth and expansion of small enterprise through this legislation. My bill ensures that Native Americans, Native Alaskans and Native Hawaiians seeking to create, develop and expand small businesses, have full access to the counseling and technical assistance available through the SBA's SBDC program. The business development tools offered by SBDCs can assist Native Americans with the information and opportunity to build sustainable businesses in their communities.

The Native American Small Business Development Act would permit State Small Business Development Centers to apply for Federal grants to establish one or more Native American Small Business Development Centers. In an effort to ensure the quality and success of the program, the proposal requires grant applicants to provide the SBA with their goals and objectives, including their experience in assisting entrepreneurs with the difficulties in operating a small business.

In addition, the applicant must show their ability to provide training and services to a representative number of Native Americans, Native Alaskans and Native Hawaiians. Most importantly, applicants must seek the advice of the local native population on specific needs and the location of services they will provide.

It is clear we can do more to aid Native American entrepreneurs. Not enough has been done to assist Native Americans in building their businesses, which in turn helps benefit their communities.

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I hope to change that with this legislation.

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

Mr. MANZULLO. Mr. Speaker, I yield myself such time as I may consume. I want to acknowledge the work of my colleagues on the Committee on Resources, in particular the gentleman from Utah (Mr. HANSEN). They contributed immensely to this bill in order to make sure that we are helping as many native Americans as possible, and particularly in clarifying the language as it applies to Alaska natives. I thank them for their contribution to this important legislation.

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

Mr. UDALL of New Mexico. Mr. Speaker, I yield such time as she may consume to the gentlewoman from New York (Ms. VELÁZQUEZ), our ranking member and a very hardworking member on this piece of legislation.

Ms. VELAZQUEZ. Mr. Speaker, I rise in strong support of H.R. 2538, the Native American Small Business Development Act. This is an important piece of legislation which we need now more than ever. I thank the gentleman from New Mexico for his hard work on this issue, and I congratulate him for bringing it to the floor today.

In the past decade, our economy has created more than 15 million new jobs and the greatest boom time on record. American small business has been an integral part of this growth. Small companies and entrepreneurs employ half our workers, create jobs 75 percent faster than large firms, and make up nearly half our gross domestic product. They are the key to our success and will be the key to our economic recovery.

But the prosperity many Americans have enjoyed failed to reach some places in our country. Certain regions and communities peer over an ever-widening canyon that separates them from those better off. These areas deserve our attention and our help to fill that gap.

Nowhere in America is poverty more persistent than on and near Native American reservations where citizens suffer a staggering average unemployment rate of 45 percent. Over a third of reservation inhabitants live below the poverty line.

But one of the bright spots on many reservations during the past decade has been the growth of small business. From 1992 to 1997, the number of businesses owned by Native Americans grew by 84 percent. Their gross receipts also grew during that time by 179 percent. Those rates dwarf national figures for small business. Clearly, Native American enterprise is a powerful engine for renewal.

While such spirit is innate, success is learned. We know from consistent and incontrovertible evidence that technical assistance helps small companies. Entrepreneurs who learn business skills are twice as likely to succeed.

The gentleman from New Mexico (Mr. UDALL), my good friend, understands this principle, which is why he introduced his innovative and valuable legislation. I commend him for his leadership and stewardship of this bill.

The Native American Small Business Development Act will provide the technical assistance and aid needed to spur and perpetuate an extraordinary burst of enterprise. It ensures that those seeking to develop small businesses will have full access to counseling and technical assistance provided by the SBA's Small Business Development Program.

With the economy in a downturn, we need this bill now more than ever, because enterprise is the engine of recovery. These hardworking entrepreneurs deserve the best service available to build and grow. This legislation will ensure they receive that aid which will help spread and sustain prosperity to every corner of our country.

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

Mr. UDALL of New Mexico. Mr. Speaker, I yield 3 minutes to the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN).

Mrs. CHRISTENSEN. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, today I join my colleagues in support of H.R. 2538, the Native American Small Business Development Act. Within the past decade, America's small businesses have experienced unprecedented growth and have contributed greatly to our Nation's economic upswing prior to September 11. Now they will be an important engine for recovery.

As the premier technical assistance providers to America's entrepreneurs, Small Business Development Centers are responsible, in large part, for the successes of small businesses.

We know that many of these businesses operate near or at their profit margin and do not have the additional resources to hire legal or technical experts. This is where the SBDCs step in to provide free or, in a few instances, low-cost technical assistance. Research shows that small businesses that receive this technical assistance are twice as likely to succeed as those which do not.

Mr. Speaker, for too long our Nation's Native American population, the first Americans, have been, as they have often been referred to as, the ''forgotten people.'' As a member of the Committee on Resources, like the gentleman from New Mexico (Mr. UDALL), and as a person with Native American lineage myself, I want to commend the gentleman from New Mexico for introducing this bill, and I am pleased to support it, and I look forward to its passage today.

While our country has experienced economic prosperity over the past decade, the Native American community, including the Alaskan Natives and Native Hawaiian communities, continue to lag behind. For example, the average unemployment rate for Native American communities, particularly on reservations, averages about 45 percent, with one-third of Native Americans living below the poverty level. With only limited help, Native American small businesses have grown at a rate of 84

percent over the past 5 years, but we need to help them more. We need to help them do better.

Mr. Speaker, H.R. 2538 will provide $7 million to fund a 3-year pilot program to provide technical assistance to Native American, Native Alaskan, and Native Hawaiian businesses. This program will give these businesses better access to the SBDC network, no matter where they are located. It will help to sustain and, hopefully, boost the growth of Native American, Native Alaskan and Hawaiian Native businesses which, in turn, will spur the much-needed economic growth in these communities.

Once again, I would like to commend the gentleman for championing this cause and bringing this legislation to the floor, and I urge my colleagues to support it.

Mr. UDALL of New Mexico. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Speaker, first of all, let me congratulate the gentleman from New Mexico (Mr. UDALL) on the introduction of this bill. I also want to commend the chairman and ranking member for the efficient manner in which they have moved this legislation to the floor.

Mr. Speaker, I rise in support of H.R. 2538, the Native American Entrepreneurial Development Act. This legislation would provide $7 million to fund a 3-year program for technical assistance to Native American businesses.

Mr. Speaker, the reality is that when we provide an opportunity for Native American businesses to grow and develop, to experience some sense of technical knowledge, to be able to come into the mainstream, then we are really doing the work, I think, that we were sent here to do.

I do not want to be redundant, but I certainly want to commend again the gentleman from New Mexico for his sensitivity and understanding and recognition of the needs of the people that he represents. Again, I commend the chairman, the gentleman from Illinois (Mr. MANZULLO), and the ranking member for the efficiency and the good work of this Committee on Small Business. With all due respect to other committees, Mr. Speaker, I think that this is probably one of the most bipartisan, one of the most efficient committees in Congress, and we all do an outstanding job on it.

Mr. UDALL of New Mexico. Mr. Speaker, I yield 1 minute to the gentlewoman from Ohio (Mrs. JONES).

Mrs. JONES of Ohio. Mr. Speaker, I thank the gentleman for his leadership on this issue, and I thank the chairman for his leadership on the committee.

I just rise very quickly to say that I had an opportunity to visit Ship Rock, New Mexico, with President Clinton when we went on the tour of the Digital Divide. At that time, I had a chance to visit an Indian reservation, and I had a chance to speak with and discuss with the people there the issues of small business. I am so happy that the gentleman has chosen and has had an opportunity to address this issue.

Secondly, I had a chance to visit the Small Business Development Center in Hawaii where they were doing innovative things on a lot of little small islands where they were able to put the counselor for the Small Business Development Center on a computer at one end and the people on the small islands at the other end to engage in counseling. So I am so happy that the gentleman has taken the leadership in this area, and I rise in support of him and congratulate him on the work he is doing, and the chairman as well.

Mr. UDALL of New Mexico. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me just thank the chairman of the committee, the gentleman from Illinois (Mr. MANZULLO), once again. I want to echo what has been said earlier, that we have one of the most bipartisan committees in the Congress, and I know because of all of the chairman's hard work we have gotten this bill through and gotten this done.

I want to take the opportunity to thank the staff on both sides and my staff member, Tony Martinez, who has worked very hard on this.

Members from both parties talked about visiting my district and learning from those experiences out there, and I think one of the things they learned is that we can make a real difference for Native American entrepreneurs with this piece of legislation.

So let me once again just thank the gentleman from Illinois (Mr. MANZULLO) for all of his hard work.

Mr. RANGEL. Mr. Speaker, I rise today in support of the bill H.R. 2538, an important piece of legislation for the Native American small businesses community.

Now, more than ever, we need to develop and expand the Native American private sector. Industries employ a growing number of individuals on reservations. The expansion of small businesses positively impacts these communities by putting money directly into their hands and places them directly in control of their destinies.

In addition to creating new small businesses and enlarging existing ones we must provide management, technical, and research assistance to Native Americans who seek to create, develop, or expand small businesses. Only by providing them full access to the necessary business counseling and technical assistance can we ensure their success, a success that is so important to the future of those communities.

With our priority to support the Native American small business community, we build a stronger economy and provide jobs to tribal members. This will, in turn, open the doors for the future of the tribal Nations. Native Americans face various challenges and we have the obligation to actively pursue methods to improve the Native American standard of living.

Mr. YOUNG of Alaska. Mr. Speaker, I rise in support of H.R. 2538 as amended, and wish to clarify how the program authorized in this bill operates with respect to my Alaska Native constituents.

H.R. 2538 as amended does not differ in substance from the bill as reported by the Committee on Small Business. Rather, the measure under consideration today simply recognizes the unique Native American policies that Congress has implemented in the State of Alaska, and clarifies how the grant program the bill authorizes will be implemented in that State.

In the 48 contiguous States, Congress's policy on Native Americans has focused on recognizing groups of Native Americans as ''federally recognized tribes'' that are distinct political entities and a majority of whose members reside on reservations and other land that is owned by the United States in trust.

However, while Congress has routinely designated groups of Alaska Natives as ''tribes,'' it has done so for the sole purpose of ensuring that Alaska Natives are eligible for programs and services that the United States provides to Native Americans because of their status as Native Americans.

Congress has not recognized any group of Alaska Natives as a ''federally recognized tribe'' that is a distinct political entity.

Instead, since 1884 Congress has required Alaska Natives to be, at all locations in Alaska, subject to the same criminal and civil state laws that non-Native Alaskans are required to observe.

Consistent with that policy, in 1971 when it extinguished Alaska Native aboriginal title by enacting the Alaska Native Claims Settlement Act, Congress required Alaska Natives to organize business corporations under the laws of the state of Alaska and then directed the Secretary of the Interior to convey the corporations fee title to 44 million acres of Federal land.

The amendments made to H.R. 2538 as reported by the Committee on Small Business simply acknowledge that Congress' Alaska Native policy is quite different from the Native American policy that Congress has implemented in the 48 contiguous States. It will also ensure that the intent of H.R. 2538 can be effectively met in Alaska for the benefit of Alaska Natives.

I would like to thank the gentleman from New Mexico and the chairman and ranking members of the Small Business Committee, and their staff, for their assistance in making appropriate changes to the language in the bill as reported.

These amendments will ensure the programs authorized by H.R. 2538 assist Alaska Natives as intended. I support H.R. 2538 as amended.

Mr. MATHESON. Mr. Speaker, it is with great pleasure that I rise today to support H.R. 2358, the Native American Entrepreneurial Development Act. This legislation is a great step forward for the small businesses owned and operated by Native Americans.

As many of us know, there are over 1,000 Small Business Development Centers across the United States serving over 600,000 businesses. Over 30 percent of those businesses are minority-owned. Unfortunately, while small businesses helped in our Nation's economic boom in the 1990s, Native American communities have lagged behind. Unemployment, especially on reservations, continues to be a rampant 45 percent. Even worse, nearly one in three Native Americans live far below the poverty line.

This legislation focuses on a $7 million pilot program that will provide technical assistance

to Native American businesses. Since Native American businesses have grown at a rate of 84 percent over the last 5 years, H.R. 2358 will help more Native Americans find success as they launch companies and access the Small Business Development Center's network.

I appreciate the work and leadership of my colleagues on this legislation. As we work together, I believe that we will find more positive solutions that will help Native Americans throughout the United States become more successful. I ask my colleagues to support H.R. 2358, the Native American Entrepreneurial Development Act, and give Native American businesses the opportunity to access capitol, hire strong, skilled workers, and successfully negotiate Federal, State, and local laws and regulations.

Mr. KILDEE. Mr. Speaker, as co-chairman of the Congressional Native American Caucus, I rise in strong support of H.R. 2538, a bill that amends the Small Business Act to expand and improve the assistance provided by the Small Business Development Centers (SBDC) for Native American tribal members. Alaska Natives and Native Hawaiians. I want to thank my good friend from New Mexico, Congressman TOM UDALL, for introducing this bill. I am proud to be an original cosponsor.

Mr. Speaker, the bill establishes a 3-year pilot project that allows any SBDC in a State, whose Native American tribal members, Alaska Native, or Native Hawaiian populations are 1 percent of the State's total population, to apply for grants from the Small Business Administration. The grants will help the SBDCs to assist the small business owners with their entrepreneurial needs.

The purpose of this bill is to create jobs and to foster economic development on tribal lands. It is my hope that by using the existing structure of the Small Business Administration's SBDC program, small businesses on tribal land will have a better chance for success. Due to limited resources, the SBDC program has had a difficult time providing counseling and technical assistance to small business owners on tribal land. This bill will provide SBDC the adequate resources it needs to reach out to small business owners in Indian country.

Mr. Speaker, I ask my colleagues to support this measure.

Mrs. MINK of Hawaii. Mr. Speaker, I rise today in support of H.R. 2538, the Native American Small Business Development Act.

Native people throughout our country continues to struggle because they lack the basic economic infrastructure to support businesses. Consequently, the poverty rate for native people remains at an unacceptable level. According to the Census Bureau, the poverty rate for American Indians and Alaska Natives averaged 25.9 percent from 1998 through 2000.

In Hawaii, census data indicates that Native Hawaiians continue to be clustered in the state's poorest areas. According to the State of Hawaii's Office of Hawaiian Affairs, Native Hawaiians significantly lag behind the state's averages for family income and high school graduation rates. The unemployment rate for Native Hawaiians living in Hawaii during 2000 was 7.2 percent, well above the state average of 4.3 percent.

Despite these sobering statistics, native people continue to show a strong entrepreneurial spirit. These businesses are gateways allowing individuals to find their way out of poverty.

H.R. 2538 creates a 3-year pilot program to support this entrepreneurial spirit by providing grants to Small Business Development Centers that assist the small business needs of native people.

Under this bill, Small Business Development Centers can obtain $300,000 grants to assist with outreach, development, and enhancement of small businesses owned by Indian tribe members, Native Alaskans, and Native Hawaiians. The bill will target the grants to businesses located on or near native lands, which will create new job opportunities for native people living in these areas.

The bill require states to consult with local native groups to determine the best way to provide assistance and where to locate satellite business centers. The cooperative nature of the relationship between the Small Business Development Centers and native people will help ensure the success of the program.

I urge my colleagues to vote for H.R. 2538 and help provide small business opportunities to Native Americans throughout America.

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

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

The SPEAKER pro tempore (Mr. SHIMKUS). The question is on the motion offered by the gentleman from Illinois (Mr. MANZULLO) that the House suspend the rules and pass the bill, H.R. 2538, as amended.

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

The title of the bill was amended so as to read: ''A bill to amend the Small Business Act to expand and improve the assistance provided by Small Business Development Centers to Indian tribe members, Alaska Natives, and Native Hawaiians.''.

A motion to reconsider was laid on the table.

EXPRESSING SENSE OF CONGRESS IN HONORING THE CREW AND PASSENGERS OF UNITED AIRLINES FLIGHT 93

Mr. MICA. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 232) expressing the sense of the Congress in honoring the crew and passengers of United Airlines Flight 93.

The Clerk read as follows:

H. CON. RES. 232

Whereas on September 11, 2001, acts of war were committed against the United States, killing and injuring thousands of innocent people;

Whereas these attacks were directed at the World Trade Center in New York, New York, and the Pentagon in Washington, D.C., which are symbols of the Nation's economic and military strength;

Whereas United Airlines Flight 93 was hijacked by terrorists as part of these attacks;

Whereas while Flight 93 was still in the air, passengers and crew, through cellular phone conversations with loved ones on the ground, learned that other hijacked airplanes had been used in these attacks;

Whereas during these phone conversations several of the passengers indicated that there was an agreement among the passengers and crew to try to overpower the hijackers who had taken over the aircraft;

Whereas it is believed that it was this effort to overpower the hijackers that caused Flight 93 to crash in southwestern Pennsylvania, short of what is believed to have been its intended target: Washington, D.C.; and

Whereas the crash resulted in the death of everyone on board the aircraft: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that—

(1) on September 11, 2001, the passengers and crew of hijacked United Airlines Flight 93 possibly averted the use of that aircraft in a further terrorist attack on the United States by attempting to overpower the hijackers;

(2) the United States owes its deepest gratitude to the passengers and crew of Flight 93, and extends its condolences to the families and friends of Captain Jason Dahl, First Officer Leroy Homer, flight attendants Lorraine G. Bay, Sandra W. Bradshaw, Wanda A. Green, Ceecee Lyles, Deborah A. Welsh, and passengers Christian Adams, Todd Beamer, Alan Beaven, Mark Bingham, Thomas Burnett, William Cashman, Georgine Corrigan, Joseph Deluca, Patrick Driscoll, Edward Felt, Jane C. Folger, Colleen Fraser, Andrew Garcia, Jeremy Glick, Kristin Gould, Lauren Grandcolas, Donald Greene, Linda Gronlund, Richard Guadagno, Toshiya Kuge, Hilda Marcin, Waleska Martinez, Nicole Miller, Louis J. Nacke, Donald Peterson, Mark Rothenberg, John Talignani, Honor Elizabeth Wainio, and 9 passengers whose families wish them to remain anonymous; and

(3) a memorial plaque to these victims should be placed on the grounds of the Capitol, and a copy of the wording of the plaque, together with a copy of this resolution from the Congressional Record, should be sent to a designated survivor of each victim.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MICA) and the gentleman from Illinois (Mr. LIPINSKI) each will control 20 minutes.

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

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

Mr. Speaker, this resolution was introduced by the gentleman from Kentucky (Mr. FLETCHER). As of yesterday, it had 131 cosponsors, and I know many others are interested in cosponsoring this important resolution.

The resolution was introduced on September 20, 2001, 9 days after the September 11 attack on America.

In my view, all the victims who gave their lives on September 11 are American heroes. Of course, much attention has been rightfully focused on the heroes that took heroic actions in the World Trade Center and also in the Pentagon. But, Mr. Speaker, the passengers of United Flight 93 deserve special recognition.

As the fourth plane hijacked on that day, the passengers, unfortunately, knew the fate that awaited them. Rather than accept that fate, however, the passengers of Flight 93 acted. We know they courageously fought back against the terrorists. While they did not succeed in saving the aircraft or

their own lives, they were able to prevent hijackers from achieving their horrible objectives. In that process, Mr. Speaker, they lost their lives, and they lost their lives conducting heroic actions.

While we may never confirm the targets of those terrorists, we know they were headed, in fact, to Washington and, more than likely, this very Capitol building. The heroic actions of the passengers and crew of Flight 93 saved many lives. Therefore, it is entirely fitting that we, my colleagues in the Congress today, honor the crew and passengers on Flight 93 with both this resolution and also with a memorial plaque on the grounds, as called for in this resolution.

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I want to take this opportunity to again congratulate our colleague, the gentleman from Kentucky (Mr. FLETCHER), for his initiative in introducing this significant resolution, and urge its adoption in the House.

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

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

Mr. Speaker, I am very proud and privileged to rise today to support this resolution. These American heroes launched the first offensive action of the United States of America's war on terrorism. They truly are American heroes. They knew the odds were overwhelmingly against them; yet motivated by patriotism, love of God, family, and country, they attacked the terrorists to protect other Americans in America.

Someone once said, ''Responsibility is a wine press that brings forth strange juices.'' The juices that came from these passengers on United Flight 93 were unbelievable strength and unlimited courage.

Like those Americans on Bataan, Corregidor, and Wake Island, these Americans sacrificed for their country and their families. No American should ever forget what they accomplished.

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

Mr. MICA. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Kentucky (Mr. FLETCHER), who is also the author of this resolution.

Mr. FLETCHER. Mr. Speaker, I thank the gentleman from Florida for his work on the Committee on Transportation and Infrastructure.

Mr. Speaker, as we look at this, I rise today to encourage my colleagues to vote for this measure; and I really do not think it will take a lot of encouragement because we have had an overwhelming expression of enthusiasm regarding those on Flight 93 and their heroic activities.

Mr. Speaker, this is a resolution expressing a sense of Congress that a memorial plaque be established on the grounds of the Capitol. It is an expression of our thanks and condolences to the passengers and crew of United Flight 93.

I also want to thank my staff member, Phillip Brown, who has worked very hard to get this done. It was originally his idea. I think it is very appropriate as the families and survivors, and not only that, all of us, as we go about these Capitol grounds, I think it will be the appropriate thing to do. I think it will be great for posterity as they see a plaque that honors those on Flight 93 that I do believe had a significant part in saving probably our Capitol.

On September 11, United Airlines Flight 93, piloted by Captain James Dahl, departed from Newark International Airport at 8:01 on a routine flight to San Francisco with six other crew members and 38 passengers on board. Shortly after departure, the flight was hijacked by terrorists.

The hijacking was one of four, as we all remember, on the morning of September 11. We all remember that date because it was a horrible day and a turning point in our Nation's history. Four of our own planes were hijacked and targeted on buildings that define our Nation and symbolize our freedom and values and symbolize our Nation's economic and military strength. Three of these planes hit their marks, resulting in an incomprehensible tragedy and loss of innocent life on a scale not seen in this country since the Civil War.

We know that the passengers and crew learned through cellular phone conversations with loved ones on the ground of the deliberate acts of the destruction and murder occurring in New York City and Washington, D.C., and that hijacked aircraft had been used in these terrorist acts of war.

During these phone conversations, several of the passengers indicated that there was an agreement among the passengers and crew to try to overpower the hijackers who had taken over the aircraft. It is believed that it was this effort to overpower the hijackers that caused Flight 93 to crash at 10:37 a.m. in southwestern Pennsylvania near Schwenksville, short of what is believed to have been its intended target, Washington, D.C., and probably, this very Capitol building we stand in today.

These efforts of these individuals on this plane heroically limited the damage the terrorists could inflict, losing their lives for their country in the process. We owe the passengers and the crew our gratitude and our honor.

The participants of the resistance on board Flight 93 showed selfless courage and patriotism:

Passengers like Todd Beamer, whose young widow is here today in Washington. He told a telephone operator how much he loved his expecting wife and two sons, and he asked her to call them. He asked her to pray the Lord's Prayer and Psalm 23 with him. He told her, ''I am going to have to go out in faith,'' and his now famous words ''Let's roll'' have become a rallying cry in America.

Passengers like Tom Burnett, who left what he knew would be likely his last conversation with his wife saying, ''Okay, we are going to do something.''

Passengers like Jeremy Glick, who told his wife that the passengers and crew had taken a vote and agreed to try to take back the plane.

Crew members like Sandra Bradshaw, who told her husband of the plan to rush the hijackers and take back control of the plane, and that she was boiling water to use as a weapon against the terrorists.

The passengers and crew, all of whom are survived by loved ones, husbands, wives, children, and parents, very likely averted the destruction of the U.S. Capitol and the symbol this institution has become for the democratic process of government, and in the process, saving hundreds, perhaps thousands of lives.

By their heroic acts, Lady Liberty still stands at the top of our noble dome, and the light of freedom still shines brightly here in the Capitol.

This resolution expresses the sense of Congress that a memorial plaque to honor, and I would like to read these names, Captain Jason Dahl, First Officer Leroy Homer, flight attendants Lorraine G. Bay, Sandra W. Bradshaw, Wanda A. Green, Ceecee Lyles, Deborah A. Welch, passengers Christian Adams, Todd Beamer, Alan Beaven, Mark Bingham, Thomas Burnett, William Cashman, Georgine Corrigan, Patricia Cushing, Joseph DeLuca, Patrick Driscoll, Edward Felt, Jane C. Folger, Colleen Fraser, Andrew Garcia, Jeremy Glick, Christine Gould, Lauren Grandcolas, Donald Greene, Linda Gronlund, Richard Guadagno, Toshiya Kuge, Hilda Marcin, Waleska Martinez, Nicole Miller, Louis J. Nacke, Donald Peterson, Jean Peterson, Mark Rothenberg, Christine Snyder, John Talignani, and Honor Elizabeth Wainio.

This plaque should be crafted and placed here on the grounds of the United States Capitol expressing our thanks and condolences; and a copy of the plaque, together with a copy of this resolution from the CONGRESSIONAL RECORD, should be sent to a designated survivor of each victim.

I am confident with the passage of this resolution that the Speaker of the House, the House minority, the Senate majority leader, and the Senate minority leader will ask and direct the Architect of the Capitol to begin plans for design, crafting, and placement of this plaque, to begin as soon as possible.

I also want to thank my colleagues for their support of this resolution; and after this vote, I intend to send a letter to the leadership regarding this sense of Congress, and I invite my colleagues to join me.

Mr. LIPINSKI. Mr. Speaker, I yield 2 minutes to the gentlewoman from Hawaii (Mrs. MINK).

Mrs. MINK of Hawaii. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I rise today to join in strong support of House Concurrent Resolution 232, in honor of all of the

passengers and the crew on United Flight 93 that were lost on that fateful day, September 11, 2001.

Mr. Speaker, I rise today because two of those who lost their lives came from Hawaii: Georgina Corrigan and Christine Snyder.

Nothing could be more appalling than the spectacle of the airplanes crashing into the World Trade Center, and then to learn that a plane had also crashed in the Pentagon, and to learn about the crash in the fields in Pennsylvania. But the most devastating news for the people of Hawaii was to learn the names of all of the individuals from Hawaii who were lost in all of the four sites.

The two who lost their lives at Pennsylvania in United Flight 93 are especially endeared to all of us here in the Capitol because there is nothing to discount the basis of information that we have that that plane, had it not been overtaken by those passengers, was destined to Washington, D.C. and quite probably the Capitol building itself. We would not be standing here today, we would not be part of this great legislative body if the people on Flight 93 had not taken the heroic stand that they did.

So I stand here on behalf of all of the grateful people of this Capitol and its vicinity and of the government here in Washington, D.C. to especially pay tribute to those who lost their lives in Flight 93, United, and especially to remember the two women from Hawaii whose beloved ones, their friends and relatives, have all already had memorial services for them. They were distinguished in the lives and careers they had. So I am here today to express on behalf of their families and all of their friends our gratitude and our everlasting love and devotion in their memory.

Mr. MICA. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Mr. Speaker, I rise in strong support of this resolution honoring the crew and passengers of United Flight 93. But, Mr. Speaker, my colleagues must be aware that as we honor these passengers we are honoring them for disregarding government policy. That government policy related to how one deals with a hijacking situation. That government policy mandated that we have full cooperation of the passengers and the crew with any potential hijackers.

Amazingly, the FAA has still not changed that policy, despite the obvious changes in circumstance that make this policy ridiculous.

Of all the precautions that we have been taking or could be taking to make sure that there are not any more hijackings, there are only really two things that matter: to secure the aircraft cockpits so they cannot be broken into; and, most importantly, to make sure that the crew and passengers never again cooperate with hijackers, and never open the door to that cockpit to any hijacker, no matter what may be happening in the cabin.

Nothing else, not the banning of tasers or knives or even strip searches, is going to make air travel any safer than that.

As we honor these people who gave their lives and were so brave and courageous, let us admit that perhaps we have made some mistakes in Congress in dealing with this crisis. The fact is that we have moved forward in response to these horror stories on September 11 and the bravery on Flight 93 and the other planes that were hijacked, and we have put in place policies that may be backfiring right now.

Instead of saving the industry, we may be killing the airline industry, and that is the very last thing we should do to honor these brave people on Flight 93, who more than any other fellow Americans stand for freedom to travel. Instead of saving our airline industry, we have people who are being now so inconvenienced that they are giving up airline travel. This makes no sense at all. We should today, as we honor these heroes of Flight 93, reexamine what we put in place so our airlines can serve people.

As the gentleman from California (Mr. FILNER) mentioned to me a few moments ago, we are losing more passengers to this incredible, nonsensical way that we are hindering people from getting on the plane to the inconvenience that we have created that is not making travel any safer than we are losing passengers for fear of terrorism.

So today, let us honor these people who fought so bravely, these Americans on Flight 93, United 93; and let us say that what they were fighting for was the freedom to travel. Let us back up the airline industry. Let us not do something that just makes us feel good or makes the American people feel good; but instead, let us put in practice some of the changes in policy needed to make airline transportation safer, but is not some sort of show that makes things more inconvenient, thus killing the airlines.

□ 1230

Mr. LIPINSKI. Mr. Speaker, I yield 4 minutes to the gentleman from Pennsylvania (Mr. MASCARA).

Mr. MASCARA. Mr. Speaker, I thank the gentleman from Illinois (Mr. LIPINSKI) for yielding me the time.

Mr. Speaker, I rise to honor American heroes. Since September 11 our Nation has learned a lot about heroes. Not surprisingly, they are everywhere across this great country of ours. Some of the first heroes to stand up for America on the tragic day were the men and women of United Flight 93.

When the 44 men and women aboard Flight 93 discovered what was intended for that plane, they united to make the ultimate sacrifice for their Nation. Their valor thwarted either an attack on this building or on the Nation's White House. These brave passengers and crew members knew that if they did not act the terrorists would strike another blow against the country they love.

Flight 93 went down just outside of my district. That is now hallowed ground. Family and friends of the passengers and crew of Flight 93 visit that site to continue to remember their loved ones.

This Congress should make sure that their brave actions will never be forgotten by their family and friends and every citizen of this Nation for generations to come. This Congress should show our Nation's gratitude by passing this resolution and erect a memorial plaque on the Capitol grounds in honor of the men and women of Flight 93. These citizens were true American heroes.

Mr. MICA. Mr. Speaker, may I inquire as to the time remaining?

The SPEAKER pro tempore (Mr. SHIMKUS). The gentleman from Florida (Mr. MICA) has 8 minutes remaining. The gentleman from Illinois (Mr. LIPINSKI) has 15 minutes remaining.

Mr. MICA. Mr. Speaker, I am pleased to yield 3½ minutes to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Speaker, I thank my good friend, the gentleman from Florida (Mr. MICA), for yielding me the time.

Mr. Speaker, I rise today in very strong support of this resolution to honor the heroes on Flight 93 who undoubtedly gave their lives so that other people, perhaps people in this building, perhaps all of us, would be able to live.

Words, it seems to me, seem inadequate to express the deep emotions that we feel for the loss suffered by the surviving family members of those who perished on September 11. We offer our sincere condolences, and we pray that God may supernaturally intervene with healing, comfort, and peace for them, especially during this holiday season.

Mr. Speaker, we will not forget the action of those on Flight 93. Like I said, they probably saved the lives of many people here in Washington. Capitol Hill was a very busy morning on September 11. Many congressional hearings were taking place. As a matter of fact, as chairman of the Committee on Veterans Affairs, at 10 o'clock I was convening a hearing with the American Legion, and there were several hundred legionnaires in attendance at that hearing.

On the Senate side, the First Lady was preparing to testify on a hearing on early childhood development.

Their lives were saved, the lives of all of the employees here in the Capitol were probably saved from a horror because of their very heroic action.

The planned destruction of buildings was prevented. The Capitol, the White House, the many monuments, we are not sure what the final destination was. There is a great deal of conjecture, but the odds were that they were coming here.

Our Nation, Mr. Speaker, owes these passengers and crew an enormous debt

of gratitude, and, again, their sacrifice will be remembered for many, many years to come.

I would like to just point out that there were at least seven people who lived in or near my own central New Jersey district who were on that flight. Some of the family members and friends have contacted my office, and we have tried to work on their behalf. Their names are in the resolution, but out of respect and gratitude I would like to read their names again: Flight Attendant Lorraine Bay; Todd Beamer, who was in the district just north of me, in the gentleman from New Jersey's (Mr. HOLT) district; Patrick Driscoll; Edward Felt; Jeremy Glick; Richard Guadagno. Donald and Jean Peterson were also on board that flight.

And one final point. Earlier the gentleman from California (Mr. ROHRABACHER) mentioned the fact that the crews, especially the pilots, were admonished, more than admonished, they were told by the FAA that they were to cooperate if there was a hijacking and go to wherever it is the hijackers wanted them to go. My own brother is an airline pilot. He is a 757 captain with a major airline, and he, too, has told me how obnoxious it is that that was the policy, take them to Cuba, take them to Tripoli, take them to where it is they want to go because they have got to put the safety of the passengers first. It is obnoxious now more than ever because we know that there are different designs on those planes being carried out.

I just want to make it very clear, it is my sense and a sense that this will not happen, that whether it be the crew or whether it be the passengers—or not—that we will never see another airliner turned into a cruise missile again because there will be action taken; and, again, Flight 93 has set a precedent that will live on forever, that people will not stand idly by when they know that they are going to be part of a terrorist action unwittingly, as were the other flights.

Again, I want to commend the maker of the resolution, the gentleman from Kentucky (Mr. FLETCHER), my good friend, for offering it.

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

In conclusion, I once again would like to salute the crew and the passengers of United Airlines Flight 93 and express my personal condolences to all their family members.

I would also, though, like to refer to some references that an earlier speaker made here. Since this tragedy on September 11, the United States Government has voted $5 billion to airlines in this country. We have voted $10 billion in loan guarantees to airlines in this country, and we have passed an extremely strong aviation security bill in this country. I believe all of those efforts are to improve not only the safety and security of American aviation but to get people back into the air, get people back flying.

I also believe that in the security bill that we passed we spent a considerable amount of time talking about the training on terrorist attacks that crews should receive. So I think that since this horrendous terrorist attack on September 11 we in the House and the Senate and the executive branch of government have done a great, great deal to improve aviation security and safety and, also, as I said earlier, to get Americans back into the air.

Let us hope and pray and work towards the day when American aviation will be perfectly secure and no one will have any hesitation about flying.

Once again, my sincere condolences to the family of United Flight 93, the passengers, the crew; and, once again, I salute those courageous American heroes who tried to retake that flight and perished in their attempt. I thank them.

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

Mr. Speaker, it is indeed fitting that we honor and recognize the heroic efforts of the passengers and crew of Flight 93. This memorial resolution and the proposed plaque are indeed fitting, again, for those heroic actions.

I must say, Mr. Speaker, that since September 11 many of us have been concerned about the welfare of some of those families left behind from Flight 93. My wife Pat and other congressional spouses and some in Congress have also been involved in trying to meet some of the financial needs of the families. Some of them were children left behind. The resolution and plaque are a great tribute from Congress, but these families, particularly in the time of holidays and their own personal needs, are in dire straits.

Again, they have not gotten the attention of the victims of the World Trade Center or the Pentagon, but, nonetheless, they were great heroes, and they are now in need.

I urge my colleagues and others to contact a Web site, www.capitolheroes.org. That is www.capitolheroes.org, to aid those families. So today we fittingly recognize those families with this resolution and those heroes with this plaque, but we also try to remember those left behind as survivors, and not only this resolution but our thoughts and prayers go out to the survivors and family left behind.

Mrs. ROUKEMA. Mr. Speaker, I rise today with a heavy heart in support of this resolution that honors the great bravery, courage, and patriotism of the crew and passengers abroad United Airlines Flight No. 93, including Jeremy Glick of West Milford, NJ. Though we may never know what took place in the final minutes on that flight, we can be certain that because of Jeremy's actions, along with other passengers and crew members, lives were saved. Not only do the passengers and crew of Flight No. 93 deserve the highest of honors, but they deserve our immense gratitude.

One of my constituents, Jeremy Glick, was among the 37 passengers and 7 crew members on board United Airlines Flight No. 93 that on September 11, 2001, departed from Newark International Airport at 8:01 a.m., on its scheduled route to San Francisco, CA. Shortly after departure, the plane was hijacked by terrorists. It is clear from the evidence that after learning that other hijacked planes had been used to attack the World Trade Center in New York City, Jeremy and others onboard United Airlines Flight No. 93 decided to fight the terrorists for control of the plane. Their brave defiance appears to have caused United Flight No. 93 to crash prematurely, potentially saving hundreds or thousands of lives. The White House or the Capitol clearly could have been the intended target of the terrorists.

I would like this Chamber to know about one of the men who saved lives, possibly lives in this House, on September 11. Jeremy Glick was a devoted family man. His wife Lyzbeth had recently given birth to their daughter Emerson. Anyone who has seen the picture of Jeremy holding his baby daughter can clearly see the deep love that was in his heart.

Jeremy was a man who loved life. Lyz, his brother Jared, or any of his friends could tell you endless stories that end in laughter. Ironically, Jeremy and his buddies dressed up like their favorite super heroes a couple of weeks ago. Jeremy dressed up as the Green Lantern. Little would we know that on September 11, 2001, Jeremy became a super hero.

Soon after the terrorists took over the plane, Jeremy called his wife on his cell phone. Jeremy told his family about the terrorists and the location of the plane. Jeremy's family relayed the information to the police over another phone line. After Jeremy learned that other terrorists crashed planes into the World Trade Center he left his phone for a while and returned to say that the men voted to attack the terrorists. He left the phone and said he would be back—he never came back on the line.

It is not hard to imagine Jeremy deciding to join with other passengers to fight the terrorists. He was well over six feet and was a college judo champion. It was reported that Jeremy faced the terrorists armed only with a plastic knife from an airline meal. I believe that Jeremy did not even need the plastic knife because he had courage and bravery on his side when he fought with the cowards who commandeered the plane.

Jeremy's last words to his wife were, ''Lyz, I need you to be happy.'' It should be the hope and prayer of all Americans that Lyz will be happy. Lyz said after the crash, ''I think God had a larger purpose for him, He was supposed to fly out the night before, but couldn't. I had Emmy one month early, so Jeremy got to see her. You can't tell me God isn't at work there.'' I believe God is at work with the Glicks.

One thing that Lyz can definitely be, as we all are, is proud. The incredible courage and bravery that Jeremy showed in the face of certain danger is an inspiration to us all. When Jeremy died, he did it on his own terms—fighting against evil, with a brave heart, and boundless courage to sacrifice himself so others could live. For this reason, I have introduced a resolution urging the Congress to grant Jeremy the Congressional Gold Medal. On behalf of our country, let us recognize this man who served us in one of our most horrific hours. Jeremy Glick truly deserves the highest of our Nation's honors.

Now our Nation faces a long and hard struggle to rid the world of the evil that took

Jeremy's and so many others lives on September 11. Many thousands of our men and women in uniform are meeting that challenge. Jeremy—though not expecting to—became one of the first ''soldiers'' in this crusade. I will forever remember and honor Jeremy as a true American superhero.

Mr. Speaker, I urge passage of this measure.

God bless Jeremy Glick and God bless America.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MICA) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 232.

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

The yeas and nays were ordered.

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

TODD BEAMER POST OFFICE BUILDING

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3248) to designate the facility of the United States Postal Service located at 65 North Main Street in Cranbury, New Jersey, as the ''Todd Beamer Post Office Building''.

The Clerk read as follows:

H.R. 3248

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

SECTION 1. TODD BEAMER POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 65 North Main Street in Cranbury, New Jersey, shall be known and designated as the ''Todd Beamer Post Office Building''.

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

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Virginia (Mrs. JO ANN DAVIS) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Virginia (Mrs. JO ANN DAVIS).

GENERAL LEAVE

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3248.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Virginia?

There was no objection.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 3248 introduced by our distinguished colleague, the gentleman from New Jersey (Mr. HOLT). This measure designates the facility of the United States Postal Service located at 65 North Main Street in Cranbury, New Jersey, as the ''Todd Beamer Post Office Building''. Members of the entire House delegation from the State of New Jersey are cosponsors of this legislation.

Mr. Speaker, many heroes emerged on September 11, from firefighters and policemen to military personnel at the Pentagon to citizens such as Todd Beamer. Todd Beamer, a resident of Cranbury, was one of the passengers on the hijacked United Flight 93 who gave their lives fighting the hijackers and denying them their deadly mission on September 11.

Mr. Beamer was a husband, father, a businessman and a citizen. He is survived by his wife, Lisa, and their two children and a third child who is expected in about 2 weeks. His courageous acts and the acts of all of the passengers on Flight 93 are an inspiration to all Americans. Their acts saved countless lives.

Mr. Speaker, I urge adoption of H.R. 3248.

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

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

Mr. Speaker, as a member of the Committee on Government Reform, I am pleased to join my colleague, the gentlewoman from Virginia (Mrs. JO ANN DAVIS), in consideration of H.R. 3248, legislation naming a post office in Cranbury, New Jersey, after Todd Beamer.

H.R. 3248 was introduced by the gentleman from New Jersey (Mr. HOLT) on November 7, 2001. I would like to begin my remarks by thanking the gentleman from New Jersey (Mr. HOLT) for continuing the tradition of naming post offices after individuals of accomplishment and people who have given up much to the betterment of their community and of their Nation.

Naming a postal facility after Todd Beamer sets a very high standard indeed; for Todd Beamer not only accomplished much, he gave his life in defense of our country.

The consideration of H.R. 3248 on the heels of H. Con. Res. 232 is important, important because we in the Congress express our appreciation to the passengers and crew of the hijacked United Airlines Flight 93 for diverting the use of that aircraft from its intended target, Washington, D.C., possibly headed for the White House or the Nation's Capitol. As the resolution states, we in the Congress extend our condolences to the victims, families and friends. We also place a memorial plaque honoring the victims of Flight 93 on the Capitol grounds.

□ 1245

Acknowledging the heroic struggle aboard Flight 93 leads us to the consideration of H.R. 324, and the fateful telephone call from Todd Beamer to a telephone operator. Todd Beamer, along with other passengers on the plane, organized resistance to the hijacking after learning the fate of three planes, two of which flew into the World Trade Center and one which hit the Pentagon.

Mr. Speaker, on September 11, Flight 93 took off from Newark, New Jersey, bound for San Francisco, with Captain Jason Dahl in the pilot's seat. Along the way, it suddenly and unexpectedly detoured, heading for Washington, D.C.

Before I conclude my comments, I would like to express my sincere condolences to the widow of Todd Beamer. She has handled the loss of her husband extremely well. But in addition, Lisa Beamer has become a real activist, organizing assistance for victims and the families of those who were victimized. She is in Washington this day, trying to generate support for the families of those who lost loved ones. Her children and family can take great comfort in knowing that their father and son was a hero and a master of his fate. His actions have left behind a great legacy, a legacy of patriotism, a legacy of love, a legacy of courage, and a legacy of leadership. Mr. Speaker, I often define leadership as the ability to do what needs to be done, but to do it first.

In closing, I am proud to support H.R. 3248. I thank the chairman of the Committee on Government Reform, the gentleman from Indiana (Mr. BURTON), and the ranking minority member, the gentleman from California (Mr. WAXMAN), for moving quickly to schedule this bill. I also again express my appreciation to my colleague, the gentleman from New Jersey (Mr. HOLT), for introducing this legislation.

In what has been quoted as the final immortal words of Todd Beamer, I close, Mr. Speaker, by asking America, ''Are you ready? Let's roll.'' I urge the swift passage of H.R. 3248.

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

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. HOLT), who is the sponsor of this legislation.

Mr. HOLT. Mr. Speaker, I thank my colleague and friend from Illinois for yielding me this time, and I rise to speak in favor of H.R. 3248, legislation to designate the United States Post Office in Cranbury, in my home district, as the Todd Beamer Post Office.

I too want to express my appreciation to the chairman of the committee, the gentleman from Indiana (Mr. BURTON), and the ranking member, the gentleman from California (Mr. WAXMAN), as well as the majority leader, the gentleman from Texas (Mr. ARMEY), for allowing this bill to come to the floor; and I thank my colleagues for their eloquent remarks.

This is, I think, very appropriate. America has found a hero in Todd Beamer, one of the passengers on hijacked Flight 93. We all mourn the loss of Todd Beamer and the others on that flight; and our hearts and prayers go out to Lisa Beamer, who is here with us in the gallery now, and to their two fine children, whom I have observed, and to all the other families of people on that plane. We hold up the memory of Mr. Beamer as one who represents what is good about America. All of America knows of his reciting the 23rd Psalm, the Lord's Prayer, and his words, ''Let's roll.''

At a time like this, we seek to draw lessons for us Americans who are left behind after September 11. For a couple of centuries observers from around the world, from Alexis de Toqueville to Winston Churchill, have spoken about the marvelous ability of Americans to rise to meet a challenging situation, the ability of individual Americans to step from their ordinary lives to do extraordinary things. You will notice I do not say ordinary Americans, because, in fact, that is the essence of what makes this country. There are no ordinary Americans. There are Americans who will, at one time or another, rise to do extraordinary things.

I attended a memorial service for Todd at the church in Plainsboro, New Jersey, where the Beamer family worships. And from the remembrances delivered lovingly by friends and family, I learned a lot about the character of this national hero. He was an outstanding athlete who led and inspired his athletes and who said he always seemed to somehow find a way to come up with a critical run. He was a fine businessman who stood out in a national company. He was an involved and loving father of David, 3 years old, and 1-year-old Andrew, and was looking forward to the upcoming birth of his third child. But especially, especially I learned that he was a man of deep religious faith, a faith that allowed him to look past death to act so courageously on board Flight 93.

We believe that the band of passengers who fought the hijackers, Todd's father calls them freedom fighters, saved hundreds, perhaps thousands of lives that would have been taken if that plane had made its fiery descent into the hijackers' intended target. And it is worth noting that none of those people whose lives were saved know who they are. We will never know. But all Americans can be grateful.

Ours is a diverse country, with a rich religious tradition, a very diverse religious tradition. And September 11 was a particularly tough day for Muslims. They find that day hard because there were some people who wanted to say that those were Muslims who hijacked the plane. But good Muslims assure me that no follower of Mohammed would have done that. Because it is written not only in the Judeo-Christian tradition but also in the Koran. In the Talmud it says, ''Whoever saves a single life is honored as though he saved an entire world.'' And in the Koran, ''If anyone saved a life, it would be as though he saved the life of the whole people.''

The memory of the people on board Flight 93 reminds us that this is not the last time that America will need heroes. Andrew and David can grow up knowing that their father acted heroically. They can also see it in the way their mother has borne this hard time. The survival of American ideals, though, beyond the immediate Beamer family, depends day in and day out on ordinary Americans stepping out of their ordinary lives to do extraordinary things, courageous things. It is appropriate, I think, that people will be able to find inspiration as they look at the Federal post office in Cranbury and pause for a moment to reflect on the essence of America, what we can extract from our diversity, and also to reflect on the meaning of religious faith in our lives.

It is only fitting that a memorial for Todd be established in Cranbury, where he and his family live.

First settled in 1697, the town of Cranbury is one of the oldest towns in New Jersey. It derived its name from the brook on whose banks it had its beginning. Over 80 soldiers from the Revolutionary War are buried in the town. While it today is in close proximity to some of our Nation's largest metropolitan areas, Cranbury retains its unique village character.

The opportunity comes to every American to do courageous things. I want to repeat that. To every American. Now, most of us will never have the chance, thank God, to have to face down an armed hijacker. But many will have the opportunity in their neighborhoods or among their friends to face down bigotry, intolerance, or injustice. The memory of people like Todd Beamer helps us meet those challenges.

This legislation is one small honor for Todd Beamer and for all the heroes on Flight 93 and elsewhere around the country on September 11. It is not the last time America will need heroes.

I urge my colleagues to join me in passing this bill, and I also urge that we honor the survivors and families left after the atrocities through appropriate compensation and tax relief.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Although the Chair understands the gentleman's sentiment, the Chair must remind all Members not to introduce or bring to the attention of the House any occupant in the gallery.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I am pleased to yield 3½ minutes to my distinguished colleague, the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentlewoman from Virginia for yielding me this time.

Let me just say, Mr. Speaker, I rise in very strong support of H.R. 3248, to designate the United States Postal Service facility in Cranbury as the Todd Beamer Post Office Building, and want to thank the gentleman from New Jersey (Mr. HOLT) for sponsoring the legislation that is before us today.

Mr. Speaker, when Congress names particular facilities in honor of someone, we do it because they have made an outstanding contribution to society. I can think of no one who deserves that honor more than Todd Beamer. The accounts of his heroism aboard Flight 93 fill us with awe and gratitude and inspire us. And by all accounts, it was Todd's faith in the Lord that inspired him to act with such decisiveness and tenacity and with such courage.

Todd's deeds and the actions of his fellow passengers aboard Flight 93 have become powerfully etched into the psyche of America itself. Flight 93 has become a symbol of the American spirit, the spirit of courage and selfless sacrifice, of standing up to cowards who would kill in the middle of the night or by using aircraft as cruise missiles.

When faced with the ultimate test of character, Todd Beamer did not flinch for one moment. He took bold action to stop an act of terrorism in progress. On his last phone call from the aircraft, Todd told Lisa Jefferson, the GTE air phone supervisor working out of the Illinois facility, that he and his other passengers aboard Flight 93 were planning to overpower the hijackers and to stop their suicide attack. Miss Jefferson cautioned him to consider carefully what he was saying: ''Are you sure that that is what you want to do, Todd?'' Todd's response: ''It's what we have to do.''

Mr. Speaker, how often do we hear those words—this is something I have to do—the notion that someone is acting out of a moral imperative is astonishing in this day and age. Well, Todd did it and did it with great distinction and courage.

Many in America before September 11 had become jaded about the notion of selfless sacrifice, Mr. Speaker, of doing what is right even when you know it may cost you your very life. We know from the Scriptures that our Lord Jesus Christ said, ''There is no greater love than he who lays down his life for his brother or for his sister,'' and that is exactly what Todd Beamer has done. Surely he has, is and will be greatly blessed in Heaven for his sacrifice.

Mr. Speaker, the cowardly terrorists counted on both the element of surprise and on the element of intimidation to achieve their awful end, but they did not count on meeting face to face with the likes of Todd Beamer. Todd Beamer was an extraordinary man on what should have been an ordinary flight. And when faced with a horrific set of circumstances, Todd stepped up to the plate and he did what had to be done. And he never, not for a moment, by all accounts, even hesitated.

Instead, Todd drew his courage and strength from his faith. He told Lisa

Jefferson, ''I don't think we're going to get out of this thing. I'm going to have to go out on faith.'' Mr. Speaker, his last words, as we all know, and as President Bush has quoted, was ''Let's roll.'' And those words, I think, have mobilized and motivated and inspired all Americans in our current fight in Afghanistan. ''Let's roll.'' Let's stop these terrorists.

Let me finally remind Members of Todd's embrace of Psalm 23, which surely was in Todd's heart in those final moments, where it is said by King David, ''The Lord is my shepherd; I shall not want. He maketh me to lie down in green pastures; he leadeth me beside the still waters. He restoreth my soul; he leadeth me in the paths of righteousness for His name's sake. Yea, though I walk through the valley of the shadow of death, I fear no evil; for thou art with me; thy rod and staff they comfort me.''

A post office memorializing Todd Beamer is the least we in Congress can do to honor his supreme sacrifice. He was a great man; and we honor his widow Lisa—a strong woman in her own right and his family.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself the balance of my time.

Somehow or another, heroes arise in times of great need. Heroes arise in times of great need. At a time of crisis and great need, Todd Beamer and his fellow passengers rose up. And because they rose up, we have the ability to continue to stand up on this floor and protect the rights of Americans and of people all over the world.

So we take this moment not only to designate a post office in honor of Todd Beamer, but we say, ''Thank you, Todd. Thank you, passengers and crew of Flight 93.''

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

□ 1300

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. TANCREDO).

Mr. TANCREDO. Mr. Speaker, every time we hear of the deeds of the folks like Todd Beamer on Flight 93, we are left with the kind of introspection that can be very challenging. We have to say to ourselves, what would I have done? How would I have reacted under similar circumstances? We all want to think that we would have done what Mr. Beamer and others did. We can only hope that is the case, but we can also only hope that we will not have to face that challenge.

But if we do, if something like that ever comes up again, the fact is that any American who has read the story, becomes acquainted with the actions of the people on Flight 93, we can sincerely believe that the possibility for us to do the right thing under those circumstances, to do what they did, is greater because we know what they did, and because of what it does for us internally, because of the way it changes us, because of the courage, perhaps, that they have given us.

Mr. Speaker, we also are able to put faces together with names now of people who were on the plane. I take this opportunity also to think about and to speak for just a moment about Captain Jason Dahl. Mr. Dahl chose to be on the plane that day. He scheduled himself for Flight 93. From everything we have learned about Mr. Dahl, it is certainly understandable and it is quite probable that it was his decision even to take the plane into the ground rather than into any other edifice.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I commend the gentleman from New Jersey (Mr. HOLT) for introducing this legislation and for working so hard to ensure its passage. I encourage all Members to support this resolution. Mr. Speaker, to quote Todd Beamer, ''Let's roll.''

Mr. TANCREDO. Mr. Speaker, I rise in support of H.R. 3248 and wish to fully express my gratitude to the crew of United Flight 93, and especially its captain, Jason M. Dahl. It was with immense sadness that I learned that the Dahl family and indeed all of Colorado had been robbed on September 11th of a good man and a good father. Mr. Dahl's family, to paraphrase President Lincoln, must feel enormous pride for having laid such a costly sacrifice upon the altar of freedom.

According to a friend, Dahl learned to fly before he learned to drive. A neighbor remembered Dahl's football and baseball games in the street with neighborhood children and his commitment to his family and his community. Having read the statements of those who eulogized him, I cannot help but conclude that the gentleman flying that plane was one of America's best—a great father and husband alkike. Since September 11th, America has rediscovered the importance of family, and turned to family members for comfort and understanding. It is no small tragedy that the Dahl family does not have this luxury, having been left incomplete on September 11th.

Most of us saw evil on that day watching the pictures of the two planes collide with the World Trade Towers in New York City. Jason Dahl almost surely saw evil in a different form. He must have seen it in the faces of the hijackers and known that it was in their hearts.

The loss of Mr. Dahl and all of the passengers aboard Flight 93 will not be forgotten—certainly not by this body. This morning, we passed a resolution calling for a plaque to be placed on the grounds of the Capitol memorializing their deaths. I would suggest that their memory will go much farther. The fact that this great building and its dome—two irreplaceable symbols of American democracy—still stand today will always be a living memorial to their sacrifice.

My prayers, Mr. Speaker, are with all of the innocent civilians who died aboard that plane, and especially Jason Dahl and his family.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SHIMKUS). The question is on the motion offered by the gentlewoman from Virginia (Mrs. JO ANN DAVIS) that the House suspend the rules and pass the bill, H.R. 3248.

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.

EXPRESSING SOLIDARITY WITH ISRAEL IN THE FIGHT AGAINST TERRORISM

Mr. HYDE. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 280) expressing solidarity with Israel in the fight against terrorism.

The Clerk read as follows:

H. CON. RES. 280

Whereas 26 innocent people in Israel were murdered in cold blood and at least 175 wounded by Palestinian terrorists, all within 14 hours, during the weekend of December 1–2, 2001;

Whereas this is the equivalent, on a proportional basis, of 1,200 American deaths and 8,000 wounded;

Whereas United States Middle East envoy Anthony Zinni has labeled the terrorism of December 1–2, 2001, ''the deepest evil one can imagine'';

Whereas this bloody weekend is part of an ongoing terror campaign often targeted at youth and families and perpetrated by the Islamic fundamentalist groups Hamas and Palestinian Islamic Jihad and other Palestinian terrorist groups;

Whereas President Bush declared at a joint session of Congress on September 20, 2001, that ''Every nation, in every region, now has a decision to make. Either you are with us, or you are with the terrorists. From this day forward, any nation that continues to harbor or support terrorism will be regarded by the United States as a hostile regime''; and

Whereas President Bush declared on December 2, 2001, that ''Chairman Arafat must do everything in his power to find those who murdered innocent Israelis and bring them to justice'': Now, therefore, be it

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

(1) condemns the vicious terrorist attacks resulting in the death of 26 and the wounding of at least 175 innocent people in Israel within 14 hours during December 1–2, 2001, and extends its deepest sympathies to the Israeli nation and to the families of the victims;

(2) expresses outrage at the ongoing Palestinian terrorist campaign and insists that the Palestinian Authority take all steps necessary to end it;

(3) demands, specifically, that the Palestinian Authority take action immediately to—

(A) destroy the infrastructure of Palestinian terrorist groups;

(B) pursue and arrest terrorists whose incarceration has been called for by Israel; and

(C) either—

(i) prosecute such terrorists, provide convicted terrorists with the stiffest possible punishment, and ensure that those convicted remain in custody for the full duration of their sentences; or

(ii) render all arrested terrorists to the Government of Israel for prosecution;

(4) urges the President to take any and all necessary steps to ensure that the Palestinian Authority takes the actions described in paragraph (3), including, if necessary, suspending all relations with Yasir Arafat and the Palestinian Authority;

(5) further urges the President to insist that all countries harboring, materially supporting, or acquiescing in the private support of Palestinian terrorist groups end all

such support, dismantle the infrastructure of such groups, and bring all terrorists within their borders to justice;

(6) commends the President for his strong leadership against international terrorism, his forthright response to this most recent outrage, and his swift action to freeze additional sources of terrorist funds; and

(7) expresses the solidarity of the United States with Israel in our common struggle against the scourge of terrorism.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

Mr. DINGELL. Mr. Speaker, I rise in opposition to H. Con. Res. 280.

The SPEAKER pro tempore. Is the gentleman from California (Mr. LANTOS) in opposition to the motion to suspend the rules?

Mr. LANTOS. Mr. Speaker, I strongly support the resolution.

The SPEAKER pro tempore. As a Member opposed to the motion, the gentleman from Michigan (Mr. DINGELL) may control the 20 minutes reserved for opposition.

Mr. HYDE. Mr. Speaker, I ask unanimous consent to divide my time with the gentleman from California (Mr. LANTOS).

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

There was no objection.

Mr. LANTOS. Mr. Speaker, I ask unanimous consent that each side be given an additional 10 minutes in view of the fact that we have a number of speakers.

Mr. DINGELL. Mr. Speaker, parliamentary inquiry. Each side, I would like to know what that means?

The SPEAKER pro tempore. Does the gentleman from Michigan object?

Mr. DINGELL. Mr. Speaker, I do not. I simply reserve the right. That means 10 minutes more for those supporting the motion and 10 minutes more for the opposition?

The SPEAKER pro tempore. The Chair would state that it would make the motion debatable for an hour evenly divided.

Mr. DINGELL. Mr. Speaker, I do not object to that.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Illinois (Mr. HYDE) will control 15 minutes, the gentleman from California (Mr. LANTOS) will control 15 minutes, and the gentleman from Michigan (Mr. DINGELL) will control 30 minutes.

The Chair recognizes the gentleman from Illinois (Mr. HYDE).

GENERAL LEAVE

Mr. HYDE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Con. Res. 280, the resolution under consideration.

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

There was no objection.

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

Mr. Speaker, yesterday the House leadership would have met with Israeli Prime Minister Sharon in the United States Capitol to discuss the status of the peace process. Instead, he had to return home to Israel, and we are here on the floor of the House joining with the people of Israel in their grief over the losses from the horrific terrorist attack of the past weekend.

As Israel buries its dead, comforts its bereaved and begins to heal its wounded, we send through this resolution a signal of sincere condolence and solidarity with the people and the government of the State of Israel.

The American people also join in President Bush's forthright expression of support for Israel's right of self-defense. Mr. Speaker, yesterday the President took additional actions to cut off funding for terrorists, funds which originated here in the United States. Hamas is now understood to be a terrorist organization of global reach, even if that reach is mainly from Iran, Syria, or Lebanon into Israel.

This resolution calls on Palestinian Authority Chairman Arafat to do what the President's spokesman said he could have done in the past, to really crack down on those who would deliberately murder women, children and men as they go about their business on the streets.

We ask the President to act sharply against the Palestinian Authority if it does not heed our request. This is not an action we should rush to take, because the Palestinian people have chosen Chairman Arafat as their leader, and it is important that we maintain a relationship with him if at all possible. But as we do not provide aid to the Palestinian Authority itself, we cannot cut off assistance as a way of showing displeasure. A customary way of showing extreme displeasure with a foreign authority is to cut off our diplomatic relationship and compel some or all of their envoys to return home.

It seems clear that the actions or inaction of the Palestinian Authority to date merit the President's taking all appropriate actions, which could include the cutting off of our quasi-diplomatic relationship should we not see some serious action on their part.

Mr. Speaker, I believe that Chairman Arafat has a historic role to play. He needs to lead his people by stopping the violence and beginning the negotiating process. He needs to do this not because we asked him to, not because of Israel's interest, but the interests of his own people. He needs to clearly convey to his people that the way of violence is not the way forward.

I sincerely hope he chooses the path of peace, takes risks for peace, and finds a way out of his present dilemma. The United States and its friends can and should do all it can to help him, but the choice ultimately is one that he and his colleagues must make and take responsibility for.

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

Mr. DINGELL. Mr. Speaker, I yield myself 7 minutes.

Mr. Speaker, I rise in regretful opposition to the resolution. It is clear we have an opportunity to pass a resolution which will contribute in a significant way to the peace process. It is very clear that we have a duty to oppose terrorism, which I have always done and which I continue to do. It is also equally clear that the United States has a long-standing commitment to the freedom and independence to the State of Israel, and I strongly support that undertaking.

But I would note that here the resolution contributes very little to the accomplishment of those purposes. What this resolution does is to essentially set up a situation where the United States appears and in fact does and will be viewed by people in the area as having taken sides. The interests of the United States here are to bring to a halt terrorism and to create a lasting viable negotiated peace. That is best done by attacking the root causes of terrorism, not the least of which are the thousands or hundreds of thousands of Palestinians and others feel themselves to be unfairly, badly, and improperly treated. Their homes are destroyed. Their orchards are destroyed. Their lands are settled in defiance of their wishes their people are driven to poverty and killed. International agreements which they have made in their names are not being honored.

The duty of the United States here is a very simple one, and that is to work for peace in the Middle East. Our single most important concern in that area is peace: peace for Israel, security for Israel, peace and security for the Palestinians, an end to the fighting, a termination of terrorism. How is that done? Is it done by shooting up Arafat's helicopters? Is it done by terror bombings of people who are committing suicide to kill Israelis? No. Only one way leads to this course, the strongest possible leadership by the United States functioning as an impartial honest broker between people who find little reason not to hate each other.

Mr. Speaker, this will be done by a long process of negotiation in which the parties must come together to negotiate their differences under the strong leadership and guidance of the United States. This resolution accomplishes nothing in that end. It does nothing to move forward the peace process which came so close under the leadership of President Clinton during the last days of his administration. It does nothing to strengthen our friends in the area, the Governments of Egypt and Jordan. And it does nothing to make it possible for Mr. Arafat to provide the necessary leadership towards

meaningful discussions. Rather it, and other actions leave Arafat weaker and less capable of effective participation in the peace process.

The question Members have to ask is: How is it that Arafat is to be better disposed to move forward towards peace when his people are angry and when his helicopters are bombed and when his headquarters is threatened? The answer is, not at all. But, it goes beyond this. How is the peace process, or how are our concerns about peace in the area moved forward by weakening Arafat and by making him appear to be incapable of leading the Palestinian people? Or making the Palestinian people less willing to follow his leadership in the peace process?

Mr. Speaker, I hold no brief here for any side, none for Mr. Arafat, none for the Israelis or anybody else. I think the United States has to look to one thing. Let us look to our principal interest. Our principal interest is peace in the area. How is that to be achieved? Only in one way and no other. There is only one country in the world that has the prestige and the ability to do that and the military capability to bring that about. When it gets down to the point, we, and we alone, acting as leader of other Nations also dedicated to peace have the capacity to do what has to be done, to bring about real meaningful and final negotiations to settle the problems.

The issue here is how we bring the parties forward to begin a long and difficult a process. We must use the most intense pressure of the United States to abate and to terminate the terrible events which we are seeing in Israel, in Palestine, in the occupied territories in the Middle East. Negotiations between the parties are the only way.

I think Members can anticipate that the terrible events which occurred the other day in Israel with scores of people injured and killed are going to be replicated again and again. Angry, frustrated, bitter people are going to use that method because that is the only method that is available to the weak.

□ 1315

Again how are we going to bring the terrible events in the Middle East to a halt? By seeing to it that the problems that exist between the Israelis and the Palestinians and the others in the area are abated by negotiations between them. Is this going to be easy? Of course not. But is there an alternative way? The answer is there is no other way that that could be accomplished.

Certainly the resolution which is before us offered, by good friends of mine, for whom I have great respect, with, I am sure, the best of intentions, does not carry out the mechanisms for bringing peace and it does not offer us the prospects of seeing progress going forward. Nor does it offer this Nation the opportunity to know that we have done something which will abate the root causes of terrorism in that world which are causing deaths in the United States as well as Israel, Palestine, and other places. We have committed ourselves to a massive effort in Afghanistan, which has caused us to spend billions of dollars and to put at risk our military personnel.

I support that effort, and each year I support massive funding to help Israelis to maintain their statehood and to deal with their security problems.

This resolution is counterproductive. It does not move us forward towards world peace. It does not move us forward towards a resolution of the controversy of the differences which are major causes of terrorism, heartache, death and suffering, for Israelis and for Arabs alike, and on September 11, Americans.

This leaves us with a large new group of people who are going to say the United States sides with Israel, and that this country is not concerned about peace in the Middle East, and not concerned about addressing the enormous problems which divide the people there. We thus ignore some of the terms most important to our national security. We are talking here about an area which has the potential for the next world war occurring. Terrorism can bring it about at any time. It could happen; and if it does, the results to Israel will be calamitous. Five million Israelis, or a few more, in a small country surrounded by millions of Arabs, is facing terrible risk and danger in the event that there is significant trouble.

I am not sure that the United States can address any of the problems that we have with peace in the area easily, or that we can address the problems of assuring our own security. But we must. We have already learned the bitter anger that causes suicide bombers will kill large numbers of Israelis and Americans through terrorist tactics. I would urge my colleagues to choose a better mechanism for assuring peace in the area and the security of the United States, a negotiated settlement by the parties, driven by our leadership, and effort, with the support of the other peace loving Nations.

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

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

Mr. Speaker, I would like to say to my distinguished friend, the gentleman from Michigan (Mr. DINGELL), for whom I have enormous admiration, that he has a much more spacious view of the purpose of this resolution. We do not pretend to have an answer to the Middle East conflict; and I pray that if the gentleman does, he will come forward with it so that peace might be moved closer in that troubled part of the world.

What this resolution does is a very narrow, simple thing, and that is it shows solidarity with the Israeli people who were victimized on December 1 with an atrocity, namely the killing of 26 people, randomly, in a shopping mall, and the wounding of at least 175 of them, in the wake of what happened to our country on the 11th of September in the worst act of terrorism in recorded history in the memory of man.

So Israel and the United States are both victims of a terrible act of terrorism; and in that co-victimhood we attempt to show solidarity. That is not a mindless thing; it is not an empty gesture. It focuses on this new form of war, which is beyond contempt. I think that is very useful and necessary.

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

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

Mr. Speaker, I first want to pay tribute to the leadership of the chairman of the Committee on International Relations, our distinguished colleague, the gentleman from Illinois (Mr. HYDE), in bringing this resolution before us.

I should also mention, Mr. Speaker, that as we speak, a parallel resolution is being considered in the other body, introduced by the chairman and the ranking member of the Senate Foreign Affairs Committee.

Mr. Speaker, I rise in strong support of the Hyde-Lantos resolution expressing solidarity with the State of Israel and the Israeli people in their fight against terrorism.

Mr. Speaker, this past weekend, Israel experienced the most deadly eruption of Palestinian terrorist assassinations that country has seen in years. Some 26 utterly innocent civilians were killed, most of them young people, and 175 wounded, within a 14-hour period as a result of ruthless suicide bombs in both Jerusalem and Haifa. Once again, Palestinian terrorists targeted people on a bus and people in a shopping mall.

We as Americans, ourselves recently victimized, fully share the Israelis' sense of anger, outrage, and violation. The horror of this past weekend was, as President Bush's Middle East envoy, General Zinni, stated, ''the deepest evil one can imagine.''

Israel's casualty figures from the 14 hours of carnage are the equivalent on a proportional basis of 1,200 American dead and 8,000 American wounded. The horrors of this past weekend only underscore a relentless campaign of murder carried out by Hamas, Islamic jihad and elements of Arafat's own Fattah movement. In fact, Mr. Speaker, since that fateful date, September 11, the equivalent of 2,700 Israelis have fallen victim to Palestinian terrorism.

Each human life is a treasure far beyond what any statistic can express. Both the Jewish and Islamic traditions poignantly declare that the saving of one human life is the equivalent of saving the world and the murder of one human life is the equivalent of destroying the world. I cite the proportional figures only as a means to illustrate, Mr. Speaker, the impact these killings

have on a small nation of just 6 million people.

This Congress and the American people are angry, frustrated, and fed up with Arafat's cynical support of murderous criminals and his failure to act to prevent the killing of both Israelis and Palestinians. But Arafat's failure does not only lead to death; it leads to the danger that a bloodbath will ensue in the entire region.

We know, Mr. Speaker, that Arafat is capable of stopping terror. We have seen him do so when under sufficient international pressure. Until he does end the terror, and end it for good, we must conclude that he supports it.

It is no longer good enough, indeed, it never was, Mr. Speaker, for Arafat to run a revolving prison door, arresting a few low-level terrorists for a few days until the world diverts its glance and moves on to other issues.

The Hyde-Lantos resolution provides that the Palestinian Authority should arrest, prosecute, and punish the perpetrators of this monstrous act or turn over these terrorists to the Government of Israel for prosecution. Our resolution urges the President of the United States to take any and all steps necessary to ensure that the Palestinian Authority complies with all of our demands. If it does not, we call on our President to terminate relations with Arafat and the Palestinian Authority.

Mr. Speaker, in his historic speech to our joint session on September 20, President Bush said that nations will be judged as either being against terrorists or being for them. In this hour of their grieving, Israelis should know that the American Congress and the American people stand resolutely with them in our joint struggle against international terrorism.

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

Mr. DINGELL. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from California (Mr. ISSA).

Mr. ISSA. Mr. Speaker, I rise in opposition to this piece of legislation. Not because it is completely flawed, it has great value in some of the things it says, but it has flaws.

Before I go on to those flaws, I would like to point out that the previous speaker misstated this resolution. I would ask the gentleman from California (Mr. LANTOS) to use some of his remaining time to restate correctly this resolution.

This resolution in its original form very outlandishly called on the Palestinian Authority, as though they were the perpetrators of this crime. It has been changed, because they are not.

Hamas committed these two terrible attacks, for which Hamas should be hunted down and punished, as the President is seeking to do. But in fact, the Palestinian Authority is also a victim of these attacks. They have had loss of life as a result of this. And going to the larger picture of the Middle East, Israel continues to find ways to punish and diminish the Palestinian Authority's ability to enforce the very laws that they ask to be enforced by bombing their police headquarters in retaliation for what was taken credit by Hamas to be their act.

Hamas is, in fact, an organization formed in opposition to the Palestinian Authority's very own party. I would ask that these inaccuracies be corrected, because in fact Hamas would like to see the PLO out of power. Hamas is an extreme organization with a very different bent than the Palestinian Authority's general way of doing business.

More importantly, I would call on everyone to look at item four, where it urges the President to take any and all necessary steps to ensure the Palestinians take the actions described. That was added, and it was added for a good and valid reason that I hope we will all remember should this otherwise in some ways misguided resolution pass.

The President could restore the $900 million that the Israeli Government has withheld from the Palestinian Authority. Those dollars were designed to allow them to enforce their laws, and yet that has been unlawfully and in violation of the agreement that they have made withheld.

The President could see that the Palestinian Authority, who today only has two answers to a riot, yell at them or shoot them, because they are prohibited and withheld the kind of riot control equipment that would allow them to enforce these very sanctions that we want to see that they do to root out Hamas. They have no riot control equipment; they have no billy clubs; they have no tear gas.

So I ask that we look at this somewhat erroneous resolution for what it might do for the administration, if the administration takes the initiative and does some positive things to undo the damage that has been done by Israel in breaking down the very authority that they now call on the United States to insist that they take these steps.

We were just in the West Bank on a CODEL. We saw how little ability the PLO now has, what the effects of 14 months of not receiving the funding they need to do their job are.

□ 1330

This is not a perfect document. It has been improved. I would call, once again, on the gentleman from California (Mr. LANTOS) to make those corrections so that we fairly and accurately state what item 4 and the rest of this document says, which is a call on Hammas, the Palestinian Islamic Jihad and other organizations, terrorist organizations, of which the Palestinian Authority is not one.

Mr. HYDE. Mr. Speaker, I am pleased to yield 2 minutes to the distinguished gentleman from New York (Mr. GILMAN).

Mr. DINGELL. Mr. Speaker, out of extraordinary respect and affection for the gentleman from New York (Mr. GILMAN), my good friend, I yield him an additional 1 minute.

The SPEAKER pro tempore (Mr. BASS). The gentleman from New York (Mr. GILMAN) is recognized for 3 minutes.

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

Mr. GILMAN. Mr. Speaker, I rise to urge my colleagues to fully support H. Con. Res. 280 so that the Congress can demonstrate that it stands in strong support of Israel as it confronts terrorism threats similar to the ones we have been confronted by our own Nation. I thank our distinguished chairman, the gentleman from Illinois (Mr. HYDE), and the gentleman from California (Mr. LANTOS), our ranking minority member, for bringing this measure to the floor in a timely manner.

We should be reminded that Israel has lived with these kinds of threats and terrorism for most of its existence, not just since September 11, and which have escalated just in the past few days, killing so many innocent civilians. Palestinian leader Chairman Arafat needs to know that he will receive no more second opportunities and no more benefits of doubt. This resolution does just that by demanding that Chairman Arafat root out the infrastructure of Palestinian terrorist organizations operating within its territory that is controlled by the Palestinian Authority.

This resolution demands that Chairman Arafat either prosecute Palestinian terrorists and ensure that they remain in custody, or turn over the terrorists to Israel for prosecution. These are steps that Arafat, despite repeated demands from Israel and, to some extent, from our own Nation, that he has to undertake at this time but has refused to. Our resolution urges the President to suspend relations with Mr. Arafat, the Palestinian Authority, until they, once and for all, root out the terrorist infrastructure. We must not do business as usual with Mr. Arafat while he continues to allow Palestinian suicide bombers to roam freely, enabling them to carry out more destruction against civilians.

Mr. Arafat has refused to crack down on these terrorist groups, believing that he can keep peace with the Palestinian Authority if he stands down from confronting the militants.

However, these groups actually have been undermining Mr. Arafat's leadership by provoking Israel and preventing negotiations from yielding peace and prosperity for the Palestinian people.

Mr. Speaker, this resolution puts other governments on notice that we in the Congress are watching their behavior toward Palestinian terrorism as well. Governments such as Syria and Iran must not be permitted to fund, to arm and to harbor Palestinian terrorist groups with immunity and then hide behind tepid words of support for the United States' efforts against the

Taliban and bin Laden. Syria has allowed Hammas and the Palestinian Islamic Jihad to maintain their headquarters in Damascus and to operate training camps in the Bekaa Valley of Lebanon. Iran provides about 10 percent of Hammas' total budget and virtually all of the funds used by Palestinian Islamic Jihad, according to a wide variety of reports and analyses. It also funds weapons to Hizbollah in Lebanon, an organization that helps train Hamas and Palestinian Islamic Jihad.

In conclusion, let me say, Mr. Speaker, that the passage of this resolution will send to Chairman Arafat a clear, strong message that our patience with him is at an end. As some Israeli leaders have noted, Mr. Arafat should be told to either surrender the terrorists, or surrender his power. The same policies that we are pursuing against Osama bin Laden in Afghanistan should be applied to Mr. Arafat. I urge my colleagues to fully support this measure.

Mr. LANTOS. Mr. Speaker, before yielding to the gentlewoman from Nevada, I want to make some observations on the speaker prior to the gentleman from New York (Mr. GILMAN).

I do not take back one single word of my statement. Units of Arafat Palestinian Authority have participated repeatedly in the most heinous terrorist acts and claimed credit for it. Arafat paid tribute to mass murderers and assassins on a repeated basis. He is part and parcel of the terrorist cabal.

Let me also say, with respect to sanctimonious statements about peace, there was an opportunity for peace when, under President Clinton's leadership and at his urging, former Prime Minister Barak made sweeping and phenomenal concessions to the Palestinian Authority, and instead of accepting those or coming up with a counteroffer, he started a 14-month mass murder, sweeping the region, with hundreds of Israelis and Palestinians being killed, the Palestinian economy in shambles, tourism in the whole region from Egypt to Lebanon dead. All of it because of terrorism and violence.

Mr. Speaker, I am delighted to yield 2½ minutes to the gentlewoman from Nevada (Ms. BERKLEY), my distinguished colleague and good friend.

Ms. BERKLEY. Mr. Speaker, I rise in strong support of the Hyde-Lantos resolution.

I would like to personally thank both the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS) for bringing this measure to the floor and for their excellent leadership on our committee.

Mr. Speaker, after the vile terrorist attacks perpetrated by Palestinian suicide bombers this weekend in Israel, many are claiming that this is the moment of truth for Yasar Arafat. The fact is, Chairman Arafat has had too many moments of truth, and he has failed them all.

The patience of the United States has been abused time and again by the Palestinian leadership. It is far past time for Chairman Arafat to start producing results. He started this Intifada over a year ago after rejecting Prime Minister Barak's generous calls for peace and, since then, has chosen to ignore America's calls for negotiation in favor of blowing up discos and pedestrian malls. Mr. Arafat and the entire Palestinian leadership must listen very clearly to the message that we are sending: You have gained nothing by killing innocent teenagers, except the wrath of America, Israel and the civilized international community.

Palestinian apologists have tried to link these terrorist attacks to Israeli policies. Let me say loud and clear that those who make this argument are the same, in many instances, who claim that the attacks on America on September 11 were motivated by America's foreign policy. Only the most despicable or deliberately blind human beings can rationalize the murder of innocent teenagers for a supposed political cause.

Mr. Speaker, our patience with the Palestinian leadership has run its course. American policy is clear that our enemies are terrorists everywhere and all governments that support them. This resolution says once and for all to Chairman Arafat, what side are you on? Do you support terror, or will you immediately and permanently dismantle the terrorist organizations that act freely within your territory?

Hamas and other terrorist organizations operate with a free hand because Arafat allows them to. If Arafat cannot control these terrorists, then why are we propping him up and pretending that he has the ability to negotiate with Israel for peace? If Chairman Arafat fails to act, then it is time to regard the Palestinian Authority as supporters of terror and deal with them as such. The choice, as it has always been, is Chairman Arafat's to make.

Mr. HYDE. Mr. Speaker, I am pleased to yield 2 minutes to the distinguished gentleman from Arizona (Mr. FLAKE).

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

Mr. Speaker, Yasar Arafat says that he cannot control the terrorists. It seems that we have a relatively easy decision to make. Why do we not take him at his word? If he cannot control the terrorists, then he should not pretend that he can bring peace, and we ought to stop negotiating with him. We need to look elsewhere among the Palestinians for negotiating partners. If Yasar Arafat is responsible, then terrorists under his control over the weekend killed 26 Israelis. If he is responsible, he needs to be held accountable for his actions. We need to remember that Arafat has never outlawed Hammas, he has never confiscated its weapons, he has never shut down its training camps, and he has never even publicly condemned it by name.

In 1997, then Secretary of State Madeleine Albright said that Arafat had a revolving door justice system when it came to handling terrorists. Things have not changed.

Again, the U.S. simply needs to determine, is Arafat in control, or is he not? I would suggest that, in either case, we ought to stop negotiating with him.

Further, there are better uses for taxpayer dollars than to prop up terrorists and their regimes. If we find that he is not in control, stop negotiating with him. If he is in control, hold him accountable. We ought to begin the post-Arafat era.

Mr. DINGELL. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Texas (Mr. PAUL).

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

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

Mr. Speaker, I rise in opposition to the resolution and not, obviously, because it condemns violence. We all condemn the violence. But there is more to this resolution than just condemning the violence. I have a problem with most resolutions like this because it endorses a foreign policy that I do not endorse, and it does that by putting on unecessary demands. So the demands part of this resolution is the part that I object to, not the condemnation of violence.

By doing this, we serve to antagonize. We hear today talk about having solidarity with Israel. Others get up and try in their best way to defend the Palestinians and the Arabs. So it is sort of a contest: Should be we pro-Israel or pro-Arab, or anti-Israel or anti-Arab, and how are we perceived in doing this? It is pretty important.

But I think there is a third option to this that we so often forget about. Why can we not be pro-American? What is in the best interests of the United States? We have not even heard that yet.

I believe that it is in the best interests of the United States not to get into a fight, a fight that we do not have the wisdom to figure out.

Now, I would like to have neutrality. That has been the tradition for America, at least a century ago, to be friends with everybody, trade with everybody, and to be neutral, unless somebody declares war against us, but not to demand that we pick sides in every fight in the world. Yet, this is what we are doing. I think our perceptions are in error, because it is not intended that we make the problem worse. Obviously, the authors of the resolution, do not want to make the problem worse. But we have to realize, perceptions are pretty important. So the perceptions are, yes, we have solidarity with Israel. What is the opposite of solidarity? It is hostility. So if we have solidarity with Israel, then we have hostility to the Palestinians.

I have a proposal and a suggestion which I think fits the American tradition. We should treat both sides equally, but in a different way. Today we

treat both sides equally by giving both sides money and telling them what to do. Not $1 million here or there, not $100 million here or there, but tens of billions of dollars over decades to both sides; always trying to buy peace.

My argument is that it generally does not work, that there are unintended consequences. These things backfire. They come back to haunt us. We should start off by defunding, defunding both sides. I am just not for giving all of this money, because every time there are civilians killed on the Israeli side or civilians killed on the Palestinian side, we can be assured that either our money was used directly or indirectly to do that killing.

□ 1345

So we are, in a way, an accomplice on all of this killing because we fund both sides. So I would argue we should consider neutrality, to consider friendship with both sides, and not to pretend that we are all so wise that we know exactly with whom to have solidarity. I think that is basically our problem. We have a policy that is doomed to fail in the Middle East; and it fails slowly and persistently, always drawing us in, always demanding more money.

With the Arabs, we cannot tell the Arabs to get lost. The Arabs are important. They have a lot of oil under their control. We cannot flaunt the Arabs and say, get lost. We must protect our oil. It is called ''our oil.'' At the same time, there is a strong constituency for never offending Israel.

I think that we cannot buy peace under these circumstances. I think we can contribute by being more neutral. I think we can contribute a whole lot by being friends with both sides. But I believe the money is wasted, it is spent unwisely, and it actually does not serve the interests of the American people.

First, it costs us money. That means that we have to take this money from the American taxpayer.

Second, it does not achieve the peace that we all hope to have.

Therefore, the policy of foreign noninterventionism, where the United States is not the bully and does not come in and tell everybody exactly what to do, by putting demands on them, I think if we did not do that, yes, we could still have some moral authority to condemn violence.

But should we not condemn violence equally? Could it be true that only innocent civilians have died on one side and not the other? I do not believe that to be the care. I believe that it happens on both sides, and on both sides they use our money to do it.

I urge a no vote on this resolution.

Mr. Speaker, like most Americans, I was appalled by the suicide bombings in Israel over the weekend. I am appalled by all acts of violence targeting noncombatants. The ongoing cycle of violence in the Middle East is robbing generations of their hopes and dreams and freedom. The cycle of violence ensures economic ruin and encourages political extremism; it punishes, most of all, the innocent.

The people of the Middle East must find a way to break this cycle of violence. As Secretary of State Colin Powell told the House International Relations Committee in October, ''You have got to find a way not to find justifications for what we are doing, but to get out of what we are doing to break the cycle.''

Mr. Speaker, I agree with our Secretary of State. The Secretary also said that we need to move beyond seeing the two sides there as ''just enemies.'' I agree with that too. But I don't think this piece of legislation moves us any closer to that important goal. While it rightly condemns the senseless acts of violence against the innocent, it unfortunately goes much further than that—and that is where I regrettably must part company with this bill. Rather than stopping at condemning terrorism, this bill makes specific demands in Israel and the Palestinian areas regarding internal policy and specifically the apprehension and treatment of suspected terrorists. I don't think that is our job here in Congress.

Further, it recommends that the President suspend all relations with Yasir Arafat and the Palestinian Authority if they do not abide by the demands of this piece of legislation. I don't think this is a very helpful approach to the problem. Ceasing relations with one side in the conflict is, in effect, picking sides in the conflict. I don't think that has been our policy, nor is it in our best interest, be it in the Middle East, Central Asia, or anywhere else. The people of the United States contribute a substantial amount of money to both Israel and to the Palestinian people. We have made it clear in our policy and with our financial assistance that we are not taking sides in the conflict, but rather seeking a lasting peace in the region. Even with the recent, terrible attack. I don't think this is the time for Congress to attempt to subvert our government's policy on the Israeli-Palestinian conflict.

Finally, the bill makes an attempt to join together our own fight against those who have attacked the Untied States on September 11 and Israel's ongoing dispute with the Palestinians. I don't think that is necessary. We are currently engaged in a very difficult and costly effort to seek out and bring to justice those who have attacked us and those who supported them, ''wherever they may be,'' as the president has said. Today's reports of the possible loss of at least two our servicemen in Afghanistan drives that point home very poignantly. As far as I know, none of those who attacked us had ties to Palestine or were harbored there. Mr. Speaker, I think we can all condemn terrorism wherever it may be without committing the United States to joining endless ongoing conflicts across the globe.

Mr. GILMAN. Mr. Speaker, I am pleased to yield 2 minutes to the distinguished gentlewoman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. Mr. Speaker, I thank the gentleman for yielding time to me, and I thank him for his leadership.

I also want to commend the gentleman from Illinois (Chairman HYDE) and, again, the chairman of the subcommittee, the gentleman from New York (Mr. GILMAN), and the gentleman from California (Mr. LANTOS) for the work they have done.

I rise in strong support of this resolution to express solidarity with Israel and the fight against terrorism. We have had leadership on the Committee on International Relations that has helped us to ensure our support for Israel, and I want to thank them all for their leadership.

The citizens of Israel know too well the threat of terrorism. This past weekend was another brutal example: 26 Israeli citizens were murdered and 175 were wounded by the terrorist group Hamas and the Palestinian jihad, all within 14 hours. This bloody weekend was part of an ongoing campaign aimed at youth and families, unacceptable acts of terrorism.

To bring an end to terrorism in Israel, Chairman Arafat has to live up to his agreements, including commitments made to stop this violence against civilians. That means fulfilling promises of prosecutions. His ability to maintain the rule of law would finally demonstrate a Palestinian interest in engaging in discussions of peace.

Without serious action to eliminate, even harness terrorism, Arafat cannot expect any opportunity for negotiations.

So the United States stands united with Israel in the effort to eliminate the terrorist attacks against our citizens. Our continued unification with other nations on this issue must not cease to be heard around the world. Our Arab allies, indeed, must understand our position and encourage Chairman Arafat to take the necessary steps against known terrorist organizations, and support him publicly when he does.

I encourage all my colleagues to support House Concurrent Resolution 280 to express our support and solidarity for the citizens of Israel.

Mr. LANTOS. Mr. Speaker, I am pleased to yield 2 minutes to the distinguished gentleman from New York (Mr. ACKERMAN), the distinguished ranking member of the Middle East subcommittee of the Committee on International Relations.

Mr. ACKERMAN. Mr. Speaker, I am outraged by the statement of one of the previous speakers who has now left the floor who said, with his unique sense of justice, that we should treat everybody equally; that we should treat the terrorists and victims the same; that we should treat Hamas the same way and look at them in the same way that we treat little girls going to a disco, or grandmothers taking their grandchildren out for pizza for lunch. That is not justice; that is ridiculous.

Mr. Speaker, I rise in strong support of the resolution. I would like to thank the chairman, the gentleman from Illinois (Mr. HYDE), and the ranking member, the gentleman from California (Mr. LANTOS), for their outstanding efforts in crafting this resolution and getting it to the floor in so timely a fashion.

I believe it is critically important at this moment, this moment of truth, for the House of Representatives to speak

out against the Palestinian terrorism which has cost so many innocent Israelis their lives.

It is well past time for Congress to say enough, enough killing, enough terror, and finally, enough duplicity, excuses, and lies. Palestinian terrorism is not an accident; it is not an uncontrollable cycle. In fact, it is the result of a deliberate, deliberate refusal by the Palestinian Authority to crack down on terrorist groups like Hamas and the Palestinian Islamic jihad.

It is the result of the Palestinian Authority's revolving-door prison policy, and the Palestinian leadership's unconscionable refusal to arrest terrorists whose names and addresses are made familiar by endless Israeli requests for action, requests that have been confirmed by our own government.

Hamas is a terrorist group, and the PA harbors them. Our President says there is no difference, that the Palestinian Authority must be held accountable for these grotesque decisions which make any hope of peace an impossibility.

The Palestinian people have legitimate grievances and they have a right to express them; but they have no right, no right, no right to blow up and murder innocent men, women, and children.

Mr. Speaker, the United States cannot work during the day with Palestinian leaders on ''the peace of the brave'' while in the evening they turn a blind eye to terrorist bombings, shootings, and mayhem. As President Bush made so clear in his address to this Congress and to the American people, the time has come for every Nation and national group to choose: they are either with us or they are with the terrorists.

The Palestinian Authority has exactly that choice to make now. Either they destroy the infrastructure of Hamas, Islamic jihad, and other terrorist groups, or they will lose their relationships with the Congress, lose their relationship with the United States, and in the end, stand to lose much more than that.

Mr. Speaker, we must pass this excellent resolution. Again, I want to thank the gentleman from Illinois (Chairman HYDE) and the gentleman from California (Mr. LANTOS) for helping the House to find its voice on this very critical issue.

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that each side be given an additional 5 minutes, since we have some additional speakers.

The SPEAKER pro tempore (Mr. BASS). Is there objection to the request of the gentleman from New York?

Mr. DINGELL. Mr. Speaker, reserving the right to object, I just want to hear again what my good friend said.

Mr. GILMAN. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from New York.

Mr. GILMAN. Mr. Speaker, I would tell the gentleman, I am asking for an additional 5 minutes for each side, since we have additional speakers.

Mr. DINGELL. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from New York (Mr. GILMAN), the gentleman from Michigan (Mr. DINGELL), and the gentleman from California (Mr. LANTOS) will each be recognized for an additional 5 minutes.

Mr. GILMAN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Mr. Speaker, I will be voting for House Concurrent Resolution 280. This bill reflects my abhorrence and total condemnation of terrorist attacks on innocent Israelis, noncombatants. That attack, carried out on December 1 and 2, mutilated and killed 26 noncombatants, and 175 were wounded. These were human beings: men, women, and children, young people, and seniors. This monstrous atrocity must be condemned by all who believe in morality, all who believe in God, all who seek a better world and seek peace.

We condemn this as we condemn all attacks which have targeted Israelis and noncombatants in the decades past. This unconditional condemnation of such attacks on Israel, on their noncombatants, is totally justified.

But that is not enough. If America is to be a peacemaker in the Middle East, if we are to take a principled stand that will then be taken seriously by both sides when we condemn terrorism, we must condemn with equal moral outrage the murderous assaults on Palestinian noncombatants.

There are piles of bodies in the Middle East today, piles of bodies of innocent people. The Economist Magazine recently noted that the number of Palestinian noncombatants who have been killed in these last 6 weeks far outnumber the number of Israeli victims.

But there have been victims on both sides; and we need to equally, with equal fervor, condemn these attacks on innocent people. We should have zero tolerance, zero tolerance of this brutal terrorism that has kept the Middle East in such turmoil.

But let me note that does not mean, because we condemn this terrorism, that we close our eyes to the fact that Israeli soldiers are mowing down young boys who are doing nothing more than throwing rocks, a nonlethal weapon, and they use deadly force.

There are people in this body who are, with me, dedicated to human rights who would never permit a regime anywhere in the world to use such deadly force against people who are simply throwing rocks in order to call the public attention to their seeking justice for their cause. The killing of an Israeli soldier does not justify the shelling, indiscriminate shelling, of Palestinian villages, which has been part of their policy in the past, as well.

If we are to be taken seriously about condemning terrorism, if we are to be a peacemaker in the Middle East, and that is what we should be whenever there is an act of terrorism, we need to step forward; and we have not done it when the Palestinians are the victims.

Today I am going to vote for this resolution because I wholeheartedly condemn the killing that we are talking about here, with these poor Israeli people, 26 of them, and 175 wounded. These young people who are wounded probably have no legs, young people being disfigured all their lives. This is a horror story.

But it is an equal horror story when those things are done on Palestinians by the Israeli soldiers, and we need to be a peacemaker and not just give blanket approval to everything Israel does.

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

Mr. Speaker, I want to tell my good friend, the gentleman from California, that there is an enormous difference between targeting innocent civilians and collateral damage.

Today, as we speak, American soldiers were killed, killed in Afghanistan by our own forces inadvertently. There is a difference of the whole world between deliberately killing innocent civilians and retaliating, doing one's utmost to avoid killing civilians and, tragically, mistakes occurring. I think this distinction must be made on this floor.

Mr. Speaker, I am pleased to yield 2 minutes to my good friend, the distinguished gentleman from Maryland (Mr. CARDIN).

Mr. CARDIN. Mr. Speaker, I thank the gentleman for allowing me this time.

Let me also thank the gentleman from California (Mr. LANTOS) for his leadership in bringing forth this resolution and thank the gentleman from Illinois (Mr. HYDE), as well.

Mr. Speaker, some of our colleagues are concerned about taking a side. We are taking a side; we are taking a side against terrorists. We cannot be neutral when it comes to terrorists. Our President has said it very clearly: they are either on our side in the fight against the terrorists, or they are on the side of the terrorists.

This resolution is very straightforward. It supports the resolve of the people of Israel, and it lends the support of our Nation in their war against terrorists.

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That is exactly what the President and we asked of the American people after the attack on our country on September 11. We asked for the resolve of our people and their national support. There should not be a different standard here. We all should be opposed to the terrorist activities and support this war.

Mr. Arafat must make a choice. He either will join us in rooting out the terrorists in the Middle East or he will continue to be an ineffective leader. If he wants to be the leader of the Palestinian people that brings peace to the Middle East, then he must engage us, as this resolution calls upon him to do, to root out terrorists in the Middle East.

Mr. Speaker, this is a resolution that I hope all of us would support. It shows that we will not compromise with terrorists. It shows that we are united as a Nation, we are united in our international coalition to root out terrorist activities, whether they occur in the United States, whether they occur in Israel, or wherever they occur. Innocent people should not be targets. We cannot compromise that issue.

This resolution speaks to that, and I urge my colleagues to support the resolution, to put this body on record against terrorism.

Mr. GILMAN. Mr. Speaker, I am pleased to yield 30 seconds to the gentleman from California (Mr. ISSA).

Mr. ISSA. Mr. Speaker, I want to make it clear that this resolution started off as one that I could not support, and, in its final form, it is one that I will vote for, not because anything I said was less accurate. There are unsaid things. There are, in fact, challenges that the Israeli government has not met that I would hope they meet, but I would say that in the final analysis that we as a body must speak about the wrong actions that occurred, regardless of what is not in this document or any flaws that remain.

Mr. LANTOS. Mr. Speaker, I am delighted to yield 2 minutes to our distinguished colleague, the gentleman from New York (Mr. CROWLEY).

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

Mr. CROWLEY. Mr. Speaker, I stand up to say, enough is enough. I rise in strong support of this resolution, and I am proud to be a cosponsor. I commend the gentleman from Illinois (Mr. HYDE), the chairman, and the gentleman from California (Mr. LANTOS), our ranking member, for bringing this measure before us this afternoon.

I was both saddened and infuriated by the events that transpired in Jerusalem and Haifa this past weekend. Saddened because 26 people were murdered and 175 were injured in a cowardly terrorist attack. Infuriated because Yasser Arafat and his Palestinian Authority have done nothing to prevent these attacks since the peace process began.

Arresting low-level Hamas operatives to demonstrate that he is doing something is fooling absolutely no one. Arafat's declaration that he is cracking down on Palestinian terrorists is about as effective as the police inspector played by Claude Rains in Casablanca when he said, round up the usual suspects, while Humphrey Bogart got away.

The revolving door policy at Palestinian jails must end immediately. After years of negotiating with Arafat and the Palestinian Authority to no avail, it may be time to ask if Arafat is truly a partner interested in peace. As the old adage goes, actions speak louder than words. Arafat's actions suggest that we have been wasting our time in dealing with him.

Mr. Arafat, our patience has finally run out. You have no more bargaining chips left. President Bush issued a challenge to the world when he said, you are either with us or you are with the terrorists. Clearly, you have chosen.

Following the events of September 11, Americans have experienced what the Israelis have been dealing with since 1948. The Israeli government was there for us on 9/11, and we need to be with the Israelis today.

I urge all of my colleagues to support this resolution.

Mr. HYDE. Mr. Speaker, I am pleased to yield 2 minutes to the distinguished gentleman from Virginia (Mr. CANTOR).

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

Mr. CANTOR. Mr. Speaker, I rise today in strong support of H. Con. Res. 280; and I thank the gentleman from Illinois (Mr. HYDE), the chairman; the gentleman from California (Mr. LANTOS), the ranking member; and the gentleman from New York (Mr. GILMAN) for bringing this measure to the floor so quickly.

As was stated earlier, this past weekend we witnessed some of the bloodiest and most gruesome terrorist attacks on Israeli citizens by Palestinian terrorist organizations. These terrorist attacks are just another reminder that Palestinian Authority Chairman Yasser Arafat and his closest confidants continue to be the largest obstacle to peace in the Middle East by contributing to the reign of terror.

Each and every day Israelis and now Americans face disruptions to our normal civilized daily lives by the constant threat and now reality of suicide bombers and terrorist attacks. I commend President Bush for his actions yesterday in freezing the assets of the Holy Land Foundation for Relief and Development, which poses as a charitable organization but, in fact, funnels millions of dollars annually to Hamas.

In response to an earlier speaker who asked, when are we going to start acting in the U.S. interests, I pose and ask, are not we acting in the interests when we shut down organizations as that who are operating within our borders? Those organizations are using our laws to operate to raise money for terrorist activities which can just as easily take place in Israel and as we saw on 9/11 here in America.

We in America, under the leadership of President Bush, have set out to make Americans and freedom-loving people safer against the terrorists. As stated in the Bush doctrine, there is no distinction between the terrorists and those who harbor them. Just as al-Qaida receives support and sanctuary from the Taliban, Hamas, Palestinian, Islamic Jihad, Hezbollah and others are provided a sanctuary and with land to operate and with support from Mr. Arafat and his confidants.

Mr. Speaker, the time has come for the United States to stop talking about waiting for Arafat to fulfill certain conditions. How many times will we demand he reign in the terror and stop the killing? How many U.S. taxpayer dollars must we spend and entrust to Arafat and his Palestinian Authority as they continue to harbor the terrorists?

Mr. Speaker, the United States and Israel share common values and freedom of choice, and I believe this resolution signals what should be the end of the road for American patience with Mr. Arafat.

Mr. LANTOS. Mr. Speaker, I am pleased to yield 2 minutes to the distinguished gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Speaker, I rise in strong support of this resolution condemning the terrorist outrages committed by the Palestinian terrorist groups and expressing our solidarity with Israel.

Mr. Speaker, there can be no peace and no real negotiations as long as such terrorist attacks continue. Mr. Arafat denounces these terrorist attacks but operates a revolving door prison system, that encourages the terrorists to continue. He then lionizes the terrorist murderers and, in fact, gives death benefits and pensions to the families of the suicide bombers.

He is obviously not honest in his opposition to terrorism, and he permits it to continue and, indeed, promotes it.

Mr. Speaker, there can be no moral equivalency between the deliberate attacks of the terrorists on Israeli civilians and the unfortunate deaths of civilians who are victims when Israel attempts to attack the terrorists to prevent further terrorist attacks.

Mr. Arafat must now be held to destroy the terrorist infrastructure now. If Arafat does not do this very quickly, then Israel in all likelihood will take upon itself the necessity of doing so. Israel will have to exercise its inherent right of self-defense, as the United States is now doing in Afghanistan, and that will greatly escalate the situation.

The key to the Oslo agreement for peace talks was the renunciation of violence by both sides as leverage in negotiations. Israel has renounced that violence. Arafat, obviously, has used it as a tool. After Prime Minister Barak made a breathtaking offer of concession to Israel last year, Arafat reacted not by agreeing, not by a counteroffer, but by starting a war which has escalated into a war against civilians.

I support this resolution. We must stop that war. Israel, if necessary, must exercise its right of self-defense

to stop that war against civilians, and no one on earth can tell a sovereign nation not to fight to protect its citizens against the kind of terrorist murderers who murdered people in Jerusalem last week and in New York City on September 11.

Mr. HYDE. Mr. Speaker, I am pleased to yield 2 minutes to the distinguished gentleman from Illinois (Mr. KIRK).

Mr. KIRK. Mr. Speaker, there comes a time in the life of a democracy when their leaders must respond to terror by unleashing a terrible, swift sword. That is this time for our allies in Israel.

Under the previous prime minister, Yasar Arafat was offered a choice. At Camp David and again at Taba, he chose between an offer of 97 percent of the territories or the gun. He chose the gun.

Many Americans thought that Arafat could make a courageous decision like Nelson Mandela to surrender the gun and govern a state, or Arafat could follow the path of Fidel Castro and preside over increasing isolation and destruction. Arafat chose unwisely and conducted a wave of violence against teenagers and commuters.

His apologists say that Arafat has no power. They are wrong. He has no judgment. President Bush put the question clearly after September 11, you are either with the terrorists or you are with the West. You cannot condemn the Taliban and hug Hezbollah. Egypt and Jordan chose wisely: Peace with Israel. Arafat chose war.

He is now harvesting the wrath of a democracy and her American ally. Americans are best when we stand with our democratic allies, and now is the time to stand with Israel. Together, we will show that the way of the suicide bomber leads nowhere, and only negotiations with the democratically elected leaders of Israel can lead to peace.

I want to thank the gentleman from Illinois (Mr. HYDE) and the gentleman from New York (Mr. GILMAN) and especially the gentleman from California (Mr. LANTOS) for his leadership on this.

The SPEAKER pro tempore (Mr. OTTER). The Chair would announce that the gentleman from Illinois (Mr. HYDE) has 3 minutes left. The gentleman from Michigan (Mr. DINGELL) has 17 minutes left. The gentleman from California (Mr. LANTOS) has 3 minutes left.

Mr. LANTOS. Mr. Speaker, I am pleased to yield 2 minutes to our distinguished colleague from New York (Mr. WEINER).

Mr. WEINER. Mr. Speaker, Lewis Carroll wrote about a language where down is up, black is white as jabberwocky, and some of the opponents of this resolution are engaged in it today.

The very distinguished gentleman from Michigan (Mr. DINGELL) talks about the despair of the Palestinian people as if it is a rationale for dynamite laced with nails in the middle of a busy square in front of a pizzeria and an ice cream parlor, as if the slaughter of innocents is somehow a legitimate form of political speech.

My friend from California says, oh, we have got the wrong villain. It is not the Palestinian Authority, it is not Arafat, it is Hamas, and if only you give him the chance and the tools to stamp out Hamas, he can do it.

Well, he asked for control of the territories. The Palestinian Authority has it; 95 percent of those that live in the territories are under Palestinian control. He says, I need a police force to control violence. The Israelis gave him a police force, gave him guns, gave those fighting against them guns. He said, that is not enough. He said, I need a list of the terrorists. Well, the Israelis gave him that, too. They refuse to arrest them, and then they go and slaughter innocents. We cannot have it both ways.

Some say Arafat is powerless. Well, if he is powerless, let us adopt President Bush's admonition and toss him upon the dust heap of history; and if he is powerful enough to be a partner for peace, let me ask why is it in his entire history he has not given a single speech in Arabic telling his people that it is time to live in peace with Israel. Not a single one.

Ask him why it is that he has never stopped educating the young people in the Palestinian territories to hate from their very youngest age. He even stopped a program called Seeds of Peace which let young people from Israel and from the territories get together and share their common interests.

On September 11, we in the United States learned what it was like to live in Israel. We would not think of saying to Osama bin Laden, well, let us negotiate, let us take it easy, let us give him a chance. We would never think about giving them Texas and Louisiana if only they would go away. We would never think of that then. We should not even consider that today.

We should pass this very strong resolution, and we should do even more in the future.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would like to remind the House that Members should address their comments to the Chair and not to other Members in the second person.

Mr. LANTOS. Mr. Speaker, I ask unanimous consent that all persons who control time be given equally an additional 10 minutes. I know some of my colleagues do not need it, but in the spirit of collegiality, we do not want to stifle discussion.

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

Mr. MURTHA. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

□ 1415

Mr. LANTOS. In view of the objection heard, Mr. Speaker, I ask unanimous consent that each side be given an additional 5 minutes.

The SPEAKER pro tempore (Mr. OTTER). Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LANTOS. Mr. Speaker, I am pleased to yield 2 minutes to the distinguished gentleman from New York (Mr. ENGEL).

Mr. ENGEL. I thank my colleague from California, the ranking member, for yielding me this time; and I also thank the chairman.

I rise in very, very strong support of this resolution. I want to read a quote from President Bush right from his resolution, when he stated on September 20: ''Every Nation and every region now has a decision to make. Either you are with us or you are with the terrorists. From this day forward, any Nation that continues to harbor or support terrorism will be regarded by the United States as a hostile regime.''

Mr. Speaker, we are in Afghanistan going after the Taliban not because we think the Taliban plotted and planned the terrorist attacks on September 11, but because the Taliban harbored Osama bin Laden and al Qaeda, which planned these attacks. Well, if it is okay for the United States to knock off the Taliban because they did nothing to prevent terrorist acts and indeed harbored the terrorists, then Israel has the same right to go after Yasar Arafat because he has done nothing to stop terrorism.

No one is saying he sits there and plans and plots the terrorist attacks, but he certainly does nothing to stop them. Either he cannot stop them, at which point what is the point in talking to him; or he refuses to stop them, which at the same point there is no sense talking to him. He has had time.

My colleagues have mentioned where there were generous peace proposals, far beyond what any Israeli prime minister could have offered, and Yasar Arafat rejected the peace proposals of then Prime Minister Barak, and, worse than rejecting it, he walked away from the process. He did not make any counterproposal. He did not try to squeeze a few more concessions out of the Israelis. He walked away and he unleashed the intifada. As far as I am concerned, I am at my wits' end with Yasar Arafat, because he has not shown that he is a partner for peace. In order to be a partner for peace, it takes two to tango. As far as I am concerned right now, Israel is without a partner to negotiate peace.

Now, Hamas, Islamic jihad, all the terrorists have had revolving-door justice from Mr. Arafat. He arrests them and lets them out the back door. The game is played time and time and time again. He will come here to Washington, and he will issue statements in English condemning terrorism. He does not issue those statements in Arabic. He does not call for peace with Israel in Arabic. He does not do anything to help the plight of his own people. In fact, Islamic jihad and Hamas represent at least as much a threat to him and his authority and his people as they do to Israel.

We have to condemn terrorism with every force we have. And for the question before that was asked, what is in the best interest of the United States, the best interest of the United States is to go after terrorists wherever they rear their ugly head, in the United States, in Israel, or anywhere around the world. I wholeheartedly support this resolution and urge its passage.

Mr. HYDE. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Indiana (Mr. PENCE).

Mr. PENCE. Mr. Speaker, I thank the chairman for yielding me this time, and I commend him and the ranking member for their outstanding leadership on this very timely resolution.

Twenty-six innocent people in Israel murdered in cold blood, 175 wounded by Palestinian terrorists all within 14 hours. On a proportional basis, as our resolution provides, this would represent 1,200 American deaths and 8,000 wounded. Today, I rise as a proud and humbled cosponsor of House Concurrent Resolution 280 expressing solidarity with Israel in its fight against terrorism.

I submit to you, Mr. Speaker, that we should do no less than we will do in this Chamber today: condemn the vicious terrorist attacks that have resulted in the deprivation of sons and daughters, husbands and wives, and grandparents of the families in Israel; expressing outrage today, as we do, of the ongoing Palestinian terrorist campaign, which is not, as some in the media say, a cycle of violence; but it is violence against the people of Israel and the self-defense of Israel. And we also demand today that the Palestinian Authority destroy the infrastructure of Palestinian terrorist groups, pursue and arrest terrorists, and bring them to justice; and our efforts both commend the President and urge all necessary steps be taken to ensure such actions by the Palestinian Authority are timely indeed.

I rise today, Mr. Speaker, as a Christian American from the heartland of this country, the great State of Indiana. And I am here to say that I represent hundreds of thousands of Americans who still believe that He will bless those who bless Israel. It is from this tender regard of the American people that this nation sprang back into existence in its historic homeland in 1948, and the enemies of Israel should know that that regard remains to this day.

I pray for the peace of Jerusalem. May there be peace within her walls and security within her citadels. May the grieving families hear from this Congress today the voice of sympathy and the voice of solidarity, and I urge all of my colleagues to support this resolution.

Mr. LANTOS. Mr. Speaker, I am pleased to yield 1½ minutes to my good friend and distinguished colleague from Maryland (Mr. WYNN).

Mr. WYNN. Mr. Speaker, I thank the gentleman for yielding me this time and also for his outstanding leadership on this issue. I rise in strong support of Israel's fight against terrorism.

The blood of combatants is unfortunate but understandable. The blood of innocents is intolerable and unacceptable. Today, we deal with that blood; and we first have to say that we must not have and shed the blood of innocents on either side. Now, the gentleman from California (Mr. LANTOS) correctly made the distinction that sometimes in the course of collateral damage innocent Palestinian blood has been shed, and we must say in all sincerity that that is truly a tragedy. But today we address a different situation, the targeted and deliberate shedding of innocent blood of Israelis, Israeli youth in many instances; and that is unacceptable.

But it is not enough to come down here today and condemn from afar. I think we also have to today say, in addition to the fact that we condemn terrorism, we have to examine our role as a country, our foreign policy. We cannot stand on the sidelines. We have to have more engagement. We have to press for a workable and serious cease-fire. We have to continue the peace process, because it is only through the peace process that we can end the shedding of innocent blood. And we have to have accountability for individuals and countries, some of whom are our allies, who tolerate, incite, and ignore the proposals of hatred within their own borders. Because it is this cycle of hatred that really causes the violence that we decry today.

So we need to both condemn today the terrorism that caused these tragic deaths and also look inside our own foreign policy to see how we can do more to combat this problem that is affecting the Middle East today.

Mr. LANTOS. Mr. Speaker, I am pleased to yield 1½ minutes to our distinguished colleague, the gentleman from Pennsylvania (Mr. HOEFFEL).

Mr. HOEFFEL. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise in strong support of this resolution today.

The increased violence in the Middle East and the horrible acts of terror against Israelis have recaptured the attention of the world. And as we refocus on the Middle East, and in our mutual search for peace, we have to be willing to denounce and decry the horrible acts of violence against civilians. The inexcusable terror directed against Israelis must be condemned by the world.

We must hold Yasar Arafat responsible for stopping that terror. Israel surely has a right to hold him responsible, the United Nations and the United States must hold him responsible, and the world must hold him responsible.

Israel surely has a right to defend herself, and we are seeing that today. She surely has a right to act firmly to prevent further acts of terror. But we must, as we criticize appropriately Yasar Arafat, we have to keep our eyes on the ball, which is not so much Yasar Arafat and his terrible failings, but the hope that is offered by George Mitchell and George Tenant. The Mitchell plan and the Tenant principles to restart the peace process have to be the focus of this country.

We need to move forward with a cooling off period, a cease-fire, of confidence-building measures and must restart the peace process. That is the highest priority, and I call on the House to give our full support to it.

Mr. LANTOS. Mr. Speaker, I am pleased to yield 1½ minutes to our distinguished colleague, the gentleman from Florida (Mr. DEUTSCH).

The SPEAKER pro tempore (Mr. OTTER). The Chair would advise that the gentleman from California (Mr. LANTOS) has 1 minute remaining.

Mr. DINGELL. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. DEUTSCH).

The SPEAKER pro tempore. The gentleman from Florida (Mr. DEUTSCH) is recognized for 2 minutes.

Mr. DEUTSCH. Mr. Speaker, I thank the ranking member of the Committee on International Relations as well as the ranking member of the Committee on Energy and Commerce for yielding me this time.

I urge my colleagues to read the resolution. I urge my colleagues to read it because I think when they read it, there should be no votes against it on the floor. I know a number of Members have spoken against it today; but I urge them to read the specifics, because I do not think there is anything in this resolution that any Member in good faith can be against.

There are things that Members can object to about Israeli policies, and there is a debate that we can go and we should articulate. But what this resolution is really talking to is specifically acts of terrorism, acts of terrorism that, as Mr. Zinn has said, and I quote, ''the deepest evil one can imagine.'' And that is what we are condemning today, to show that this Congress and the American people are grieving, are feeling some of the pain, although not as significant as the pain that Israelis individually and families are feeling today.

We have a unique role to play as America, as the world's only superpower, as a linchpin of Israel's survival and security. In fact, our role as Members of Congress are as linchpins of any potential peace in the region.

I have not given up hope. This week, Jews throughout the world are going to read a passage in the Torah about Joseph being thrown into slavery and being in a prison, and it looks as if the worst possible time exists for him. Yet at that worst possible time, by our faith and by our belief, we understand that there is hope for peace.

But I urge all of my colleagues to support the resolution.

Mr. DINGELL. Mr. Speaker, I yield myself 7 minutes.

This is a very important debate and one which merits the careful attention

of all of our colleagues. And it is one on which the body here should remain focused on the issues which are before us.

What is the real issue that confronts the United States? Is it this resolution, or is it real and lasting peace in the Middle East? The answer is our concerns are peace in the Middle East, peace for the Israelis, peace for the Palestinians, peace for the other Arab and Muslim countries in the area. And without that, there will be no peace and no security for the United States, as September 11 shows us.

I have heard a number of my colleagues say, that, you are either for us or against us on terrorism. I am aware of no one in this body who does not join me in opposition to terrorism. And I am aware of no one in this body who does not feel that peace is in the best interest of all. I am also aware of no member here who is not supportive of the continued existence of the State of Israel, and who does not feel that this should be a part of American policy and concern.

I am troubled, however, when I hear some of my colleagues, as they have done in this debate, talk about how the issue here is terrorism, and you are either with us or against us on terrorism. Not so! The issue is peace and how to achieve it. That must be our debate and our focus.

□ 1430

Peace is the important issue, and it is the one that concerns us above all others in the Mid East. It is one which we have addressed in our resolutions earlier and which we are addressing now through actions diplomatically and militarily.

Now what should be the focus of the debate here is something quite different, and that is how we focus the efforts and the energies of the United States to bring about peace. I have introduced H. Con. Res. 253 which expresses support for the Mitchell Commission Report. No action has been taken by the Committee on International Relations, and yet that is something which the United States should be speaking and upon which this body should be speaking.

I have heard nothing in this debate from the other side about what they propose to do to bring about a real peace. Is the termination of the existence of Mr. Arafat as the head of the Palestinian Authority in the best interests of the United States? Will that resolve the controversies? No, it will simply eliminate somebody who is a potential participant in meaningful peace talks, and one who with proper support can provide useful leadership.

What we suggest here is to bring all of the parties together and make them talk. Let us use the full prestige and the power of United States to accomplish that purpose. That is far better. Each day that passes means more risk of the kind of terrible crimes that we saw in the killing of scores of Israelis and the wounding of many, many more.

This is what we are talking about. The best interests of Israel, the best interests of the Palestinians, and the best interests of the United States are found most powerfully in the resolution of the controversies there. These controversies create bitter and angry people who are going to engage in terrorist activities and are the real risk to the people of the world, and to world peace.

I am surprised that my colleagues are not more publicly aware of this. We are not talking for or against Israel. We are not talking for or against the Palestinians. We are talking about two things: one, peace; and, two, a process which has to be bottomed on justice and a sense of justice by all of the parties in the area.

I do not know what I have to do to have my colleagues here understand that the interest of the United States will never be served by the conflict which exists in the Middle East, or what I have to do to have my colleagues understand that this kind of Resolution really does nothing to resolve those kinds of problems, or to make my colleagues understand that peace and security for Israel or the United States or Palestine lies only in one thing and that is a negotiated settlement in which they have come to an agreement themselves. This is something which can only be forced by the United States.

Mr. Speaker, I see nothing of that kind moving forward in this discussion. I see only further actions taken by the United States to continue what is going on now, to see the killings in Israel going on, to see frustrated, angry people going out to commit suicide just to kill a few people that they hate, lets understand that this is a risk which has already visited the United States on September 11. To begin to force the peace process to work is the one interest that we should discuss in the United States today. Regretably we are not doing so.

We could be discussing how we are going to bring these people to the table. I have heard a rich abundance of denunciation of Mr. Arafat. I remind all here I do not rise to defend Mr. Arafat, but he is the leader of the Palestinian people. We have none other to do this and no assurance that his successor will be more able or compliant.

Killings going on, and innocent people on both sides, Israelis, Palestinians and others, are being killed. I have heard great concern about the Israelis, and I share that concern. What happened the other day is terrible, it is criminal and indefensible. I have heard very little about what has transpired with the Palestinians. And I have heard even less of an awareness in this body. The failure of the United States to address this matter vigorously and to see to it that the root causes and the differences of the Israeli people and the people of the occupied territories are negotiated away is a real interest of the United States which must be addressed.

Why is it that there are so few in this body that cannot understand that? Why is it that we are debating the faults of Mr. Arafat unless we have a better alternative and a better leader acceptable to the Palestinian people. Why is it that we are failing to discuss peace and a really meaningful way of achieving that peace?

That is the end to terrorism and killing. That is the beginning of peace for Israel. It is a beginning of an end to the sorrows and misfortunes of the Israelis. It is also a beginning of an end to the sorrows and the travails that are felt by the Palestinian people.

We should be discussing these matters, and we should begin to set a policy in the United States where we are forcibly going to address these concerns and where we are finally taking meaningful action to ensure lasting peace.

I am not asking my colleagues to embark on an easy trip. I am asking them to look to find what alternative there are and then to join me and other decent people in an American effort to bring peace to the Middle East for the Israelis, and for the people of the occupied territories. We must assure we do this while we still have friends who are leading countries in the area and while we still bring all parties to the table to commence a meaningful and strong effort for peace.

I ask with each passing day, does the cause of peace get stronger with the killing of innocent Israelis in Israel or the killing of innocent Palestinians in the occupied territories? Do the frustrations and angers and the bitterness and the hate that is building over there add a single thing to our prospects for peace? I suggest not. I do suggest that we commence the beginning of a meaningful process forced with every effort that this country can put into it to abate this terrible situation.

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

Mr. HYDE. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. GREEN).

Mr. GREEN of Texas. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I have had the opportunity to visit Israel and meet with the leaders and also meet with Chairman Arafat both in 1995 and 1999. In the times I was there and even up until last year, the United States was engaged in the peace process to the point of putting the prestige of this country and the Presidency to try to bring peace to Israel and the Palestinian question.

What happened, though, was that Chairman Arafat walked away. Whatever the reason, all of the reports from the United States is that he walked away from a peace process. The Government of Israel changed in response to that; and, of course, now we have been in the latest infatada with the loss of lives on both sides.

I add my voice in support for this resolution because as we see the loss of innocent life in Israel it condemns terrorism, whether it is on the street of New York, on the streets of Washington, or in Ben Yehuda in Jerusalem. Our country is at war because of terrorism. We lost thousands of people because of terrorism. Killing and injuring innocent people should be stopped, and it should be stopped whether it is Washington, New York, or Jerusalem or Tel Aviv.

Our friendship with Israel has not even been considered. We have been a friend of Israel for many years, and that is strong. There is no way we can condone or encourage or be silent in the loss of the innocent people that happened this last weekend.

I have an opportunity to walk the streets of Jerusalem at the very spot those bombs went off, and I think this resolution is mild compared to what should be done. I am proud of this Congress and the President of the United States in condemning the terrorism, again whether it is here in our country or anywhere in the world.

Mr. DINGELL. Mr. Speaker, I yield 7 minutes to the gentleman from West Virginia (Mr. RAHALL).

Mr. RAHALL. Mr. Speaker, I thank the gentleman from Michigan for yielding me this time and for his excellent leadership on the question before us today.

Mr. Speaker, I strongly condemn the horror that was inflicted upon innocent Israeli men, women and children by suicide bombers. I condemn that violence at all times and all places.

I think it is important to note that we can either oppose or vote present on this resolution today and still be considered a supporter of the State of Israel and a friend of Israel and a supporter of the long-standing relationship between the United States and Israel, and do not let any outside group in this town try to characterize Members in any other way, because it is possible.

Secretary Powell said it best when he phoned Chairman Arafat after the latest bombings and said this was an attack upon Arafat's authority as well as an attack upon innocent men, women and children. I think that has been lost today. In all of the demands that Arafat must go, we have lost sight that these suicide bombers were indeed attacking Chairman Arafat himself.

As I condemn the horror of the past weekend, I strongly condemn the horror that has been inflicted upon innocent Palestinians, men, women and children, carried out by the Israeli Occupation Forces, including, within the last 2 weeks, five innocent Palestinian schoolboys killed in the Gaza refugee camp just within the last 2 weeks. Such terror, such disproportionate use of power and force, continued humiliation, demolition of homes and one's livelihood by destroying their crops on their own land, such daily restriction of one's movements of the Palestinians by the Israeli Defense Forces, and I could go on and on, all of which have been accelerated over the past 14 to 15 months, but all of these events, both sides should be just as equally deplored by those concerned about human rights abuses around the world, about fairness and about peace. Every one of these attacks should be condemned.

Some in the Israeli government obviously very clearly by their own words want to get Arafat. Some statements today have alluded very strongly to the fact that we have got to get Arafat. But such action, indeed such action as this resolution today and those that call for Arafat's demise, will do zero, will do nothing to reach that just peace and may even exacerbate and take us backward from achieving that just peace that we all want to achieve.

Getting Arafat is no solution. Continued humiliation is no solution. This is the method of operation of bullies, not of those who want to return to the peace process, to the negotiating table, where, as any individual involved in negotiations knows, each party has to give a little. There is a give and take in the negotiating process. Is that the real fear here?

The military option will not secure a peace in the Middle East. The military option will not work. No peace can be achieved; and indeed, as I read through this resolution, and there are good points in this resolution about condemning terrorism, but I fail to find the word ''peace'' mentioned once in this resolution. Peace.

□ 1445

Peace. Maybe I need to read it without my glasses, but I have not found the word ''peace'' mentioned once in this resolution before us today.

Now, it is all good, or some of it is good, not all good, but some of it is good. Yes, prosecute such terrorists. Provide them with the stiffest possible punishment. Yes, ensure that they remain in custody.

Well, my question is, the Israelis today are bombing all the Palestinian police stations, their security operations. Where is Arafat going to keep those he arrests, in the living room by the fireplace in his home? So the Israelis are making it impossible to fulfill the demands that are being placed upon Arafat in this resolution today.

What if every demand in this resolution were met by 9 o'clock tomorrow morning? Would that end terrorism? Would we have peace?

Indeed, I might announce to my colleagues, as we speak, an announcement has been reached of a cease-fire, a 12-hour cease-fire, just announced between Chairman Arafat and the Israelis; and he has until whatever the 12-hour expiration time is to arrest certain militants. So let us let the parties work their will.

So, let us look at the consequences of our actions here today, and, indeed, actions of this body, regardless of whether they have the force of law or not, which this, of course, does not. But they do send a message to the participants in the Middle East.

I have traveled the region enough, extensively, including less than 2 weeks ago, having met with Chairman Arafat, President Mubarak, the Prime Minister of Lebanon, President Assad of Syria; and I know that they get a wrong signal when we pass resolutions of this nature.

So I say to my colleagues, let us truly get at the roots of terrorism. We know the causes of hatred in this part of the world. Secretary Powell said it in his speech of November 19. The occupation must end. The occupation must end, the continued expansion and building of new settlements. That is confiscation of Palestinian land.

Mr. Speaker, I say to my colleagues, please understand, that is the root of the problem here. That is what we should be addressing in this very good debate. And I commend all sides for conducting this debate today. But let us not ignore the true roots of the problem, if we indeed want to restart the peace process.

Mr. ROHRABACHER. Mr. Speaker, will the gentleman yield?

Mr. RAHALL. I yield to the gentleman from California.

Mr. ROHRABACHER. Mr. Speaker, one of the issues that seems to be at the heart of one of the discussions going on here today is whether or not the terrorism which we are condemning in this resolution, which I support wholeheartedly, is intentional, which we understand, but whether or not those actions on the part of the Israeli Government which result in the death of noncombatants, whether that is just collateral damage.

The gentleman has been in the Middle East many times and knows many of the players. From a firsthand point of view, does the gentleman believe that the damage that is being done to noncombatants by the Israeli army is unintentional?

Mr. RAHALL. Mr. Speaker, reclaiming my time, the gentleman asks a good question; and certainly in the eyes of many in the region, those who suffer from this infliction of horror, their answer would be yes, that it is intentional. That would be their response. That is something we must understand from our perspective, if we truly want to end the horror and the violence that comes from all sides. Indeed, there is no side that is lily white in the Middle East. Make no mistake about it, we must truly look at the causes of terrorism.

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

Mr. Speaker, closing the debate on our side, there is no moral equivalence between terrorists and the victims of terrorism. What this resolution does, and I am proud to join the gentleman from Illinois (Chairman HYDE) in being the principal sponsor of this resolution, what this resolution does is it expresses the solidarity of the American

people who were victims of terrorism on September 11 with the people of Israel who were victims again just this past weekend.

We want peace, but we will not get to peace as long as there is an attempt to create a moral equivalence between a corrupt dictatorship and its terrorist tactics and the democratic ally of the United States.

I urge all of my colleagues to vote for this resolution.

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

Mr. DINGELL. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, it is hard to help my colleagues understand the defect of this legislation, which is that it takes sides. It does this in a way which does not need to be taken, in a fashion and at a time when it is not in our National interest.

I condemn terrorism, and I condemn the killing of the innocent Israelis in Israel just recently, just as I do the killing of thousands of Americans on September 11. The roots of the events were somewhat the same: frustration, anger, ill will, hatred, and all of the things that are generated by the kind of situation that has gone on too long in the Middle East.

These are events which are not blameable on one person or another, and I do not believe that the blood of the small Palestinian boy who died in his father's arms from Israeli gunfire is any more pleasing in the eye of the almighty God than is the death of the scores of Israelis who died the other day in Israel because of a terrorist bomb. But those are really not the questions that we should be addressing here.

I just want my colleagues to keep this in mind: if the problems of the Mideast are to be resolved and if peace is to be achieved there, it is going to take an enormous effort by the United States and by every other peace loving Nation. I would note to my colleagues that it is not done by attacking other Members of this body because of their concern, and it is not done by rejecting the opportunity to use different people who are major players in that area.

If we are to succeed, we must call on everyone, the Israeli leadership, Yasar Arafat, the Palestinians, the people of Israel, the people of the United States, Lebanon and the countries like Jordan and Egypt, to help get their assistance in bringing about a viable, lasting peace, negotiated between the parties. We will also need the help of other countries in Africa, Europe, Asia and the two American continents.

I see nothing of that kind in this resolution. This resolution, as the gentleman from West Virginia mentioned, does not even use the word ''peace.'' This is what we should be talking about if we are really interested in serving the best interests of the United States. Peace, peace in the Middle East, peace with dignity and honor and respect, for and from all of the parties of that unfortunate area, and how we are to achieve it for all.

That is our interest. And that is what we should be addressing. We cannot gain anything by castigating or criticizing anyone here, or elsewhere. Our role must be that of an honest impartial broker. We must travel the long and hard path for peace; and we must start it now, not tomorrow, not sometime in the future. And we must do it by making the parties negotiate these differences out themselves, so that there can be contentment and peace and security in Israel, but also in the occupied territories; so no longer is there frustration, hunger, unemployment, misfortune in the occupied territories, and so no longer is there risk of death and destruction in Israel. That is what the interests of the United States should be and calls upon us to do. We do not serve our country well if we fail to start this effort—Now! And with great resolve.

The passing of a resolution of this kind simply shows the Arab people that the United States again is taking sides in a confrontation. It is not in the interests of this country to take sides. It is in the interests of this country to be an honest broker, who can be trusted by all of the parties there, because securing peace can only be done by the efforts of the United States leading the peace loving Nations of the world in a great and difficult effort. The bombing and killing by suicide bombers is not going to get peace. The rockets and missiles and helicopter attacks by the Israelis are going to achieve nothing. Nor will suicide bombing by terrorists. The only solution to this is negotiations between the parties to resolve the issues.

Why is it that my colleagues do not understand this simple fact. Why are we not here talking about how we remove the root causes of trouble and get down to the business of bringing about a real and lasting peace that benefits all of the people of the area and benefits the interests of the United States? That is the question we should be asking.

Taking sides benefits us not at all, but getting lasting peace does. This is not the way to get lasting peace. This is simply the way to alienate more people in the area and cause ourselves more enemies, more trouble, more risk, more peril, more killings, more misfortune for Israelis and Palestinians alike, and a longer time to achieve peace.

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

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

The SPEAKER pro tempore (Mr. OTTER). The gentleman from Illinois is recognized for 3½ minutes.

Mr. HYDE. Mr. Speaker, well, this has been a stimulating debate, and it has been educational. I would like to respond as much as I can to some of the critics of the resolution.

My good friend, the gentleman from Michigan (Mr. DINGELL), describes a resolution which my resolution never was. He wants to head it in the direction of a comprehensive peace in the Middle East, something that has eluded some of the finest minds in the world for hundreds of years, certainly since 1948 with the founding of Israel. Many, many people, including the former President of the United States, spent hours and hours with the parties trying to get peace. Everybody is for peace; but in the words of Patrick Henry, ''Peace, peace, there is no peace.''

So, I did not pretend, I was not arrogant enough to decide I would set out a formula for peace. If I could do that, I certainly would do it. All I am trying to do is respond to the famous lines in Arthur Miller's play, ''Death of a Salesman,'' where Willie Loman's wife, Linda, says, ''A man is dying. Attention must be paid.'' Attention must be paid to what is going on in Israel.

How would you like to be a mother, and every day wonder if your little girl going to school will come home with all her limbs, with her life? It is a hellish way to live. I simply was trying to call attention to the horror, the indescribable horror of acts of terrorism, and show solidarity as a co-victim of horrible acts of terrorism. It is American to put your arms around a fellow democracy and not turn your back on them in their hour of need. That is what we were doing.

This simply says that when acts of terror occur, attention must be paid. It must be pointed out. We must shout about it, we must make an example of it, we must show the world the horror of what is going on. And maybe, just maybe, one day we will all get so sick of it we will not tolerate it anymore.

The gentleman from Michigan sets up a straw man. Not one word about peace. Everything we do is about peace, and objecting to terrorism is about peace, and showing solidarity to the Israeli people and to the Palestinian people.

The next time, if any, there is an atrocity, an act of terror by the State of Israel, bring a resolution to the floor. We will debate it. We will debate it. But I have not heard one. I have not seen one. Bring it to the floor and let us debate it.

Mr. RAHALL. Mr. Speaker, will the gentleman yield?

Mr. HYDE. I yield to the gentleman from West Virginia.

Mr. RAHALL. Mr. Speaker, the gentleman just mentioned the Palestinian people. I wonder if that was mentioned in the resolution, expressing the concern for their plight as well. I wonder if that was in the resolution and I happened to overlook it.

Mr. HYDE. Mr. Speaker, reclaiming my time, the Palestinian involvement in the atrocity of last Saturday is mentioned, because this focuses on what happened in Jerusalem, when 26 women and children and men were killed and 1,200 were injured. That is what we are talking about.

Mr. Speaker, support our expression of solidarity with the victims of this

horrible act of terrorism. Support the resolution.

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois (Mr. HYDE) be granted 2 additional minutes, because the gentleman mentioned me and I would like to have his attention on that matter.

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

There was no objection.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. HYDE. I yield to the gentleman from Michigan.

□ 1500

Mr. DINGELL. Mr. Speaker, I do not propose to rebut what my dear and valued friend has said about me. I do not remember setting up a straw man, but I would like to say the gentleman has mentioned H. Con. Res. 253 which I sponsored earlier and with which the gentleman has suggested a great deal of sympathy. I wonder if maybe the committee could bring that proposal to the floor. It is a fair and even-handed statement. It is supported by the administration. It urges that the United States have as its policy the carrying forward of the Mitchell report. Why is it that we cannot have something like that before us?

Mr. HYDE. Mr. Speaker, I have no idea. If the staff will bring it to my attention, we will give it the most careful scrutiny. The gentleman from California (Mr. LANTOS) and I will do it together.

Mr. DINGELL. Mr. Speaker, I would be delighted to have the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS) put that bill on the floor so that perhaps we could be together on something that is in the interest of the United States.

Mr. HYDE. Mr. Speaker, it would also be a pleasure to be with the gentleman from Michigan (Mr. DINGELL).

Mr. WAXMAN. I rise in strong support for H. Con. Res. 280 and join my colleagues in condemning Yasser Arafat and the Palestinian terrorists responsible for the massacre of innocent Israeli civilians.

In the past six months alone, Hamas suicide bombers have murdered teenagers at the discotheque in Tel Aviv, commuters on a rush hour bus ride in Haifa, pedestrians at a busy intersection in Afula, families eating lunch at a pizza store in Jerusalem, and a street filled with young Israelis and Americans out for a Saturday night in the heart of the nation's capital.

On a daily basis, the Tanzim and Force 17, Yasser Arafat's Fatah paramilitary forces, shoot at Israeli motorists on their way to work, school, or returning to their homes.

Instead of arresting, prosecuting, and outlawing these terrorists, Yasser Arafat has deliberately given them free reign, safe harbor, and license to organize and carry out heinous attacks. Instead of condemning anti-Israel incitement in Palestinian media, schools, and mosques, he has contributed the free flow of hatred that seeks to legitimize violence. And in doing so, he has turned the Palestinian Authority into nothing short of the Taliban.

The horrific events of September 11 have tragically brought home to all Americans the terrorism that Israel has long been suffering. Our solidarity has never been stronger or more important.

Now more than ever, we must renew the common purpose, strategic goals and democratic ideals that are the cement of strong U.S.-Israel relations. We must join together with Israel in defending our citizens, our values, and our future from the shadow of terrorism.

That is why this resolution determines that the United States should break off all diplomatic relations with the Palestinian Authority unless immediate action is taken to destroy the Palestinian terrorist network and arrest the perpetrators of these terrorist crimes.

Yasser Arafat must be held accountable, and there is no reason to contemplate the creation of a Palestinian state unless he can demonstrate that the terrorism will end. So far he has been unwilling to achieve this for even seven days, giving neither Israel nor the United States reason to be confident that he has the will or ability to do so permanently.

But one thing is certain—Israel as a sovereign nation has the right to take all measures necessary to defend its citizens, and it is in the interest of the United States to support its ability to do so.

Now is the time for us to pressure Yasser Arafat to crush the terrorist networks within his grasp, and urge all civilized nations of the world to abandon the ongoing efforts by Arab and Islamic states to isolate Israel in this time of crisis.

Just hours ago in Geneva, an international conference convened to condemn Israel for violations of the Fourth Geneva Convention, which was adopted in response to Nazi atrocities during the Holocaust. The agenda included biased determinations on the final status of Jerusalem, Palestinian refugees, and the imposition of a United Nations observer force.

Only yesterday, the U.N. General Assembly overwhelming voted for resolutions advocating the creation of a Palestinian state, Israeli withdrawal from the Golan Heights, and rejecting Jerusalem's status as the capital of Israel as ''illegal and therefore null and void.''

These one-sided determinations are irresponsible and counterproductive. They devastate the constructive role the international community could play in ending the violence and terrorism that have taken so many American and Israeli lives.

I commend the Administration for staunchly opposing these forums, and I applaud its actions yesterday to freeze the assets of the charities and banks raising funds in the United States to support the terrorist activities Hamas and other Palestinian groups.

Today we must do more. We must pass H. Con. Res. 280 and let Yasser Arafat and the Palestinian terrorist organizations know that there is a line that separates outlaws from the rest of civilized society and they have crossed it.

Ms. SCHAKOWSKY. Mr. Speaker, I rise in strong support of House Concurrent Resolution 280, and urge all members to vote in support of this measure that expresses our solidarity with the people of Israel at this difficult time.

Now we know; now we understand. As Americans, we know. We see the people running down the street in panic and it looks all too familiar. Now we know.

We hear the sirens and see the dead and injured, and as much as thought we knew, now we know.

We sometimes joked about Israelis and their cell phone, and now we know how it must feel to wait for the call from your teenager who is out for the evening with friends saying, ''Mom, I'm OK,'' or just waiting for that call.

We now know the rage and frustrations of being attacked by those who prefer to die than live, and who plot and scheme to take innocent life with them.

We now know the courage and determination it takes to ''just live your life'' when ''just going shopping, out to eat or riding the bus can be life threatening.

And while hopefully we will not know what it is like to live for half a century and more on constant high alert, we understand better now intolerable that must be.

And now that it happened to here, in a place many believed was immune to such an attack, we know that terrorists must be answered, and those who harbor or support terrorists must be held accountable.

And we know, as we pray for peace, leave space for peace, continue to work for the miracle of peace in this holiday season, we know that we must defend ourselves and our children.

And we know, as Americans who love Israel, that as people, as a community, and as nations we must be united more than ever before in defense of that tiny and precious plot of land, surrounded day in and day out by hatred and danger, where our brothers and sisters want only one thing, and that is to live in peace and freedom.

I commend the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS) for introducing this important measure and I urge all of my colleagues to support it.

Mr. CRANE. Mr. Speaker, I rise today in support of H. Con. Res. 280. Like the recent attacks on our country, the terrorist bombings in Israel are horrific. Once again innocent civilians have been brutally murdered by terrorists. Israel is a democracy under siege. As the world's leading democracy the United States cannot, in good conscience, stand idly by while a democratic ally is being brutally attached by evildoers.

For too long the Palestinian Authority has preached peace while terrorists use its territory as a safe haven. Even after President Bush endorsed the idea of a Palestinian state the attacks continued. If the Palestinian Authority wants to be a government it must act like one by stopping these suicide bombings from being planned and launched from its territory. The Palestinian Authority's leader, Yasser Arafat, has condemned the attacks. But he has done so before and the attacks against Israel continue. Chairman Arafat must do more than offer sympathetic remarks. I applaud and support President Bush's response and hope that Chairman Arafat's actions will back up his words and stop these attacks.

Mr. FORBES. Mr. Speaker, I rise in strong support of H. Con. Res. 280, which extends our deepest sympathies to the people of Israel for the recent string of deadly terrorist attacks in their nation and expresses our sense of solidarity with them in this difficult time.

The people of Israel have long had to live with terror on their street, and the world has largely stood by and felt great sympathy but little need to act upon it. But these attacks come at a time of heightened awareness around the globe of the necessary of riding our communities of the evil face of terrorism. Peaceful people have been made prisoners in their own communities by those who give no thought to the deadly consequences of their actions and who spread venomous hatred for their fellow man.

On September 11th, those free and peaceful people said with one resounding voice that they would no longer allow that kind of evil to destroy our world.

The war against terrorism is not America's war alone. It is a fight that we lead for freedom-loving people everywhere. Though there may be fewer dead and less extensive damage, the horrific attacks that occurred over a 14-hour period this weekend in Israel are no less atrocious than the attacks our nation suffered on September 11th. The mothers and fathers who lost their children in each of those attacks cry the same tears and feel the same pain.

We, as a nation, must stand beside our friend, Israel, in this time of need and support her in the fight to provide a prosperous, peaceful, and secure future for her people. I urge my colleagues to support Israel by supporting this resolution.

Mrs. MCCARTHY of New York. Mr. Speaker. I rise in support of H. Con. Res. 280, of which I am a cosponsor.

On Saturday, December 1st, suicide bombers killed 10 teenage Israelis and wounded more than 150 others in downtown Jerusalem. On Sunday morning, just 14 hours after the first horrific attack, a suicide bomber boarded a local bus route in the northern port city of Haifa, killing 15 and wounding 35. The victims of these attacks range in age from 14 to 75; they include students, senior citizens, and a Filipino nanny. The terrorist organization Hamas claimed responsibility for their cowardly attacks.

Since September 11th, international attention has been deflected from the everyday acts of violence in Israel to the United States' war on terrorism. Recently President Bush brought the Arab-Israeli conflict back under public purview by sending U.S. peace envoy General Anthony Zinni to the region to promote a cease-fire and possible resumption of peace talks.

When Palestinian terrorists killed 26 and wounded 175 Israelis within a matter of 24 hours, Palestinian Authority Chairman Arafat's commitment to find and prosecute terrorists was called into question, and Israel subsequently launched its own war against terrorism. Twenty-four hours after the suicide bombing in Haifa, and 36 hours after the bombings in Jerusalem, Israel retaliated against the Palestinian Authority by bombing chairman Yasser Arafat's headquarters in Gaza Strip, and police buildings in the West Bank town of Jenin.

I rise in agreement with Prime Minister Sharon and President Bush. As the chairman of the Palestinian Authority, Yasser Arafat has on more than one occasion voiced his commitment to peace, and his desire to fight terrorism. Yet words alone are not enough; they necessitate action. Yasser Arafat must take an active and responsible role in tracking and arresting those involved in terrorist activities. As the leader of the Palestinian people, Yasser Arafat must utilize his power to reign in the extraneous terrorist factions that continue to lash out at innocent Israeli civilians.

This resolution, H. Con. Res. 280, holds Arafat responsible for the actions of all his people, including Palestinian terrorists. It expresses the United States' solidarity with Israel during this difficult and emotional time. Now, more than ever, we must stand strong with our democratic allies to fight terrorist groups worldwide.

Ms. KILPATRICK. Mr. Speaker, today, I voted "present" on this Concurrent Resolution because it is my belief that the United States through the House of Representatives should remain a fair and honest broker in the Middle East. At a time when hostilities in the Middle East are escalating and all parties are looking to American officials to negotiate a fair and equitable solution, I believe that this Resolution is ill timed and diminishes the credibility of the negotiation process. It is imperative that all steps we take in this House secure our position as an impartial broker in the Middle East and this measure does not do this.

Make no mistake. I stand against terrorism and the killing of innocent civilians such as those that occurred in Israel this past weekend. I condemn them wholeheartedly. Both sides in the conflict, however, have the blood of innocents on their hands. Both sides in this conflict must make extraordinary and concerted efforts to come to the negotiating table and resolve the problems of the region. I support the findings of the Mitchell-Tenet Commission, which recommended that Congress not approve such resolutions. I regret that Congress is ignoring that recommendation. By doing so, the action of this chamber only serves to prolong the hostilities in that region and discourages both sides from engaging in the negotiation process. I strongly urge the parties to cease hostilities and do all they can to move forward with the Mitchell-Tenet recommendations.

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

The SPEAKER pro tempore (Mr. OTTER). The question is on the motion offered by the gentleman from Illinois (Mr. HYDE) that the House suspend the rules and agree to the concurrent resolution H. Con. Res. 280.

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

The yeas and nays were ordered.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Debate has concluded on all motions to suspend the rules.

Pursuant to clause 8, rule XX, the Chair will now put the question on motions to suspend the rules on which further proceedings were postponed yesterday and earlier today.

Votes will be taken in the following order:

H. Res. 298, by the yeas and nays;

H. Con. Res. 232, by the yeas and nays; and

H. Con. Res. 280, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

EXPRESSING SENSE OF HOUSE OF REPRESENTATIVES THAT VETERANS DAY CONTINUES TO BE OBSERVED ON NOVEMBER 11

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and agreeing to the resolution, H. Res. 298.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Maryland (Mrs. MORELLA) that the House suspend the rules and agree to the resolution, H. Res. 298, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 415, nays 0, not voting 18, as follows:

[Roll No. 472]

YEAS—415

Abercrombie	Calvert	Dreier
Ackerman	Camp	Duncan
Aderholt	Cannon	Dunn
Akin	Cantor	Edwards
Allen	Capito	Ehlers
Andrews	Capps	Ehrlich
Armey	Capuano	Emerson
Baca	Cardin	Engel
Bachus	Carson (IN)	English
Baird	Carson (OK)	Eshoo
Baker	Castle	Etheridge
Baldacci	Chabot	Evans
Baldwin	Chambliss	Everett
Ballenger	Clay	Farr
Barcia	Clayton	Fattah
Barr	Clement	Ferguson
Barrett	Clyburn	Filner
Bartlett	Coble	Flake
Barton	Collins	Fletcher
Bass	Combest	Foley
Becerra	Condit	Forbes
Bentsen	Conyers	Ford
Bereuter	Cooksey	Fossella
Berkley	Costello	Frank
Berman	Cox	Frelinghuysen
Berry	Coyne	Frost
Biggert	Cramer	Gallegly
Bilirakis	Crane	Ganske
Bishop	Crenshaw	Gekas
Blagojevich	Crowley	Gephardt
Blumenauer	Culberson	Gibbons
Blunt	Cummings	Gilchrest
Boehlert	Cunningham	Gillmor
Boehner	Davis (CA)	Gilman
Bonilla	Davis (FL)	Gonzalez
Bonior	Davis (IL)	Goode
Bono	Davis, Jo Ann	Goodlatte
Boozman	Davis, Tom	Gordon
Borski	Deal	Goss
Boswell	DeGette	Graham
Boucher	Delahunt	Granger
Boyd	DeLauro	Graves
Brady (PA)	DeLay	Green (TX)
Brady (TX)	DeMint	Green (WI)
Brown (FL)	Deutsch	Greenwood
Brown (OH)	Diaz-Balart	Grucci
Brown (SC)	Dicks	Gutknecht
Bryant	Dingell	Hall (OH)
Burr	Doggett	Hall (TX)
Burton	Dooley	Hansen
Buyer	Doolittle	Harman
Callahan	Doyle	Hart

Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kirk
Kleczka
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Manzullo
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Dan
Miller, Gary
Miller, George
Miller, Jeff
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanders
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—18

Cubin
DeFazio
Gutierrez
Hayes
Hostettler
Johnson, Sam
Kingston
Kucinich
LaTourette
Markey
Meehan
Meek (FL)
Ney
Quinn
Reyes
Roukema
Sanchez
Young (AK)

□ 1529

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

EXPRESSING SENSE OF CONGRESS IN HONORING THE CREW AND PASSENGERS OF UNITED AIRLINES FLIGHT 93

AMENDMENT OFFERED BY MR. MICA

Mr. MICA. Mr. Speaker, I ask unanimous consent that the text of House Concurrent Resolution 232, as proposed to be adopted under suspension of the rules, be modified by the amendment that I have placed at the desk.

The SPEAKER pro tempore (Mr. OTTER). The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. MICA:

Whereas on September 11, 2001, acts of war were committed against the United States, killing and injuring thousands of innocent people;

Whereas these attacks were directed at the World Trade Center in New York, New York, and the Pentagon in Washington, D.C., which are symbols of the Nation's economic and military strength;

Whereas United Airlines Flight 93 was hijacked by terrorists as part of these attacks;

Whereas while Flight 93 was still in the air, passengers and crew, through cellular phone conversations with loved ones on the ground, learned that other hijacked airplanes had been used in these attacks;

Whereas during these phone conversations several of the passengers indicated that there was an agreement among the passengers and crew to try to overpower the hijackers who had taken over the aircraft;

Whereas it is believed that it was this effort to overpower the hijackers that caused Flight 93 to crash in southwestern Pennsylvania, short of what is believed to have been its intended target: Washington, D.C.; and

Whereas the crash resulted in the death of everyone on board the aircraft: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that—

(1) on September 11, 2001, the passengers and crew of hijacked United Airlines Flight 93 possibly averted the use of that aircraft in a further terrorist attack on the United States by attempting to overpower the hijackers;

(2) the United States owes its deepest gratitude to the passengers and crew of Flight 93, and extends its condolences to the families and friends of Captain Jason Dahl, First Officer Leroy Homer, flight attendants Lorraine G. Bay, Sandra W. Bradshaw, Wanda A. Green, Ceecee Lyles, Deborah A. Welsh, and passengers Christian Adams, Todd Beamer, Alan Beaven, Mark Bingham, Deora Bodley, Thomas Burnett, William Cashman, Georgine Corrigan, Patricia Cushing, Joseph Deluca, Patrick Driscoll, Edward Felt, Jane C. Folger, Colleen Fraser, Andrew Garcia, Jeremy Glick, Kristin Gould, Lauren Grandcolas, Donald Greene, Linda Gronlund, Richard Guadagno, Toshiya Kuge, Hilda Marcin, Waleska Martinez, Nicole Miller, Louis J. Nacke, Donald Peterson, Jean Peterson, Mark Rothenberg, Christine Snyder, John Talignani, and Honor Elizabeth Wainio; and

(3) a memorial plaque to these victims should be placed on the grounds of the Capitol, and a copy of the wording of the plaque, together with a copy of this resolution from the Congressional Record, should be sent to a designated survivor of each victim.

Mr. MICA (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

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

There was no objection.

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 232, as amended.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MICA) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 232, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 415, nays 0, not voting 18, as follows:

[Roll No. 473]

YEAS—415

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Boozman
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)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)

Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Manzullo
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Dan
Miller, Gary
Miller, George
Miller, Jeff
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanders
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—18

Cubin
DeFazio
Gordon
Gutierrez
Hayes
Hostettler
Johnson, Sam
Kingston
Markey
Meehan
Meek (FL)
Ney
Pastor
Quinn
Reyes
Roukema
Sanchez
Young (AK)

□ 1540

Mr. BONIOR changed his vote from ''present'' to ''yea''.

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

EXPRESSING SOLIDARITY WITH ISRAEL IN THE FIGHT AGAINST TERRORISM

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 280.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. HYDE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 280, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 384, nays 11, answered ''present'' 21, not voting 17, as follows:

[Roll No. 474]

YEAS—384

Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barrett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Boozman
Borski
Boswell
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)
Carson (OK)
Castle
Chabot
Chambliss
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis, Jo Ann
Davis, Tom
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Jones (NC)
Jones (OH)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kind (WI)
King (NY)
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Manzullo
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Dan
Miller, Gary
Miller, George
Miller, Jeff
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Northup
Norwood
Nussle
Oberstar
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Radanovich
Ramstad
Rangel
Regula
Rehberg
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Royce
Ryan (WI)
Ryun (KS)
Sabo
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solis
Souder
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watson (CA)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (FL)

NAYS—11

Abercrombie
Dingell
Hilliard
Hinchey
Jackson (IL)
McKinney
Mink
Paul
Rahall
Rush
Thompson (MS)

ANSWERED ''PRESENT''—21

Barr
Bartlett
Bonior
Boucher
Clay
Clayton
Conyers
Davis (IL)
Deal
Ehlers
Johnson, E. B.
Kaptur
Kilpatrick
Lee
Payne
Roybal-Allard
Sanders
Snyder
Stark
Waters
Watt (NC)

NOT VOTING—17

Cubin
DeFazio
Gutierrez
Hayes
Hostettler
Johnson, Sam
Kingston
Markey
Meehan
Meek (FL)
Ney
Obey
Quinn
Reyes
Roukema
Sanchez
Young (AK)

□ 1550

Mr. STARK changed his vote from ''yea'' to ''present.''

So (two-thirds having voted in favor thereof) 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.

HOUR OF MEETING ON THURSDAY, DECEMBER 6, 2001

Mr. ARMEY. Mr. Speaker, I move that when the House adjourns today it adjourns to meet at 9 a.m. tomorrow.

The SPEAKER pro tempore (Mr. OTTER). The question is on the motion offered by the gentleman from Texas (Mr. ARMEY).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. BROWN of Ohio. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 322, noes 82, not voting 29, as follows:

[Roll No. 475]

YEAS—322

Aderholt
Akin
Allen
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Bentsen
Bereuter
Berman
Biggert
Bilirakis
Blagojevich
Blunt
Boehlert
Boehner
Bonilla
Bono
Boozman
Borski
Boswell
Boyd
Brady (TX)
Brown (FL)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Cardin
Carson (IN)
Castle
Chabot
Chambliss
Coble
Combest
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Deal
Delahunt
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Doggett
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Everett
Farr
Ferguson
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hart
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Herger
Hilleary
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (RI)
Kerns
Kildee
Kind (WI)
King (NY)
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Largent
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (KY)
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (NY)
Manzullo
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McHugh
McInnis
McIntyre
McKeon
McNulty
Mica
Miller, Dan
Miller, Gary
Miller, Jeff
Mollohan
Moran (VA)
Morella
Myrick
Nadler
Neal
Nethercutt
Northup
Norwood
Nussle
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pastor
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reynolds
Riley
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Royce
Rush
Ryan (WI)
Ryun (KS)
Sanders
Saxton
Schaffer
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Young (FL)

NAYS—82

Abercrombie
Ackerman
Andrews
Becerra
Berkley
Berry
Bishop
Blumenauer
Bonior
Brady (PA)
Brown (OH)
Capps
Capuano
Carson (OK)
Clay
Clayton
Clement
Clyburn
Condit
Crowley
DeGette
DeLauro
Evans
Fattah
Filner
Gephardt
Gilman
Harman
Hill
Hilliard
Hinchey
Hoeffel
Holt
Honda
Israel
Johnson, E. B.
Jones (OH)
Kaptur
Kennedy (MN)
Kilpatrick
Lantos
Larsen (WA)
Lewis (GA)
Lipinski
Lynch
McGovern
McKinney
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Moore
Moran (KS)
Napolitano
Oberstar
Olver
Pallone
Payne
Pelosi
Phelps
Rivers
Rothman
Roybal-Allard
Sandlin
Sawyer
Schakowsky
Schiff
Sherman
Slaughter
Smith (WA)
Strickland
Stupak
Thompson (MS)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Wynn

NOT VOTING—29

Boucher
Collins
Cubin
Davis, Tom
DeFazio
Dingell
Dooley
Duncan
Gutierrez
Hayes
Hostettler
Johnson, Sam
Kingston
Linder
Maloney (CT)
Markey
Meehan
Meek (FL)
Murtha
Ney
Obey
Pascrell
Pitts
Quinn
Reyes
Roukema
Sabo
Sanchez
Young (AK)

□ 1611

Mr. MEEKS of New York changed his vote from ''aye'' to ''no''.

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. PENCE). Under the Speaker's announced policy of January 3, 2001, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. BONIOR) is recognized for 5 minutes.

(Mr. BONIOR addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

□ 1615

AMIGOS TOGETHER FOR KIDS

The SPEAKER pro tempore (Mr. PENCE). Under a previous order of the House, the gentlewoman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, one of the most special aspects of our everyday lives is to be blessed with true friends. Amigos Together for Kids is an organization that has been in existence since 1991, and under the direction of Jorge Plasencia serves the needs of south Florida's forgotten children, those who are abused, neglected and abandoned.

Now celebrating its 10th anniversary, Amigos has many friends who have committed their energies toward the success of its programs, including Roxana Fernandez, Mirta Fuentes, Paul Hanson, Victoria Rodriguez, Daniel Rodriguez-Cuesta and Jorge Rouco, to name just a few.

The Amigos programs include Amigos Doctors for Kids, Children Helping Children, The Birthday Club, The Holiday Toy Drive, The Back-to-School Drive, and a new and ambitious program to serve adolescents in our area in south Florida.

Congratulations, Amigos Together for Kids. You are definitely fulfilling your mission of making south Florida's less fortunate young people feel truly loved. We really appreciate your dedication to our community's future, our children.

OPPOSE FAST TRACK LEGISLATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. LYNCH) is recognized for 5 minutes.

Mr. LYNCH. Mr. Speaker, I rise again in opposition to the so-called Fast Track legislation that will be debated in this House over the next 2 days. I do so for several reasons.

Firstly, because Fast Track contradicts the clear requirement of the

United States Constitution, which vests the responsibility in this body, in the House of Representatives, to regulate trade with foreign nations. It also vests the power in the Congress to make any necessary laws for the exercise of that authority.

Secondly, I oppose Fast Track because it requires that these negotiations, very detailed, complicated negotiations, with great impact for not only our generation but those to come, it requires that these negotiations occur in secret; not in open debate on the floor of the House, but in secret.

I also oppose Fast Track because of our own past experience. We have seen what Fast Track has brought us, and we have been shown that it is a poor way to conduct, establish, and implement trade policy.

We have seen what it has done for workers, both in the United States and Mexico, through the example of NAFTA. We see now multinational corporations, General Motors, closing down plants in the U.S. and moving them over the border into Mexico, where our own auto workers are now forced to compete with auto workers in Mexico making 67 cents an hour. That is what Fast Track has brought us.

We have seen what it has brought to our environment, where corporations are continuing to seek to escape, avoid and evade responsible environmental standards in this country in order to go to other countries and to make a profit, make a profit by avoiding responsible environmental behavior.

We have seen what it has done to our food safety standards, where right now in this country under Fast Track legislation we can no longer keep out foods that do not meet our own food safety standards.

But last of all and most importantly, I oppose Fast Track because I think it is the single greatest threat to our representative form of democracy. It takes the power that has been vested in this body as representatives of the voters and gives it to the United States Trade Representative, who then, through agreements again in secret, delegates the authority to the World Trade Organization in Geneva, Switzerland. I think every Member in this body knows the chances of their own constituents exercising any right to petition to the WTO representatives in Geneva, Switzerland.

I think this is a bad policy for America. I think that we have a responsibility here to our constituents. I know they did not send me down here to give away the rights of the constituents in the Ninth Congressional District of Massachusetts, and I assure you that no Representative in this Congress has been so directed by their people.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. GEKAS) is recognized for 5 minutes.

(Mr. GEKAS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

THE LOCAL LAW ENFORCEMENT HATE CRIMES PREVENTION ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, I rise today to encourage the Republican leadership to bring the bill offered by the gentleman from Michigan (Mr. CONYERS), H.R. 1343, The Local Law Enforcement Hate Crimes Prevention Act, to the House floor. It is time to take action against crimes that are motivated by hate.

I appreciate all of my colleagues that are coming here this evening that are going to take their time and to speak in support of H.R. 1343.

In the past 3 months, crimes against Muslims, Arabs, Sikhs, Southeast Asians and anyone resembling these nationalities have increased significantly. The Council on Arab and Islamic Relations has compiled more than 1,400 reports of hate crimes since September 11. This represents a 51 percent increase in reported crimes against those of Middle Eastern descent since the attacks.

Our children are watching in horror as they and their moms and their dads, their brothers, their sisters and close friends, are being harassed, spit on, beaten and, even worse, killed. These hate crimes are happening in their neighborhoods, at their schools, and their places of worship. This Congress does not want to stand by and let our children be subjected to this kind of hate. We cannot. We should not. The 107th Congress must recognize the problem at hand and must take effective measures to reverse this trend, and we can do that by bringing H.R. 1343 forward.

The stories of these hate crime victims are disheartening. In Poughkeepsie, New York, a high school student was harassed and attacked while another student yelled ''I hate you, dirty Afghani,'' as he pelted him with rocks and plants.

In Dumfries, Virginia, a mother and her son attacked two Afghani American brothers, age 16 and 17. During school the son and a group of his friends approached the two Afghani teenagers and began taunting and hitting them. The mother entered the fight and hit the 17-year-old youth in the head. Luckily, both boys escaped into a neighbor's home and luckily neither was seriously injured.

In San Mateo, California, a gasoline bomb was thrown through the window of a Sikh family's home hitting a 3-year-old. Fortunately, the bomb failed to explode.

These stories are both unbelievable and intolerable. But, sadly, these acts of hate are rampant, and people of Middle Eastern descent are not the only victims affected by ignorance and hate.

Just a week ago, a hate crime occurred in my district. Three sophomores at a high school in my district assaulted a 17-year-old student because he was openly gay. The apparent leader of the assault paid two other boys $10 each to beat up the victim. Our children cannot be subjected to such violence and such hate.

No one in America should live in fear because of his or her ethnic background, because of religious affiliation, because of gender, disability or sexual preference. This is especially true of our children.

That is why it is important to pass meaningful hate crime legislation, and to pass it now. We need to strengthen our existing laws, and we must protect people against all hate crimes. We must send a message, especially to our children, that hateful behavior is wrong and it will not be tolerated.

Our law enforcement officials need vigorous tools to fight and prosecute hate crimes. Yet existing Federal law is inadequate. That is why I am a strong supporter of the bill offered by the gentleman from Michigan (Mr. CONYERS), the Local Law Enforcement Hate Crimes Prevention Act.

For the first time under Federal law, this measure would add sexual orientation, gender and disability. In addition, it would expand Federal civil rights law to allow prosecution of hate crimes even if no federally protected activities were involved, such as voting or attending school. Also the bill would expand the circumstances under which the Federal Government could offer assistance to State and local governments to help prosecute these crimes.

Even though the bill is cosponsored by over 200 bipartisan Members, it has been cast aside. We must bring it to the floor, and we must pass it now.

HONOR THE FALLEN

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Virginia (Mrs. JO ANN DAVIS) is recognized for 5 minutes.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, today I would like to again take up the effort to pay tribute and honor the fallen who perished as a result of the attacks on September 11, 2001.

This growing list of over 3,000 names is comprised of many of the victims of the recent horrific attacks on our Nation, including the firefighters and policemen who willingly gave their lives in an attempt to rescue others. I intend to read these names for as many days as it takes to bring honor and recognition to those individuals who lost their lives or are still missing:

Alok Mehta; Raymond Meisenheimer; Manuel Emilio Mejia; Antonio Melendez; Mary Melendez; Manny Melina; Christopher D. Mello; Yelena Melnichenko; Stuart Todd Meltzer; Diarelia J. Mena; Dora M. Menchaca; Charles Mendez; Lizette Mendoza; Shevonne Mentis; Wolfgang Menzel; Steve Mercado; Wesley Mercer; Ralph Mercurio; Alan H. Merdinger; Yamel Merino; George Merino; Michael Dermott Mullan; Dennis Michael Mulligan; Peter Mulligan; Michael Joseph

Mullin; James Donald Munhall; Nancy Muniz; Carlos Mario Munoz; Theresa ''Terry'' Munson; Robert M. Murach; Cesar Augusto Murillo; Marc A. Murolo; Raymond E. Murphy; Patrick Jude Murphy; Christopher William White Murphy; James Francis Murphy, IV; Brian Joseph Murphy; James Thomas Murphy; Edward C. Murphy; Kevin James Murphy; Charles Murphy; Robert Murphy; Susan D. Murrary; John Murray; Susan D. Murray; John ''Jack'' Murray; Fall Mustafa; Richard Todd Myhre; Louis J. Nacke; Robert Nagel; Mildred Naiman; Takuya Nakamura; Alexander J.R. Napier, Jr.; Frank Naples; John Napolitano; Catharine Nardella; Mario Nardone; Manika Narula; Shawn Nassaney; Narendra Nath; Karen S. Navarro; Joseph Michael Navas.

Mr. Speaker, today I heard as others were honored who were on United Flight 93, and it did my heart good to know we have them all in the CONGRESSIONAL RECORD.

Again, Mr. Speaker, I urge all my colleagues to join me in remembering these brave heroes, so that their names will go down in the CONGRESSIONAL RECORD, and they will not be just remembered as numbers, but will be remembered as people.

□ 1630

PASS H.R. 1343, THE HATE CRIMES PREVENTION ACT OF 2001

The SPEAKER pro tempore (Mr. PENCE). Under a previous order of the House, the gentlewoman from Maryland (Mrs. MORELLA) is recognized for 5 minutes.

Mrs. MORELLA. Mr. Speaker, as an original cosponsor of H.R. 1343, the Hate Crimes Prevention Act, I am committed to seeing this legislation enacted into law. It is really important. I also want to thank the gentlewoman from California (Ms. WOOLSEY), my friend and colleague, for her leadership on this issue.

Mr. Speaker, last year hate crimes legislation passed the Senate in a bipartisan 57 to 42 vote on June 20. We had over 190 bipartisan cosponsors in the House, regrettably not enough to gain House passage. Many fear that this legislation would create a new area of law, and this is simply not true.

H.R. 1343, which currently has 199 bipartisan cosponsors, will enhance the ability of Federal law enforcement to provide assistance to State and local prosecution of hate crimes and, in certain limited cases, ease the ability of Federal law enforcement to prosecute racial, religious, ethnic and gender-based violence.

The FBI has reported approximately 50,000 hate crimes have been committed in the past 5 years, with nearly 8,000 reported last year alone. And although these statistics are alarming, even more disturbing is the fact that groups monitoring such crimes report that the FBI's data collection method has routinely missed tens of thousands of cases, and the number of hate crimes is probably closer to 50,000 a year.

Why the discrepancy? Because participation in the FBI's annual hate crimes statistics report is voluntary, and several States do not fully participate. The FBI collects the data from local jurisdictions under the 1990 Hate Crime Statistics Act; and, unfortunately, little money has been allocated to train police officers to determine whether a crime was fueled by hate.

Mr. Speaker, now more than ever we need to provide law enforcement the tools and the resources they need to both report and fight against these senseless acts of hate and violence. These crimes are uniquely destructive and divisive. Their perpetrators seek not only to harm the immediate victim but to make a statement to an entire community.

Hate crimes are a disturbing barometer of the state of a nation. Notably, antiblack hate crimes accounted for 35.6 percent of all racial bias; anti-semitism accounted for 75 percent of all religious incidents; and people with substantial disabilities, approximately 15 percent of the population, suffer from violent and other major crimes at rates many times higher than that for the general population. Research shows that this population is over four times as likely to be victims of crime than are people without disabilities.

Hate crimes based on sexual orientation also continue to rise and currently make up the third highest category after race and religion. Additionally, in the wake of the September 11 terrorist attacks, the Arab-American Anti-discrimination Committee has investigated, documented and referred to Federal authorities over 450 incidents of hate-related crime. Moreover, the Council on American-Islamic Relations has compiled over 1,200 complaints of hate attacks directed against American Muslims.

State and local authorities currently prosecute the overwhelming majority of hate crimes, and they will continue to do so with enhanced support of the Federal Government under the Hate Crimes Prevention Act.

Mr. Speaker, hate crimes represent an attack on the American ideal that we can forge one Nation out of many different people and requires a determined response from law enforcement. The Hate Crimes Prevention Act is a constructive and measured response to a problem that continues to plague our Nation: violence motivated by prejudice. Let us pass H.R. 1343. It is long overdue.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monohan, one of its clerks, announced that the Senate has passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 10. An Act to provide for pension reform, and for other purposes.

PREVENTION OF TERRORISM ORDINANCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. Mr. Speaker, I am concerned about recent statements made by one of my colleagues, the gentleman from Indiana (Mr. BURTON), with regard to India. We will soon be voting on the Foreign Operations appropriations bill which will be providing very limited aid to India, the world's largest democracy and our strong friend in the politically unstable Southeast Asia region.

The gentleman from Indiana (Mr. BURTON) recently made critical statements to the press about India in an effort to persuade Members to not provide aid to India or to resume sanctions against India. He specifically referenced the Prevention of Terrorism Ordinance, or POTO, and stated that it was the most repressive law that India has ever considered.

Mr. Speaker, for the past 50 years, India has been forced to deal with severe cross-border terrorism in Kashmir and an upsurge of terrorist attacks throughout their nation. Since the September 11 attacks here in the U.S., India has experienced heightened terrorism in Kashmir; and, quite frankly, I have been reading about murders of innocent Kashmiris by Islamic militants on nearly a daily basis.

Just this morning I read about two new incidents that occurred yesterday. Suspected terrorists shot and killed a judge in Kashmir, along with his friend and two guards. This is the first attack on the judiciary of Jammu and Kashmir State.

The other incident was a suicide squad of a Pakistani-based guerilla group that killed at least five people at an Indian Army camp in Kashmir. This latest suicide attack is to be added to a long series of suicide attacks that have killed many innocent Kashmiris.

Mr. Speaker, as a result of violent terrorist attacks against India, the Indian President has issued the Prevention of Terrorism Ordinance, POTO. POTO would make provisions for Indian law enforcement officials to prevent and deal with terrorist activities. The current criminal justice system in India is not sufficient in prosecuting terrorists and, with passage of POTO, India will be provided the necessary law enforcement tools to prevent and effectively deal with terrorism.

I am not suggesting, Mr. Speaker, that the gentleman from Indiana (Mr. BURTON) or anyone else should not be able to speak out against POTO if they desire. We know that India is a vibrant democracy with an open political system. Its free press and democratic nature allows all voices and opinions to be heard. But I think the criticism is undeserved at this time.

I would like to draw an analogy between what is happening with POTO in India and what is happening with the

Provide Appropriate Tools Required to Intercept and Obstruct a Terrorism Act, or PATRIOT Act, in the United States. This analogy was conveniently overlooked by the gentleman from Indiana.

In October of this year, the U.S. Congress passed the PATRIOT Act, which gave law enforcement officials more tools to detect, apprehend, and prosecute terrorists. In the aftermath of September 11, Congress was required to act quickly to pass measures to address the immediate and long-term security, recovery, and financial needs of the country.

There was controversy and there still remains criticism of the PATRIOT bill from both the right and the left. Members protested that it would grant the government too much power and endanger civil liberties. However, the administration called for immediate action and, while moving the bill through Congress, several provisions were either dropped or modified and a bill did pass.

From what I understand, the Indian Parliament is planning on going through a similar process of modifying some provisions in their ordinance. It is likely that the bill will pass and be enacted into law, thereby affording Indian officials the authority to deal with the growing terrorist threat facing India that the normal criminal justice system could not address sufficiently.

Mr. Speaker, I believe that unusual circumstances in the U.S. call for these types of measures, and the same holds true for India. A true parallel can be drawn here for the two largest and most vibrant democracies in the world. Unfortunately, both of these countries are now combating terrorism.

The gentleman from Indiana (Mr. BURTON) I think is incorrect in accusing India of being repressive by enacting this law. His strategy to bash India is clearly a pattern. It is no surprise that these types of statements come at a time when we are providing aid to India. There is no justification for ending the limited aid that we provide to India, and there is no rhyme or reason to cutting back or putting back in place the sanctions against India that should have been lifted a long time ago.

My point, Mr. Speaker, is that the gentleman from Indiana's efforts to implement such things are simply wrong. We do not need to go back to the sanctions, and we certainly should not punish India for essentially doing the same thing that the United States has done in the aftermath of September 11.

U.S. SHOULD PRIORITIZE SPENDING TO AVOID DEFICIT SPENDING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. SMITH) is recognized for 5 minutes.

Mr. SMITH of Michigan. Mr. Speaker, the question I would like to ask my colleagues is how much more, how much deeper should we go in debt in this country?

The current authorized debt that we passed several years ago is $5,950 billion, and we were actually projecting just a few months ago, last May, that we would not have to increase the debt limit. Our current debt, the debt limit as passed by law is $5,950 billion. The current debt is $5,860 billion. So if we implement what we are talking about for next year's budget, if all of the bills that have been passed in the House were implemented, then we are going back into deficit spending, which means we are going to have to increase the debt of this country.

It seems to me that we should be budgeting in a way that every family has to budget, that every business has to budget, and that if something comes up that is very important we look at other portions of that budget that we might reduce in order to accommodate the higher priority spending. In this case, I would suggest, Mr. Speaker, to my colleagues that the higher priority spending is to assure security and to do what we can to make sure that the economy again comes back strong as quickly as possible.

But if we do that without going into debt like we were some years ago, driving the debt of this country up, if you will, driving the mortgage that our kids and our grandkids are going to have to pay off because of our excessive spending, if we are not to go back into that kind of deficit spending, then we are going to have to prioritize.

How do we prioritize? Is there some spending of this Congress, is there some pork spending, is there some spending that is less important than driving us deeper into debt? Let me just suggest, as we discuss economic stimulus packages, at what point of overspending that is going to result in higher interest rates. Overspending means the government has to borrow more money. We go into competition with business and individuals for that available money supply out there; and, in fact, Congress bids up interest rates to get what they want. So at what point do we decide that increased interest rates are as much of a downer for economic recovery as maybe some stimulus package or some spending that some Members say are important to their economy locally? At what point does it balance? How much should we go in debt in future spending?

I would suggest to my colleagues that the gimmick of the lockbox that we passed, Democrats and Republicans together, was a good effort, suggestion, indication, that we would not go back to spending the Social Security surplus. This year, Social Security is going to bring in a surplus of about $160 billion. But the way we are going, we are going to spend all of that Social Security surplus. I say this is not good. I say that belt-tightening is called for, and prioritization of spending is called for.

So I would not only suggest to this Chamber but certainly to the Senate, certainly to the President and the administration, to start prioritizing spending so that we minimize the amount that we are going to drive our kids and our grandkids into indebtedness that sometime, someplace, somehow, they are going to have to pay off.

Last May, let me just tell my colleagues how rapidly things have changed. Last May, the Congressional Budget Office, the CBO, estimated that our surplus for this 2002 fiscal year would be $304 billion. $304 billion surplus. Now, with the bills that have passed the House, with the bills that have passed the Senate, all of them have not passed the Senate, but with all of the appropriation bills and the stimulus package, we are actually now deficit spending, spending all of the Social Security surplus, spending all of the Medicare-Medicaid surplus and going back into debt, which means that sometime our kids are going to have to come up with either the increased taxes or the reduced living standards from government that we have provided to date.

Mr. Speaker, in conclusion, let me say that I think there are a lot of areas of spending that are of lesser importance, and simply because the lockbox has now been, if you will, broken open, is not the excuse to spend all kinds of money for all kinds of projects.

□ 1645

IN SUPPORT OF INCREASED FUNDING FOR HOMELAND SECURITY

The SPEAKER pro tempore (Mr. PENCE). Under a previous order of the House, the gentleman from Rhode Island (Mr. LANGEVIN) is recognized for 5 minutes.

Mr. LANGEVIN. Mr. Speaker, yesterday the Senate Appropriations Committee passed the defense appropriations bill containing $35 billion in funding to enhance our Nation's efforts to combat terrorism.

Last week, the House missed an opportunity to do the same. The ranking member of the Committee on Appropriations had proposed an amendment to the defense appropriations act to add $7.2 billion for homeland security. Unfortunately, the rule failed to protect this amendment from a point of order, and the House was prevented from voting on one of the most important issues facing Americans today.

Considering the Bush administration issued a third terror alert on Monday, it is imperative that Congress act now to provide greater security for the American people. Since September 11, States and cities have been forced to dig deep into their coffers to pay for unexpected emergency programs. I have met with Rhode Island officials to learn how they have responded to this

crisis and to gauge their need for additional counterterrorism and security improvements.

In the 6 weeks following the terrorist attacks, my State spent $18 million on homeland security and needs $56 million more to upgrade emergency response in public health systems. State and local governments have done an exceptional job at pinpointing and prioritizing areas in need of improvement to ensure the safety of their citizens, and Congress must act now to provide them with the resources that they require.

Rhode Island's leaders recognize that law enforcement and emergency responders represent the first line of defense in the domestic fight against terrorism. As a result, they hope to invest $5.8 million for improvements in coordinated emergency response efforts. Through new equipment and training for hazmat teams, the State will be better prepared to deal with the threat of weapons of mass destruction.

Also, the anthrax attacks highlight the need for a strong public health infrastructure. Rhode Island has proposed a $48 million plan to enhance medical surveillance, research, and investigation. Our health officials must be prepared to identify a biological attack in its early stages, respond swiftly to the threat, and prevent further contamination.

As an original cosponsor of the Bioterrorism Prevention Act of 2001, which would provide $7 billion to improve our national public health infrastructure, I applaud the gentleman from Wisconsin (Mr. OBEY) for proposing funding to address the threat of bioterrorism in our communities.

One particularly important provision included in the Obey amendment was a budget increase for the Coast Guard, which has now taken on new responsibilities since September 11. Daily life of Rhode Island is intricately tied to the ocean and Narragansett Bay. Commercial fishing netted $79 million for the State's economy in 1999, and recreational boating is a popular pastime among our residents.

The Coast Guard's dependable presence and its work to keep our seaways safe have made them well respected among our boaters and our residents. However, the Coast Guard has been plagued by dwindling budgets in recent years, preventing personnel increases and equipment improvements. As a result, of the 41 nations with coastal patrols, the U.S. Coast Guard now has the 39th oldest fleet.

Nonetheless, the Federal Government expects the Coast Guard to patrol the Nation's 361 ports and increase inspections of foreign vessels, and 121 Rhode Island reservists have been called to this mission. Commandant Admiral James Loy has pleaded with Congress for years to raise funding levels for the Coast Guard, but we have again taken the wind out of their sails.

Moreover, the Obey amendment would have provided critical funding to strengthen our border patrol. Each day, 1.25 million people, 500,000 vehicles, and 50,000 containers cross our borders; yet far too few vehicles, containers, packages, and other possessions are properly checked. We must provide the Border Patrol with the resources needed to detect and prevent terrorism at our borders.

Although the House was not able to address these and many other concerns by voting on the Obey amendment, I strongly encourage my colleagues to continue pushing for increased homeland security funding so that we may provide Americans the protection and peace of mind that they demand and that they deserve.

Mr. FILNER. Mr. Speaker, will the gentleman yield?

Mr. LANGEVIN. I yield to the gentleman from California.

Mr. FILNER. Mr. Speaker, I want to thank the gentleman for raising these issues, especially his statement about the Coast Guard. I represent San Diego, California; and we only inspect less than 10 percent of the ships coming in. We need more positions for the Coast Guard. I thank the gentleman for his efforts here.

Mr. LANGEVIN. I could not agree more.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. FOLEY) is recognized for 5 minutes.

(Mr. FOLEY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. INSLEE) is recognized for 5 minutes.

(Mr. INSLEE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

HATE CRIMES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. CONYERS) is recognized for 5 minutes.

Mr. CONYERS. Mr. Speaker, since the April 3, 2001 introduction of H.R. 1343, the Hate Crimes Prevention Act, more than 200 members (202) from both sides of the aisle have added their voices to the call for comprehensive legislation that will provide assistance to state and local law enforcement and amend federal law to streamline the investigation and prosecution of hate crimes.

This legislation is a constructive and measured response to a problem that continues to plague our nation—violence motivated by prejudice. The legislation is designed to address two significant deficiencies in the existing bias crime law enforcement framework. First, the legislation loosens the overly restrictive federally protected activity requirement under existing hate crimes law. Second, the legislation expands the jurisdiction of the federal government to reach violent conduct aimed at victims on the basis of their gender, sexual orientation or disability status.

Title 18, United States Code, Section 245, is one of the primary statutes used to combat racial and religious violence. At the time of its passage in 1968, a number of members of Congress wanted to limit the reach of the statute. They accomplished their goal by including a dual intent requirement. To establish a violation under Section 245, a federal prosecutor must prove that a defendant acted, for example, because of the victim's race and because the victim was exercising one of a limited category of federally protected rights (e.g., serving on a jury, voting or attending public school).

The original version of the statute contained a less restrictive, but still substantial, intent requirement that the government prove the defendant acted while the victim engaged in a federally protected activity.

This dual intent requirement has substantially hampered the hate crimes enforcement by the Department of Justice. There are numerous examples of heinous acts of violence that DOJ has either been unable to prosecute, or has been unsuccessful in prosecuting, due to the limitations of Section 245.

One of the most egregious examples of the problems under current federal law occurred in a 1994 Texas hate crimes prosecution. A federal jury acquitted three white supremists of civil rights violations arising out of an incident where they stalked the street of Fort Worth hunting for African-American victims. Although the jury agreed that the defendants' actions were racially motivated, they acquitted the assailants because they could not conclude that they intended to deprive the victims of a federally protected right.

The Hate Crimes Prevention Act would correct this deficiency by expanding the reach of federal jurisdiction to cover serious, violent bias crimes. Under the bill, hate crimes that cause death or bodily injury because of prejudice can be investigated federally, regardless of whether the victim was exercising a federally protected right.

This legislation will also address inconsistencies in the coverage of current federal, state and local bias crime provisions. Current law does not permit federal involvement in a range of cases involving crimes motivated by bias against the victim's sexual orientation, gender or disability. This loophole is particularly significant given the fact that five states have no hate crime laws on the books, and another 21 states have extremely weak hate crimes laws.

Our bill will expand the jurisdiction of federal law to cover sexual orientation, gender or disability, so the federal government will no longer be handicapped in its efforts to assist in the investigation and prosecution of hate crimes.

In addition, through an Intergovernmental Assistance Program, federal authorities will be able to provide technical, forensic or prosecutorial assistance to state and local law enforcement officials. In addition, the legislation authorizes the Attorney General to make grants to state and local law enforcement agencies that have incurred extraordinary expenses associated with the investigation and prosecution of hate crimes.

The Hate Crimes Prevention Act is endorsed by notable individuals and over 175 law enforcement, civil rights, civic and religious organizations, including: President Bush's Attorney General Dick Thornburgh; 22 State Attorney Generals; National Sheriffs' Association; International Association of Chiefs of

Police; U.S. Conference of Mayors; Presbyterian Church; Episcopal Church; and the Parent's Network on Disabilities.

Poll after poll continues to show that the American public supports hate crimes legislation, including legislation inclusive of sexual orientation. A new Kaiser Family Foundation poll released last month shows that 73 percent of Americans support hate crime legislation that includes sexual orientation.

Passage of a comprehensive law banning hate violence is long overdue. It is a federal crime to hijack an automobile or to possess cocaine, and it ought to be a federal crime to drag a man to death because of his race or to hang a man because of his sexual orientation. These are crimes that shock and shame our national conscience and they should be subject to federal law enforcement assistance and prosecution.

THE LOCAL LAW ENFORCEMENT HATE CRIMES PREVENTION ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Wisconsin (Ms. BALDWIN) is recognized for 5 minutes.

Ms. BALDWIN. Mr. Speaker, I rise today to urge the House to pass H.R. 1343, the Local Law Enforcement Hate Crimes Prevention Act. Passage of hate crimes legislation is long overdue.

As the House of Representatives fails to act, the list of victims of hate crimes grows every day. One such victim was murdered in Milwaukee, Wisconsin, last month on November 11. Juana Vega was shot repeatedly by her girlfriend's brother outside her girlfriend's family home. According to friends of the victim, the suspect made repeated threats, explicitly stating that he would kill the victim because of her sexual orientation.

Unfortunately, Mr. Speaker, this tragic situation repeats itself far too often in our country. We must act to address it now. It is unfortunate that hate crimes occur, but they do. It is irresponsible to deny that there are individuals who seek to commit violence against an individual because they may be gay, lesbian, a woman, or disabled, the people that we seek to protect with the passage of this legislation.

It has been argued that we cannot see into a criminal's heart or mind, that we cannot determine their motive and intent, and therefore, cannot dole out appropriate justice. Yet, the most ancient concepts of justice still with us today consider the intent of those perpetrating a crime. Should we not consider the intent of a man or woman who kills or maims because of their hatred of an entire group, class, or race of people?

A Member of the other body, the former chairman of the Senate Committee on the Judiciary, said last year, ''A crime committed not just to harm an individual but out of the motive of sending a message of hatred to an entire community is appropriately punished more harshly or in a different manner than other crimes.''

Hate crimes are different than other violent crimes because they seek to instill fear in an entire community, be it burning a cross in someone's yard, the burning of a synagogue, or a rash of beatings of people in proximity to gay-identified establishments. This sort of domestic terrorism demands a strong Federal response because this country was founded on the premise that persons should be free to be who they are without the fear of violence.

Mr. Speaker, this House needs to pass the Local Law Enforcement Hate Crimes Prevention Act as expeditiously as possible. We need to do everything that we can to prevent hate crimes like the murder of Juana Vega.

EXPRESSING SUPPORT FOR PASSAGE OF MEANINGFUL HATE CRIMES PREVENTION LEGISLATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. MCGOVERN) is recognized for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, I rise today to join with the gentlewoman from California (Ms. WOOLSEY), the gentlewoman from Maryland (Mrs. MORELLA), the gentleman from Georgia (Mr. LOUIS), the gentlewoman from Wisconsin (Ms. BALDWIN), and others here today to express my strong support for the passage of meaningful hate crimes prevention legislation, and in particular, the Local Law Enforcement Enhancement Act of 2001, which I am proud to be a cosponsor of.

During these difficult times, it is critical that we stand together as one people united against a common enemy. In the past months we have witnessed the worst of humanity. On September 11, over 3,500 of our fellow human beings were murdered by extremists whose sole motivation was a pure hatred of America and the freedom and diversity that define our Nation. We must combat this horrible act by holding those responsible to account, and we must combat this horrible act by sending a powerful and clear message to the world that we are a Nation that values tolerance, acceptance, understanding; and we are a Nation that celebrates our diversity.

At no time in the great history of this Nation has it been more important for us to take a stand against hatred, scapegoating, and prejudice that can affect and destroy a society. Never has it been more important for us to reach out to our friends and neighbors of Arabic descent or of the Islamic faith, demonstrating how much we value them as members of our community.

Nothing would aggravate and undermine the forces that committed the horrible atrocities of September 11 more than redoubling our efforts to protect and respect and uphold the rights of all.

Mr. Speaker, since September 11, hate crimes against Muslim and Arab Americans and immigrants have increased all over the country. From small towns to large cities, we have seen incidents of physical and verbal abuse. More than 1,200 cases of hate-motivated attacks or assault against members of the Muslim and Arab communities have been documented in just 3 months.

As Members of Congress, we must act now to reassure our American Muslim and Arabic communities that they and their families are safe and welcome and we value their presence in our country.

America has always been a Nation of tremendous diversity. As our men and women in uniform risk their lives to protect our way of life, nothing could send them a stronger message of support than an America that finds strength in the differences in heritage and beliefs that make us uniquely American. Bias, bigotry, scapegoating, prejudice, discrimination, and hateful persecution have no place in American society. It is time we solidified such a position with the full force of the law.

Dr. Martin Luther King, Jr., once said, and I quote, ''Injustice anywhere is a threat to justice everywhere.'' Mr. Speaker, as we fight to bring those who have attacked us to justice, we must not overlook the injustices that are still present in our own society. Hate crimes are serious and well-documented problems, yet they remain inadequately recognized. The current Federal hate crimes statute is limited to crimes motivated by discrimination on the basis of race, religion, color, or national origin. Unfortunately, hate crimes committed in this country are broader than that. Current law excludes other communities of individuals who are victimized just as often for other reasons.

The importance of congressional action on this crucial issue cannot be overemphasized. Unlike other crimes, hate-motivated crimes not only affect individuals or families, they permanently scar entire communities. Only by recognizing and combatting these crimes can we all begin to eradicate the bias and bigotry that remains all too prevalent in today's society.

We must work to rid our schools and our neighborhoods and our communities of hatred. We owe it to ourselves, we owe it to each other, and we owe it to our children who look to us for guidance.

The time has come to break down the walls of ignorance once and for all and replace them with communities built on tolerance, justice, and compassion. The perpetrators of hate crimes are not the only guilty parties. Silence, complacency, and indifference in the face of such brutal attacks are allies, as well.

Mr. Speaker, I urge all my colleagues to join in the fight for a Nation united against the evils of bigotry and hate directed against anyone in our society. Let us bring this legislation to the floor that has been championed by the gentleman from Michigan (Mr. CONYERS) so valiantly over the years. Let us pass it through this House, and let us send a message to the rest of the

world that the United States of America will not tolerate hate crimes. It is a message that needs to be sent now.

A TRIBUTE TO DR. KAMLESH GOSAI

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. MASCARA) is recognized for 5 minutes.

Mr. MASCARA. Mr. Speaker, I rise today to recognize Dr. Kamlesh B. Gosai, this year's winner of the Country Doctor of the Year Award.

Let me begin by saying that Dr. Gosai best exemplifies and illustrates the Hippocratic oath he took upon entering the practice of medicine. He is a shining example of what that oath is all about. He is a great human being.

This award was created to recognize outstanding rural physicians throughout the United States, and Dr. Gosai definitely is deserving of this recognition.

□ 1700

This is a tribute to his dedication, skill and caring for his patients, a rare commodity in a time when health care is undergoing questionable change.

Dr. Gosai always has time for his patients. He practices out of the Southwest Medical Center in Bentleyville, Pennsylvania, a small community of about 2,300 people where I met my wife Dolores. While many physicians choose to practice medicine in larger, more populated areas, Dr. Gosai has chosen to make his home in the Mon Valley region of southwestern Pennsylvania.

Dr. Gosai is the perfect example of how a good country doctor can change a community in a positive way. He brought a state-of-the-art medical center to Bentleyville and recruited many specialists to enter his practice. He also opened a medical center in 1993 in nearby Charleroi, Pennsylvania, ironically where I live, which now employs nearly 100 and offers a wide range of specialty practices.

In addition to being on call 24 hours a day, it is not uncommon for Dr. Gosai to see 75 patients a day in his office or make himself available for last-minute exams or emergencies; and, yes, he still makes some house calls.

As key health care providers for more than 60 million people, country doctors are an integral part of America's health care system, and the people of the 20th District of Pennsylvania are very fortunate to have a dedicated physician like Dr. Gosai living in their own backyard.

Mr. Speaker, I know the entire House of Representatives joins me in congratulating Dr. Gosai on this well-deserved honor. He is a credit to his profession.

TRIBUTE TO THE LIFE OF PATRICIA A. JONES

The SPEAKER pro tempore (Mr. PENCE). Under a previous order of the House, the gentleman from Illinois (Mr. DAVIS) is recognized for 5 minutes.

Mr. DAVIS of Illinois. Mr. Speaker, I rise to pay tribute to an outstanding woman, Mrs. Patricia A. Jones, who in her own right provided immeasurable services, especially to children and social service agencies in Chicago, Illinois, and its surrounding suburbs.

In addition to that, Mrs. Jones is also the beloved wife of the Senate Democratic Leader of Illinois, Emil Jones, Jr. She passed away Sunday past at 11 p.m. at St. Francis Hospital, a young woman, only 63 years old.

She was as much a partner in her husband's public life as she was in his private life. Emil and Patricia Jones were wed on December 4, 1974. She was born in New Orleans, Louisiana, on August 9, 1938, the third of eleven children. She went through the New Orleans school system where she became a teacher.

Of course, ultimately, she came to Chicago and is survived by her husband; two sons, John Sterling and Emil Jones III; and a nephew, Emil Alvarez Jones, whom she raised. She is also survived by a number of other relatives.

She attended Loyola University in Chicago and graduated from Chicago State University.

As a young adult, Mrs. Jones moved with her family to Chicago. She was employed by the City of Chicago, administrating the Title 20 program for a number of years, which included preschool, Head Start. She also taught in the preschool program at the YMCA in Chicago.

She served on the school board as President of Holy Name of Mary Catholic School in Morgan Park. She was active in her church, Holy Name Mary Catholic Church in Morgan Park, where she was a former member of the Ladies Guild. She was a member of AKA Sorority and a board member of the Beverly Arts Center.

We extend our condolences to the minority leader in the Illinois Senate, Emil Jones, on the death of his wife, but we value her contributions and know that they will long remain not only a part of Chicago but a part of the Nation.

FOLLOW THE WILL OF CONGRESS: REMOVE MEXICAN SEWAGE FROM U.S. SOIL AND WATER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. FILNER) is recognized for 5 minutes.

Mr. FILNER. Mr. Speaker, I rise today to tell my colleagues about an incredible situation that is going on in my district in San Diego, California. I have running through my district 50 million gallons of raw sewage a day. I doubt that any congressperson in America could say that, 50 million gallons of raw sewage coming through his or her district.

This is because of the nature of the geography in southern California and the unfortunate situation that our sister city across the Mexican border, Tijuana, does not have facilities to treat all its sewage, so sewage which is untreated eventually finds its way into the Tijuana River Valley, across my district and then empties into the Pacific Ocean. It is a terrible environmental problem which both countries are trying to solve.

I have worked on this problem for over a decade as a member of the San Diego City Council and as a member of this Congress. We found a win-win-win way to deal with this issue that had been plaguing us for 50 years.

A joint U.S.-Mexico private firm made a proposal to build a sewage treatment plant using the most advanced environmental techniques to build such a plant in Mexico where the water could be treated to a level that could be reclaimed for agriculture, commercial or even drinking use, which Mexico desperately needs, and this treatment would be paid for by the United States government.

It is the citizens of this country that are being affected by the potential disease and the environmental problems. So we thought, given the situation, that a private firm working with both countries could not only treat the sewage, but solve the U.S. environmental problem, and help recycle water to Mexico.

My former colleague and I, Mr. Bilbray, convinced this Congress that such a plan was workable, and, in fact, this Congress a year ago passed a law, Public Law 106–457, to do exactly what I just outlined, to solve a 50-year-old problem. Title VIII of that law authorized the International Boundary and Water Commission to begin negotiations with Mexico to provide for the treatment of Mexican sewage that flows into the United States. This Congress decided that unanimously.

Recently, the new commissioner that was appointed by President Bush for the International Boundary and Water Commission, Mr. Carlos Ramirez from El Paso, decided on his own, without talking to any of us here in Congress, ignoring decades of litigation by environmental groups, ignoring all the work that had been done by the political leaders, local, State and Federal, in San Diego and in Mexico, repeatedly said recently in public meetings and to the press that that law had no force, that he was not required to, in fact, undertake those negotiations and build the treatment plant mandated by Congress. In fact, he said we are going to do it with an expensive process that this Congress and our whole border community rejected a decade ago.

I do not know why the new commissioner started off his work in this fashion. I offered to meet with him. No meeting could be arranged, but I took this problem to the chairman of the subcommittee that had worked out this legislation a year ago, the gentleman from Tennessee (Mr. DUNCAN), and he agreed to hold an oversight

hearing on the implementation of the law that required the sewage treatment plant to be built cooperatively with Mexico.

This hearing will be scheduled for this Wednesday, December 12. I hope that the administration spokesman, Mr. Ramirez, his employer, the State Department, the Office of Management and Budget will explain why a law that was passed by Congress a year ago has not been implemented.

This law is environmentally sound. It is good for the taxpayers of this Nation. It solves a problem that has been with us for 50 years. What Mr. Ramirez wants to do is treat half the problem, do it more expensively and in an environmentally insensitive way. I do not understand that at all, and I am glad the gentleman from Tennessee (Mr. DUNCAN) agrees with me that he should explain this to Congress.

So we will have this oversight hearing which is the role of Congress to have. It is about time the International Boundary and Water Commission followed the will of this Congress.

CHANGING THE PRESCRIPTION COPAY FOR VETERANS

The SPEAKER pro tempore (Mr. SIMMONS). Under a previous order of the House, the gentleman from Ohio (Mr. STRICKLAND) is recognized for 5 minutes.

Mr. STRICKLAND. Mr. Speaker, I wanted to take a few moments this evening to explain something that is happening to veterans that I think many Members of this House may not be aware of and would like to correct.

Currently, a veteran who receives prescription medications as an outpatient for a service-connected disability is charged a $2 copay per prescription, and the Veterans Administration is contemplating increasing that copay from $2 per prescription to $7 per prescription, a 250 percent increase in one fell swoop.

Why are we doing this? I have checked with the Chilicothe, Ohio, Veterans Hospital and talked with their CEO. He tells me that, at that hospital, the average veteran who gets prescription medications takes, on average, at least 10 prescriptions per month. If we take $7 per prescription and multiply it by 10, that is $70 a month; and then many veterans get their prescriptions for 3 months at a time. So 70 times 3 finally starts adding up to a sizeable amount of money, especially for a veteran with a service-connected disability who is trying to live on a fixed income.

It is unconscionable to me that at this time in our Nation's history, when we are paying honor to those who are fighting for us and for those who have fought for us, that we would increase the costs of prescription medications; and we are doing it at a time, quite frankly, when we are making huge, multibillion dollar tax breaks available to wealthy corporations.

Who do we care about in this House? Wealthy corporations or the men and women who have served this country honorably and who are sick and in need of medication and who oftentimes cannot afford that medication, even with a $2 copay?

I have introduced H.R. 2820, and it is a simple bill. It just simply says that the Secretary of the Veterans Administration cannot increase this copay amount beyond the $2 for the next 5 years. Surely, surely, we can find the resources to do this good thing. I am calling upon my colleagues, and I am doing this on behalf of those who have served our country, the men and women who have paid the price, given of their time, given of their bodies and been willing to give of their very lives to make sure that those of us who serve in this Chamber can do so in freedom.

So I call upon my colleagues to join me in cosponsoring H.R. 2820. It is the least we can do for those who have done so much for us.

ECONOMIC STIMULUS PACKAGE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. CUNNINGHAM) is recognized for 5 minutes.

Mr. CUNNINGHAM. Mr. Speaker, I do not plan on taking the full 5 minutes. But we have just gotten through with the defense bill and the Select Committee on Intelligence has just passed its conference report, and our Nation is at war, and above the regular amount the President has seen fit to give a $40 billion supplemental to try not only to help people in New York, people at the Pentagon, but this Nation heal itself.

Post-September 11 has seen over 700,000 jobs lost, and yet we still have 99 percent of the American people that have their jobs, but if someone is one of those of that 1 percent that has lost their job, it is critical to them. Many of the people in my own district that has happened to.

We tried to protect those jobs, and I think that we need to do more. We also need to help people temporarily. But even more important than that, Mr. Speaker, we need to stimulate the growth of the new and the old jobs through different measures, economic measures.

□ 1715

Seventy-five percent of the jobs created are created by small business in this country, and I believe that tax relief for businesses will act as a stimulus that will enable those businesses to hire more people, to hire back some of those 700,000 that have lost their jobs.

We all know that a company does not just fire people because it wants to; it is because they are working with a margin. And when they start losing money, either because they are overtaxed or because of the system or something like September 11 happens, they are forced to let people go. I have people in the hotel industry that only have about a 25 percent occupancy right now. That is devastating to those industries, and this has happened across the board.

So the things we can do to stimulate the economy is, one, tax relief for those businesses. That is important in an economic stimulus package, as well as direct pay to some of those folks that need the help immediately.

Secondly, there has been a lot of debate on trade in this House, and I think very positively, both those for and opposed. But I believe whether you are a union worker or come from the private sector, our workers in this country are second to none. Given fair trade and given an equal chance, they can compete with any nation.

Some people debate and look at the trade deference. Well, ask anybody, they would rather be from a country that has higher pay, that has higher quality, that has higher technology than a country that has low pay, low technology, but yet is able to flood the markets. It just stands to reason. It is common sense.

Trade is also important to my State, California. The number one commodity in California is agriculture. Those that say they are friendly to agriculture should have no second thought on the vote that is coming to us tomorrow or the next day on the trade bill sent down by the President. The bill tomorrow will improve existing and future trade agreements. Not necessarily new trade agreements, but it will enable the President to shore up problems that many of my colleagues on the other side have brought forward, and I think in some cases rightfully so.

Mr. Carville, who used to work for President Clinton, once said, ''It's the economy, stupid.'' If we can give tax relief to businesses and stimulate jobs, if we can pass trade agreements that will help benefit our workers and shore up existing problems, I think that will help.

My constituents want three kinds of security: they want personal security; they want to be safe in their schools and on their streets; they want to be able to open up a piece of mail that does not have anthrax in it; they want economic security, to know they are not going to lose their job; and they want national security. For those things, Mr. Speaker, I ask my colleagues to support both the economic package, the stimulus package that was passed out of this House, and to support the trade agreement that will be brought forward this week.

SUPPORT H.R. 1343, LOCAL LAW ENFORCEMENT HATE CRIMES PREVENTION ACT

The SPEAKER pro tempore (Mr. PENCE). Under a previous order of the House, the gentleman from Texas (Mr. RODRIGUEZ) is recognized for 5 minutes.

Mr. RODRIGUEZ. Mr. Speaker, I am here today to call attention to the dramatic rise of hate crimes and voice my support of H.R. 1343, the Local Law Enforcement Hate Crimes Prevention Act.

Last Congress, we came closer to enacting legislation that would have reaffirmed our commitment to prosecuting those who commit hate crimes. The Senate passed the hate crimes amendment on the defense appropriations act. The House subsequently passed a motion, which the majority of us supported, to instruct the conferees to retain the language contained in the Senate version of the defense authorization bill. Unfortunately, the conference committee ignored the will of the House and the Senate and chose not to retain the hate crime provisions in the final conference report.

Opponents of the hate crime measure have charged that it grants preferential treatment to certain groups. This is totally a false presumption. Heinous crimes that target victims solely on the basis of their race, their color, religion, national origin or sexual orientation deserve enhanced punishment. Because hate crimes are as diverse as the persons who commit them, we are all vulnerable to becoming victims. Hate crime legislation is a reaffirmation, not a denouncement of our Nation's commitment to civil rights and equal protection under the law for all Americans.

Furthermore, I reject the notion that a hate crimes bill would undermine one of the most important constitutional tenets, the freedom of speech. This could not be further from the truth. Racist groups and other extremists would have the constitutional right to preach and spread their propaganda. However, if those views translate into premeditated violence against a person or persons because of their ethnicity, their religion, or their sexual orientation, then those perpetrators should be held justly accountable for their acts.

The Texas legislature passed a hate crimes bill earlier this year after failing to do so during the previous legislative session. The bill was named to commemorate James Byrd, Junior, an African American man who was dragged to his death in Jasper, Texas, in 1998 by three white men solely because of the fact that he was black.

During the 1999 legislative session, the Texas House also passed a hate crimes bill. Unfortunately, opponents blocked consideration of the measure in the Texas Senate. Even more disappointing was that then-Governor George Bush was silent on the issue and refused to pledge his support for the bill. I am pleased that this year the legislature in Texas was able to remove the previous roadblocks and secure passage of the bill.

However, now that Texas has committed itself to hate crimes prevention, it needs the tools to facilitate the enforcement. For this reason, I am proud to be a cosponsor of H.R. 1343, the Local Law Enforcement Hate Crimes Prevention Act, which has been introduced by the gentleman from Michigan (Mr. CONYERS). H.R. 1343 provides the technical, forensic, as well as prosecutorial tools local law enforcement needs to combat this type of violence.

H.R. 1343 has garnered the support of over 202 co-sponsors. Now more than ever we need the Federal hate crimes bill. Since September 11, hate crimes, especially those targeting Arab Americans and Muslim Americans have dramatically increased. This is unfortunate, and we need to make sure that this does not occur. While I am sure that we are all angry and frustrated, and have a great deal of anxiety as a result of what has transpired and what a lot of Americans are feeling, such feelings cannot ever, and I repeat, such feelings cannot ever justify senseless acts of violence against innocent people.

I ask my colleagues and the Republican leadership to speak out against these hate crimes and secure passage of H.R. 1343 as immediately as possible.

CONGRESS MUST PASS HATE CRIMES PREVENTION ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. LEWIS) is recognized for 5 minutes.

Mr. LEWIS of Georgia. Mr. Speaker, now is the time to pass the Hate Crimes Prevention Act. Congress must stand up and pass this legislation to send an important message to the American people and the world, that hate crimes will not be tolerated.

From the Justice Department demanding interviews from thousand of Arab-American men simply because of their heritage, to secretly detaining hundreds more, this country is sending the wrong message to its people and the world. Since September 11, we have seen a tendency in our citizens to strike out against those who they believe to be responsible. We continue to hear reports of harassment and discrimination against Arab Americans and Muslims. There has been a rise in all types of hate crimes. Congress must act now to send the right message. It must pass the Hate Crimes Prevention Act before we adjourn.

America is Christian, Jewish, Muslim, black, white, Hispanic, Asian American and Native American. We are gay and we are straight. We are one Nation. We are one people. We all must continue to live and work together to create one house, one family: the American house, the American family.

The President has preached a message of tolerance and respect and has urged all Americans to be sensitive in this difficult time. This country, as a whole, must heal and move forward together as one Nation. We can do that by embracing the idea, the concept of the beloved community, a community based on hope, compassion, and justice, a community at peace with itself. We must renounce racism, we must renounce hate, we must renounce violence and embrace diversity. We must teach not just tolerance; we must teach acceptance and love. Only then can we achieve the concept of the beloved community, a community that is free of hate based on race, religion, national origin, or sexual orientation.

Passing the Hate Crimes Prevention Act is a step, a major step in the right direction, a step down a long road. It sends an important message. We must show the world the great Nation that we are, a Nation where all men and women are created equal. It is time to pass the Hate Crimes Prevention Act. So, Mr. Speaker, I call on all of my colleagues to lead by example and pass this bill before we leave.

IN OPPOSITION TO FAST TRACK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. BACA) is recognized for 5 minutes.

Mr. BACA. Mr. Speaker, I stand in opposition to the Fast Track legislation that is being proposed. Our country is at war. We must prioritize safety and security of the American people. There are lingering concerns of biological contamination. The American people continue to worry about anthrax, about new reports from the administration to be on high alert. Now is not the time to move forward on the Thomas Fast Track legislation.

The U.S. has officially entered an economic recession. Millions of workers are suffering: unemployed, no health coverage, and jobs lost. Terrorists have struck the American people in their pocketbooks. The holidays are approaching. Hundreds are fearful of imminent layoff. Do you know what it is like to be laid off, not being able to make your payments, not being able to put food on the table, feed your children, stand up with pride? It is very difficult for many Americans who are being laid off, who are now trying to figure out a way to pay their bills. Now is not the time to move forward with this Fast Track legislation. Expediting a trade negotiation is the last priority for the American people, the last priority for the American people in these trying times.

International trade directly affects the lives and the livelihood of increasing numbers of Americans. Congress cannot be confined to the back bench. We in Congress must be active and participate in all international trade negotiations. The Thomas bill would have us serve merely as consultants. That is not what we were elected to do. We were elected to voice and protect the interests not only of my district but of the American people in general. The Thomas Fast Track bill is an unfortunate manipulation of trade policy.

Since September 11, broad bipartisanship has been a top priority.

□ 1730

This bill serves in dividing the line. This bill is driving a wedge between the

Democrats, the Republicans, between the Democrats and the high-tech community. The partisan tactics of the proponents of the Thomas Fast Track bill stands in stark contrast to the President's statement last week that the passage of Trade Promotion Authority would send a signal that Congress and the administration are united on trade. Congress is not united on trade. Now is not the time to move forward with the Thomas Fast Track legislation.

Mr. Speaker, I would support legislation granting President Bush Fast Track negotiation powers provided it addressed effectively the key issues of labor and the environment and the role of Congress. I am not against free trade. Unfortunately, this bill we will vote on tomorrow fails to address the new realities of trade in an effective and realistic manner.

The Thomas bill endangers a rare opportunity to build a bipartisan consensus in support of tearing down trade barriers in a way that would create jobs and raise living standards around the world. Labor and environmental considerations are not merely social considerations. The truth is that inclusion of labor and the environmental issues has real commercial significance for the terms of trade.

A growing number of people around the world, having experienced the negative effects of free trade agreements, we can look back at NAFTA, are opposing accords such as the proposed free trade agreements because we know what we have experienced from many of the jobs lost in the auto industry, the manufacturing industries, and many other areas where people lost their jobs.

We need a different kind of trade agreement, one that would benefit working people and the environment in every country. We can no longer give free reign to the over-exploitation of the workers who abuse not only workers but children and the environment. We must protect the interests of hard-working Americans and the hard-working individuals in our global community.

PASS HATES CRIMES LEGISLATION

The SPEAKER pro tempore (Mr. SIMMONS). Under a previous order of the House, the gentleman from New York (Mr. OWENS) is recognized for 5 minutes.

Mr. OWENS. Mr. Speaker, I rise in support of the Hate Crimes Prevention Act offered by the gentleman from Michigan (Mr. CONYERS), H.R. 1433. I think there is nothing more important that we are doing here in this session than this Hate Crimes Prevention Act. We are wasting our time passing junk resolutions, in many cases, and we do not address an important piece of legislation like this. More than 200 Members have signed on as cosponsors of this legislation.

Mr. Speaker, I think that every legal or legislative step that can be taken to combat hate should be taken. Hate is a strong force in the world. It is a monster expressing itself in many ways. The hate monster has us by the neck all over the world, but terrorists that we are fighting in Afghanistan, bin Laden, the al Qaeda network throughout the world, is motivated by hate. Hate seems to generate more fervor than love. People who are pushing love and want to do things differently do not seem to have the same kind of motivation or energy. The people who want to destroy our democracy, they hate us because we will not cover our women in public, they hate us for a thousand different reasons, and we need to meet that with tactics and with strategies that are as strong as the hatemongers.

We need to have in every way blanket condemnations of hatred, intolerance, and we need to be very detailed in this country. In this country we can get into the details of what is wrong. We need to condemn intolerance, and we need to specifically condemn intolerance that relates to sexism or intolerance that relates to race or disability. There are some people who, some men in particular, who are very adamant in terms of the workplace, and they cannot stand intolerance or oppression by the boss or management, but they will exploit and oppress women.

There are some people in certain races who certainly will speak out against racial intolerances, and they will also oppress women. There are some women who will certainly defend the rights of women to be equal, but they will oppress or be intolerant of people of other races. All of these things add up to a situation that is very complex. We cannot stop it by legislation, but legislation plays a key role. We are the catalytic agent in the process of helping people to deal with hate, making our society as a whole deal with hate.

Nationality or ethnic origin is certainly unacceptable for hatemongers, also; and, unfortunately, in our agencies of government, bureaucracies sometimes express a bit of intolerance and sometimes get into hate. Under the President's pressures of terrorism, as we mount our campaign against terrorism, I have seen in my own district Pakistanis rounded up because they are Muslim, and those Pakistanis when they were interrogated, they may have some immigration problems, they have been put in holding pens and jails in New Jersey outside of New York City. About 200 people in a 2-month period have been rounded up and held for 2 or 3 weeks merely because they have an infraction related to immigration but not a serious crime. They asked to go home, and, instead of being immediately processed out and sent home, they were held. One man even died there because there is an intolerance in the FBI bureaucracy under the pressure of the present situation to combat terrorism.

We should not let our guard down and become intolerant of any particular group. Immigrants in general are being put on the spot. I have a large number of people in my district from the Caribbean. Through World War I, World War II, Korea, Vietnam, they never found a single Caribbean espionage agent from Haiti or any other Caribbean nation. Why are they penalizing and putting those people on the spot and profiling them in the situation that presently exists?

It is intolerant, unreasonable and from our own agencies we should not tolerate it. Let us take every step possible. H.R. 1433 is an important step. We do not need more hate in the world. We need in our official conduct as well as our personal conduct to do everything possible to combat hate.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Mrs. NAPOLITANO) is recognized for 5 minutes.

(Mrs. NAPOLITANO addressed the House. Her remarks will appear hereafter in the Extension of Remarks.)

POSTAL WORKERS PROVE DETERMINATION TO GET JOB DONE IS SECOND TO NONE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. HILL) is recognized for 5 minutes.

Mr. HILL. Mr. Speaker, ''Neither snow, nor rain, no heat, nor gloom of night stays these couriers from the swift completion of their appointed rounds.''

These words ring truer now than ever before. In recent weeks, our country's postal workers have once again proven that their determination to get the job done is second to none.

Thankfully, the anthrax scare that recently gripped the Nation has subsided. This does not mean that we should be less diligent when it comes to looking for lessons to draw from these acts of terrorism. Even now, it is clear that commerce in this country is inextricably linked to confidence in our mail system. Maintaining confidence in the system requires that we do whatever is necessary to ensure the mail's safety.

I was reminded of this a few weeks ago as I toured postal facilities in southern Indiana. Simply, I got an earful. Foremost in the minds of these dedicated Hoosiers was the question of when would the mail facilities receive the help needed to purchase and install anti-biological irradiation equipment.

I hope the answer to that particular question is sooner rather than later. The Postal Service needs our help. In the meantime, I have no doubt that Postal Service employees will continue to brave the elements and the unknown and deliver the mail.

FUTURE ROLE OF WOMEN IN AFGHANISTAN

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. MILLENDER-MCDONALD) is recognized for 5 minutes.

Ms. MILLENDER-MCDONALD. Mr. Speaker, I rise to continue to speak out on the critical issue of women in Afghanistan and their plight during these perilous times. As Democratic Chair of the Congressional Caucus on Women's Issues, I have made it a priority to address the House each week to provide a voice to the women who have been silent far too long. It is also my intention to continue to raise awareness about the current state and the future state of women and children in Afghanistan.

Today marks the conclusion of the Bonn negotiations for a post-Taliban government in Afghanistan. A new interim administrator will be in place by December 22. While few women were involved in the current negotiations, I am happy to learn that women will take part in the rebuilding of their country. The new administration will include five deputy prime ministers and 23 other members for negotiation. Of the five deputy prime ministers, one is a woman. Women are also expected to occupy up to five other ministerial portfolios. One minister is to be established solely for women and children. I am happy to report that there is progress being made.

Under the proposed agreement, a special commission will be appointed within a month to organize the calling of an emergency legislature or traditional constituent assembly of provisional leaders and notables. It should be called within 6 months and would have the right to revise the new interim executive and create other bodies that would serve for up to 2 years.

The commission is also to ensure that due attention is paid to the presence in the governing body of a significant number of women. The proposed agreement foresees the drafting of a new constitution to be ratified by another legislature, with elections to take place at the end of that 2-year period.

As women strive both inside the country and outside to contribute towards shaping a meaningful future, we must demonstrate our resolve to help those Afghanistan leaders be involved in all political and economic negotiations from the outset. It is extremely important that there are not just a few women used as tokens but as real partners and equal partners. Women need to be involved in every aspect of that country's fabric.

As I have said before, Afghan women must be ensured of their basic human rights once more such as access to safe drinking water and sufficient food; to receive decent health and maternal care; and, foremost, to again move freely in their society without being subject to harassment and abuse. Above all, they must be allowed to practice their religious beliefs as Islamic women without retribution.

It will be important to see that women are involved in the emergency laya jerga since it appears that this is a real place where power and authority will be exercised.

Mr. Speaker, I am pleased to present this report this evening.

□ 1745

HATE CRIMES

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise this evening to offer my thoughts on the importance of passing in this body hate crimes legislation, but also to ask this House to prioritize its work. Inasmuch as we can spend an enormous amount of time on some very valid initiatives, I do believe that hate crimes legislation, the passage of hate crimes legislation that has been offered in two previous congressional sessions, is long overdue and it is not being passed.

I heard a colleague of mine just earlier today talk about the climate in which we live. All of us have stood up against terrorism and have given to the President the authority to ferret out terrorism and to bring to justice those who perpetrated the unspeakable crime on September 11, 2001. But, likewise, we have spoken against the indictment of the Islamic faith and all Muslims. We realize that Muslims are not the crux of our problem inasmuch as the virtues of their faith talk about peace and justice.

I would say that we experienced over the past weekend some terrible tragedies, terrible loss of life in the Mideast. It does us no good as well to speak hate against either the Israelis or the PLO. In fact, it is most important that we look to speak to the issues of peace and reconciliation and bringing people together.

Our first step to acknowledge to the world that we will not harbor hate is to pass our own hate crimes legislation so that we can say to the world we argue and fight against hate in this Nation, and we will stand against hate in the world. We cannot cry in a one-sided manner. We must cry for all of those who lose their life.

So, as we talk about the passage of hate crimes legislation, let us be reminded that we have those brothers and sisters within our boundaries who feel that they have been discriminated against because of their faith. We may have brothers and sisters around the world who feel that these tragedies that have occurred, that we have somewhat not understood their crisis and that we do not look to seek peace. I would argue that we can find peace here in this Nation and a recognition and reconciliation of our opposition to hate by passing the hate crimes legislation, and we can do so by speaking to all parties who would come to the table of peace to design peace in the Mideast and to design peace in Afghanistan.

The hate crimes legislation that is so needed in this country would address the question of Leonard Clark, a 13-year-old African American teenager who was riding his bicycle one day in Chicago when he was accosted and brutally beaten by three white teenagers. The perpetrators have been charged with attempted murder, aggravated battery and hate crimes under the Illinois State law. However, the irony in this case is that one of the key witnesses to the beating remains missing. A Federal hate crimes law would have allowed for the full involvement of the FBI in this case, thereby increasing the chances of capture and justice.

In my own congressional district in Houston in 1995, Fred Mangione, a homosexual, was stabbed to death, and his companion was brutally assaulted. The two men who were charged with Mangione's murder claimed to be members of the German Peace Corps, which has been characterized in media reports as a neo-Nazi organization based in California. At the time, this crime did not meet the State of Texas threshold for trial as a capital offense because the murder did not occur during the commission of a rape or robbery. Justice failed us during that time frame.

I am very gratified to say that since that time and since the brutal beating and killing and dismemberment of James Byrd, Jr., we have passed the James Byrd, Jr., Hate Crimes Act in Texas. It was passed by Republicans and Democrats and signed by a Republican Governor.

So I speak tonight not in one voice. I speak to all of my colleagues, and I am gratified that the gentleman from Michigan (Mr. CONYERS) has offered legislation and the gentlewoman from California (Ms. WOOLSEY) continues to bring us together so that we can speak in one voice.

But even as we speak, we are still facing attacks on our own American citizens and those within our boundaries, such as the statistics of 1995, 2,212 attacks on lesbians and gay men were documented, an 8 percent increase over the previous year. There have also been numerous attacks on people of various backgrounds, whether they have been Jews or Asians, Hispanics, Native Americans or anyone that has been different in our community. The hate crimes prevention act will protect these groups from targeted attacks because they are members of these groups. They likewise would protect women and others on the grounds of difference.

Mr. Speaker, I join with my colleagues today in simply saying we can fight hatred with our own changed hearts, but as well we can provide changed laws for America and pass the Hate Crimes Prevention Act of 2001 or 2002.

Mr. Speaker, the tragic events of September 11 have compelled this great country of ours to join efforts and resources in healing the wounds and rebuilding lives. Our love for America was never more evident than in the days and months subsequent to September 11. Flags are flown daily even embroidered on clothing. We cannot stop showing our love for our country.

Yet expressing our deep affections for our country and what we have had to endure, must include ALL Americans. It must not be exclusionary, but rather include all races, creeds, gender, and sexual orientation.

When Thomas Jefferson wrote the Declaration of Independence he stated that, ''We hold these truths to be self evident that all Men Are created Equal.'' Women, African Americans, Native Americans, Hispanic Americans, Asian Americans, and Jewish Americans have been too often historically, culturally, and prospectively excluded from inclusion in that declaration.

President Abraham Lincoln stated so eloquently in his Gettysburg Address, ''Our Nation must struggle . . . in order to create a more perfect union''. The problem with our struggle today is our judiciary system's inability to effectively address violent acts of hate crime in our society. It is particularly difficult because there is no current law that makes a hate crime a federal offense. We need Hate Crimes legislation to ''create a more perfect union.''

Early in 1987, a public controversy developed between William Bradford Reynolds, Assistant Attorney General, Civil Rights Division, and prominent civil rights advocates. Reynolds stated that racial violence was not increasing, basing his assertion on informal surveys of Federal prosecutors and the number of civil rights complaints being filed with the Justice Department. Civil rights advocates asserted the contrary, that racial violence was in fact increasing, basing their assertions on data supplied by the Justice Department's own Community Relations Service, which reportedly indicated a rise from 99 racial incidents in 1980 to 276 in 1986.

This controversy ultimately led to the passage of the Hate Crime Statistics Act, enacted April 23, 1990. This law required the FBI to collect, compile, and publish statistics on hate motivated crime. Since then, Federal legislation has moved beyond data collection on the incidence of hate crime activity, to include new provisions requiring stiffer penalties for bias-motivated criminal activity. Also, it has designated a new category of individuals, to include those with disabilities.

According to the Hate Crimes Statistics Act, a hate crime is defined as acts which individuals are victimized because of their ''race, religion, sexual orientation, or ethnicity.'' In this statute, hate crimes are those in which ''the defendant intentionally selects a victim, or in the case of a property crime, the property that is the object of the crime, because of the actual or perceived race, color, religion, national origin, ethnicity, gender, disability, or sexual orientation of any person.

But despite our historical progress and despite our laws, how far have we really come? Just when we thought that our Nation had built a foundation for peace and harmony, three attackers in a small town in Texas, shattered the illusion with an atrocity beyond imagination. The so-called ''dragging'' murder DEFIES the very fabric of the moral code that all Americans innately support. The moment that Mr. Byrd's tormentors chained his body against the cold, lifeless metal of their truck, they became something savage, something inhuman, and the very embodiment of hate criminals.

African-Americans have historically been the most frequent targets of hate violence in the United States, and they are among its principal victims today in many states. From lynching to cross-burning, and church-burnings, antiblack violence has been, and still remains, the protypical hate crime—an action intended not simply to injure individuals but to intimidate an entire group of people. Hate crimes against African-Americans impact upon the entire society not only for the hurt they cause, but for the tragic history they recall and perpetuate.

In March of 1997, Leonard Clark, a 13-year-old African-American teenager was riding his bicycle home one day in Chicago, when he was accosted and brutally beaten by three white teenagers. The perpetrators have been charged with attempted murder, aggravated battery and Hate Crimes under Illinois state law. However, the irony in this case is that one of the key witnesses to the beating remains missing. A federal hate crimes law would allow for the F.B.I.'s full involvement in this case, thereby increasing the chances of capture, and thus, justice.

In my Congressional District in Houston in 1995, Fred Mangione, a homosexual, was stabbed to death, and his companion was brutally assaulted. The two men who were charged with Mangione's murder, claimed to be members of the ''German Peace Corps,'' which has been characterized in media reports as a neo-Nazi organization based in California. This crime did not meet the State of Texas' threshold for trial as a capital offense, because the murder did not occur during the commission of a rape or robbery.

In recent years, attacks upon gays and lesbians are increasing in number and in severity. During 1995, 2,212 attacks on lesbians and gay men were documented—an 8% increase of the previous year.

There have also been numerous attacks against Jews, Asians, Hispanics, and Native Americans. Fortunately, the Hate Crimes Prevention Act would protect these groups from targeted attacks because they are members of these groups.

Examination of hate crimes statistics sadly reveals that Mr. Byrd's murder was not an isolated incident. The FBI releases the totals each year for hate crimes reported by state and local law enforcement agencies around the country based on race, religion, sexual orientation or ethnicity. These national totals have fluctuated—6,918 in 1992, 7,587 in 1993, 5,852 in 1994, 7,947 in 1995, and 8,759 bias-motivated criminal incidents reported in 1996. Of the 8,759 incidents, 5,396 were motivated by racial bias; 1,401 by religious bias; 1,016 by sexual-orientation bias; and 940 by ethnicity/national origin bias.

A Hate Crimes Prevention Act would send a message that perpetrators of serious, violent hate crimes will be prosecuted to the fullest extent of the law. Hate crimes that cause death or bodily injury because of prejudice should be investigated federally, regardless of whether the victim was exercising a federally protected right.

It is time for the Congress to act. Violence based on prejudice is a matter of national concern. Federal prosecutors should be empowered to punish if the states are unable or unwilling to do so.

OPPOSING FAST TRACK

The SPEAKER pro tempore (Mr. SIMMONS). Under the Speaker's announced policy of January 3, 2001, the gentleman from Ohio (Mr. BROWN) is recognized for 60 minutes as the designee of the minority leader.

Mr. BROWN of Ohio. Mr. Speaker, earlier today I joined a number of my colleagues from the House and leaders of the most influential environmental groups in the United States to express opposition to so-called Fast Track, granting the President Trade Promotion Authority. The presence of this coalition highlighted quite impressively the solidarity of the environmental community on this critical vote.

Another thing that underscores the solidarity of the environmental community against the Thomas bill is the stern warning issued by the League of Conservation Voters that it will likely score this vote. The LCV takes its scoring seriously and to ensure balance in its ratings only scores environmental votes for which there is absolute unanimity in the environmental community. The League of Conservation Voters has never before scored a trade vote. That means the environmental community has never been so focused on and so unanimously supportive of and so involved in a trade vote in this country's history.

Why is there such urgency in the environmental community in opposition to the Thomas Fast Track proposal? Because this bill would do nothing, would do nothing to prevent countries from lowering their environmental standards to gain unfair trade advantages. It would do nothing to require that the environmental provisions be included in the core text of our trade agreements, because it would do nothing to ensure that the environmental provisions in future trade agreements are enforceable by sanctions.

Instead, it would transfer the burden to consumers and to regulators to prove that the science underlying domestic regulation is beyond dispute, resulting in a downwards harmonization of our environmental laws, a rollback of environmental laws, a weakening of environmental regulation. It would encourage Western companies to build manufacturing plants in countries with the least stringent environmental laws, and, as a result, cost skilled American workers good-paying jobs.

It would allow future trade agreements to include provisions like NAFTA's chapter 11, encouraging so-called regulatory tax claims by foreign companies and threatening hard-won democratically enacted laws and regulations that protect our natural resources.

This investor-state relationship cast by chapter 11 of the North American

Free Trade Agreement exemplifies the greatest imaginable abuse of our democratic principles. It allows private corporations to sue a sovereign government and overturn domestic health and safety laws.

Think about that for a minute. A country can pass a law that that country's democratically elected legislative body contends, believes, will in fact help the environment and promote public health. A company in another country, a privately owned large corporation in another country, can go to court and sue the government, the democratically elected government, even force that democratically elected government to repeal its environmental law to weaken its public health regulations.

U.S. Trade Representative Bob Zoellick, a Bush appointee, is committed to including those same anti-consumer, anti-environmental, anti-public health, anti-combat-bioterrorism provisions in Fast Track. Under this provision, not only can laws be overturned, but taxpayers of the subject nation can be liable for damages if a NAFTA tribunal rules that a law or regulation causes an unfair barrier to free trade.

That sounds pretty outrageous. It makes one incredulous. It sounds like it could not happen, but it actually happened. When Canada passed a law to promote clean air in automobile emissions, Canada's public health community said this is important to fight cancer in Canada. A U.S. company sued Canada in a NAFTA tribunal. The U.S. company won the case against Canada, which had passed a public law protecting the public health. Canada had to repeal its public health law. Canada had to pay this American company $13 million.

Sometimes it will be against Canada and a democratic law there, sometimes it will be against the United States and a public law here, sometimes against Mexico, France, Germany or wherever.

I am joined today by my friend, the gentleman from Ohio (Mr. STRICKLAND), and the gentleman from Michigan (Mr. BONIOR). The three of us worked many years ago in opposition to NAFTA, and the gentleman from Michigan (Mr. BONIOR) in those days, as he has continued to, has led the opposition to these agreements.

I yield to the gentleman from Ohio (Mr. STRICKLAND).

Mr. STRICKLAND. I would like to say to my friend from Ohio that as I am standing here listening to what you are saying, it causes me to think there are some in this Chamber who are willing to relinquish their responsibilities to protect the ability of this country to make sovereign decisions in the best interests of the people that we were elected to represent.

I mean, to think that we in this body as representatives of the people could come together in a deliberative process, make a decision that we collectively feel is in the best interests of the health and safety of our Nation, and then to have entered into an agreement that would allow a for-profit foreign corporation to bring suit against our government based on their objections to what we think is best for the United States of America, it seems to me if we were to allow that we are relinquishing our constitutional responsibilities.

Who are we responsible for representing and protecting, some foreign national company, a multinational company with no particular allegiance to any country, any democratic principles, any form of government, but whose bottom line is in fact profit? It just seems almost unbelievable to me that we would ever allow that to happen. It is an unconscionable thing. It is difficult to even contemplate that this government would ever permit that.

What the gentleman says, I assume, is an accurate interpretation of what the circumstances would be.

Mr. BROWN of Ohio. Even people that support Trade Promotion Authority acknowledge that that is what that provision does. When it was put into NAFTA in 1993, when this Congress in a very narrow vote passed NAFTA in November of that year, people did not quite understand that provision.

That provision was sold to the Congress and to the American public. Even though the three of us all voted against NAFTA that are talking this evening, this afternoon, that provision was sold to protect American investors in Mexico where the government might expropriate or take their properties.

But in fact it is clear that the way that has worked is time after time after time corporations have sued foreign governments, in this case Canada, Mexico, the United States, a corporation in one of the three countries has sued a government in one of the other two, and each time, in almost every case, the government has lost, the government which passed these laws to protect in most cases the public health, sometimes the environment, sometimes consumer protection law, but laws that were passed by those governments were repealed. It is almost so unbelievable that you cannot believe that this Congress would do it.

Mr. STRICKLAND. I was just thinking very recently, in fact, just a few days ago, we were able to get an amendment in the defense bill that would require that any steel used in the military apparatus that would be purchased with funds in that bill would have to be American-made steel.

I remember as we were discussing and debating that possibility, there were those who said, well, this would be acceptable, because there is an exemption for these kinds of decisions that relate specifically to national security. But what the gentleman is saying, I believe, is that in most cases there could be a decision made by this House of Representatives, the Senate of the United States, legislation signed into law by the President, and if it was interpreted to be in violation of these trade agreements as providing perhaps protections to our citizens that under the international trade laws would be deemed inappropriate or inconsistent with those laws, that there could actually be legal action taken against our government by a foreign corporation to try to force a change in the domestic law of this land. Is that a correct interpretation?

Mr. BROWN of Ohio. The correct interpretation in this case, it is very possible that a steel company in Mexico or Canada might sue the U.S. Government for passing a provision like that, saying that is an unfair trade practice, and might be able to get the NAFTA tribunal, the three-judge panel, to overturn U.S. law.

□ 1800

One of the reasons they do that and one of the reasons these three-judge panels have decided against public health laws, against environmental protections passed by a majority of this House and Senate and signed by the President, or consumer protection or any of those laws, is because of the nature of those three-judge tribunals, those panels. They are made up of trade lawyers, not public health experts, not consumer protection experts, not environmental experts. They are made up of trade lawyers.

They meet behind closed doors. They do not accept petitions or testimony from third parties, and they then can turn around and repeal a sovereign nation, as we are, as Mexico is, as Canada is. They can repeal a sovereign nation's public health and environmental laws.

So when we have these panels made up of trade lawyers who typically sit in downtown offices and rule on trade issues and decide the arcane minutia of trade issues but do not have any real expertise or any real interest in environment or public health issues and policy and laws, we lose time after time after time. We have lost public health laws and environmental laws repeatedly in the World Trade Organization with those same secret panels making those decisions. We do not know anything about the proceedings and, all of a sudden, it is in the paper. We get a notice.

Mr. Speaker, I yield to the gentleman from Michigan (Mr. BONIOR).

Mr. BONIOR. Mr. Speaker, to follow up on this very good discussion on sovereignty here, it gets to not only the question of multinational corporations, foreign corporations in the example that the gentleman from Ohio (Mr. STRICKLAND) gave, but there is also a taking away of local units of government's power and State units of government's power.

For instance, we have a particular problem in my State of Michigan with trash, garbage, coming in from Canada. Toronto has decided that it is much easier, more economical, less hassle, to bury all of their waste in Wayne County, Michigan, which is the county the City of Detroit is located in. So they

haul their garbage across the Ambassador Bridge, the Bluewater Bridge in my area up in Port Huron. We have a couple hundred trucks a day that come across there with garbage, and God knows what is inside these facilities, and they take it to a dump, and they dump it there.

Now, let us assume that we try to overturn the basic law of this country which says that garbage companies are free to move garbage anywhere they want to vis-a-vis the Interstate Commerce Clause of the Constitution. There was a court ruling that was made in 1992, I believe, on the Fort Gratiot landfill case which went all the way to the U.S. Supreme Court.

If we decided in this institution or the State of Michigan decided in their legislature to say, no, you cannot do that, you cannot bring your garbage and make Michigan a dumping ground, that company or those companies, those trash haulers, those garbage companies could go to court and say, well, wait a minute. This is an impediment on free trade. This is an impediment of moving commerce. And those kinds of panels that the gentleman from Ohio (Mr. BROWN) just alluded to could make the decision that what we do here or what they do in the State of Michigan is irrelevant, because it impedes trade.

Now, there are hundreds of U.S. laws on the environment, as the gentleman pointed out, on food safety, on antitrust, on just laws that deal with people expressing themselves at the local level about a policy on human rights that they may object to, which may be taking place in a regime that is persecuting its people abroad that could be struck down as a result of empowering international panels and taking away the power from this institution, local and State governments.

So this is real serious stuff, and it goes way beyond just dollars and cents in trade. We are talking, as the gentleman pointed out, about food safety, health care, human rights, antitrust, labor law. You name it. It is all kind of wrapped up here.

If I could make one other point and then yield back to those who have the time, that is the broader issue here of relinquishing our power as a Nation and as a State and as governments. But the more internal debate to that is what this institution, this U.S. House of Representatives is doing in terms of receding from the powers that the Constitution gives us in Article I, Section 8, which is the power to deal with trade laws. We are handing that over to the executive branch. It is very, very disturbing, the change in the balance of power switching over to the executive branch and to corporate America, basically, here. That is what is going on.

This may seem a little arcane to people, a little not too clear because of its legalistic implications and language, but I can assure my colleagues that it gets right back down to whether or not we are going to have garbage buried in our backyard or out our window, or whether or not we are going to be able to go to the supermarket and get food that we are assured is going to be safe for us to feed our families.

I mean, it gets down to some really basic things here. We are trying to bring the argument and trying to make the American people see that under the cloak or the disguise of this legalese debate we are having here on ''fast track,'' that it is going to affect everybody in this country in a dramatic way.

Mr. Speaker, I thank my colleagues for raising the issue.

Mr. BROWN of Ohio. Mr. Speaker, none of the three of us is a lawyer; and we are explaining, in a sense, a legal procedure here that really is pretty simple. It is a question of increasing corporate powers by turning over our sovereignty, turning over our ability to make democratic determinations, whether it is where a community puts its trash, whether it is a food safety law, whether it is a clean air regulation, whether it is a public health program. We are saying in these agreements that we will cede power from a democratic government to a private corporation.

Mr. Speaker, when we come to this institution, we have seen this kind of corporate power in this institution. There is not much doubt that corporations wield huge amounts of power when we try to pass strong food safety laws, we try to pass good public health laws, clean air laws, bioterrorism laws, protections for our food supply, labor standards, minimum wage. Whenever we try to pass a bill like that, it is always met with huge resistance from the largest corporations in the country, the largest corporations in the world. So we, in many cases, overcome that resistance and do what is right for the public.

I wear this lapel pin which symbolizes a lot of things to me. It is a canary in a birdcage. One hundred years ago the miners used to take a canary down in the mines in a birdcage, and if the canary died, the miners they had to get out of the mine. It was the only protection they had. The government did nothing to help them.

In these 100 years, when 100 years ago the average child born in this country could live to be about 47 in terms of the average, in those 100 years this institution has passed minimum wage laws, safe drinking water, pure food laws, Medicare, Social Security, clean air laws, worker protections, mine safety. We have done all of those things against great resistance from the wealthiest, most privileged people in society. We have been able to do that in this institution.

Now, even when we do that, we are going to see corporations in one country try to overturn the laws we have done. So we passed them with great difficulty against huge campaign contribution dollars and lobbying and all of the special interest groups that fight progressive, good government that helps the public, and then these groups turn around now, these big companies, and they sue democratic governments to stop, to overturn their environmental laws and weaken their food safety laws and hurt their labor laws and try to devastate so many of the protections that we have been able to accomplish as a society, with people pushing their Congress to do the right thing.

Now some faceless bureaucrats on a trade panel, a NAFTA tribunal can, out of the public light, in a back room, simply wipe away those kinds of environmental laws.

Mr. BONIOR. And then, Mr. Speaker, go to the lowest standard, go to the lowest standard. That is what they are after. They want to take us back to where we were when people used to take canaries down in a birdcage. They go to the lowest standard, and the lowest standard is often in the developing world.

It is in countries that are trying to develop a body of law but cannot get there because of the international corporate pressure not to go there, to keep wages low, to keep standards low. They cannot get there because labor unions cannot form because of that same kind of pressure. They cannot get to our standard.

So because they cannot get to our standards because of institutional pressures within their own country, these corporate entities now have bonded together with them and are trying to bring down our standard here.

Mr. BROWN of Ohio. Mr. Speaker, before I yield to the gentleman from Ohio (Mr. STRICKLAND), we are joined by three other Democrats, and they are the gentleman from New Jersey (Mr. PASCRELL); the gentlewoman from Texas (Ms. JACKSON-LEE); and the gentlewoman from California (Ms. SOLIS).

Let me yield to the gentleman from Ohio, and then the rest can join in.

Mr. STRICKLAND. Mr. Speaker, I will be very brief. But I think it is important for those who are listening to us to understand why we are here tonight, and it is because we are going to be called upon tomorrow to cast a vote, and we are going to cast a vote that will protect the sovereignty of our Nation, or we will cast a vote that potentially will turn over all the decision-making that is important to all of the multiple millions of people that we collectively represent to this three-panel assemblage.

Now, I would like to ask the gentlewoman from Texas, and I think I know the answer, but which American citizens are able to vote and select any of those three persons that would be in a position to make decisions regarding the health and safety and security of this Nation? Is any American citizen ever going to be in a position to cast a vote to select these persons who are going to be making decisions for all Americans?

Mr. BROWN of Ohio. Mr. Speaker, before the gentlewoman from Texas answers, here is an additional question. Is anybody even going to know the names of the people that sit on that panel?

Ms. JACKSON-LEE of Texas. Mr. Speaker, obviously, absolutely not. And as the gentleman makes that point, the people's House, the representatives that come to the people's House, are themselves barred from even speaking on behalf of the people for having any oversight into this kind of legislative initiative. So I see no opportunity for the people to speak about this legislation.

Mr. Speaker, I would be happy to further the point of the distinguished gentleman, because I think it is a very valid point. I rise to suggest to my colleagues in a bipartisan manner that a far better approach would have been if we had accepted both the offer and the interest some years back of the gentleman from New York (Mr. SWEENEY). I do not come to the floor to quote or to put words in the gentleman's mouth at all, but I do remember some years back when these discussions were coming about and there was some interest to be able to hear the vital points that labor had to offer about how we can truly have the working people's trade bill. I believe that he had some very meritorious points that would have allowed us, even to this point, to come together with a bill that would have answered many of the concerns that are totally ignored in H.R. 3005, which is the Thomas bill.

That is, if I can point out, number one, there are no labor standards whatsoever. Right now in my district I have 4,000 people laid off by one of our very vital companies. We may have a total of 10,000. I would venture to say that those constituents are really looking for jobs right here, and their priorities are more about how they are going to survive over the holiday season.

I have taken trade on a case-by-case basis, looking to see opportunities where we could work together. In this instance, I have higher priorities, and that is to be able to assist those individuals in finding jobs, keeping jobs, and providing for their families.

Tomorrow we are going to be asked, rather than dealing with those needs, the unemployment needs of America, to put forward a bill that disallows any type of labor standards so that countries with poor labor standards will maintain those standards; and, in fact, under the present bill that we have, the underlying bill, countries with poor labor standards are not required to have or implement any of the five core standards. So no labor standards whatsoever. That suggests to me that, rather than benefit from jobs being generated, we will lose by jobs being lost to other places, because someone will try invariably to avoid following any labor standards.

Might I also say that, in talking to many corporations, I have heard them saying that we wish we could have worked in a bipartisan way. We wish we could have had more people at the table. As it relates to the environment, we are finding out that there is no addressing of the environment in the Thomas bill.

□ 1815

There are no legal or technical incentives to make sure we strengthen the environmental laws and regulations.

Then I would like to speak to, as I sort of draw to a close, the idea of the point that the distinguished gentleman from Ohio (Mr. BROWN) made; that is regarding the oversight, the voice of the people, the people's House being able to speak.

With a narrow three-person body, there is no opportunity in the bill that will be on the floor tomorrow for us to have congressional oversight, for there to be an involvement of the people's voice; for the voters who have voted for those in this body and elsewhere to be able to have oversight over whether or not human rights is being protected, whether or not we are using child labor, whether or not we are using slave labor.

And believe me, Mr. Speaker, it exists. In Afghanistan, children are making bricks who are 8 years old and 7 years old. As we went to Bangladesh and other places around the world, there is child labor. We are trying to work against that.

However, the point is if Congress has no oversight, and we have a small body that does not have to listen to us, then who is to say that these violations will not be promoted?

I am going to vote for the Rangel substitute because I believe we have ways of making a difference, but I am ashamed that we would put forward legislation like this that does not answer the question of labor, working with those who believe working people deserve a decent place to work; and does not address the environment, because I am shamed that if I have a minimal amount of a good quality of life here in America, that I would put on others a devil-may-care attitude: Who cares about how you function and how you live?

Finally, I would say that we who have been elected by the people of this great Nation, who cast their vote for us to go to the people's body, are totally blocked and excluded from any oversight to protect the values of the people who we represent, from human rights to the rights of children to the rights of women to the fairness in the judicial system or court system. None of that comes to us now. We just abdicate our responsibilities. I believe that we cannot do that and that we must stand up and be heard.

I thank the gentleman from Ohio (Mr. BROWN) for his untiring work on this issue, bringing to the people the point that none of us coming from our districts disown our business communities. We work with them; and we do a lot for them, I believe, in many, many different aspects, because they are our communities.

But we cannot disown our values tonight and tomorrow, and we must be able to say that the two of those could have come together if we would have had a process where all of our voices could have been heard.

Mr. BROWN of Ohio. Mr. Speaker, I thank the gentlewoman of Houston, Texas, who always articulates so well her views on this and so many other things.

When we talked about articulating our values and representing those values, I think about what the President's Trade Representative, Robert Zoellick, has been saying the last month or so.

He has been really saying that those of us, whether it is the gentleman from New Jersey (Mr. PASCRELL), the gentlewoman from California (Ms. SOLIS), the gentleman from Ohio (Mr. STRICKLAND), the gentleman from Michigan (Mr. BONIOR), any of us in this institution, Republicans and Democrats alike, who oppose this trade agreement, he really has questioned our commitment to American values and whether we want to join the antiterrorism movement.

In fact, when one supports the position we have taken against these trade agreements, we in fact are supporting American values, because American values are things like free elections and believing in the Constitution and supporting workers around the world, and building a better environment and more consumer safety and food safety, and all of that.

That is why it is too bad that their campaign in support of this and their arm-twisting, especially in the last 72 hours, has taken on a tone of ''you are either with us or against us; you are either against terrorism or you are for terrorism, or you are against American values or for American values.''

We are joined by two other people. The gentlewoman from California (Ms. SOLIS) is a freshman member who has devoted her entire career to fighting for social justice. The gentleman from New Jersey (Mr. PASCRELL) raised some very important constitutional questions of sovereignty that we touched on and the gentleman from Ohio (Mr. STRICKLAND) touched on earlier, all four of us.

He has really attracted a lot of interest in his views of the Constitution and why this Trade Promotion Authority really does undercut our constitutional provisions and sovereignty.

Mr. Speaker, I yield to the gentlewoman from California (Ms. SOLIS).

Ms. SOLIS. Mr. Speaker, I thank the gentleman for yielding to me. It is an honor to be here tonight to talk about this very important issue, one that hits home directly for me.

As a former State Senator in California, back in 1995 I had the dubious distinction of representing a district where it was found that 72 Thai women workers were held hostage, slave labor here in our own country, 72 women.

Some had been there for 7 years. Some were not paid overtime. Some were not even paid minimum wage.

My whole opinion on this matter is that if we do not have enough support here in our own borders at times, how can we also, with all honesty and integrity, go out and expect other countries that have records that are much more egregious than ours to meet these standards that we want to set, that the American public wants to set?

I can tell Members firsthand how difficult it is trying to secure rights for workers now, for immigrant workers in our own country, along the border and in East Los Angeles, and the city of El Monte in the San Gabriel Valley, which I represent, that people are even being paid minimum wage, and they are sometimes not allowed to bargain or join a union.

I know in Mexico and other parts of Central America and South America and other parts of the world, people are not allowed to join a union. In fact, they are tortured, they are harassed, they are told why they cannot and that they will be fired and they will lose their jobs and they will go hungry.

These are the kinds of things that the public should know.

Mr. PASCRELL. Mr. Speaker, if the gentlewoman will yield for a comment, the gentlewoman from California has brought up a very important point. Is it not ironic that the very people we invite to our shores, ''Give us your tired, your hungry,'' come here from countries that we are now transporting jobs to?

We are talking out of both sides of our mouth, and the gentlewoman from California has to deal with it, as many of us on both sides of the aisle have to deal with unemployment problems. It is growing. We are losing our manufacturing base.

It just struck me when the gentlewoman was speaking, that very example, that very anecdotal story the gentlewoman is presenting to America, and her heart and sincerity are in it, that we are talking out of both sides of our mouths and inviting people here and then transporting jobs to their countries. They are needed here first. We know our international responsibilities.

Ms. SOLIS. Mr. Speaker, I just want to encourage the public to know that many of us here in Congress do want to have this very serious debate, but we have been left out. In fact, we have been left out all the time. We are losing jobs. In my district, we are looking at unemployment rates of over 9 percent.

I am going to talk about that later on this evening. But the fact of the matter is that the people we are inspiring here in our country to support us, to stick with us, we are telling them one thing and we are doing another. Our actions are showing them that we do not care about the quality of life for our families here.

We have to make a statement, and I am proud to be here to say that we cannot go home and turn our backs on working families. Working families want to know that we are going to take care not only of the domestic front here but also those relationships that we want to set across the country.

I know that in Tijuana, for example, there is a Hyundai factory along the border there. People tried to organize there, some Mexican workers. They were told not to worry, they will get their opportunity. Women and men were stuck in a situation there that was very unsafe. There were pools of water, electrical lines running, and no safety protections whatsoever. These people were putting their lives at risk to build automobiles that were going to be shipped all over the world and probably right here in our own home States.

I know if people in my district knew the conditions that other people were being forced to work under, they would think twice. And nobody talks about that.

Mr. BROWN of Ohio. Mr. Speaker, one interesting thing that my friend, the gentlewoman from California (Ms. SOLIS), said, people who are supporting these trade agreements said if we do these trade agreements, it is going to lift up living standards in Mexico and in China, and the Chinese will be freer and democracy will break out, and all of that.

There is no evidence of that in China. In fact, it is every bit as oppressive and repressive a regime as it was 3 or 4 years ago, or 2 years ago when the gentleman from Ohio (Mr. STRICKLAND) and the gentleman from New Jersey (Mr. PASCRELL) and I worked against giving China most favored nation trading privileges.

I want to briefly tell a story in line of what the gentlewoman from California (Ms. SOLIS) told.

About 4 years ago, when Fast Track was defeated in this body, and it has been defeated twice in the last 4 years, and will be again tomorrow, I went down to sort of look at how NAFTA worked. NAFTA had been in effect 4 or 5 years then. I wanted to get a picture of the future, and to put a human face on trade and on NAFTA, and on what we had to look forward to if we passed Fast Track.

I went to a home of a husband and wife, and it was nothing; you could not describe it as anything else but a shack maybe 20 feet by 20 feet, with dirt floors, no running water, no electricity.

The husband worked at General Electric, an American company, and the wife worked at General Electric. They each made 90 cents an hour. There were dirt floors, no running water, no electricity. When it rained, the floor turned to mud. This was just 3 miles from the United States of America. If they had been on our side of the border, they would be making $15, $17 an hour, perhaps, with good health care benefits, a retirement package, in all likelihood. But on the Mexican side of the border they were making 90 cents an hour.

They were almost in the shadow of the factory where they worked. When one looks at one of these shacks or neighborhoods in these so-called colonias, we see ditches separating some of the shacks with some sort of effluent running through them. It could have been industrial waste, human waste, who knows. Children are playing nearby.

The American Medical Association calls the border a pool of infectious diseases. They say it has the worst health conditions probably in the whole western hemisphere.

These workers are working 10 hours a day, 6 days a week and cannot afford to have any kind of a decent lifestyle. They work in these wonderfully modern plants, in many cases; but they do not share in the wealth they create. They create this wealth for General Electric, and they do not share in the wealth they create.

In Ohio, in New Jersey, in California, workers help to create wealth for their employer and share in that wealth. They get something for that. They get a decent living standard. They can send their kids to college, buy a car, or buy a house.

Mr. Speaker, I yield to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. I am listening to my brothers and sisters here, and I have listened to folks on both sides of the aisle. I was just as opposed to this when President Clinton was there, and I am an equal opportunity opposer right now.

I want to make very clear to everybody, and particularly to those who stood on this floor and talked about ''Buy America,'' well, we hope there are items that are manufactured in this country that we can buy. We are losing our wherewithal. People earned their identity when they came to this country and worked with their hands to produce products.

This is a critical vote tomorrow, one that between 10 and 20 of us will decide, in the final analysis.

Every poll, and the gentleman from Ohio I think will support what I am going to say, every poll indicates the American people do not want to transfer the powers in the Constitution from the House of Representatives, from the Senate, to the executive branch.

I can cite four or five different ways in which the power of the Congress has been eroded over the past 20 years. This is not the way to do it. So if Members want to buy American, they have to have something to buy. There needs to be something to produce, to be produced.

Then, there are those who want to try to sway, in the final hours, this vote. They say, What we are going to do is make sure that we have trade adjustment assistance; or, in other words, it may not be all that good, but what we will do is we will have some money over here; and, by the way, it is authorized, not appropriated, not appropriated; but they say, we will have

some money over here to help those that are unemployed. It has not worked in the past, and we know how many jobs have been lost under NAFTA.

There are two things, two things, in the final hours of this great debate, with respect to all sides here, two motivating forces of the opposition, or those supporting giving the President this sole power and leaving us out, regardless of what words they put in there: stimulus and national security, stimulus and national security.

They have sent some of the first-line troops out to talk about national security, that this is important: if the President does not have Fast Track, we cannot defend America.

Mr. STRICKLAND. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Ohio.

Mr. STRICKLAND. We have been talking among ourselves in a bipartisan way about the crisis facing the steel industry in this country. The President himself has said that maintaining a domestic steel industry is a national security issue. I believe it is. How can we produce the military hardware we need if we do not have steel that is produced domestically, without having to rely on foreign steel?

□ 1830

These are serious matters. And the gentleman from New Jersey (Mr. PASCRELL) mentioned transferring our authority, the House and Senate authority, to the executive branch. What really troubles me is then the executive branch transferring that authority to some international body of unelected representatives, so that the American people have no representation, and I think that is what we are facing tomorrow, is the possibility of taking an action which can further erode the sovereignty of this Nation. I think that is a gross mismanagement of the constitutional responsibilities that we took upon ourselves when we stood for an election in this House of Representatives.

Mr. PASCRELL. I might add that there is no real evidence to back up the contention that this is an economic stimulus. In fact, if all of the data are in, whether we are talking about the balance of trade, which is now $435 billion, no one wants to address that. The relationship between that balance of trade and what goes on in the economy in the United States is profound, is profound.

There is no real evidence that points out what the President's press secretary said on Monday. He said, the President believes that Trade Promotion Authority is the stimulus in and of itself to keep the economy growing.

Well, first of all, Fast Track is necessary for the administration on two fronts, the World Trade Organization and the proposed Free Trade Area of the Americas, FTAA. They are both long-term goals that are not going to bring any stimulation to this economy over the next 2 or 3 years. We are only kidding ourselves.

In terms of the WTO, the World Trade Organization, disappointed that this body has progressed to where it should be, within this Fast Track bill there is nothing we can do about that either, nothing. The WTO can be a body that advances the ball on such issues as labor and the environment but only if we force the issue, and I might add, over 25 years we have forced the issue on workers rights and environmental protections to no gain, to no gain. It has been talk, it has been cheap, and it has been profuse, but it has not brought a change about in our trade policies whatsoever.

The high American standards that are commonplace worldwide if we push this issue, we know that other countries do not have the labor standards that we have and environmental standards. We understand that. We understand that. We are not minimizing other nations. What we are saying is we cannot be foolish in the face of what we want to negotiate. Let us have reciprocal trade agreements, and we have had reciprocal trade agreements, where we, on a piece of paper, agree that we are going to respect the rights of other nations to decide their own fate.

Why should we keep our rates low while other nations will not allow our goods in? And, in many cases, the people in those countries cannot afford our goods and services, and we are sacrificing, we are sacrificing the brothers' and sisters' jobs in this country.

Mr. BROWN of Ohio. Reclaiming my time, during the NAFTA debate in 1993, we stood in this hall, the gentleman from Ohio (Mr. STRICKLAND) and I, for much of the summer doing discussions like this and into the fall and into November. And when the vote was held, one of the things the other side always said was NAFTA will create jobs. It will be an economic stimulus, if you will. It will right our trade imbalance.

Our trade imbalance in 1994 when NAFTA took effect in January of that year was $182 billion. That meant that we imported $182 billion more worth of goods than we exported. The NAFTA promoters and the free traders and the hot-shot Harvard economists and the President and the former secretaries of state and the newspaper editors, CEOs, all said this will get fixed.

Do my colleagues know what the trade deficit that was just announced is? $439 billion. That is billion with a B, and that is a $250 billion growth in trade deficit. What that means, according to President Bush, Sr., Papa Bush, he said, every billion dollars of trade, either deficit or surplus, represented between 19,000 and 20,000 jobs. So if you have a billion dollar trade deficit, that means you lost 20,000 jobs to overseas. If you have a billion dollar trade surplus, then you gained 19, 20,000 jobs. Well, a $250 billion trade deficit, it went from $250 billion worse than it was, means 5 million jobs.

Those are generally industrial jobs. They are well-paying jobs. They are jobs that pay benefits. They are jobs where people pay into Social Security, a fund that, because of Republican tax cuts, is now more in jeopardy than ever before. They pay into Medicare, a fund that is in jeopardy because of Republicans bailing out insurance companies. And look where we are when we pass these kinds of trade policies. It is simply not working when we have those kinds of trade deficits to get worse and worse.

Mr. STRICKLAND. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Ohio.

Mr. STRICKLAND. Mr. Speaker, I thank the gentleman from Ohio (Mr. BROWN) for yielding.

The gentleman's discussion of the imbalance in our trade reminds me of a friend that I had some years ago who frequently played the Ohio lottery. He would put 50 or more dollars every week into the Ohio lottery, and, occasionally, he would win $10 or $20 or $50. And, guess what, he was very free in telling everyone, oh, I hit the lottery. He was happy that he got his $50, but he seemed to have forgotten that week after week after week he had lost 50 or more dollars.

That is the way we talk about the trade situation here. The administration and those who are for Fast Track will say, oh, since NAFTA we send more agricultural products to Mexico. They do not want to talk about the flood of products that are coming in from Mexico and from other countries.

Mr. BROWN of Ohio. As living standards continue to go down in Mexico, I would add.

Mr. STRICKLAND. Absolutely. They want to talk about the modest increase in exports, but they do not want to talk about the multiple thousands of jobs that have been lost as a result of the flooding of imports.

As we go to the shopping malls to buy our holiday gifts, it is very, very difficult, as my friend, the gentleman from New Jersey (Mr. PASCRELL), had said, it is very difficult, impossible to find a television that has been constructed and built in this country. It is very difficult to find many products that are American made, and that is because we are being flooded by cheap imports, built in some cases by slave labor, and in countries that are absolutely opposed to our way of life, to our democratic institutions, and yet we continue to do this.

It is beyond belief that we could be contemplating doing tomorrow what some want to do.

Ms. SOLIS. Mr. Speaker, would the gentleman yield?

Mr. STRICKLAND. I absolutely would yield.

Ms. SOLIS. Mr. Speaker, just to touch briefly and say, on NAFTA and what is happening in Mexico, there is a big discussion about the rain forest and the decimation of the rain forest in

Mexico and South America. There is a big issue regarding timber coming into this country and people from the Mexican side that are saying we are also losing our well-being and our livelihood because we are forced by big corporations to cut down the timber and then send it here and into other parts of the world.

We are talking about erosion of our environment. We are talking about degradating the quality of life for Mexicans as well.

So who is winning? The big corporations, the big factories. The folks that run those operations do not live there. They live in the ivory tower, but they are taking and reaping some of the resources, the natural resources that currently exist in that country.

I can tell my colleagues that Mexico still has a long way to go in terms of providing protections for the working class people there that are suffering every single day and not seeing any kind of return on their work.

Mr. BROWN of Ohio. Let me shift for a moment to an issue that we have all talked about before, and I would like the last 10 minutes or so to discuss for a moment and that is the issue of food safety. We see in this country 5,000 people a year die from food-borne illness, not nearly all of them from imported fruits and vegetables, but certainly there is a problem in our food inspection in this country, too, but some significant amount comes from that. We see about 800,000 Americans get sick a year. About 1/10th that many get hospitalized from food-borne illnesses.

Yesterday, Dr. Mohammad Akhter, the top public health official in this country, who is the executive director of the American Public Health Association, was talking about Fast Track. And he said that Trade Promotion Authority on which we will vote tomorrow, he said that we can count on the fact that if we pass Trade Promotion Authority and more trade agreements like this we will see more food come across the border and into this country by truck and plane and train and all, more food come into this country that is not inspected. He said we will see more infectious disease outbreaks. We will see more illness, food-borne illness. We will see more deaths. We will see more hospitalizations.

When we consider that when NAFTA passed, 8 percent of fruits and vegetables in this country that we, 8 percent of the imported fruits and vegetables in this country were inspected. Today, it is 1/10th that number. It is .7 percent, 7/10s of 1 percent. That means for every 140 crates of broccoli that come across the border into this country, one crate is inspected. For every 140 crates of peaches, one crate is inspected.

I have stood at the border in Laredo, Nuevo Laredo in the Texas-Mexican border; and I have seen the FDA, the way that they examine broccoli when it comes in. They do not have high-tech equipment there. They cannot get immediate reads on antimicrobial contaminants, on pesticide residues, on anything like that. They simply take two bunches of broccoli, slam them down in a steel crate and look for any insects that might come out, dead or alive. If live insects come out they spray the truckload. Other than that, the products move on.

We have not put the kind of equipment at the border to detect antimicrobial contaminants. We have not put at the border facilities and equipment to be able to detect pesticide residues, and we know that there are pesticide residues on there because pesticides that are illegal to use in the United States are still manufactured here and sold to developing countries, put on fields and sent back into the United States.

We are not protecting the American people. We pass Trade Promotion Authority, according to Dr. Akhter, the top public health official in the United States, we are asking for more food-borne illnesses, more deaths and more hospitalizations. And we owe it to this country, to people that go to grocery stores, to all of us that eat at our kitchen table and go to restaurants and eat fresh produce coming in from other countries in the world, we owe it to them to do a much better job on this.

Mr. STRICKLAND. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Ohio.

Mr. STRICKLAND. I believe when an American consumer goes to a supermarket to buy food or fresh produce they have a right to know where that food comes from, and I believe we need labelling of country of origin. I believe American consumers, if they are given a choice, will most of the time choose to buy products that are grown and manufactured in our country. But the fact is they do not have a choice because they are deprived of that necessary information, and one of the things they would like to see done is to require that the country of origin be made available to the consumer. Then the consumer can choose. But without that information the consumer is deprived of the opportunity of making the choice to buy the American-produced food or the American-produced product.

Why should we keep that information from the American consumer? It just does not seem reasonable to me that this House would not take action to provide this information so that the American consumer can be informed.

Mr. BROWN of Ohio. At the same time, we have the ability to raise standards around the world. We have a choice tomorrow when we vote for or against Trade Promotion Authority, so-called Fast Track, we can continue to dismantle our standards, to weaken our truck safety laws, to weaken our food safety laws, to lower our environmental standards, to dismantle our safety in the workplace standards. We can vote that way or we can cast a vote against Trade Promotion Authority and begin to lift up food safety standards for ourselves and for the rest of the world and begin to lift up truck safety standards, to begin to lift up environmental standards.

Whether it is pesticides, whether it is environmental laws, we can do better. Why should we say to an American corporation that goes to the Mexican border on the Mexican side, if you are going to produce cars in that country you are going to follow the same laws. In terms of what you dump into the sewers, what you put into the air, whether you pollute the environment, you are going to follow the same laws that you do in the United States. How about when you go into Mexico and build cars? Then you are going to follow the same worker safety protection laws that you do in this country.

It is outrageous that these American companies go there. They brag about how green they are in the United States and how well they treat their workers. They go to a developing country. They do not treat them well at all.

I yield to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Speaker, I am going to bring up a sore subject some of us may not like, but let me bring it up anyway, because this is it. This is the vote tomorrow, and I am very concerned about members of my own party, to be very honest with you, and I respect all persuasions within my own party, regardless of where they fall on the spectrum.

I have an inner laugh when I hear our party needs to be the party of inclusion. We need to reach out to business. Well, let me tell my colleagues who the people are who have been at my door in the last 2 years.

□ 1845

They have been owners of textile mills, they have been owners of machine shops, they have been owners of cable companies. Owners, entrepreneurs who hire the folks that we are all concerned about, but we should be concerned about those who put the capital up to go into business in the first place.

So I want to make sure to tell my brothers and sisters in my own party that we want to be inclusive. Both parties want to try to be inclusive in whatever way they choose. But do not come back to me and say we are never going to get the support. And I think I have a right to talk about this, talk turkey here tonight. That is how critical this vote is.

We have an erosion of the Constitution of the United States. We have had an erosion of jobs. We have had an erosion of food safety. We do not need a further erosion. We do not wish to deny this. We do not want to stick our heads in the sand and say things will get better. They did not get better with NAFTA, and they are not going to get better with this vehicle if we support it tomorrow.

I want to thank my colleague for getting us together, the gentleman from Ohio, because he has stayed on this case. He has not given it a one-shot deal. The gentleman has worked on it since I have been here, for 5 years, and I commend him.

The American people understand this better than we do; and the American people, in every poll, have indicated they want their jobs protected. They understand we need to trade with other countries. They know that this is a world economy, that we live in a global village. But the folks in my town work in Paterson, New Jersey. They love the world. They have been fighting in wars, and they will defend us. Are we going to defend their jobs?

And if it is textiles and machinery today, what will it be tomorrow? That is the question that every person who is a Member of the House of Representatives must ask themselves tomorrow before they vote. Textiles, cable wire, machinery, leather goods today. What is tomorrow? Or shall it be, whose ox is gored? That is not what America is all about. America is about our being the last hope here on this floor to protect the interests of working families. We are the last vestige of hope.

Mr. BROWN of Ohio. I yield to the gentlewoman from California (Ms. SOLIS).

Ms. SOLIS. The gentleman just hit a real soft spot for me in my heart. My mother, who is now retired, worked for about 25 years for a big toy maker in my district, standing on her feet most of her 20 years there, and now has some very serious problems with her legs. That company employed over 2,000 people in our community. They left. They went to Mexico, then they went to China.

We now import those same toys. Many of those toys place harm upon our children because they do not meet our consumer safety standards. And nobody is crying out saying, wait a minute, what have we done here. We let go of these jobs, we let go of those pensions, those health and welfare benefits that went with those families and jobs. They went somewhere else, yet the people making those same items do not have any protections and maybe get 10 cents a day for producing products that they end up sending back here that somebody buys for $20 or $30. That is wrong.

Mr. PASCRELL. And the answer to the gentlewoman's mother is, well, if your job is extinguished, you will have to go to another job, a service-related job.

I ask the gentleman from Ohio, is that what has happened under NAFTA? Have we seen those service jobs? In fact, what have we seen?

Mr. BROWN of Ohio. In Ohio, we are threatened right now with losing 3,000 jobs at LTV Steel. People say, well, the economy will change. If they lose their jobs, they will find another job. They clearly will not find another job close to what they are making.

Before closing, I thank very much my colleagues, the gentleman from Ohio (Mr. STRICKLAND), the gentleman from New Jersey (Mr. PASCRELL), and the gentlewoman from California (Ms. SOLIS), for joining me, and also earlier the gentlewoman from Texas (Ms. JACKSON-LEE) and the gentleman from Michigan (Mr. BONIOR).

Let me sum up with this: we in this country believe in the free market system. We believe in free enterprise, but we also believe in rules. The rules are that we have environmental protections, we have minimum wage laws, we have worker safety protections. We should believe in the same kinds of rules in free trade. We believe in trade, but we think we should have similar kinds of rules.

We should have environmental standards to govern the rules of trade. We should have worker safety standards and labor standards. It has worked in this country to raise our standard of living so we have a huge middle class. Those same kinds of rules could work internationally, in the global economy, if this body tomorrow defeats trade promotion authority and begins to write trade law that lifts people up all over the world. I thank my colleagues for joining me tonight.

TRADE PROMOTION AUTHORITY

The SPEAKER pro tempore (Mr. FLAKE). Under the Speaker's announced policy of January 3, 2001, the gentleman from Texas (Mr. BRADY) is recognized for 60 minutes as the designee of the majority leader.

Mr. BRADY of Texas. Mr. Speaker, the need for Trade Promotion Authority is clear. Approval of TPA, as it is called, is critical to the economic prosperity of our Nation, of Texas, and regions like mine, for the economic security of America, for the future. The President urgently needs this authority. He has made this one of his very few top priorities before Congress adjourns in the next few weeks. He needs it to level the playing field for U.S. companies by removing barriers abroad to American exports. In other words, he wants to be a salesman for American companies, for American jobs, for American farmers.

Every President until 1994 has had this authority. But we have been out of that game, we have been out of that playing field, and it has cost us literally tens of thousands of jobs. No successful business survives without a strong sales force. So why do we think America can succeed over the long haul without giving the President the tools he needs to promote American goods and services in the international marketplace.

In the end, Congress, Members of Congress, will have the ultimate decision on whether any proposed agreement is free and fair, in America's interest. I want that authority. I want the responsibility to look at an agreement to open new markets with another country for our American products and goods. I can determine whether it is good for this Nation, for my district, or not.

America is falling terribly behind. There are more than 130 trade and investment agreements in the world today. One hundred thirty. How many is America a party to? Three. That ranks the United States behind those free enterprise bastions of Cuba and Morocco, although I think we edge out Tunisia by one agreement. That is embarrassing.

Congress has forced the United States to sit on the sidelines. By not granting our President the ability to promote trade, our international competitors are forging ahead. They are successfully completing their own trade agreements that puts U.S. companies at a competitive disadvantage. For example, the European Union has trade and customs agreements with 27 countries and another 15 accords in the pipeline to date.

To explain it another way, and I am not much of a gambler or a golfer, but my friends who golf regularly and make a friendly wager will say that oftentimes that wager is won or lost on the first tee as people decide what the rules are going to be and when they give strokes to each of the competitors. Well, America is not on that first tee when it comes to laying out the rules for trade, so our companies are not getting fair rules and we are not getting fair strokes. We are, in fact, put at a terrible disadvantage.

Everyone knows their own region better, but for Houston this is about jobs and our economic future. We have tens of thousands of new jobs at stake with this legislation. And as I have seen it, perhaps no State or region will benefit more or create more jobs from the passage of TPA than ours. Trade is already a large creator for America and a large creator for Texas. We are the second largest exporter in the country and the fastest growing. The Houston region is the largest and fastest growing export region in Texas, and now nearly two out of every three new jobs that are being created in our region come from international trade. That is good news for employees who have been laid off from Enron, from Continental, from Compaq, and from other very good companies. We need to get them back up on their feet and in new jobs, and trade is the way to do it.

We sell or transfer what the world wants to buy, from agriculture to energy, petrochemicals to computers, construction services to new technologies and insurance. These are our competitive strengths. In fact, these are America's competitive strengths, and with the second largest port in America, great international air routes and airports, and a proximity to growing Latin American markets, Trade Promotion Authority is critical to our economic future. Truly, I do not understand how any Member of Congress who has constituents in the Houston

region can justify not opening other countries' markets to America, to Texas, to Houston businesses and farmers, because it is our jobs locally that are at stake.

When we look at what the opponents say about it, this legislation includes some of the strongest environmental and labor language in trade history in America. Each country must not only rigorously enforce its existing laws, environment and labor, but seek ways to further protect the environment and to further raise worker standards. Here is a good example in real life in the environment that I know of and have seen firsthand. Through NAFTA, the borders have been open between Texas and Mexico, America and Mexico. But because of that trade agreement, we now have, along our border, over 18 environmental projects that total more than $1 billion. That is $1 billion, new dollars, that are in projects to clean our air, to clean our water, to clean the wastewater and sewer in our area, and generally to create a much better environment in an area that desperately needed it that never would have happened without trade.

When we talk about labor standards and worker raises, we can look at one of our trade agreements that we do have with the Andean countries that includes Bolivia and Colombia and other countries. When we listen to them, they say as a result of America trading with them, not only has America created jobs, but in terms of labor standards, Colombia, for example, in that region, has created more than 100,000 new jobs. They used to be into narco-trafficking, the drug trafficking trade, and now they are in legitimate business.

They have, for example, the cut flower industry that is now a model industry that now has much higher wages for its workers, has child care and training and education for its women employees. It is helping these people buy homes and improve their homes that they never had a chance to do before. It has raised the worker standards for that region. And Colombia, in fact, has launched a ''cleaner Colombia'' effort that these businesses are part of to clean up the environment down there. So we are seeing higher labor standards, and we are seeing a greener world because of trade. And they could have more of these model companies if America would just simply let them.

As I see it, and when I listen to them, they have watched the way America has pulled itself up by its bootstraps, and they do not want just aid, they want to trade. They want to compete. They want to try to build themselves as America has built itself, and they are right to do so.

I am convinced when people say trade hurts the environment, common sense tells us they are wrong. For countries who are so poor or their children going hungry, where their families shiver through the night, protecting the rain forest, protecting the Monarch Butterfly is not high on their priority list. The fact of the matter is trade, raising worker standards, giving people a job, helping raise the environment, that is the best way to protect and preserve the environment around the real world. Not what we hear in Washington, but the way it works in the real world.

The truth is, unfortunately, for opponents of Trade Promotion Authority, no language will ever be tough enough. Business has already made tremendous concessions. The reasonable objections of the environmental community and those really looking at labor from a reasonable standpoint have all been met. They have given up a great deal in order to try to work with our Members across the aisle who simply do not want free and fair trade, who are afraid, unfortunately, of competition. But they are simply not going to support this.

We are fortunate that we did have some trade-oriented, fair trade-oriented Democrats who helped craft this bill. It is the best compromise that can be reached, and I think they played a key role in making this the best trade legislation that Congress has ever crafted.

□ 1900

Mr. Speaker, this surprises people. Because we talk about competition, but trade is very good for consumers. By the most recent estimate, American families save nearly $2,000 a year because of competition that trade brings about. What that means is that. For an average family like ours or yours, we can make one trip to a grocery store a month free due to the savings from international competition. Those are the savings we see because we have better and more affordable cars, clothing, toys and TV sets. What that means this year is that parents will have one or more gifts under the tree for their children due to savings because of competition.

The bottom line here is there is a principal attached to this legislation. And here it is. If Americans build a better mousetrap, we should be able to sell it without penalty anywhere in the world. If someone builds a better mousetrap, we should be able to buy it without penalty for our families and businesses. This legislation really provides us a very clear choice for voters to see. There is a choice between defeatists who believe that American products are not good enough to compete, or those of us who believe that enhanced trade is America's future.

Mr. Speaker, I am convinced that we should not retreat from fair trade competition. We should insist on it. Competition is America's strength, and it is the key to our high-tech, high-wage future, and truly tens if not hundreds of thousands of jobs are at stake.

Mr. Speaker, I yield to the gentleman from Ohio (Mr. PORTMAN).

Mr. PORTMAN. Mr. Speaker, I thank the gentleman, and I thank him for having this Special Order. I heard most of his remarks, and I want to echo them and add a little to it.

This debate here on the floor tomorrow is really a test of this Congress and this Nation. Is our country going to move forward not just in trade but in liberalizing economies all around the world, or are we going to go back and pull back in a way that hurts not only our own economy but the global economy? That is the test we have tomorrow with Trade Promotion Authority which will be on the floor of the House.

I heard some of the discussion earlier by some of our colleagues on the other side of the aisle, and their position confused me. This should not be a tough vote. All we are saying is that the President has the ability to go out and negotiate trade agreements. It is not a particular trade agreement. This Congress will always have the right to vote yes or no on a particular trade agreement.

Are we sensitive to labor, environmental, and congressional consultation issues? Yes. This legislation is more sensitive to those issues, addresses those issues in a more direct way than any Fast Track legislation or trade promotion legislation before this House.

In 1997 and 1998, we had a number of Members who were supportive of this legislation when it was called Fast Track but expressed some concern about labor and the environment. We have addressed many of those concerns, and this legislation moves in a way that should make it even more attractive to those Members who expressed those concerns before.

I am concerned that some of those Members have now said that they can somehow cannot support a bill that is more sensitive on these issues, such as labor and the environment and the degree to which Congress plays a role.

The benefits of trade should be obvious to everybody. Economists tell us that 30 percent of the growth that we have seen in our economy, the tremendous growth that we have seen over the last decade, is directly attributable to exports. Thirty percent is because of exports and enhanced trade.

In Ohio, trade is extremely important. Ohio is now the seventh-largest exporting State in the Nation, with nearly $30 billion in exports last year alone. This is going to help people in my district to get jobs, to retain their jobs, and to be able to allow our area to continue to grow.

Because of jobs created by trade, we are not just increasing our exports, we are also getting better jobs. We know the jobs involved with trade pay, on average, 13, 14, 15, 16 percent higher than jobs not involved with trade. These are not just jobs. These are good jobs.

Since we lost Trade Promotion Authority in the last administration, our Nation has fallen behind. The fact is that we now have 130 free trade agreements around the world. The United States is party to just three out of 130 trade agreements. During this period of

time that the United States has not had trade negotiating authority, the ability for a President to negotiate, our competitors have continued to enter into agreements, helping jobs in their countries and taking away markets that should be ours, U.S. exports.

For example, since 1990, our toughest competitor which is the European Union, has completed negotiations on 20 free trade agreements. Twenty. Currently, they are negotiating 15 more free trade agreements. In fact, in the last year they have entered into a free trade agreement with Mexico, which is the second largest market for American exports. While we sit back and talk about how we cannot give the President even the ability to go out and negotiate agreements, our competitors around the world are aggressively pursuing markets that should be ours, and it is hurting the United States' position in the global economy. This means American exporters encounter higher tariffs, if not closed markets altogether, in many countries around the world when other competitors of ours have a more open market to go into and have lower tariffs.

Our lack of free trade means our government is sitting on the sidelines while other countries negotiate international rules in a multilateral way with a lot of countries that come together. They decide on international rules on everything from e-commerce to agriculture. This is hurting us, too. It is hurting our exports and economy.

The question has come up earlier tonight from Members talking on the other side of the aisle primarily about why cannot we just have the United States enter into these agreements without Trade Promotion Authority. Why do we need Trade Promotion Authority?

I would suggest tonight that the reason is simple. The President cannot go out and negotiate with other countries unless he has the ability to say, this is it. This is the agreement we have agreed on after a lot of tough bargaining and negotiations. We will now take it to our legislature for an up-or-down vote. That is what other countries can do.

Without this trade negotiation authority, a President cannot do that. Congress can still vote yes or no. They just cannot amend it to death. Congress cannot nickel and dime an agreement that comes back to the Congress, and Congress has voted yes and has voted no in the past. We can simply do that.

This kind of procedure where you come to an agreement and bring it back for a vote is common. Think about labor negotiations. If you are a member of a union out there, do you have an ability to amend an agreement that comes to you for ratification? Management and labor sit down. They hammer out an agreement. They come together with a fragile agreement where both parties have put their best offers on the table. The membership then decides yes or no.

Think about a merger. What happens is, you come up with a decision. Once it is negotiated, it goes to the board of directors. The board of directors says yes or no. They do not renegotiate to death. If so, you could never come to an agreement. The other side would never be willing to put their best offer on the table thinking it could be amended to death. It is common sense. There are all kinds of analogies in the real world.

Passing Trade Promotion Authority will help reestablish this Nation's global leadership in the area of the economy and of opening up markets around the world. This is important to our economic security in this country, to more jobs, but I would suggest that it is also important for our national security. In the wake of what happened on September 11, let us not forget that those countries most closed to trade, the economies that are most closed are those economies that are most likely to be breeding grounds for terrorists. That is factual. If Members look around the world, whether it is Afghanistan or other countries where they have a closed society and a closed economy, those are the places where we tend to see the kind of terrorism and the breeding ground for terrorism and the sponsorship of terrorism around the world.

This does relate to the kind of world my kids and grandkids are going to have, not just in terms of their economic security, the kind of jobs that they will be able to access to achieve their dreams, but the world that they are going to live in in terms of national security.

Our prosperity is not only threatened by terrorists, it is threatened by the worsening economic situation around the globe. So Trade Promotion Authority addresses not only national security but also the global economy that affects us here in the United States. Unless we can begin to improve the economic performance around the world, we are not going to be able to see our economy perform the way we would like it to be.

By negotiating free trade agreements, opening up new markets for U.S. goods and services, we are taking an important step toward helping in that long-term economic picture. I think it is time, past time, for Congress to act. We have not had trade negotiating authority, Trade Promotion Authority, Fast Track authority, whatever one wants to call it, in the United States since 1994. Not since 1994. During that time, again, America has taken a back seat. American has not been in the driver's seat. America has fallen behind in relation to our global competitors.

Now we need to get back in the front seat to drive this home for our economy, for the global economy, for helping to open up other countries around the world, reducing barriers, tariff and nontariff alike, and so we have a world safer for our kids and grandkids.

I hope that Congress will act to stabilize our economy and to make sure that this Congress does not go on record saying that we are going to go back in terms of opening up trade and opening up markets, but rather this Congress is going to give the President the ability to go out and negotiate, be a tough negotiator, but negotiate agreements that are in our interest around the world.

Mr. BRADY of Texas. Mr. Speaker, the gentleman is one of the leaders of the Committee on Ways and Means. The gentleman is familiar with legislation that opens up markets to American farmers and businesses and jobs.

One of the excuses we hear from people that do not support this is that Congress has no say in this legislation. The President negotiates it and usurps our constitutional power, that we have no say in shaping what an agreement will look like. My understanding is that the legislation provides more consultation than ever in history, but what are the gentleman's thoughts?

Mr. PORTMAN. Mr. Speaker, the gentleman is correct.

First, Congress has the ultimate say. Congress can vote no on the agreement as it comes before us.

Second, Congress has the ability to forge an agreement, and the administration knows that. In this case our U.S. Trade Representative, Ambassador Zoellick, who is a tough negotiator, is going to be mindful of the fact that what he brings to this Congress has to pass muster here.

In this legislation we have unprecedented congressional consultation and involvement. Farmers, one thing that I think is an improvement in this bill, as compared to what we voted on in 1997 and 1998, the Committee on Agriculture has a specific role and has the ability to be in consultation with the administration to help shape that agreement.

That is extremely important, because it is probably the most competitive industry in America, is the agriculture industry. Our ability to export our agricultural products around the world is not being maximized because there are barriers to our products. So we are going to have more consultation than we have ever had. The administration will be forced to deal with us to help forge the agreement; and, ultimately, we have the ability to say yes or no.

Mr. LINDER. Mr. Speaker, that is precisely the point. Absent Trade Promotion Authority this House sits silent. The President can go to any nation in the world and negotiate a treaty and take it to the Senate, have the Senate debate it, amend it, and take it back to the country with whom we have reached an agreement and ask them to negotiate for a second time. We sit silent with no role.

This is not a trade agreement we are talking about. This is a process to allow the President to negotiate with any country in the world some trade agreement that then we will be in judgment on. It will come back to us, and

we can vote yes or no. But this House will have a role. Absent this, we have no role.

There are 130 trade agreements in the world. We are party to three of them. After NAFTA, Mexico has agreements with 28 or 29 different countries. The European Union, 27. We are not a party. We sit silent. I am astonished by my colleagues that do not want to have a role. This President understands that free trade is necessary for freedom. It is a moral value.

□ 1915

He will reach agreements. If he has to go some day by treaty to Chile, Argentina, Brazil, he will go there. He will negotiate with the Senate, and we will sit silent. So if we vote for Trade Promotion Authority tomorrow, which I intend to do, we are saying that the House has a role, there is something we can do. He can bring back an agreement that we can defeat. Whoever does not like the provisions of the agreement that comes back can vote no. We can kill it. But, absent this agreement, we sit silent.

Mr. BRADY of Texas. I know the gentleman from Georgia has long played a leadership role in trade, and I know you listen very carefully to those who create jobs in Georgia. What do your farmers, your small businesses, your technology companies, your financial groups, those who are creating jobs in Georgia, what do they tell you about this legislation?

Mr. LINDER. We have the lowest tariffs in the world. We have thousands of Georgia companies selling goods and services into a global economy. We want to lower the tariffs of other nations so that we can be competitive. Our ability for the President to negotiate with other nations and lower their tariffs will only improve our sales. It will only help us.

More than half of the Georgia companies that sell goods and services into the global economy are small and medium-sized businesses. That is our growth rate. Twenty-five percent of our economic growth over the last 10 years has been due to export. We simply cannot throw up a wall around us.

Chris Patten said when we were talking about NAFTA in 1993, I believe it was, Chris Patten was the last British Governor of Hong Kong, and he gave a speech in which he said if a space ship had come to the Planet Earth in the 16th century, the 15th and 16th centuries, and landed in the teepee huts of North America, to the typhoid-ridden streets of London and the warring streets of Paris, and wound up in the Ming Dynasty, they would have concluded within a minisecond that China would rule the world for centuries. She had just invented gunpowder and a printing press and had a huge cultural growth rate; the people were happy and well fed and economic growth rates were rapidly climbing. And then he said this: and then she built a wall around herself, and history told a different tale.

The future is for knocking down walls, whether they are tariff or nontariff barriers. My grandchildren deserve the privilege of buying the best product at the lowest rate, and you do that by knocking down the walls to trade.

Mr. BRADY of Texas. I yield to the gentleman from Michigan (Mr. KNOLLENBERG).

Mr. KNOLLENBERG. I thank the gentleman for yielding. I just have a few moments here that I wanted to take, and I appreciate the gentleman from Texas yielding, and I appreciate the gentleman from Georgia here with the gentleman from Texas (Mr. BRADY), obviously, and the gentleman from Ohio (Mr. PORTMAN). Your work on agriculture is one part of it.

I want to talk a little bit about leadership, because I think one of the things lacking here is if the U.S. does not garner some agreements around the world, we are abdicating our role as a leader. We are a national leader, and tomorrow's vote on Trade Promotion Authority is critical to the future of this country.

It is important for Members and Americans to understand just what is at stake here. So I appreciate the opportunity to come here with you gentlemen and discuss why it is so important that we talk about this and reinforce TPA.

Free trade is about a lot of things. It is about expanding the economy, new jobs, strengthening relations with our allies and lifting the developing world out of poverty. On this, one of the things that the U.S. does best is it leads. But in this arena, it seems to me that they are failing. They are dropping the role that they play in such a huge way and have played over the last several decades.

It is only proven through action, whether you go back to World War II, whether you are talking about the rebuilding of Europe, fighting communism or protecting the environment, growing the economy or fighting terrorism, which we are doing now, that is the real essence of America, and I think we have to express ourselves. We do it best tomorrow by passing TPA; and we, frankly, risk our opportunity, we are abdicating our position of leadership, if we do not in fact promote international trade in a way that gives the President the authority that is so vital to America's well-being.

Let me just give you some numbers in my own home State of Michigan. Last year 372,000 jobs were dependent upon manufactured exports. Last year we sold some $52 billion of goods to more than 200 foreign markets, which is the fourth most in the country.

We need to begin to aggressively break down the barriers to American exports so that we can create these new jobs.

I would just add a thing or two. This is the thing that bothers me the most. With more than 130 preferential trade agreements in effect in the world today, the U.S. is only a party to three; the NAFTA agreement, and, of course, the agreements with Israel and Jordan. In contrast, and this is the bothersome part, the European Union has 27 agreements in effect, 20 negotiated in the 1990s, and right now is currently negotiating 15 more.

Mr. BRADY of Texas. I would say to the gentleman, Europe is running circles around America and around American jobs.

Mr. KNOLLENBERG. They are indeed. One of the problems with that, and to just give one example, Canada has a free trade agreement, obviously with us; but they also have one with Chile. I think the gentleman mentioned that a moment ago.

Just to give one example, because Canada does have a free trade agreement with Chile, we do not, a farm tractor costs something like $15,000 more if purchased from the U.S. than its Canadian counterpart. If we had, obviously, an agreement with Chile, we would be selling tractors to Chile. But you know who they are going to buy them from? The Chileans are not going to buy them from us.

The same thing could be expressed about potatoes. They buy potatoes from, guess who, Canada, because they have an agreement. Burger King is big in Chile, and that is another reason we should look at it.

I might just say this, that I think it is a sorry state for the U.S., which is the most open society in the world, that we begin to close our doors to allowing our products to get into other countries.

I think we have a great opportunity tomorrow, if we do not fumble it and pass this bill. I would just say that we can break down the barriers to U.S. goods and services and that Chilean situation would not occur and we would have a market for our products overseas.

What I like to always say is the jobs stay here, the products go overseas, and the workers earn the money here and keep their job. We have to do more of that if we are going to be the leader and maintain our leadership in the world.

So I particularly enjoy having an opportunity to spend a moment or two this evening on this. I would simply yield back to the gentleman from Texas.

Mr. LINDER. If the gentleman would yield further, all of those numbers are the numbers I have. The 15,000 is the tariff on the Caterpillar tractor. We have the lowest tariffs in the world. We would like to be able to have our President negotiate with every nation in the world to lower their tariffs to our levels. We ought to be in favor of that. Then we ought to be able to look at that agreement when it comes back to the House and vote it up or down.

But this bill we are talking about tomorrow only enables the President to bring us a measure. It only enables him to go out and negotiate a measure and

come back to the House and the Senate for an up or down vote. This is a 25-year-old process.

I do not blame the President of Chile if he does not want to negotiate with the United States twice, once when they sign the treaty and another time when the Senate alters it. It is a sensible approach that just brings the House into the game.

For our colleagues that oppose this, I am always surprised at the variety of reasons I hear for the opposition, because my answer is always then, why do you not want to have a say? This is the only way this House will have a voice in any trade agreement in the future.

I, of course, have been actively involved in trying to pass this. I hope it will pass tomorrow. The President deserves this. I was in favor of this when President Clinton was in office. I worked hard for it when he wanted it passed. I will work just as hard for it tomorrow.

Mr. BRADY of Texas. Both of these gentlemen have been leaders in trade, because it means jobs for Georgians, it means jobs for people in Michigan, it means jobs for people in Illinois. As you mentioned, Chile, an average person, just one of our neighbors will ask, sure, I can see why a country like Chile would want to sell to America. They are going to get all the benefits from these agreements. What is in it for us in this country?

I looked at a study the other day that showed if we had a free trade agreement with Chile, their economy would grow by some $700 million a year, a pretty big pop by Chilean standards. But America, our selling, we would sell 128 times more products to Chile as a result of the agreement.

So, in fact, our economy is boosting. We are creating more jobs as a result of that trade between us and another country. Of course, that means jobs here in our local community.

With that, I would like to yield to the gentleman from Illinois (Mr. SHIMKUS), who is also very involved in labor issues, environmental issues and job creation.

Mr. SHIMKUS. I thank my colleague from Texas, and I am honored to join this group. Illinois is an exporting State, whether it be manufactured goods from Deere and Caterpillar or high-tech goods from Motorola.

Of course, I represent a strong agricultural district, and no one can argue with the importance of agriculture to central and southern Illinois. It is the bulwark in keeping our small communities alive and vibrant.

Rural America has fallen on tough times for the simple reason we produce more than we can consume. It comes down to this basic equation: we produce much more than we as a Nation can consume. So the prices, at times, in my time here in Congress, we have had prices at Depression-era lows for some products. You cannot operate family farms on that return. There is no return. It is a negative return.

So what occurs is the government, because we understand the importance of the agriculture section and understand the importance of the small family farms, is we end up coming in with some emergency aid.

My producers, they really do not want the help. What they want to do is to sell their product. That is why this bill is so important, because we have missed out on 125-some-odd trade agreements, because this President and the past President did not have Trade Promotion Authority. So we are not at the table, so we cannot work diligently to lower tariffs, and we cannot get our foot in the door in some of these markets. So we continue to produce more than we consume. Our local farmers then lose money producing food, and large corporate farms are developing to try to develop the efficiencies to make it profitable and get some return on investment.

Illinois is the Nation's second largest soybean producer. We are the Nation's second largest feed corn producer. We rank sixth in all 50 states with agriculture exports with an estimation of $3 billion; and you can understand how exports help the family income, the family farm.

The demand for our agriculture products is growing. But we cannot negotiate if we are not in the room when these countries want to negotiate a deal to buy our products.

Mr. BRADY of Texas. Does the gentleman not think it is a great source of frustration for America's heartland that they have answered the call to produce their food and their products more efficiently, cheaper, more affordably, more environmentally friendly ways, they have done all the right things, yet the prices get lower and lower because they are blocked?

Literally, ''Americans need not apply'' signs are all around the world for our products, and all they want is the opportunity to compete. Because they know if they do, that American farmers and ranchers and producers, we could feed the world, at least we could if they would allow us to. Because other countries are out there on the playing field opening up their markets, but America is not even in the ball game. We do not even have a chance to stand up for our farmers and our ranchers and producers.

Does the gentleman not think that is why the agriculture community in America is united behind this legislation, because this gives them a chance to compete?

Mr. SHIMKUS. It goes back. The gentleman from Texas was not a Member during the last passage of the agriculture bill, and I was not a Member then, but there were promises made to the agriculture sector, and the promises said we want to ease the regulatory burden. It did not happen. They said we are going to open markets for you, so that they then planted for the market and did not plant based upon government intervention, a centralized control system. We have not kept those promises.

A vote on this bill is a move forward in keeping the promises that were made in the last agriculture bill. And we are on the verge of a new agriculture bill. As the gentleman knows, the gentleman from Texas, the chairman of the Committee on Agriculture, visited my producers at their annual meeting on Monday, and exports is the key for their survival. That is why it is so important.

Again, I also mentioned other parts of the economy, whether it be heavy industrial equipment, it could be high-tech equipment.

□ 1930

It could be that even small businesses reap tremendous benefits. I have a statistic, and I am not one that likes to throw out statistics all the time, but from 1992 to 1998, the number of Illinois companies exporting increased 50 percent, and more than 86 percent of Illinois' 14,231 companies that export are small- and medium-sized businesses.

One of the things that I have talked about over my time as a Member of Congress and even before I was running is how small business has created the job growth over the past 10 years. If we look where the action is, the action is in small business. Even when we have a downturn, we find many people who are aggressive, and they leave their current large employer. They strike out on their own. How many stories of success have we heard in operating and starting a new business? Well, a lot of these new businesses that are successful are tied to the export community, and the job benefits are just notable.

Mr. BRADY of Texas. Mr. Speaker, if the gentleman will yield, I have sensed up here from some of the opponents that perhaps they are afraid for America to compete, that they are not so sure our products and our workers are good enough anymore around the world. But if we listen to those workers in our businesses, whether it is the farmers who are out there or small businesses, our technology companies, our software companies, computer makers, construction, energy, financial people, just people all around our neighborhood, the reason they are pushing for this legislation is they know that they can compete.

They know that they can create jobs right here at home but, literally, 95 percent of the world that is the population outside of America that is growing by leaps and bounds, again, America need not apply to sell them and compete for their business, yet every other country is out there doing it. For them, they see it simply as this is a huge opportunity to create jobs and help families.

What is interesting is these jobs from international trade pay a little more than domestic jobs, and they are more recession-proof, which I would think for those 700,000 or so employees that we have lost who have been laid off

since September 11, jobs that hang tight in a tough economy would be good news, and jobs one can raise a family on would be very important, again, if Americans can apply for these jobs in these businesses.

Mr. SHIMKUS. Mr. Speaker, the gentleman speaks to an issue that is pretty near and dear to my heart, because I have great friends across the aisle, I have great friends who are strong labor supporters, and I have somewhat of a pretty good record as a Member of Congress in an attempt to be very responsive and open and be there at times when I can really justify the position with organized labor.

The concern I have always had is there is job loss going on always in this country, and it is sometimes part of a normal business cycle. These job losses and some of this movement of the industrial workforce is occurring without trade negotiating, Trade Promotion Authority. For the life of me, I find it hard to understand, how do they think the job loss will be any less? We lower tariffs, we make our manufactured goods more competitive.

We had our other colleagues here who spoke of industrial manufacturers. Again, I can talk to Deere; I can talk to Caterpillar. Does my colleague know what? They want to be able to compete. They want Illinois workers and an Illinois company producing strong, durable goods that we can sell overseas. And lowering barriers to trade, i.e., tariffs, will do that.

But we have to accept the premise that there is job loss and there is winners and losers. They addressed that issue in past bills, and we have been able to use successfully NAFTA transitional assistance to help provide a floor of support to help in retraining, reeducation, moving the displaced workers from the unemployment line to, many times, even some better jobs. And the NAFTA transitional assistance has been very beneficial. I am glad it was part of the last trade agreement.

That is why I am very pleased with the gentleman from California (Mr. THOMAS) and his additional push at the urging of many of us that understand that there are winners and losers, trade adjustment assistance and a push to help protect our workers and a push to help get them the training, the education, the experience to be able to move them quickly from one sector of the economy into another sector of the economy, whether they want to move and be another employee or whether they are going to venture out and be one of these small businesses that I have talked about that really have created all of the jobs.

Mr. Speaker, when we cannot negotiate with a competitor or a country and we have problems, and in my area I have been a vigilant opponent of dumping of steel in this country. We know it goes on. We cannot stop it. We are not at the table. We cannot negotiate. And by the time this President, President Bush, enforces section 201, which is to go after and penalize these countries, guess what? We have already lost the jobs, because the past administration did nothing. So it is this Republican administration that is seeking to go after the countries that are abusing trade by using government subsidies to undercut the price of steel. How much better if we are negotiating and at the table so that we can bring up those issues.

Mr. BRADY of Texas. Mr. Speaker, in Illinois, if we ask any neighbor who has a good, secure job that they like, that is paying good, decent benefits, I wonder how many of them work for a company or for a farm that does not have a salesman, that does not have someone out there selling and promoting their products. And yet we wonder how can America succeed against other countries when we lock our President here. We do not allow him to go out there and open up markets, tear down that ''Americans need not apply sign,'' who pushes for us just to get a fair shake in this competition. I do not know how we succeed these days without a tough, aggressive sales force out there pushing for us. Does the gentleman?

Mr. SHIMKUS. No, Mr. Speaker, I do not. The gentleman knows that I am involved with the NATO Parliamentary Assembly, which as legislative members we gather, and they are the NATO countries, and it is a kind of oversight what our folks do. And a lot of times we will visit the EU, and what is the EU doing? They are establishing, and a lot of these are our allies, they are establishing a common market and reducing trade barriers so that they can trade across country lines with no barriers. Does the gentleman know what else they are doing? A common currency.

Talk about a competitive advantage: Knocking down the trade barriers is definitely having a common currency, and then we are in. That is why this administration is looking for a Western Hemisphere in trade in response to our western allies who want to get the benefits of efficiencies and lower taxes and a single monetary system. That is what we are up against in this world.

Do we shy away? Do we go and cower in the corner? Or do we say, all right, if our allies are doing that to us, we will gather our allies in our Western Hemisphere, and, man, we will go show them, and dare they not come to our area, because we are going to strike some pretty good deals with these emerging countries that really want our assistance, and we can grow together.

Mr. BRADY of Texas. Mr. Speaker, this is why the President I think has said that national security is his number one priority. Economic security comes right after that. This is all about jobs in competition.

The gentleman and I, we both have young children. A lot of our neighbors have children in college or kids just getting out in the workforce. This is all about jobs. This is all about us competing and them having the kinds of jobs they can raise a family on.

We hear a lot of excuses, but today, earlier tonight we heard another ''I am for free trade, but,'' which seems to follow with anything, but one of them said, I am for free trade, but I do not want to give up our sovereign rights as a country.

Earlier today Senator PHIL GRAMM, who is a constitutionalist beyond many in Congress; if someone asks him what time of the day it is, he would consult the Constitution first to see if that is allowed and permitted and what rights are there for Americans. This morning he stood here and told colleagues on Capitol Hill that he supports this bill. This protects the sovereign rights of America, of American workers, of American business, of the American Constitution. So I think that excuse just does not wash.

The other thing I wonder about is if people understand the potential that is out there for us. The gentleman and I have talked about this. Ninety-five percent of the world that lives outside of America, they cannot all buy, those countries cannot all buy what the gentleman and I perhaps can afford today, but someday they will. All we need to do is look at Japan and Western Europe, nations that went from abject poverty to prosperity in one generation. I mean one generation, from father to son, from mother to daughter, as a Nation, went from the poorest of the poor to being strong competitors and economic powers in this world. That is what we are competing for.

Last year I read a number, and I followed up and confirmed it. Half of the adults in the world today, one-half, have yet to make their first telephone call. Think about that. Half of the adults in the world have yet to make a telephone call. Common sense tells us, if it is American companies that land those contracts to sell those telephones and that service, they will create American jobs. If there are companies in Europe that land those contracts, they will create jobs in Europe and in Asia, in Asia.

So it is sort of Lewis and Clark out there in the world, and every country is out there, every nation is out there staking lucrative claims to these markets except for us, because we do not allow our President to go out there and give us a fair shake and allow us to compete.

The potential for jobs for our children, for our neighbors, for those who are unemployed is just huge. Would the gentleman not agree?

Mr. SHIMKUS. Mr. Speaker, I do. I serve on the Subcommittee on Telecommunications of the Committee on Commerce; and we deal with broad band, cellular, cell phones and all the like. A lot of these countries, Third World countries, they are not going to deploy telephone lines like we have all over the place. They are going to come in with the next generation and they

are either going to have direct satellite broad band services provided by the United States or they are going to expand the cellular industry, hopefully provided by us. But if we are not there to negotiate, they will get it. But guess who will be providing it? Our competitors. Because we are just not at the table.

I want at least mention one other thing in this environment, especially with the international arena that we are in today. We are asking our friends, some staunch allies, some good allies and some who have not been very good allies of ours in the last couple years, to come to the plate and help us fight international terrorism. They are making sacrifices. They are giving us intelligence, they are working with us on basing, they are providing us maybe soldiers, transport, and the like. How can we tell these people who are asking for help that we do not want to sit down and trade with them, we do not want to negotiate with them, we do not want to strike a deal with them, we do not want to be on a level playing field and work out and both benefit from increased trade?

I just find it very, very sad that in this environment, when we are asking our international allies to be there for us, I am afraid we are not willing to be there for them in international trade.

Mr. BRADY of Texas. Mr. Speaker, I would think this is about the worst possible time to isolate America. It could not come at a worse time, and yet the vote tomorrow will really be between those who embrace competition and new jobs and those who fear it and those who want to open America. What is our strongest export? Freedom. It will be between those who want to export our freedoms and those I think who want to build walls and isolate us. It is a very clear choice that really rarely happens here on Capitol Hill.

But there are just tens of thousands of jobs at stake in my community and in the gentleman's as well.

□ 1945

I do not want to be self-promoting on my biography, but I was a former teacher, a history teacher.

Major world conflicts: Why did many of them evolve? Trade barriers were increased and countries wanted to go after raw materials which they could not negotiate through low tariffs, so they built up armies and they went to get it.

Whether it was the World War II experiences or the Japanese in Southeast Asia, Hitler going in to get the gas in the Soviet Union, you name it, a lot of things occurred and a lot of wars are fought because there are the haves and there are the have-nots.

Trade will help everyone get a bite at the apple, and everyone will benefit through the growth and the experience.

Mr. BRADY of Texas. Mr. Speaker, if the gentleman from Illinois will accept praise for his role in job creation for Illinois, for America, I would like to offer it.

Mr. Speaker, I yield to the gentleman from California (Mr. DREIER), the chairman of our Committee on Rules, but really, perhaps, the premier free trader in America, for his comments.

Mr. DREIER. Mr. Speaker, I thank my friend for yielding to me, and I want to congratulate both the gentleman from Texas (Mr. BRADY) and the gentleman from Illinois (Mr. SHIMKUS) for taking out this important time.

Let me just say that I appreciate, as I said, the compliment; but I am one of a long line of people who really see this correctly. I do believe that we are on the verge of facing what clearly will be one of the most important votes certainly of the new millennium, and it is not that old, but the vote that we are going to be casting tomorrow will lay the groundwork for the extraordinary role that the United States of America will be playing in leading not only the issue of trade but the cause of freedom, political pluralism, and democracy worldwide.

That is really what this has come down to in many ways, Mr. Speaker, is a vote of whether or not the United States will in fact step up to the plate and once again assume that rightful place which, unfortunately, has been greatly diminished since 1994 when we saw this very important, what we used to call Fast Track negotiating authority, which was really a misnomer, now correctly labeled Trade Promotion Authority.

The reason is, and I am sure that we have heard this over and over again, with the signing of the U.S.-Jordan Free Trade Agreement just very recently, we now are a party to three of the 133 trade agreements that have been put together in the last several years.

So we have observed, unfortunately, many countries that historically have not been strong supporters of free trade and the cause of it say that they are going to play this leadership role, and yet the United States of America is the most productive Nation on the face of the Earth; and our workers, our farmers, our businesses are prepared to compete.

All we are going to be saying tomorrow when we have this debate and the vote is: Why do we not pry open new markets which have been limited to us because of tariffs? A tariff is a tax. We are talking about cutting the taxes for consumers so they can have access to U.S. goods and U.S. services.

We have found the benefits of imports here in the United States. They have allowed us to keep inflation down, they have allowed people going to stores to have a decent holiday because they are able to buy products that have come into the United States; and because of imports, the United States of America has become even more productive because of competition that imports have provided here.

Now let us give the President the authority to open up the world to us. As was said by the great Secretary of Commerce, Don Evans, at a news conference we held yesterday, 90 percent of the world's consumers are outside of our borders.

The world economy is about $40 trillion, and $10 trillion, a quarter of that, is right here in the United States. But as we see these other countries improve their economies and develop new economic opportunities, they are going to have living standards improved to the point where they are going to be able to buy even more U.S. goods and services.

So that is why we are simply saying the United States Congress, we hope, tomorrow afternoon we will say to the President of the United States that he should go out and negotiate the very best that he possibly can for the American worker, for the American farmer, for America's businesses, for America's consumers, and then come back to us, and we in the House and Senate will make a decision as to whether or not he has negotiated a good agreement. Then we will vote yes or no.

I am here to say, I am proud to stand in this well to say that if the President brings back a bad agreement, I will be proud to lead the charge against that agreement. But if he comes back with a good agreement, an agreement which is going to break down tariff barriers, recognize the importance of environmental quality and worker rights, recognize the importance of enhancing opportunity for U.S. workers, farmers, and businesses, I believe that it will be the right thing for us to do.

So I just would like to say that on the national security front this is the right vote because global leadership and what it is that the President is providing has been heralded by so many people. We have learned that Osama bin Laden has the ability to do one thing and one thing only, and that is to destroy. But I will say that we are the producers, we are the best producers on the face of the Earth, so let us have an opportunity to do that.

I thank my friend for yielding, and I am sorry to have consumed so much of his time.

Mr. BRADY of Texas. Mr. Speaker, in closing, let me say we should not retreat from fair trade competition, we should insist on it, because competition is America's strength and it is the key to our high-wage and our high-tech future.

GENERAL LEAVE

Ms. SOLIS. Mr. Speaker, I ask unanimous consent that Members have 5 legislative days to revise and extend on the subject of my Special Order.

The SPEAKER pro tempore (Mr. KELLER). Is there objection to the request of the gentlewoman from California?

There was no objection.

THE NEED FOR AN ECONOMIC STIMULUS PLAN IN MINORITY COMMUNITIES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentlewoman from California (Ms. SOLIS) is recognized for 60 minutes.

Ms. SOLIS. Mr. Speaker, today I rise with the Congressional Hispanic Caucus and the Congressional Black Caucus to highlight the immediate need for an economic stimulus plan in the minority communities we represent.

Many minority communities throughout our country have been disadvantaged in various ways throughout our country's history. Historically, Latinos and Latin Americans have had higher rates of unemployment, lower rates of health care coverage, and fewer educational opportunities than do their Anglo counterparts.

Now, I know most Members know what I am talking about here. However, I would ask that my colleagues in this House and in the other body keep in mind these historical facts as we seek to craft a meaningful economic stimulus plan.

My district and those of my colleagues joining me here this evening are in desperate, desperate need of assistance. We need an economic stimulus package now. Although tax cuts have a role in our economic plan, especially ones similar to a bill that I introduced earlier this year that would grant tax rebates to low-income families who did not receive a rebate as a result of the tax cuts that the President enacted, the most important aspect of any economic stimulus plan is unemployment protection.

Latino and African American families in the Los Angeles area, in California, and throughout the country, are being forced to endure the harsh consequences of high, alarmingly high unemployment rates. We know that brings on problems. All I have to do is point out what those current rates are here in my own district and in Los Angeles County.

I would like to point out for my colleagues that in one of the cities that I represent in Los Angeles, in South El Monte, we know at the national level right now the unemployment is at 5.9 or 5.4 percent, and in the city of South El Monte, which is largely minority, it is up to 9.3 percent. In the city that I live in alone, it is 7.6 percent. In other areas that I can point out here where high numbers of minorities live, such as in the city of Baldwin Park, a largely working class blue-collar community, unemployment levels are up to 6.8 percent.

These figures are already dated, and I can tell the Members now in all honesty that these numbers are going to keep going up. These people have not seen the relief that we have talked about in this House. In the economic stimulus plan we passed a few weeks ago, I know that my residents, the people that I represent, have not seen anything that is going to give them the assurance that we in fact are doing our job here in the House to take care of them.

Mr. Speaker, I know that there is much more that we can do. I am also pleased to have join me tonight the gentlewoman from Florida (Ms. BROWN), the distinguished gentlewoman who is also helping me provide this important information about our minority communities. I know she has a lot to say, and I yield to the gentlewoman from Florida (Ms. BROWN).

Ms. BROWN of Florida. Mr. Speaker, let me thank the gentlewoman for organizing this Special Order. It is so important that we point out the disparity within the minority community; and I have an old saying, that when America has a cold, African Americans, Hispanics, have pneumonia. That is what we are here today to discuss, what is going on within those communities, and, of course, the economic stimulus package.

First, I just want to take 1 minute to talk about a subject that is very dear to my heart, and that is election reform. We have not had or passed a bill, a fair election reform bill, and that is so close and dear to my heart because of what happened in the last election in my district, the Third Congressional District of Florida, where 27,000 African Americans were disenfranchised.

Mr. Speaker, there is an article that I will include for the RECORD that was written by former President Carter and President Ford on this subject, and I would like to commend the gentleman from Maryland (Mr. HOYER) and the gentleman from Ohio (Mr. NEY) for their leadership on this issue.

The title of the article is ''A Holiday Gift for the Voters,'' and it talks about the House and the Senate and the administration coming close to passing an election reform bill. That is so needed for the people that were so disenfranchised in the last general election in this country.

Mr. Speaker, I want to commend the gentlewoman again for her leadership on this issue, because how minorities have been affected by 9–11 and the economic downturn is something that we need to point out, and we need to move forward as far as how we address these issues.

When we passed the transportation emergency bill for the airlines, we passed $15 billion for the industry. In the hearings, when the airline executives, the CEOs, the big dogs, when they came to the committee, they indicated to us that they were going to lay off over 100,000 employees.

Mr. Speaker, I did not vote for the bill because nowhere in the bill did we address those over-100,000 people that were going to be laid off. That is the problem with this House, the people's House. That is the problem. The problem is that, and I like this saying, only the big dogs eat here. That means they have to have the big-time lobbyists, and they have to be in with certain people.

But the problem that bothers me is not just that the big dogs eat, it is the only dog that eats. In other words, we are not concerned with the gentlewoman's constituents or my constituents. We were not concerned about those 100,000 people that we laid off, that the industry laid off. I am very concerned about it.

Ms. SOLIS. I also want to point out, Mr. Speaker, this other chart that I have before me. What this indicates here is all the layoffs and different service sectors or industries that have been affected from September 12, 2001, to November 19.

What these figures portray here is, as the gentlewoman and I know, and as the gentlewoman from Florida stated earlier, large segments of our communities, service employees in the airline industry, lost many jobs. They did not receive one penny of that bail-out that was passed by this House.

I, too, did not vote for that legislation because I knew that the workers were not going to receive any type of benefit.

According to this chart, it says in transportation alone over 137,291 jobs were lost in that sector alone. In the hospitality, tourism, and entertainment industry we lost 135,783 jobs.

□ 2000

Communications and utilities, and I do not think I need to remind folks that in California we were hit pretty hard with our energy crisis. We lost 68,671. This is nationally.

In the manufacturing industry, one of the largest segments that has been affected here, 286,717 jobs lost.

In retail trade, that is our small businesses, where people are really striving to try to make a difference, we lost 20,000 jobs.

In the services, 47,000.

In finance, insurance and real estate, 31,000.

In public administration, over 12,000 jobs.

Other jobs, 82,000 jobs.

A total of 747,850 jobs lost that we know of, and this information is being provided to our offices by the AFL–CIO.

I would yield time to the gentlewoman from Florida (Ms. BROWN).

Ms. BROWN of Florida. Mr. Speaker, what stands out most in my mind is that the economic stimulus package that passed this House, that I did not vote for, gave more tax breaks to a certain segment. I call them the country club tax breaks. I say it is the reverse Robin Hood, and we have practiced it ever since a certain group took over this House. What I call it is reverse Robin Hood, robbing from the poor and working people to give tax breaks to the rich country club friends.

I am so happy to say that the gentleman from Illinois (Mr. DAVIS), from Chicago, has joined us, and he wants to help us explain to the American people about this, the big dogs controlling this debate.

Mr. DAVIS of Illinois. Mr. Speaker, first of all, let me congratulate the gentlewoman from California (Ms. SOLIS) and the gentlewoman from Florida (Ms. BROWN) for organizing this Special Order. They have identified one of the most immediate needs in our country, and that is the need to stimulate the economy.

I guess it must be somewhat official now in that economists are declaring that we are in a recession, and I can tell my colleagues, if the economy overall is in a recession, then in much of my district we are in a depression. For if America sneezes economically, many low income, intercity, rural and marginalized communities catch pneumonia. If the economic temperature drops, we go into a deep freeze. Therefore, we need an economic stimulus, and I mean a real stimulus, and we need it now.

Quite frankly, Mr. Speaker, our response to the terrorist attacks, I commend the Congress, the President and the people for what we have done. What really amazes me the most is what we have not done. We have not bailed out the post office so that people can regain confidence in our mail services. We have not raised the minimum wage so that low-income wage earners may obtain a livable wage. We have not extended health care coverage so that unemployed workers who were laid off or have lost their jobs will have some protection.

Please, Mr. Speaker, I hope that nobody comes to me again with the same old worn-out, nonproductive, trickle-down theories of huge tax breaks for big corporations and the wealthy, with the idea that somehow this will reach those who are most in need. Most often, it does not. I call it the same old wine in a new bottle, or maybe we could call it the same old lemon with a new twist.

The real deal is that a rising tide will lift all boats, and so if we want to stimulate the economy, take John Smith who makes $7.50 an hour, give him an extra $50, and I guarantee my colleagues he will spend every penny of it, plowing it right back into the economy. He may go to the shoe store, buy little Johnny a pair of shoes, maybe Suzy a dress. Then the clerk at the shoe store can go to the grocery store, pick up a gallon of milk, maybe some eggs. Then the clerk at the grocery store can go to the beauty shop and see the cosmetologist who then goes to church, puts something in the collection plate. Maybe the preacher then goes to the car dealer, purchases a car, so that he can go and visit his parishioners in the county hospital. On the way, he purchases gasoline so that the person at the gasoline station then earns some money.

So if we want to really stimulate, I think we need to reach down to where the people are.

My mother was a great soup maker, and she could make a soup that was just out of sight. But I would always notice that when she was making the soup she would take this big spoon and go deep down in the pot, and she would stir up the bottom, and then we could smell the aroma all through house as the ingredients mixed, and then we could be filled with nutrients as we would eat the soup. We would be healthy and happy.

This is what America has to do if we are going to stimulate the economy, that is, raise the minimum wage, extend coverage for unemployed workers, for people who are laid off, give them some health benefits so they can still be healthy, and then put the people back to work. If we are not prepared to do that, then we are not really talking about a stimulus. We are talking about a trickle-down system that does not work.

I again just commend my colleagues, both of them, for providing us with the opportunity to share with the American people.

Ms. SOLIS. Mr. Speaker, reclaiming my time, I thank the gentleman from Illinois (Mr. DAVIS) for being here tonight, also, and helping to clarify that the stimulus plan that was passed out of this House a few weeks ago did not address those workers that are in need of unemployment insurance. Many Latino workers, because of the fact that they may not work 40 hours and are viewed as part-timers, will not qualify for any assistance. That means their children, their families will go hungry.

We cannot ask charities to pick up that, because many of those folks are also hurting. We need to do something here in the House to extend that coverage beyond that, qualify people to make sure that their earnings can be calculated according to a sound method that would treat human beings adequately, because these are workers that support our economy.

I appreciate the statements of the kind gentleman from Illinois (Mr. DAVIS).

I yield time to the gentlewoman from Florida (Ms. BROWN).

Ms. BROWN of Florida. Mr. Speaker, I have one question. The gentleman from Illinois (Mr. DAVIS) talked about his mother's soup. Now I need him to know that my grandmother used to do a sweet potato pie, and I mean her pie was the best pie, and those ingredients that she put in the pie represent the ingredients that we have here in this Congress, the economic stimulus, and the key is that everybody always wants a slice of my grandma's pie, and that is what our constituents want. They want a part of that soup and a part of the pie.

As I heard one of the colleagues on the floor say, we know that this is tilted one way. Tilted was not the word. The word was there was nothing left over. There was no pie nor soup for the majority of the American people. The economic stimulus package that passed this House was clearly for the country club set.

Ms. SOLIS. Mr. Speaker, I yield time to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Let me just say one thing as I prepare to leave. The gentlewoman from Florida's (Ms. BROWN) grandmother was not only a great pie maker but she was also a very wise woman, because she taught the gentlewoman from Florida the value of getting a slice of that pie. Keep doing the work that your grandmother taught you.

Ms. BROWN of Florida. Mr. Speaker, I thank the gentleman from Illinois (Mr. DAVIS) for his comments.

Mrs. CLAYTON. Mr. Speaker, I want to thank both these gentlewomen for arranging the Special Order of this very important subject on the stimulus and pointing out to the American people what the ingredients of a good stimulus program would mean in order to benefit all Americans.

I like the analogy to food, because I like soup and I like dessert and I like sweet potato pie and I also like the idea of getting a slice of the pie. I do not want dessert to be gone.

American people, too, understand the very basics. They understand that this economy has had a big slowdown. In fact, recently, the Center on Budget and Policy Priorities shared some important issues in the debate. There are those who would say that investing in corporate tax reduction or incentive for corporations would be the way to stimulate this economy. But, actually, when we understand that the downturn in this economy is based on a lack of demand for services and products, meaning people are not purchasing the products and services that the corporations have, that they have invested in, therefore understandable is the business theory that if there are more products and services than people are demanding, therefore, they have to reduce their employees for that.

So, as we do that, we also create a spiral, and that spiral is we have less families now with resources to buy those products and services that were already reduced. So we are increasing that spiralling that is going down.

Business is based on a market, a market that can afford to purchase the cars or the clothes, the large appliances or the services. To the extent that is not happening, the economy goes down.

Well, what would we put in that soup to make that economy respond immediately? Well, there are some things we could do. Obviously, investment is one, but that is a long-term strategy. We need a strategy that will bring that aroma of that soup, if I can play on that analogy a little bit, immediately. There was a soup when we are sick we give, mother's chicken soup, I think they used to say, and that would really get us well. We need something to really respond to the illness of the economy, and that does not mean long term. That is not a 6-month strategy. We need something immediately.

The bill that went out of the House, what it did, it proposed to transfer neatly funds to the States and to unemployment. They did not change the strategy, as the gentlewoman indicated. There are many people who are now not eligible for any unemployment. So they still will be ineligible. So what we have done is put more money that is in the State with the structure just like it is. It does not help those people in their needs.

Ms. SOLIS. Reclaiming my time, I think the gentlewoman from North Carolina (Mrs. CLAYTON) makes an excellent point, and in that stimulus program that was passed on the floor Members voted on putting aside $3 billion that would go out to States. Now, if the States have an astute governor, that might make sense because he could be creative and hopefully draw down that money and give it to these people who would not otherwise qualify for unemployment insurance. I am not sure that all the governors in this great country are going to be mindful of these people that we are talking about here tonight.

I hope people will heed our concerns and talk to their elected officials as well about garnishing that money and making sure that it goes to those particular families that are not going to be eligible under the categories of unemployment insurance, as well as the loss of health care, COBRA. Many people, because they work for small businesses, did not have health care coverage. We need to put money into Medicaid so that when they do go to the emergency hospital or go get a flu shot, they are going to have something there for them, not next year but this year.

I yield time back to the gentlewoman from Florida (Ms. BROWN).

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Ms. BROWN of Florida. On that point, if the gentlewoman will yield for a second, the gentlewoman said something that was very important when she spoke of the governors. Because I come from the great State of Florida, and one thing I can tell my colleagues about my governor from the great State of Florida, for the past 3 years we have given these ludicrous tax cuts. Well, what is the result? Florida is a tourist State. The tourists are not coming.

So we have given these large tax cuts every year, and what has happened? Florida now has a $1.3 billion shortfall. Based on spending every dime that we have on a tax cut, now the revenue is not good so we do not have any money. So we are going in there cutting programs now. And let me just mention a few. Services for children. Blind kids. Can my colleagues imagine that? $15.2 million cut just in one county. Duvall County school system cut out summer school programs. Florida will take from health care, and we talked about health care earlier today, $146 million, $109 million from public safety. Those are programs for youth. Cutting out scholarship programs for kids in college.

So those are the results of this same kind of ludicrous policy we have going on in Florida that we are trying to transport here to Washington.

Mrs. CLAYTON. I think both of my colleagues' points are very timely, and it has to be understood in the context of our wanting to have a program that would have an impact immediately, that would not be a permanent fix, meaning that we want something that is temporary that we can remove when there is no need, but we want something that will be responsive for right now.

The bill that passed the House transferred unabated or unstructured or unmodified to the States the unemployment insurance that we have called the Reed Act. And what it would do, the States would have to match it. A case in point: if Florida is now in a deficit, they do not have a reserve to match it.

In fact, again responding to the Center on Budget and Policy Priorities, they made a survey of all the States, and the survey results by the National Association of State Workforce Agencies confirmed that 38 States of the 50 that responded stated that they have questioned whether they would use those funds. And most respondents say they would not expand or extend the benefit. Why? Because they are uncertain how long this will last. They know what their reserves are, but they are uncertain how long they would be expected to put up a match.

So we need to change that match. The match now does not favor the States making that kind of commitment, and the proposal should be where we have more of a Federal match expanded for those who are not covered and the Federal Government assuming more of a responsibility without adding those extra burdens to States that are already bankrupt or find themselves with real fiscal problems in that area.

Now, I want to talk about health; but I know the gentlewoman from Florida wants to respond to that, so I will stop for a moment.

Ms. BROWN of Florida. Well, I first want to bring in the gentlewoman from Georgia (Ms. MCKINNEY).

Ms. MCKINNEY. Well, I thank my colleagues very much, the gentlewoman from California (Ms. SOLIS), the gentlewoman from Florida (Ms. BROWN), and the gentlewoman from North Carolina (Mrs. CLAYTON), my good friend and mentor.

The gentlewoman from Florida talked about policies from Florida coming up to D.C., and I guess what I want to talk about is policies from Texas coming up to D.C. and the impact that it is going to have on all of us. We know that minorities are hit hardest in times of trouble and lifted last in times of plenty. But I think it is correct to point out tonight some of the particular problems that are faced by minorities in this country.

Eighty percent of all Federal prisoners are minorities. Fifty percent of them are black. Blacks and Latinos are not graduating from high school. There is a 56 percent graduation rate for blacks, 54 percent graduation rate for Latinos, juxtaposed to a 78 percent graduation rate for whites. Forty-three percent of American children live in or near poverty. Thirty-three percent of black children live in poverty; 30 percent of Latino children live in poverty.

Let us talk about being able to just reach the age of 1. Black infant mortality is twice that of the rest of the American population. And as I was sitting in front of my computer terminal, as I do too much because my eyes are getting worse, a name came out at me. Jesus Blanco. Jesus Blanco was the first person in the year 2001 to freeze to death on the streets of Washington, D.C. How in the world in this country in the land of plenty can we have people freeze to death on our streets? Five people froze to death in Washington, D.C. Let us remember the name of Jesus Blanco. Twenty-three million Americans were forced to seek food assistance. But this was when times were great. This is before there was a recession. Just imagine what it is going to be now, when times are bad.

And instead of homeland security that protects our most precious assets, our values and our people, President Bush gives us three hits and two misses in Star Wars national missile defense. He gives us military tribunals that put us in the same league with Peru. Remember Lori Berenson? Burma, Egypt, all of whom we have criticized for their military tribunals, and now we are going to do the same thing and follow in their footsteps.

President Bush gave us a recession. Even though the recession did not start as 2001, as early as December 21 in 2000, Bush said, and I know it is true because it is here on the CBS News Web site, December 21 Bush said, ''I have said that there are some warning signs on the horizon. I think people are going to find out that when I am sworn in as President, I will be a realist. And if there are warning signs on the horizon, we need to pay attention to them. We need to act in a positive way to make sure that our economy continues to grow so people will be able to find high-paying jobs. One of my responsibilities is to anticipate problems and be prepared to act.''

But that is not all.

Ms. BROWN of Florida. If I can interrupt the gentlewoman for one quick second, I have a question. We are going to take up Fast Track tomorrow. Does my colleague think that is the solution? Is that the President's solution to the high-paying jobs?

Ms. MCKINNEY. Well, we all know that Fast Track is not the solution, because I used to represent a rural district. I know my colleague from North Carolina currently represents a rural district, and we lost our jobs.

Ms. BROWN of Florida. We lost them in Florida, too.

Ms. McKINNEY. If I can return, because I would like to finish this, Vice President CHENEY, who before he was sworn in was talking about the recession that was on the horizon, and Bush said as early as this year that a warning light is flashing on the dashboard of our economy and we just cannot drive on and hope for the best. This was reported by the American Prospect in April of this year. Now, we have got President Bush and Vice President CHENEY saying all these things, and President Clinton told them not to talk up a recession; do not talk it up.

But we have seen plenty of stimulus. We have seen stimulus for the airline industry, even before we took care of airline security. We have seen stimulus for the insurance industry before the victims of the September 11 tragedies have even been taken care of. And what about America's working families? The gentlewoman from Florida (Ms. BROWN) even brought us today people from Florida who were crying not to cripple our public hospitals. But that is what they are going to do.

It is the economy, stupid. That was 1992. And advertise economy, stupid, which I am sure the American people will hear on 2002. A piece of the pie. A political piece of the pie as well as an economic piece of the pie.

I will yield now, but I have some devastating news about the election down in Florida that I want to talk about. Because when we talk about public policy up here, it depends on the actions of people who go to the polls and vote and think their vote is going to be counted. And then when they find out that their vote has been stolen from them, and we end up with this kind of public policy, maybe it has to do with how we even arrived at the people who are sitting making that public policy today.

Ms. SOLIS. Mr. Speaker, reclaiming my time, I would ask the gentleman from Texas (Mr. RODRIGUEZ) to join us and also ask the gentlewoman from North Carolina (Mrs. CLAYTON) if she would like to finish up.

Mrs. CLAYTON. Yes, I wish to make a departing comment. I want to visit an analogy for the American people to understand and for those of us who are in this debate; a contrast giving a corporate investment stimulus and tax break as investing in the people in terms of uninsurance benefits.

If we understand that this economy is not due to a lack of cash, it is due to a lack of economy spending, there are not consumers, consumers with money, not corporations without money. It is not a lack of cash on the part of corporations; it is a lack of cash on the part of the average American citizen to buy products and services. So if we want to really be a realist in what it will take, we are investing in the wrong thing in order to get the economy moving.

We have to put cash in our citizens' hands, and we do that by making sure we have a structure that will allow us to put cash in individuals' hands and in modifying the unemployment insurance and providing that insurance in such a way that States can use it. As it is now, the States will not use the Reed Act because it is too much of a burden on them. As it is now, the proposal has too much of a tax break. That means that only the investment side is there.

If we were not in a recession, that may make some sense. But we are in a recession, where there is a lack of consumers with cash to buy products and services. So we want to find a way where we modify that and have a more equitable way of stimulating interest. And I thank my colleagues again.

Ms. BROWN of Florida. I also want to thank the gentlewoman from North Carolina, our former class president, for her leadership. She is always right on target.

Mr. RODRIGUEZ. I want to thank the gentlewoman from California (Ms. SOLIS). I know she invited me to come over and say a few words as it deals with the stimulus package, but let me say that my colleagues are exactly correct.

One of the things we have heard, and we have heard from every single economist, with perhaps one exception, we do have Senator GRAMM, who was an economist, but every single economist who is worth anything, the seven Nobel Prize winners, have indicated that we have been on the wrong track; that we have been in this recession since March; that we need to be able to come together and be able to do the right thing. And they agree that if we are going to consider any tax cuts, they have to be for the basis of creating additional jobs.

But we have been sending checks. And the economists tell us they do not need cash, what they need is consumers. And in order for us to create consumers, we have to allow those resources to go down there. So one of the first things we need to do, and one of the first responsibilities that we have, is that we have declared war. We have to make sure our homeland is secure.

□ 2030

That should be first before any tax cuts.

In addition, let me add that they were quick to give the tax cuts, and I saw a check for $1.4 billion for IBM, but at the same time they are dragging their feet when it comes to taking care of the people who have been losing their jobs. Just what happened in New York, a lot of people have lost their jobs in South Texas. On the Mexican border, it is taking 3 hours for people to cross the border. I have a 13 percent unemployment rate in Starr County, and we are having a rough time, and they are getting impacted like everyone else.

When we look at stimulating the economy, the only thing we have stimulated is the corporations. The rest of us have not received any stimulus. In the month of October, 450,000 people have lost their jobs, the most in any month since May of 1980. We have a serious situation.

In addition, the comments that were made earlier by the gentlewoman from Georgia (Ms. McKINNEY) regarding the impact to minorities, the African American is a little higher, about 9 percent. Unemployment for Hispanics and Latinos is 17.2 percent, while the national is 5.5 percent.

In order for us to turn this around, our first priority ought to be our national defense and taking care of our homeland. We have been told that we do not have enough people in the medical fields and in the areas to make sure that we have first responders to help our communities, our cities.

I got a report from the city of San Antonio, and I was told in the first 2 weeks after September 11, that we had over 500 calls. The majority were hoaxes, bomb threats, but it cost the community resources is the bottom line. That is occurring across the Nation and has a great impact on our local communities.

This battle, we have to protect our troops, but now it is a war, and we have to protect our families. Our families should come first. We ought to consider that and do the right thing when it comes to taking care of the pensions and making sure that workers get good benefits. As we looked at pensions and unemployment benefits, the data is startling. The fact that a great number of people, if they worked 30 hours, worked part time, they get nothing. Some States are worse than others. People are hurting.

Mr. Speaker, what little insurance they had, they are having difficulty getting access to their insurance. The minority, both African Americans and Latinos, are the least likely to have insurance coverage.

Ms. SOLIS. Mr. Speaker, I would like to commend the gentleman for coming forward today and helping to provide a picture of what is happening in America, the face of the minorities, Latinos, African Americans, people who are disadvantaged, who do not have a voice at the table. The gentleman said that the unemployment rate in some of his cities is as high as 9 percent. In Los Angeles, in East L.A., we have upwards of 9 percent and more, and it is higher for the youth. We know that we are always the last hired and the first fired. We need to do something here to provide a stimulus, to get the Senate, the other House, to understand that these are some major concerns that we have, and they can help work this out.

Mr. RODRIGUEZ. Mr. Speaker, I want to leave one last message. That is that every single war that we have declared, from the Spanish American war where we had the phone tax to the Gulf War, we have always had a war tax. This is the first time not only do we not have a war tax, we are giving tax cuts to special interests and taking care of them and stimulating them. At the same time, this is the first war

that we run it on the so-called surplus which we know is the resources that provide for Social Security and Medicare. This war is being run on the backs of our senior citizens.

Once again, I congratulate the gentlewoman.

Ms. BROWN of Florida. Mr. Speaker, did the gentleman say more workers lost their job in October than any other month since May, 1980?

Mr. RODRIGUEZ. Mr. Speaker, that is correct. That is 450,000 Americans in the month of October alone.

Ms. BROWN of Florida. Mr. Speaker, shame, shame, shame.

Ms. SOLIS. Mr. Speaker, I thank the gentleman for joining us here.

Joining us here is the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Speaker, I thank the gentlewoman for her leadership and for engaging us in this dialogue tonight. Because we have to remind the public and the world that, as we move to enhance our national security and our public safety, we must also respond to economic security. We must be sure that we deal with this by passing a strong and fair economic stimulus bill that provides relief where it is truly needed. That is to our workers who have lost their jobs and also their health care. In losing their jobs, they lost their health care. This is really the right way to pass a plan to stimulate the economy. There is always a right way and a wrong way.

The wrong way to pass a bogus stimulus plan is to allow special interests, which we are allowing in this Congress, to use this moment to push and to solidify their corporate welfare agenda. The gentlewoman from Florida (Ms. BROWN) referred to tomorrow's vote on Fast Track. That is just another slap in the face to American workers. We have got to put a stop to this. We are here tonight trying to frame the arguments so people understand that there are many in this Congress that understand that an economic stimulus plan should target those in need. Creating jobs and economic development activities stimulate the economy. Providing for fair employment and health benefits to those who have lost their jobs, that creates economic stability, and that is the right thing to do.

I am really happy that the gentlewoman from Georgia (Ms. MCKINNEY) and all of the Members here on the floor tonight are talking about how minorities are especially affected by this recession and need an economic stimulus plan. The percentage of African Americans and Latinos who are unemployed rose more than 2 percent between October, 2001, going back to October, 2000. Minority women were affected the most. African Americans and Latinos are more likely to lose their jobs than other workers.

Additionally, many minority workers are not eligible for unemployment insurance because they work part-time or short-term jobs. That knocks them out of eligibility for unemployment insurance. Because minority workers, unfortunately, earn less than their white counterparts, they receive a smaller unemployment benefit.

Additionally, low-paid jobs mean that workers have less of a chance for workers being eligible for health benefits from their employers while they are working and, of course, when they are laid off. We need to pass a strong economic stimulus plan, one which extends the period of time for workers to be eligible for unemployment insurance and also extends the eligibility.

We also need a bill that provides for comprehensive health benefits for workers who have lost their jobs. We need a plan to improve our infrastructure which not only creates jobs but also renovates our crumbling schools and hospitals.

Ms. BROWN of Florida. Mr. Speaker, being on the Committee on Transportation and the Infrastructure, for every billion dollars that we spend on infrastructure, it generates 49,000 jobs. If we want to stimulate the economy, then we should invest in the building up of our infrastructure and tie it to homeland security.

Ms. LEE. Mr. Speaker, so infrastructure development should be part of any economic stimulus plan that this Congress moves forward to the President's desk.

We also need to extend the $300 per person rebate which the gentlewoman from California (Ms. SOLIS) has worked very hard on, because over 50 percent of our low-income and minority families were left out of that benefit earlier this year, and that is not fair. That is wrong, and we should correct it since we have the opportunity to correct it now.

Ms. SOLIS. Mr. Speaker, reclaiming my time, I know her district is a lot like mine, many folks that maybe just got laid off from the hotel and restaurant industry that was shattered by the September 11 attack. It hit all of us, no matter where the worker is, and on the chart here, 137,000 or more jobs were lost. What about the people already on the short stick that got pink slips before that disaster?

One of things that was an eye-opener for me, I visited one of the unions that had a lot of employees laid off. The union decided to put together a food bank to bring together resources to try to help these people out. What are we doing in this stimulus package that got passed here that is going to provide coverage for those families? I go back to that same thought that the governors can take hold of $3 billion that is earmarked for every State. Every State can go into that pot and get money, but which astute governors are going to do that?

Ms. LEE. Mr. Speaker, if the gentlewoman would yield, the gentlewoman is right. This is through no fault of their own. They lost their jobs through either recessionary measures or as a result of the tragedy of September 11. However they lost their job, they lost their job, and they deserve unemployment benefits, and they deserve their health care.

Families who are laid off, they cannot keep waiting for a bill to be passed, hoping that they can extend their rent that is due or hoping that they might pay their mortgage sooner or later or hoping that their children's tuition will hang tough until they can figure out how to pay for their kids to stay in school. They cannot keep waiting for their grocery bills to be paid as we here in Congress promise that we are going to do something. I think during this holiday season we must remember those who really do need us the most.

Tax cuts will not provide relief for these families and for these workers. We need to provide a safety net immediately for families who desperately need our attention. Hopefully, we will continue to beat the drum, because this is such an important issue. It is so important for us in December now to really move this bill forward and move it in a way that benefits those that need it the most.

I thank the gentlewoman for this Special Order tonight.

Ms. BROWN of Florida. Mr. Speaker, if the gentlewoman would yield, I want to mention that the bill that passed this House, the one that passed, I did not support it because it did not include almost any of those elements that we are discussing here tonight.

Ms. LEE. Mr. Speaker, it was a tax cut bill for the country club set.

Ms. SOLIS. Mr. Speaker, that is what most people are saying back home: Why did the Congress vote out a measure that does nothing for our families?

Mr. Speaker, I yield to Mrs. JONES.

Mrs. JONES of Ohio. Mr. Speaker, I thank the gentlewoman for this opportunity to discuss the economic stimulus package. I agree with the statements that have been made by my prior colleagues, and I would like to associate myself with their comments.

If the gentlewoman would allow me, I would like to bring this issue particularly back to my own congressional district.

Mr. Speaker, currently, we have LTV Steel Company in bankruptcy. In fact, in court yesterday and today, the steel company has moved to have an opportunity to corral its assets and sell those assets. As a result thereof, we are looking at losing 3,200 workers from LTV Steel. If those 3,200 workers are laid off, another 40,000 workers across the State of Ohio will be impacted by the layoff.

Two things that I would like to have happen on the economic stimulus package is that the steel loan guarantee would be changed, that it would allow the steel loan guarantee bar to be reduced to allow a steel company in the United States to have the same application process as a steel company in a foreign country. Currently, if you are building a steel company in a foreign country, your economic layout does not have to be as strong as if you are building in the United States.

Secondly, I would like to have added a proposal that would allow for net operating losses to be used by steel companies when they have not been able to use them before because they have not been profitable and let those dollars be used as tax credits to pay retiree health care benefits, legacy costs, as well as to pay retiree health care benefits and retirement.

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I recognize that our time is coming to an end. I thank you for the opportunity to be heard. I would encourage those of you who are listening to me and my colleagues to allow these two amendments to any economic stimulus package we present so that the steel industry, that has significant numbers of minorities and women in those jobs, that they be able to stay in decent high paying jobs. I thank you for the opportunity to be heard.

Ms. SOLIS. I thank the gentlewoman for her remarks. It is very appropriate, given the discussion that we had earlier today on the floor, but also with the vote that we are going to take tomorrow on fast track. The whole irony is that we are going to be charged with building up our defense, and where do we get the steel?

Mrs. JONES of Ohio. From foreign countries.

Ms. BROWN of Florida. I want to thank the gentlewoman for organizing this special order. I think it is so very, very needed, that we point out how the minority communities around this country are suffering. You talked about California, but I want to point out I represent the third Congressional District of Florida that goes from Jacksonville to Orlando, and we have had one of the largest declines in tourists coming into the area. An area that had 30 million people coming through, it is scary when you look at the decline. It is for many reasons. People are not taking personal family trips, and we want to encourage them to do that, but they are not going to do it if they do not have jobs. They are not going to be tourists if they do not have the jobs. That is just common sense. So, job creation should be one of the things we should be doing, along with training, to stimulate the economy.

When we think about homeland security, let us look at it. We have looked at the security of the airports, but we have not discussed the ports. That is another area. For every $1 billion we spend, it creates 49,000 jobs. We have not discussed Amtrak. That is another area that we need to deal with as far as security. In fact, we need to change our mode of operation completely on how we do things in this country, and we need to beef up security. That should be targeting part of any economic stimulus package that we bring forth to the American people.

One of my favorite scriptures that I quote all the time is to whom God has given much, much is expected, and he is expecting us during this time to raise up and do more. When we have had special orders talking about how women and children are doing in other countries, we need to look at how women and children are doing in this country, how are women and children doing in this country.

Many of those workers that we are talking about are the head of the household, so, therefore, when they lose their jobs and there are no benefits and the benefits run out, there is no safety net, and it is our responsibility to do what we can to make a difference for the people in this country.

Once again, I want to thank the gentlewoman for her leadership in organizing this special order.

Ms. SOLIS. Mr. Speaker, reclaiming my time, I want to thank the gentlewoman from Florida and my colleagues that have come and spoken here tonight. Obviously you can tell that the women of this House, the minority women, are sending a resounding message to the public that the stimulus program that passed out of this House did not go far enough.

This is going to be a sad Christmas for many families all over the country, and particularly for those women and children that get no benefit at all. They are not that group of people that got the tax cuts. They are not the group of people that got the tax break, because they did not get enough money to earn to get a tax break.

Let us do the right thing. Let us make sure we put money and food on their tables and in their pockets so that they have a wonderful Christmas, something that I think all of us here can get behind.

Again, just to reiterate, the numbers here, the totality is still unforeseen. In our districts we have more people getting pink slips every single day, and those people are waiting for us to take action here in the House.

I want to thank my colleagues, and I hope that those that are not here tonight, that perhaps are listening to us, will understand the urgency of trying to provide immediate relief to those families, the working families that made America the great country that it has been, and to provide that security, that safety net, for all Americans, regardless of race, color and gender.

Mrs. MEEK of Florida. Mr. Speaker, I commend my good friends, Congresswoman CORRINE BROWN and Congresswoman HILDA SOLIS, for organizing this Special Order and for their leadership in bringing public attention to the disproportionate impact of the post-September 11th economic downturn on minority communities.

Mr. Speaker, the September 11th attacks have radically altered business prospects throughout our country. No community has been spared. While even places thousands of miles from the destruction of September 11th have been severely affected, tourist dependent communities that rely upon the airlines an the hotel industry, like my home town of Miami, have been particularly hard hit.

Mr. Speaker, the post-September 11th economic downturn has been difficult for many Americans. It has been particularly devastating to the African-American community, both nationally and in my congressional district in Miami. We are in the midst of an economic crisis in the African-American community. My constituents desperately need relief. They need help and they need it now. It's scandalous that, almost 3 months after the despicable attacks of September 11th, we have yet to pass any meaningful relief for our workers and their families. Let's look at the facts: In October 2000, nationally, the percentage of unemployed African-Americans was 7.4%. In October 2001, the percentage is 9.7%, an increase of 2.3% which is an increase of 32% in the African-American unemployment rate in the past year. The rate went up 1.0% from 8.7% to 9.7% between September 2001 and October 2001.

From October 2000 to October 2001, the unemployment rate among African-American adult women, 20 and over, went from 5.8% to 8.9%, an increase of 3.1%, which is an increase of almost 53% in that unemployment rate in the past year.

From October 2000 to October 2001, the unemployment rate among African American adult men, 20 and over, went from 7.0% to 8.0%, an increase of 1.0%, which is an increase of about 15% in that unemployment rate in the past year.

From October 2000 to October 2001, the unemployment rate among African American teens, (16–19 years, went from 21.2% to 29.0%, an increase of 7.2%, which is an increase of about 32% in that unemployment rate in the past year.

In Miami-Dade County, in October 2001, the first month to reflect the impact of the September 11th attacks, the unemployment rate was 7.3%, up .9% from September 2001, and up 2.0% from October 2000, an increase of 36% in the past year. Normally, in Miami, the unemployment rate drops slightly between September and October because of tourism and agriculture. Obviously, this year, everything is different because of the catastrophic decline in tourism that resulted from September 11th.

Initial claims for unemployment benefits in Miami-Dade County jumped from 7,100 in September 2001 to 13,200 in October 2001, an increase of 85%! Initial claims for unemployment in October 2001 were up 143% from October 2000 because of major layoffs in tourism-related industries such as air transportation, water transportation, hotels, and business services.

Mr. Speaker, in this downturn, so far two-thirds of all mass layoffs and 74% of all initial claims for unemployment insurance have come from the manufacturing and service industries. From October 2000 to October 2001, nationally, over 1 million jobs were lost in the manufacturing sector as employment fell from 18.4 million to 17.3 million jobs. The Service Sector lost 70,000 jobs from October 2000 to October 2001 (1.93 million down to 1.86 million). From October 2000 to October 2001, there was a loss of 42,000 jobs in the restaurant sector alone!

Nationwide, in September 2001, the number of layoffs and initial claimants for unemployment insurance reached its highest levels since April, 1995. When the November figures are released this Friday, the figures are likely to be even higher.

Mr. Speaker, we all know about last hired, first fired. African-Americans get laid off more

frequently in an economic downturn. For decades now, for reasons ranging from lower educational levels, to the remoteness of job hubs from African-American neighborhoods, to the over-representation of blacks in low-skill part-time jobs with little security, to the impact of racial discrimination, the African-American unemployment rate has been roughly twice that of the white rate.

Mr. Speaker, the tens of thousands of workers who have lost their jobs as a result of the September 11th terrorist attacks need immediate relief. Since September 11th, more than 100,000 airline employees have lost their jobs. Many thousands more workers in industries directly and indirectly affected by the disruption of the airline industry also have been laid off. Small businesses also have been hit very hard by the September 11th attacks. Many of them lost key customers who constituted the lion's share of their business, as well as key suppliers who enabled them to do business. Unfortunately, it seems clear that we have not yet hit bottom. Unless we act promptly and decisively, many more hard working Americans, through no fault of their own, soon will lose their jobs. Mr. Speaker, all of these workers desperately need our help and they need it now.

Mr. Speaker, the human costs of this economic downturn for many of our fellow Americans are truly staggering. Airline and airport workers, transit workers, employees who work for airline suppliers such as service employees and plane manufacturers, all face common problems and challenges. Their mortgages, rents, and utilities still must be paid. Food must be placed on the table. Children must be clothed. Health care costs must be covered.

While some will get by depleting their savings, the vast majority of those who have lost their jobs have little or no savings to deplete. All of these workers need a strong, flexible and lasting safety net, the kind that only the Federal government can provide. With no income coming in and little prospect for prompt re-employment within their chosen field, these displaced workers must search for new jobs while few firms are even hiring. While some will find new positions quickly, many, if not most, will not. Some of this unemployment will be structural as some of these industries will be downsizing permanently. As a result, many workers will have to retrain in a new field or receive additional training in their chosen field simply to get reemployed.

So what is it that these workers need? Just like those workers who qualify for help under the Trade Adjustment Assistance Program, workers who lost their jobs because of the September 11th attacks need extended unemployment and job training benefits (78 weeks instead of 26 weeks). Those workers who would not otherwise qualify for unemployment benefits need at least 26 weeks of benefits. These workers especially need COBRA continuation coverage, that is, they need to have their COBRA health insurance premiums paid for in full for up to 78 weeks, or until they are re-employed with health insurance coverage, whichever is earlier. Those without COBRA coverage need coverage under Medicaid.

Mr. Speaker, this Congress acted quickly and responsibly to meet the challenges posed by the September 11th attacks. We acted as one to pass the Joint Resolution authorizing the use of United States Armed Forces against those responsible for the attacks against the United States. We heeded the call of all Americans and said: Never, again. We stood shoulder to shoulder with President Bush, our Commander in Chief, firmly united in our resolve to identify and punish all nations, organizations and persons who planned, authorized, committed, or aided the September 11th terrorist attacks, or harbored such organizations or persons. We unanimously passed the $40 billion Emergency Supplemental Appropriations bill to finance some of the tremendous costs of fighting terrorism and of helping and rebuilding the communities devastated by these horrendous attacks. We provided cash assistance and loan guarantees to the airline industry. Now, Mr. Speaker, we must demonstrate the same resolve, the same commitment on behalf of our workers. Deeds, not just words, are required. All of these hard working, innocent displaced workers and their families desperately need our help. We must hear and answer their pleas. They need our help and need it now. We cannot rest until we have met their needs.

Mr. Speaker, even in good economic times, African-Americans suffer the nation's highest unemployment rates. In bad times, they tend to fare even worse losing jobs at a disproportionate rate and remaining out of work longer than other Americans. Mr. Speaker, this Congress said yes to the airlines and to other with extraordinary needs arising as a result of the September 11th attacks. Our workers deserve at least the same level of support. They have already waited far too long. Let's do the right thing for the minority community and all of our displaced workers by providing them with fair and immediate relief.

Ms. MILLENDER-McDONALD. Mr. Speaker, we all know that today Chairman THOMAS and a number of our colleagues have begun negotiations on an Economic Stimulus Package. We also know that the administration and most of us are anxious to come to some kind of an accommodation that will help revive our faltering economy. Economic conditions are spiraling downward every day and certain sectors are experiencing dramatic setbacks. The traditional tourism and travel industries were the first to feel the impact. These industries fuel the service jobs that have been the first line of fire. The unemployment statistics are growing worse with each passing day with thousands of people set adrift with little or no compensation. Most of these jobs are at the low-paying, minimum wage end of the scale for which there is no soft landing, no cushion for these workers.

Therefore, the matter of directing economic stimulus towards lower-income workers is of vital importance towards the goal of this nation regaining economic health. If more deficits occur as a result of misdirected tax breaks for the upper 2% of the spectrum, we will not be able to achieve a positive outcome. There will not be enough stimuli for both bread and butter and the working poor will become even more devastated. Painful choices will have to be made between paying for food or for the car note, for the mortgage or for medicine.

Mr. Speaker, in my mind it would be disastrous to force such choices on our fellow citizens when they are already suffering severe loss. How could we in good conscience provide immediate refunds of corporate taxes paid since 1986, which were minimum to begin with, when we should be addressing the plight of the ranks of the unemployed and those soon to enter that group? With businesses folding each day, our actions must work to ensure that we help the least fortunate of the working world as well as to strengthen the hand of small and medium enterprises that employ almost two-thirds of the work force.

For me and for many of my distinguished colleagues in this House, this issue strikes close to home. In our districts, across the country, large numbers of our constituents, particularly women, are employed in the service economy. They hold part-time or low-paying jobs. Many also have been the first to lose employment due to the layoffs and to the impact of the September 11th terrorist attacks. They have joined the throngs of the unemployed and have lost the minimal health and other benefits—if they had any. This situation is highly notable in minority communities across the major urban areas of America. What is being viewed as a recession in much of the country could be termed a depression in these already disadvantaged communities. In my own district, unemployment among African-Americans, Hispanic-Americans and other minority groups, many of whom work in the travel and tourism areas has reached a high proportion. As pointed out, unemployment in the Los Angeles area is well above the national level.

Mr. Speaker, we should be grateful for the attention on this critical matter being brought forward today by my distinguished colleagues, Congresswoman HILDA SOLIS and Congresswoman CORRINE BROWN. This Special Order should serve notice that we as congressional leaders want an economic stimulus package as much as the rest of the nation. We just want to prepare a plan that will aid the greatest number of our working citizens to ride out the effects of the worse economic downturn we have experienced in two decades. We want to ensure that this worsening job market is not disproportionately felt by our minority constituents who are already struggling to maintain their families at a level of dignity and well-being against difficult odds.

Black men, women and teenage citizens since 2000 have borne the brunt of falling employment at a higher rate than other Americans. Since the playing field is not yet level and hiring discrimination, unfortunately, is still a fact of life in our great country, what can we do to help these impoverished communities?

Mr. Speaker, there must be a safety net below which no working American should fall. I urge us to come up with a stimulus package that can achieve this objective in the immediate term. This is an important challenge for us and has implications for our nation's recovery, both economically and psychologically from the horrific attacks of September 11. We need urgent action. We cannot delay any further on this critical task before us.

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

CONFERENCE REPORT ON H.R. 2944, DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2002

Mr. KNOLLENBERG (during the special order of Ms. SOLIS) submitted the following conference report and statement on the bill (H.R. 2944) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part

against revenues of said District for the fiscal year ending September 30, 2002, and for other purposes:

CONFERENCE REPORT (H. REPT. 107–321)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2944) ''making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2002, and for other purposes'', having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the District of Columbia for the fiscal year ending September 30, 2002, and for other purposes, namely:

FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

For a Federal payment to the District of Columbia, to be deposited into a dedicated account, for a nationwide program to be administered by the Mayor, for District of Columbia resident tuition support, $17,000,000, to remain available until expended: Provided, That such funds, including any interest accrued thereon, may be used on behalf of eligible District of Columbia residents to pay an amount based upon the difference between in-State and out-of-State tuition at public institutions of higher education, or to pay up to $2,500 each year at eligible private institutions of higher education: Provided further, That the awarding of such funds may be prioritized on the basis of a resident's academic merit, the income and need of eligible students and such other factors as may be authorized: Provided further, That the District of Columbia government shall establish a dedicated account for the Resident Tuition Support Program that shall consist of the Federal funds appropriated to the Program in this Act and any subsequent appropriations, any unobligated balances from prior fiscal years, and any interest earned in this or any fiscal year: Provided further, That the account shall be under the control of the District of Columbia Chief Financial Officer who shall use those funds solely for the purposes of carrying out the Resident Tuition Support Program: Provided further, That the Resident Tuition Support Program Office and the Office of the Chief Financial Officer shall provide a quarterly financial report to the Committees on Appropriations of the Senate and House of Representatives for these funds showing, by object class, the expenditures made and the purpose therefor: Provided further, That not more than seven percent of the total amount appropriated for this program may be used for administrative expenses.

FEDERAL PAYMENT FOR INCENTIVES FOR ADOPTION OF CHILDREN

The paragraph under the heading ''Federal Payment for Incentives for Adoption of Children'' in Public Law 106–113, approved November 29, 1999 (113 Stat. 1501), is amended to read as follows: ''For a Federal payment to the District of Columbia to create incentives to promote the adoption of children in the District of Columbia foster care system, $5,000,000: Provided, That such funds shall remain available until September 30, 2003, and shall be used to carry out all of the provisions of title 38 of the Fiscal Year 2001 Budget Support Act of 2000, effective October 19, 2000 (D.C. Law 13–172), as amended, except for section 3808: Provided further, That $1,000,000 of said amount shall be used for the establishment of a scholarship fund for District of Columbia children of adoptive families, and District of Columbia children without parents due to the September 11, 2001 terrorist attack to be used for post high school education and training.''.

FEDERAL PAYMENT TO THE CAPITOL CITY CAREER DEVELOPMENT AND JOB TRAINING PARTNERSHIP

For a Federal Payment to the Capitol City Career Development and Job Training Partnership, $500,000.

FEDERAL PAYMENT TO THE CAPITOL EDUCATION FUND

For a Federal payment to the Capitol Education Fund, $500,000.

FEDERAL PAYMENT TO THE METROPOLITAN KAPPA YOUTH DEVELOPMENT FOUNDATION, INC.

For a Federal payment to the Metropolitan Kappa Youth Development Foundation, Inc., $450,000.

FEDERAL PAYMENT TO THE FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT

For a Federal payment to the Fire and Emergency Medical Services Department, $500,000 for dry-docking of the Fire Boat.

FEDERAL PAYMENT TO THE CHIEF MEDICAL EXAMINER

For a Federal payment to the Chief Medical Examiner, $585,000 for reduction in the backlog of autopsies, case reports and for the purchase of toxicology and histology equipment.

FEDERAL PAYMENT TO THE YOUTH LIFE FOUNDATION

For a Federal payment to the Youth Life Foundation, $250,000 for technical assistance, operational expenses, and establishment of a National Training Institute.

FEDERAL PAYMENT TO FOOD AND FRIENDS

For a Federal payment to Food and Friends, $2,000,000 for their Capital Campaign.

FEDERAL PAYMENT TO THE CITY ADMINISTRATOR

For a Federal payment to the City Administrator, $300,000 for the Criminal Justice Coordinating Council for the District of Columbia.

FEDERAL PAYMENT TO SOUTHEASTERN UNIVERSITY

For a Federal payment to Southeastern University, $500,000 for a public/private partnership with the District of Columbia Public Schools at the McKinley Technology High School campus.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA PUBLIC SCHOOLS

For a Federal payment to the District of Columbia Public Schools, $2,500,000, of which $2,000,000 shall be to implement the Voyager Expanded Learning literacy program in kindergarten and first grade classrooms in the District of Columbia Public Schools; $250,000 shall be for the Failure Free Reading literacy program for non-readers and special education students; and $250,000 for Lightspan, Inc. to implement the eduTest.com program in the District of Columbia Public Schools.

FEDERAL PAYMENTS FOR DISTRICT OF COLUMBIA AND FEDERAL LAW ENFORCEMENT MOBILE WIRELESS INTEROPERABILITY PROJECT

For Federal payments in support of the District of Columbia and the Federal law enforcement Mobile Wireless Interoperability Project, $1,400,000, of which $400,000 shall be for a payment to the District of Columbia Office of the Chief Technology Officer, $333,334 shall be for a payment to the United States Secret Service, $333,333 shall be for a payment to the United States Capitol Police, and $333,333 shall be for a payment to the United States Park Police: Provided, That each agency shall participate in the preparation of a joint report to the Committees on Appropriations of the Senate and the House of Representatives to be submitted no later than March 30, 2002 on the allocation of these resources and a description of each agencies' resource commitment to this project for fiscal year 2003.

FEDERAL PAYMENT FOR EMERGENCY PLANNING AND SECURITY COSTS IN THE DISTRICT OF COLUMBIA

For a Federal payment to the District of Columbia for emergency planning and security costs and to reimburse the District for certain security expenses related to the presence of the Federal Government in the District of Columbia, $16,058,000: Provided, That $12,652,000 shall be made available immediately to the District of Columbia Emergency Management Agency for planning, training, and personnel costs required for development and implementation of the emergency operations plan for the District of Columbia, to be submitted to the appropriate Federal agencies: Provided further, That a detailed report of actual and estimated expenses incurred shall be provided to the Committees on Appropriations of the Senate and the House of Representatives no later than June 15, 2002: Provided further, That $3,406,000 of such amount shall be made available immediately for reimbursement of fiscal year 2001 expenses incurred by the District of Columbia for equipment purchased for providing security for the planned meetings in September 2001 of the World Bank and the International Monetary Fund in the District of Columbia: Provided further, That the Mayor and the Chairman of the Council of the District of Columbia shall develop, in consultation with the Director of the Office of Personnel Management, the United States Secret Service, the United States Capitol Police, the United States Park Police, the Washington Metropolitan Area Transit Authority, regional transportation authorities, the Federal Emergency Management Agency, the Governor of the State of Maryland and the Governor of the Commonwealth of Virginia, the county executives of contiguous counties of the region and the respective state and local law enforcement entities in the region an integrated emergency operations plan for the District of Columbia in cases of national security events, including terrorist threats, protests, or other unanticipated events: Provided further, That such plan shall include a response to attacks or threats of attacks using biological or chemical agents: Provided further, That the city shall submit this plan to the Committees on Appropriations of the Senate and the House of Representatives no later than January 2, 2002: Provided further, That the Chief Financial Officer of the District of Columbia shall provide quarterly reports to the Committees on Appropriations on the use of the funds under this heading, beginning not later than April 2, 2002.

FEDERAL PAYMENT TO THE CHIEF FINANCIAL OFFICER OF THE DISTRICT OF COLUMBIA

For a Federal payment to the Chief Financial Officer of the District of Columbia, $8,300,000, of which $2,250,000 shall be for payment for a pilot project to demonstrate the ''Active Cap'' river cleanup technology on the Anacostia River; $500,000 shall be for payment to the Washington, D.C. Sports and Entertainment Commission which, in coordination with the U.S. Soccer Foundation, shall use the funds for environmental and infrastructure costs at Kenilworth Park in the creation of the Kenilworth Regional Sports Complex; $600,000 shall be for payment to the One Economy Corporation, a non-profit organization, to increase Internet access to low-income homes in the District of Columbia; $500,000 shall be for payment to the Langston Project for the 21st Century, a community revitalization project to improve physical education and training facilities; $1,000,000 shall be for payment to the Green Door Program, for capital improvements at a community mental health clinic; $500,000 shall be for payment to the Historical Society of Washington, for capital improvements to the new City Museum; $200,000

for a payment to Teach for America DC, for teacher development; $350,000 for payment to the District of Columbia Safe Kids Coalition, to promote child passenger safety through the Child Occupant Protection Initiative; $50,000 for payment for renovations at Eastern Market; $1,000,000 shall be for payment to the Excel Institute Adult Education Program to be used by the Institute for construction and to acquire construction services provided by the General Services Administration on a reimbursable basis; $300,000 shall be for payment to the Woodlawn Cemetery for restoration of the Cemetery; $250,000 shall be for payment to the Real World Schools concerning 21st Century reform models for secondary education and the use of technology to support learning in the District of Columbia; $300,000 shall be for payment to a mentoring program and for hotline services; $250,000 shall be for payment to a youth development program with a character building curriculum; and $250,000 shall be for payment to a basic values training program.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA CORRECTIONS TRUSTEE OPERATIONS

For salaries and expenses of the District of Columbia Corrections Trustee, $30,200,000 for the administration and operation of correctional facilities and for the administrative operating costs of the Office of the Corrections Trustee, as authorized by section 11202 of the National Capital Revitalization and Self-Government Improvement Act of 1997 (Public Law 105–33; 111 Stat. 712) of which $1,000,000 is to fund an initiative to improve case processing in the District of Columbia criminal justice system, $500,000 to remain available until September 30, 2003 for building renovations or space acquisition required to accommodate functions transferred from the Lorton Correctional Complex, and $1,500,000 to remain available until September 30, 2003, to be transferred to the appropriate agency for the closing of the sewage treatment plant and the removal of underground storage tanks at the Lorton Correctional Complex: Provided, That notwithstanding any other provision of law, funds appropriated in this Act for the District of Columbia Corrections Trustee shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

For salaries and expenses for the District of Columbia Courts, $112,180,000, to be allocated as follows: for the District of Columbia Court of Appeals, $8,003,000, of which not to exceed $1,500 is for official reception and representation expenses; for the District of Columbia Superior Court, $66,091,000, of which not to exceed $1,500 is for official reception and representation expenses; for the District of Columbia Court System, $31,594,000, of which not to exceed $1,500 is for official reception and representation expenses; and $6,492,000 for capital improvements for District of Columbia courthouse facilities: Provided, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration (GSA), said services to include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the Senate and House of Representatives, the Committee on Governmental Affairs of the Senate, and the Committee on Government Reform of the House of Representatives: Provided further, That funds made available for capital improvements may remain available until September 30, 2003.

ADMINISTRATIVE PROVISIONS

Section 11–1722(a), District of Columbia Code, is amended in the first sentence by striking '', subject to the supervision of the Executive Officer''.

Section 11–1723(a)(3), District of Columbia Code, is amended by striking ''and the internal auditing of the accounts of the courts''.

CRIME VICTIMS COMPENSATION FUND

(a) TREATMENT OF UNOBLIGATED BALANCES.—Section 16(d) of the Victims of Violent Crime Compensation Act of 1996 (sec. 4–515(d), D.C. Official Code), as amended by section 403 of the Miscellaneous Appropriations Act, 2001 (as enacted into law by section 1(a)(4) of the Consolidated Appropriations Act, 2001), is amended—

(1) by striking ''in excess of $250,000'';

(2) by striking ''and approved by'' and inserting ''which is submitted to''; and

(3) by striking ''and not less than 80 percent'' and all that follows and inserting the following: ''except that under such plan—

''(1) 50 percent of such balance shall be used for direct compensation payments to crime victims through the Fund under this section and in accordance with this Act; and

''(2) 50 percent of such balance shall be used for outreach activities designed to increase the number of crime victims who apply for such direct compensation payments.''.

(b) LIMIT ON USE OF AMOUNTS FOR ADMINISTRATIVE EXPENSES.—Section 16(e) of such Act (sec. 4–515(e), D.C. Official Code), as amended by section 202(d) of the Fiscal Year 2001 Budget Support Act of 2000 (D.C. Law 13–172), is amended to read as follows:

''(e) All compensation payments and attorneys' fees awarded under this Act shall be paid from, and subject to, the availability of monies in the Fund. Not more than 5 percent of the total amount of monies in the Fund may be used to pay administrative costs necessary to carry out this Act.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of section 403 of the Miscellaneous Appropriations Act, 2001.

PAYMENTS FOR REPRESENTATION OF INDIGENTS

(a) SERVICES OF COUNSEL.—

(1) IN GENERAL.—Section 11–2604, District of Columbia Code, is amended—

(A) in subsection (a), by striking ''$50'' and inserting ''$65''; and

(B) in subsection (b)—

(i) by striking ''$1300'' each place it appears and inserting ''$1900'', and

(ii) by striking ''$2450'' each place it appears and inserting ''$3600''.

(2) NEGLECT AND PARENTAL RIGHTS TERMINATION PROCEEDINGS.—Section 16–2326.01(b), District of Columbia Code, is amended—

(A) by striking ''$1,100'' each place it appears and inserting ''$1,600'';

(B) in paragraph (3), by striking ''$1,500'' and inserting ''$2,200''; and

(C) in paragraph (4), by striking ''$750'' and inserting ''$1,100''.

(b) SERVICES OF INVESTIGATORS, EXPERTS, AND OTHERS.—Section 11–2605, District of Columbia Code, is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d); and

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

''(b) Subject to the applicable limits described in subsections (c) and (d), an individual providing services under this section shall be compensated at a fixed rate of $25 per hour, and shall be reimbursed for expenses reasonably incurred.''.

(c) EFFECTIVE DATE.—The amendments made by this provision shall apply with respect to cases and proceedings initiated on or after March 1, 2002.

Section 11–2604, District of Columbia Code, is amended:

(1) in subsection (a), by striking ''50'' and inserting ''75''; and

(2) in subsection (b)—

(A) by striking ''1300'' each time it appears and inserting ''1900'';

(B) by striking ''2450'' each time it appears and inserting ''3600''.

FEDERAL PAYMENT FOR FAMILY COURT ACT

For carrying out the District of Columbia Family Court Act of 2001, $24,016,000, of which $23,316,000 shall be for the Superior Court of the District of Columbia and $700,000 shall be for the Mayor of the District of Columbia of which $200,000 shall be for completion of a plan by the Mayor on integrating the computer systems of the District of Columbia government with the Family Court of the Superior Court of the District of Columbia: Provided, That the Mayor shall submit a plan to the President and the Congress within six months of enactment of that Act, so that social services and other related services to individuals and families serviced by the Family Court of the Superior Court and agencies of the District of Columbia government (including the District of Columbia Public Schools, the District of Columbia Housing Authority, the Child and Family Services Agency, the Office of the Corporation Counsel, the Metropolitan Police Department, the Department of Health, and other offices determined by the Mayor) will be able to access and share information on the individuals and families served by the Family Court: Provided further, That $500,000 of such amount provided to the Mayor shall be for the Child and Family Services Agency to be used for social workers to implement Family Court reform: Provided further, That the chief judge of the Superior Court shall submit the transition plan for the Family Court of the Superior Court as required under the District of Columbia Family Court Act of 2001 to the Comptroller General (in addition to any other requirements under such section): Provided further, That the Comptroller General shall prepare and submit to the President and Congress an analysis of the contents and effectiveness of the plan, including an analysis of whether the plan contains all of the information required under such section within 30 calendar days after the submission of the plan by the Superior Court: Provided further, That the funds provided under this heading to the Superior Court shall not be made available until the expiration of the 30-day period (excluding Saturdays, Sundays, legal public holidays, and any day on which neither House of Congress is in session because of an adjournment sine die, a recess of more that 3 days, or an adjournment of more than 3 days) which begins on the date the Comptroller General submits such analysis to the President and Congress: Provided further, That the Mayor shall prepare and submit to the President, Congress, and the Comptroller General a plan for the use of the funds provided to the Mayor under this heading, consistent with the requirements of the District of Columbia Family Court Act of 2001, including the requirement to integrate the computer systems of the District government with the computer systems of the Superior Court: Provided further, That the Comptroller General shall prepare and submit to the President and Congress an analysis of the contents and effectiveness of the plan within 30 calendar days after the submission of the plan by the Mayor: Provided further, That the funds provided under this heading to the Mayor shall not be made available until the expiration of the 30-day period (excluding Saturdays, Sundays, legal public holidays, and any day on which neither House of Congress is in session because of an adjournment sine die, a recess of more than 3 days, or an adjournment of more than 3 days) which begins on the date the Comptroller General submits such plan to the President and Congress.

DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

For payments authorized under section 11–2604 and section 11–2605, D.C. Official Code (relating to representation provided under the District of Columbia Criminal Justice Act), payments for counsel appointed in proceedings in the Family Division of the Superior Court of the District of Columbia under chapter 23 of title 16, D.C. Code, and payments for counsel authorized under section 21–2060, D.C. Code (relating to representation provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986), $34,311,000, to remain available until expended: Provided, That the funds provided in this Act under the heading ''Federal Payment to the District of Columbia Courts'' (other than the $6,492,000 provided under such heading for capital improvements for District of Columbia courthouse facilities) may also be used for payments under this heading: Provided further, That in addition to the funds provided under this heading, the Joint Committee on Judicial Administration in the District of Columbia shall use funds provided in this Act under the heading ''Federal Payment to the District of Columbia Courts'' (other than the $6,492,000 provided under such heading for capital improvements for District of Columbia courthouse facilities), to make payments described under this heading for obligations incurred during any fiscal year: Provided further, That of the amounts provided in previous fiscal years for payments described under this heading which remain unobligated as of the date of the enactment of this Act, $4,685,500 shall be used by the Joint Committee on Judicial Administration for design and construction expenses of the courthouse at 451 Indiana Avenue NW: Provided further, That of the remainder of such amounts, such sums as may be necessary shall be applied toward the portion of the amount provided under this heading which is attributable to increases in the maximum amounts which may be paid for representation services in the District of Columbia courts: Provided further, That funds provided under this heading shall be administered by the Joint Committee on Judicial Administration in the District of Columbia: Provided further, That notwithstanding any other provision of law, this appropriation shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration (GSA), said services to include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the Senate and House of Representatives, the Committee on Governmental Affairs of the Senate, and the Committee on Government Reform of the House of Representatives.

FEDERAL PAYMENT TO THE COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA

(INCLUDING TRANSFER OF FUNDS)

For salaries and expenses, including the transfer and hire of motor vehicles, of the Court Services and Offender Supervision Agency for the District of Columbia, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997 (Public Law 105–33; 111 Stat. 712), $147,300,000, of which $13,015,000 shall remain available until expended for construction expenses at new or existing facilities, and of which not to exceed $2,000 is for official receptions related to offender and defendant support programs; of which $94,112,000 shall be for necessary expenses of Community Supervision and Sex Offender Registration, to include expenses relating to supervision of adults subject to protection orders or provision of services for or related to such persons; $20,829,000 shall be transferred to the Public Defender Service; and $32,359,000 shall be available to the Pretrial Services Agency: Provided, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: Provided further, That notwithstanding chapter 12 of title 40, United States Code, the Director may acquire by purchase, lease, condemnation, or donation, and renovate as necessary, Building Number 17, 1900 Massachusetts Avenue, Southeast, Washington, District of Columbia, or such other site as the Director of the Court Services and Offender Supervision Agency may determine as appropriate to house or supervise offenders and defendants, with funds made available by this Act: Provided further, That the Director is authorized to accept and use gifts in the form of in-kind contributions of space and hospitality to support offender and defendant programs, and equipment and vocational training services to educate and train offenders and defendants: Provided further, That the Director shall keep accurate and detailed records of the acceptance and use of any gift or donation under the previous proviso, and shall make such records available for audit and public inspection.

FEDERAL PAYMENT TO THE CHILDREN'S NATIONAL MEDICAL CENTER

For a Federal payment to the Children's National Medical Center in the District of Columbia, $5,500,000, of which $5,000,000 shall be for capital and equipment improvements, and $500,000 shall be used for the network of satellite pediatric health clinics for children and families in underserved neighborhoods and communities in the District of Columbia.

ST. COLETTA OF GREATER WASHINGTON EXPANSION PROJECT

For a Federal contribution to St. Coletta of Greater Washington, Inc. for costs associated with the establishment of a day program and comprehensive case management services for mentally retarded and multiple-handicapped adolescents and adults in the District of Columbia, including property acquisition and construction, $2,000,000.

FEDERAL PAYMENT TO FAITH AND POLITICS INSTITUTE

For a Federal payment to the Faith and Politics Institute, $50,000, for grass roots-based racial sensitivity programs in the District of Columbia.

FEDERAL PAYMENT TO THE THURGOOD MARSHALL ACADEMY CHARTER SCHOOL

For a Federal payment to the Thurgood Marshall Academy Charter School, $1,000,000 to be used to acquire and renovate an educational facility in Anacostia.

FEDERAL PAYMENT TO THE GEORGE WASHINGTON UNIVERSITY CENTER FOR EXCELLENCE IN MUNICIPAL MANAGEMENT

For a Federal payment to the George Washington University Center for Excellence in Municipal Management, $250,000 to increase the enrollment of managers from the District of Columbia government.

COURT APPOINTED SPECIAL ADVOCATES

For a Federal payment to the District of Columbia Court Appointed Special Advocates Unit, $250,000 to be used to expand its work in the Family Court of the District of Columbia Superior Court.

ADMINISTRATIVE PROVISION

Of the Federal funds made available in the District of Columbia Appropriations Act, 2001, Public Law 106–522 for the Metropolitan Police Department (114 Stat. 2441), $100,000 for the police mini-station shall remain available for the purposes intended until September 30, 2002: Provided, That the $1,000,000 made available in such Act for the Washington Interfaith Network (114 Stat. 2444) shall remain available for the purposes intended until December 31, 2002: Provided further, That $3,450,000 made available in such Act for Brownfield Remediation (114 Stat. 2445), shall remain available until expended.

DISTRICT OF COLUMBIA FUNDS

OPERATING EXPENSES

DIVISION OF EXPENSES

The following amounts are appropriated for the District of Columbia for the current fiscal year out of the general fund of the District of Columbia, except as otherwise specifically provided: Provided, That notwithstanding any other provision of law, except as provided in section 450A of the District of Columbia Home Rule Act and section 119 of this Act (Public Law 93–198; D.C. Official Code, sec. 1–204.50a), the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 2002 under this heading shall not exceed the lesser of the sum of the total revenues of the District of Columbia for such fiscal year or $6,048,160,000 (of which $124,163,000 shall be from intra-District funds and $3,574,493,000 shall be from local funds): Provided further, That this amount may be increased by proceeds of one-time transactions, which are expended for emergency or unanticipated operating or capital needs: Provided further, That such increases shall be approved by enactment of local District law and shall comply with all reserve requirements contained in the District of Columbia Home Rule Act as amended by this Act: Provided further, That the Chief Financial Officer of the District of Columbia shall take such steps as are necessary to assure that the District of Columbia meets these requirements, including the apportioning by the Chief Financial Officer of the appropriations and funds made available to the District during fiscal year 2002, except that the Chief Financial Officer may not reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

GOVERNMENTAL DIRECTION AND SUPPORT

Governmental direction and support, $286,138,000 (including $229,421,000 from local funds, $38,809,000 from Federal funds, and $17,908,000 from other funds): Provided, That not to exceed $2,500 for the Mayor, $2,500 for the Chairman of the Council of the District of Columbia, and $2,500 for the City Administrator shall be available from this appropriation for official purposes: Provided further, That any program fees collected from the issuance of debt shall be available for the payment of expenses of the debt management program of the District of Columbia: Provided further, That no revenues from Federal sources shall be used to support the operations or activities of the Statehood Commission and Statehood Compact Commission: Provided further, That the District of Columbia shall identify the sources of funding for Admission to Statehood from its own locally-generated revenues: Provided further, That notwithstanding any other provision of law, or Mayor's Order 86–45, issued March 18, 1986, the Office of the Chief Technology Officer's delegated small purchase authority shall be $500,000: Provided further, That the District of Columbia government may not require the Office of the Chief Technology Officer to submit to any other procurement review process, or to obtain the approval of or be restricted in any manner by any official or employee of the District of Columbia government, for purchases that do not exceed $500,000: Provided further, That not less than $353,000 shall be available to the Office of the Corporation Counsel to support increases in the Attorney Retention Allowance: Provided further, That not less than $50,000 shall be available to support a mediation services program within the Office of the Corporation Counsel: Provided further, That not less than $50,000

shall be available to support a TANF Unit within the Child Support Enforcement Division of the Office of the Corporation Counsel: Provided further, That of all funds in the District of Columbia Antitrust Fund established pursuant to section 2 of the District of Columbia Antitrust Act of 1980 (D.C. Law 3–169; D.C. Official Code § 28–4516) an amount not to exceed $386,000, of all funds in the Antifraud Fund established pursuant to section 820 of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6–85; D.C. Official Code 2–308.20) an amount not to exceed $10,000, and of all funds in the District of Columbia Consumer Protection Fund established pursuant to section 1402 of the District of Columbia Budget Support Act for fiscal year 2001 (D.C. Law 13–172; D.C. Official Code § 28–3911) an amount not to exceed $233,000, are hereby made available for the use of the Office of the Corporation Counsel of the District of Columbia until September 30, 2003, in accordance with the statutes that established these funds.

ECONOMIC DEVELOPMENT AND REGULATION

Economic development and regulation, $230,878,000 (including $60,786,000 from local funds, $96,199,000 from Federal funds, and $73,893,000 from other funds), of which $15,000,000 collected by the District of Columbia in the form of BID tax revenue shall be paid to the respective BIDs pursuant to the Business Improvement Districts Act of 1996 (D.C. Law 11–134; D.C. Official Code, sec. 2–1215.01 et seq.), and the Business Improvement Districts Amendment Act of 1997 (D.C. Law 12–26; D.C. Official Code, sec. 2–1215.15 et seq.): Provided, That such funds are available for acquiring services provided by the General Services Administration: Provided further, That Business Improvement Districts shall be exempt from taxes levied by the District of Columbia: Provided further, That the Department of Consumer and Regulatory Affairs shall use $50,000 of the receipts from the net proceeds from the contractor that handles the District's occupational and professional licensing to fund additional staff and equipment for the Rental Housing Administration: Provided further, That the Department of Consumer and Regulatory Affairs shall transfer up to $293,000 from other funds resulting from the lapse of personnel vacancies, caused by transferring DCRA employees into NSO positions without filling the resultant vacancies, into the revolving 5–513 fund to be used to implement the provisions in D.C. Law 13–281, the Abatement and Condemnation of Nuisance Properties Omnibus Amendment Act of 2000, pertaining to the prevention of the demolition by neglect of historic properties: Provided further, That the fees established and collected pursuant to Law 13–281 shall be identified, and an accounting provided, to the District of Columbia Council's Committee on Consumer and Regulatory Affairs: Provided further, That 18 percent of the annual total amount in the 5–513 fund, up to $500,000, deposited into the 5–513 fund on an annual basis, be used to implement section 102 and other related sections of D.C. Law 13–281.

PUBLIC SAFETY AND JUSTICE

Public safety and justice, $633,853,000 (including $594,803,000 from local funds, $8,298,000 from Federal funds, and $30,752,000 from other funds): Provided, That not to exceed $500,000 shall be available from this appropriation for the Chief of Police for the prevention and detection of crime: Provided further, That notwithstanding any other law, section 3703 of title XXXVII of the Fiscal Year 2002 Budget Support Act of 2001 (D.C. Bill 14–144), adopted by the Council of the District of Columbia, is enacted into law: Provided further, That the Mayor shall reimburse the District of Columbia National Guard for expenses incurred in connection with services that are performed in emergencies by the National Guard in a militia status and are requested by the Mayor, in amounts that shall be jointly determined and certified as due and payable for these services by the Mayor and the Commanding General of the District of Columbia National Guard: Provided further, That such sums as may be necessary for reimbursement to the District of Columbia National Guard under the preceding proviso shall be available from this appropriation, and the availability of the sums shall be deemed as constituting payment in advance for emergency services involved: Provided further, That no less than $173,000,000 shall be available to the Metropolitan Police Department for salary in support of 3,800 sworn officers: Provided further, That no less than $100,000 shall be available in the Department of Corrections budget to support the Corrections Information Council: Provided further, That not less than $296,000 shall be available to support the Child Fatality Review Committee.

PUBLIC EDUCATION SYSTEM

Public education system, including the development of national defense education programs, $1,108,665,000 (including $896,994,000 from local funds, $185,044,000 from Federal funds, and $26,627,000 from other funds), to be allocated as follows: $813,042,000 (including $661,124,000 from local funds, $144,630,000 from Federal funds, and $7,288,000 from other funds), for the public schools of the District of Columbia; $47,370,000 (including $19,911,000 from local funds, $26,917,000 from Federal funds, $542,000 from other funds), for the State Education Office, $17,000,000 from local funds, previously appropriated in this Act as a Federal payment, and such sums as may be derived from interest earned on funds contained in the dedicated account established by the Chief Financial Officer of the District of Columbia, for resident tuition support at public and private institutions of higher learning for eligible District of Columbia residents; and $142,257,000 from local funds for public charter schools: Provided, That there shall be quarterly disbursement of funds to the District of Columbia public charter schools, with the first payment to occur within 15 days of the beginning of each fiscal year: Provided further, That if the entirety of this allocation has not been provided as payments to any public charter school currently in operation through the per pupil funding formula, the funds shall be available for public education in accordance with the School Reform Act of 1995 (Public Law 104–134; D.C. Official Code, sec. 38–1804.03(b)(e)(A)): Provided further, That $480,000 of this amount shall be available to the District of Columbia Public Charter School Board for administrative costs: Provided further, That section 161 of the District of Columbia Appropriations Act, 2001 (Public Law 106–522; 114 Stat. 2483, 2484), is amended, as if included in the Act—

(1) by striking ''not later than 1 year after the date of the enactment of the District of Columbia Appropriations Act, 2001,'';

(2) by inserting ''revolving'' after ''enhancement'' in the second sentence of paragraph (2)(B), in the heading of paragraph (3), and in paragraph (3)(A); and

(3) by striking ''10 percent'' and inserting ''5 percent'':

Provided further, That the cap on administrative costs as amended by section 161 of the District of Columbia Appropriations Act, 2001 (Public Law 106–522; 114 Stat. 2484), is amended by striking ''10 percent'' and inserting ''5 percent'': Provided further, That $76,542,000 (including $45,912,000 from local funds, $12,539,000 from Federal funds, and $18,091,000 from other funds) shall be available for the University of the District of Columbia: Provided further, That $400,000 shall be available for Enhancing and Actualizing Internationalism and Multiculturalism in the Academic Programs of the University of the District of Columbia: Provided further, That $1,277,500 shall be paid by the Chief Financial Officer to the Excel Institute for operations as follows: $277,500 to cover debt owed by the University of the District of Columbia for services rendered shall be paid to the Excel Institute within 15 days of enactment of this Act; and $1,000,000 for fiscal year 2002 shall be paid to the Excel Institute in equal quarterly installments within 15 days of the beginning of each quarter: Provided further, That not less than $200,000 for Adult Education: Provided further, That $27,256,000 (including $26,030,000 from local funds, $560,000 from Federal funds and $666,000 other funds) for the Public Library: Provided further, That the $1,007,000 enhancement shall be allocated such that $500,000 is used for facilities improvements for 8 of the 26 library branches, $235,000 for 13 FTEs for the continuation of the Homework Helpers Program, $143,000 for 2 FTEs in the expansion of the Reach Out And Read (ROAR) service to licensed day care homes, and $129,000 for 3 FTEs to expand literacy support into branch libraries: Provided further, That $2,198,000 (including $1,760,000 from local funds, $398,000 from Federal funds and $40,000 from other funds) shall be available for the Commission on the Arts and Humanities: Provided further, That the public schools of the District of Columbia are authorized to accept not to exceed 31 motor vehicles for exclusive use in the driver education program: Provided further, That not to exceed $2,500 for the Superintendent of Schools, $2,500 for the President of the University of the District of Columbia, and $2,000 for the Public Librarian shall be available from this appropriation for official purposes: Provided further, That none of the funds contained in this Act may be made available to pay the salaries of any District of Columbia Public School teacher, principal, administrator, official, or employee who knowingly provides false enrollment or attendance information under article II, section 5 of the Act entitled ''An Act to provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes'', approved February 4, 1925 (D.C. Official Code, sec. 38–201 et seq.): Provided further, That this appropriation shall not be available to subsidize the education of any nonresident of the District of Columbia at any District of Columbia public elementary and secondary school during fiscal year 2002 unless the nonresident pays tuition to the District of Columbia at a rate that covers 100 percent of the costs incurred by the District of Columbia which are attributable to the education of the nonresident (as established by the Superintendent of the District of Columbia Public Schools): Provided further, That this appropriation shall not be available to subsidize the education of nonresidents of the District of Columbia at the University of the District of Columbia, unless the Board of Trustees of the University of the District of Columbia adopts, for the fiscal year ending September 30, 2002, a tuition rate schedule that will establish the tuition rate for nonresident students at a level no lower than the nonresident tuition rate charged at comparable public institutions of higher education in the metropolitan area: Provided further, That notwithstanding any other provision of law, rule, or regulation, the evaluation process and instruments for evaluating District of Columbia Public School employees shall be a non-negotiable item for collective bargaining purposes: Provided further, That the District of Columbia Public Schools shall spend $1,200,000 to implement D.C. Teaching Fellows Program in the District's public schools: Provided further, That notwithstanding the amounts otherwise provided under this heading or any other provision of law, there shall be appropriated to the District of Columbia public charter schools on July 1, 2002, an amount equal to 25 percent of the total amount provided for payments to public charter schools in the proposed budget of the District of Columbia for fiscal year 2003 (as submitted to Congress), and the amount of such payment shall be chargeable against the final amount provided for such payments under the District of Columbia Appropriations Act, 2003: Provided further,

That notwithstanding the amounts otherwise provided under this heading or any other provision of law, there shall be appropriated to the District of Columbia Public Schools on July 1, 2002, an amount equal to 10 percent of the total amount provided for the District of Columbia Public Schools in the proposed budget of the District of Columbia for fiscal year 2003 (as submitted to Congress), and the amount of such payment shall be chargeable against the final amount provided for the District of Columbia Public Schools under the District of Columbia Appropriations Act, 2003: Provided further, That the first paragraph under the heading ''Public Education System'' in Public Law 107–20, approved July 24, 2001, is amended to read as follows: ''For an additional amount for 'Public Education System', $1,000,000 from local funds to remain available until September 30, 2002, for the State Education Office for a census-type audit of the student enrollment of each District of Columbia Public School and of each public charter school and $12,000,000 from local funds for the District of Columbia Public Schools to conduct the 2001 summer school session.''.

HUMAN SUPPORT SERVICES

(INCLUDING TRANSFER OF FUNDS)

Human support services, $1,803,923,000 (including $711,072,000 from local funds, $1,075,960,000 from Federal funds, and $16,891,000 from other funds): Provided, That $27,986,000 of this appropriation, to remain available until expended, shall be available solely for District of Columbia employees' disability compensation: Provided further, That $90,000,000 transferred pursuant to the District of Columbia Appropriations Act, 2001 (Public Law 106–522) to the Public Benefit Corporation for restructuring shall be made available to the Department of Health's Health Care Safety Net Administration for the purpose of restructuring the delivery of health services in the District of Columbia and shall remain available until expended for obligation during fiscal year 2002: Provided further, That no less than $7,500,000 of this appropriation, to remain available until expended, shall be deposited in the Addiction Recovery Fund established pursuant to section 5 of the Choice in Drug Treatment Act of 2000, effective July 8, 2000 (D.C. Law 13–146; D.C. Official Code, sec. 7–3004), and used solely for the purpose of the Drug Treatment Choice Program established pursuant to section 4 of the Choice in Drug Treatment Act of 2000 (D.C. Official Code, sec. 7–3003): Provided further, That no less than $500,000 of the $7,500,000 appropriated for the Addiction Recovery Fund shall be used solely to pay treatment providers who provide substance abuse treatment to TANF recipients under the Drug Treatment Choice Program: Provided further, That no less than $2,000,000 of this appropriation shall be used solely to establish, by contract, a 2-year pilot substance abuse program for youth ages 16 through 21 years of age: Provided further, That no less than $60,000 be available for a D.C. Energy Office Matching Grant: Provided further, That no less than $2,150,000 be available for a pilot Interim Disability Assistance program pursuant to title L of the Fiscal Year 2002 Budget Support Act (D.C. Bill 14–144).

PUBLIC WORKS

Public works, including rental of one passenger-carrying vehicle for use by the Mayor and three passenger-carrying vehicles for use by the Council of the District of Columbia and leasing of passenger-carrying vehicles, $300,151,000 (including $286,334,000 from local funds, $4,392,000 from Federal funds, and $9,425,000 from other funds): Provided, That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels and places of business: Provided further, That no less than $650,000 be available for a mechanical alley sweeping program: Provided further, That no less than $6,400,000 be available for residential parking enforcement: Provided further, That no less than $100,000 be available for a General Counsel to the Department of Public Works: Provided further, That no less than $3,600,000 be available for ticket processing: Provided further, That no less than 14 residential parking control aides or 10 percent of the residential parking control force be available for night time enforcement of out-of-state tags: Provided further, That of the total of 3,000 additional parking meters being installed in commercial districts and in commercial loading zones none be installed at loading zones, or entrances at apartment buildings and none be installed in residential neighborhoods: Provided further, That no less than $262,000 be available for taxicab enforcement activities: Provided further, That no less than $241,000 be available for a taxicab driver security revolving fund: Provided further, That no less than $30,084,000 in local appropriations be available to the Division of Transportation, within the Department of Public Works: Provided further, That no less than $12,000,000 in rights-of-way fees shall be available for the Local Roads, Construction and Maintenance Fund: Provided further, That funding for a proposed separate Department of Transportation is contingent upon Council approval of a reorganization plan: Provided further, That no less than $313,000 be available for handicapped parking enforcement: Provided further, That no less than $190,000 be available for the Ignition Interlock Device Program: Provided further, That no less than $473,000 be available for the Motor Vehicle Insurance Enforcement Program: Provided further, That $11,000,000 of this appropriation shall be available for transfer to the Highway Trust Fund's Local Roads, Construction and Maintenance Fund, upon certification by the Chief Financial Officer that funds are available from the 2001 budgeted reserve or where the Chief Financial Officer certifies that additional local revenues are available: Provided further, That $1,550,000 made available under the District of Columbia Appropriations Act, 2001 (Public Law 106–522) for taxicab driver security enhancements in the District of Columbia shall remain available until September 30, 2002.

RECEIVERSHIP PROGRAMS

For all agencies of the District of Columbia government under court ordered receivership, $403,868,000 (including $250,515,000 from local funds, $134,339,000 from Federal funds, and $19,014,000 from other funds).

WORKFORCE INVESTMENTS

For workforce investments, $42,896,000 from local funds, to be transferred by the Mayor of the District of Columbia within the various appropriation headings in this Act for which employees are properly payable.

RESERVE

For replacement of funds expended, if any, during fiscal year 2001 from the Reserve established by section 202(j) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, Public Law 104–8, $120,000,000 from local funds.

RESERVE RELIEF

For reserve relief, $30,000,000, for the purpose of spending funds made available through the reduction from $150,000,000 to $120,000,000 in the amount required for the budget reserve established by section 202(j)(1) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, Public Law 104–8: Provided, That $12,000,000 shall be available to the District of Columbia Public Schools and District of Columbia Public Charter Schools for educational enhancements: Provided further, That $18,000,000 shall be available pursuant to a local District law: Provided further, That of the $30,000,000, funds shall only be expended upon: (i) certification by the Chief Financial Officer of the District of Columbia that the funds are available and not required to address potential deficits, (ii) enactment of local District law detailing the purpose for the expenditure, and (iii) prior notification by the Mayor to the Committees on Appropriations of both the Senate and House of Representatives in writing 30 days in advance of any such expenditure: Provided further, That the $18,000,000 provided pursuant to local law shall be expended only when the Emergency Reserve established pursuant to section 450A(a) of the District of Columbia Home Rule Act (Public Law 93–198; D.C. Official Code, sec. 1–204.50a(a)), has a minimum balance in the amount of $150,000,000.

EMERGENCY AND CONTINGENCY RESERVE FUNDS

For the Emergency and Contingency Reserve Funds established under section 450A of the District of Columbia Home Rule Act (Public Law 93–198; D.C. Official Code, sec. 1–204.50a(b)), the Mayor may deposit the proceeds required pursuant to section 159(a) of Public Law 106–522 and section 404(c) of Public Law 106–554 in the Contingency Reserve Fund beginning in fiscal year 2002 if the minimum emergency reserve balance requirement established in section 450A(c) has been met.

REPAYMENT OF LOANS AND INTEREST

For payment of principal, interest, and certain fees directly resulting from borrowing by the District of Columbia to fund District of Columbia capital projects as authorized by sections 462, 475, and 490 of the District of Columbia Home Rule Act (Public Law 93–198; D.C. Official Code, secs. 1–204.62, 1–204.75, 1–204.90), $247,902,000 from local funds: Provided, That any funds set aside pursuant to section 148 of the District of Columbia Appropriations Act, 2000 (Public Law 106–113; 113 Stat. 1523) that are not used in the reserve funds established herein shall be used for Pay-As-You-Go Capital Funds: Provided further, That for equipment leases, the Mayor may finance $14,300,000 of equipment cost, plus cost of issuance not to exceed 2 percent of the par amount being financed on a lease purchase basis with a maturity not to exceed 5 years: Provided further, That $4,440,000 shall be for the Fire and Emergency Medical Services Department, $2,010,000 shall be for the Department of Parks and Recreation, and $7,850,000 shall be for the Department of Public Works: Provided further, That no less than $533,000 be available for trash transfer capital debt service.

EMERGENCY ASSISTANCE LOAN GUARANTEES

Notwithstanding any other provision of law, the District of Columbia is hereby authorized to make any necessary payments related to the ''District of Columbia Emergency Assistance Act of 2001'': Provided, That the District of Columbia shall use local funds for any payments under this heading: Provided further, That the Chief Financial Officer shall certify the availability of such funds, and shall certify that such funds are not required to address budget shortfalls in the District of Columbia: Provided further, That the Director the Office of Management and Budget shall develop with the Chief Financial Officer of the District of Columbia an estimate of the liability incurred by the District of Columbia in implementing such Act: Provided further, That the District of Columbia shall implement such Act consistent with the recommendations made by the Office of Management and Budget and the Federal Credit Reform Act: Provided further, That the District of Columbia budget for fiscal year 2003 and future years shall include an amount for potential loan repayment consistent with the liability requirements recommended by the Office of Management and Budget.

REPAYMENT OF GENERAL FUND RECOVERY DEBT

For the purpose of eliminating the $331,589,000 general fund accumulated deficit as of September 30, 1990, $39,300,000 from local funds, as authorized by section 461(a) of the District of Columbia Home Rule Act, (105 Stat. 540; D.C. Official Code, sec. 1–204.61(a)).

PAYMENT OF INTEREST ON SHORT-TERM BORROWING

For payment of interest on short-term borrowing, $500,000 from local funds.

EMERGENCY PLANNING AND SECURITY COSTS

For an emergency operations plan, implementation of the emergency operations plan, and reimbursement of fiscal year 2001 expenses incurred by the District of Columbia for equipment purchased for providing security for the planned World Bank and International Monetary Fund September 2001 meetings, $16,058,000, from funds previously appropriated in this Act as a Federal payment, of which $12,652,000 shall be made available immediately to the District of Columbia Emergency Management Agency for planning, training and personnel costs required for development and implementation of the emergency operations plan for the District of Columbia.

WILSON BUILDING

For expenses associated with the John A. Wilson Building, $8,859,000 from local funds.

EMERGENCY RESERVE FUND TRANSFER

Subject to the issuance of bonds to pay the purchase price of the District of Columbia's right, title, and interest in and to the Master Settlement Agreement, and consistent with the Tobacco Settlement Trust Fund Establishment Act of 1999 (D.C. Official Code, sec. 7–1811.01(a)(2) et seq.) and the Tobacco Settlement Financing Act of 2000 (D.C. Official Code, sec. 7–1831.03 et seq.), there is transferred the amount available pursuant thereto and Section 404(c) of Public Law 106–554, not less than $33,254,000, to the Emergency and Contingency Reserve Funds established pursuant to section 450A of the District of Columbia Home Rule Act (Public Law 93–198; D.C. Official Code, sec. 1–204.50a(a)).

NON-DEPARTMENTAL AGENCY

To account for anticipated costs that cannot be allocated to specific agencies during the development of the proposed budget including anticipated employee health insurance cost increases and contract security costs, $5,799,000 from local funds.

ENTERPRISE AND OTHER FUNDS

WATER AND SEWER AUTHORITY

For operation of the Water and Sewer Authority, $244,978,000 from other funds of which $44,244,000 shall be apportioned for repayment of loans and interest incurred for capital improvement projects ($17,953,000 payable to the District's debt service fund and $26,291,000 payable for other debt service).

For construction projects, $152,114,000, in the following capital programs: $52,600,000 for the Blue Plains Wastewater Treatment Plant, $11,148,000 for the sewer program, $109,000 for the combined sewer program, $118,000 for the stormwater program, $77,957,000 for the water program, $10,182,000 for the capital equipment program: Provided, That the requirements and restrictions that are applicable to general fund capital improvements projects and set forth in this Act under the Capital Outlay appropriation account shall apply to projects approved under this appropriation account.

ADMINISTRATIVE PROVISION

BILLINGS FOR WATER AND SEWER AUTHORITY SERVICES PROVIDED TO THE FEDERAL GOVERNMENT

(a) PROVIDING ESTIMATES TO SECRETARY OF THE TREASURY AND DEPARTMENT HEADS.—

(1) SANITARY SEWER SERVICES.—Section 212(b)(2) of the District of Columbia Public Works Act of 1954 (sec. 34–2112(b)(2), D.C. Official Code) is amended by inserting after ''the Office of Management and Budget,'' the following: ''the Secretary of the Treasury, and the head of each of the respective Federal departments, independent establishments, and agencies,''.

(2) WATER SERVICES.—Section 106(b)(2) of such Act (sec. 34–2401.25(b)(2), D.C. Official Code) is amended by inserting after ''the Office of Management and Budget,'' the following: ''the Secretary of the Treasury, and the head of each of the respective Federal departments, independent establishments, and agencies,''.

(3) CLARIFICATION OF TREATMENT OF ARLINGTON NATIONAL CEMETERY.—Chapter 11 of title II of the Supplemental Appropriations Act, 2001 (Public Law 107–20; 115 Stat. 188) is amended in the item relating to ''INDEPENDENT AGENCIES—DEPARTMENT OF DEFENSE—CIVIL—CEMETERIAL EXPENSES, ARMY—SALARIES AND EXPENSES'' by striking the colon at the end of the second proviso and inserting the following: '', except that nothing in this proviso may be construed to affect the determination of the amounts required to be paid for such services under sections 212(b) and 106(b) of the District of Columbia Public Works Act of 1954 (sec. 34–2401.25(b) and sec. 34–2112(b), D.C. Official Code) or to waive the requirement under such sections for the Secretary of Defense to pay such amounts to the District of Columbia:''.

(b) REQUIRING FEDERAL DEPARTMENTS TO GRANT ACCESS TO AUTHORITY FOR READING AND TESTING WATER METERS.—

(1) IN GENERAL.—Section 106(a) of the District of Columbia Public Works Act of 1954 (sec. 34–2401.25(a), D.C. Official Code) is amended by inserting before the last sentence the following: ''As an additional condition of service, the department, agency, or establishment which is responsible for the maintenance of any such meter shall provide the Mayor (acting through the District of Columbia Water and Sewer Authority) with such access to the meter as the Mayor may require to measure the actual usage of the department, agency, or establishment (including any entity under the jurisdiction of the department, agency, or establishment) for purposes of making the adjustments to annual estimates required under subsection (b)(2)(A).''.

(2) PERMITTING AUTHORITY TO INSTALL METERS.—If a department, independent establishment, or agency of the United States which uses water and water services from the District of Columbia water supply system has not installed a suitable meter at each point of Federal connection to the system to control and record the use of water through each such connection (as required under section 106(a) of the District of Columbia Public Works Act of 1954) as of the expiration of the 60-day period which begins on the date of the enactment of this Act—

(A) the District of Columbia Water and Sewer Authority shall install such a meter or meters (and incidental vaults, valves, piping and recording devices, and such other equipment as the Authority deems necessary) not later than 60 days after the expiration of such period; and

(B) the department, independent establishment, or agency shall pay the Authority promptly (but in no case later than 30 days after the Authority submits a bill) for the costs incurred in installing the meter and equipment.

(c) CLARIFICATION OF RESPONSIBILITY OF FEDERAL DEPARTMENTS TO ALLOCATE BILLINGS AND COLLECT AMOUNTS FROM INDIVIDUAL OFFICES.—

(1) SANITARY SEWER SERVICES.—Section 212 of the District of Columbia Public Works Act of 1954 (sec. 34–2112, D.C. Official Code) is amended by adding at the end the following new subsection:

''(c) Nothing in this section may be construed to require the District of Columbia to seek payment for sanitary sewer services directly from any Federal entity which is under the jurisdiction of a department, independent establishment, or agency which is required to make a payment for such services under this section, or to allocate any amounts charged for such services among the entities which are under the jurisdiction of any such department, independent establishment, or agency. Each Federal department, independent establishment, and agency receiving sanitary sewer services from the District of Columbia shall be responsible for allocating billings for such services among entities under the jurisdiction of the department, establishment, or agency, and shall be responsible for collecting amounts from such entities for any payments made to the District of Columbia under this section.''.

(2) WATER SERVICES.—Section 106 of the District of Columbia Public Works Act of 1954 (sec. 34–2401.25, D.C. Official Code) is amended by adding at the end the following new subsections:

''(c) Nothing in this section may be construed to require the District of Columbia to seek payment for water services directly from any Federal entity which is under the jurisdiction of a department, independent establishment, or agency which is required to make a payment for such services under this section, or to allocate any amounts charged for such services among the entities which are under the jurisdiction of any such department, independent establishment, or agency. Each Federal department, independent establishment, and agency receiving water from the District of Columbia shall be responsible for allocating billings for such services among entities under the jurisdiction of the department, establishment, or agency, and shall be responsible for collecting amounts from such entities for any payments made to the District of Columbia under this section.

''(d) In the case of water services provided to a department, independent establishment, or agency in Virginia through the Federally owned water main system, if the total of the metered amounts billed for all individual users of the system (as measured by the meters for each individual user) is less than the total amount as measured by the meters at the delivery points into the system at the Francis Scott Key Bridge, the District government shall collect, and the Secretary of Defense shall pay, the difference to the District government in accordance with the requirements for collecting and making payments under this section.''.

(d) EFFECTIVE DATE.—This section and the amendments made by this section shall apply with respect to fiscal year 2002 and each succeeding fiscal year.

WASHINGTON AQUEDUCT

For operation of the Washington Aqueduct, $46,510,000 from other funds.

STORMWATER PERMIT COMPLIANCE ENTERPRISE FUND

For operation of the Stormwater Permit Compliance Enterprise Fund, $3,100,000 from other funds.

LOTTERY AND CHARITABLE GAMES ENTERPRISE FUND

For the Lottery and Charitable Games Enterprise Fund, established by the District of Columbia Appropriation Act, 1982 (95 Stat. 1174, 1175; Public Law 97–91), for the purpose of implementing the Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia (D.C. Law 3–172; D.C. Official Code, sec. 3–1301 et seq. and sec. 22–1716 et seq.), $229,688,000: Provided, That the District of Columbia shall identify the source of funding for this appropriation title from the District's own locally generated revenues: Provided further, That no revenues from Federal sources shall be used to support the operations or activities of the Lottery and Charitable Games Control Board.

SPORTS AND ENTERTAINMENT COMMISSION

For the Sports and Entertainment Commission, $9,627,000 (including $2,177,000 to be derived by transfer from the general fund of the District of Columbia and $7,450,000 from other funds): Provided, That the transfer of $2,177,000 from the general fund shall not be made unless the District of Columbia general fund has received $2,177,000 from the D.C. Sports and Entertainment Commission prior to September 30,

2001: Provided further, That the Mayor shall submit a budget for the Armory Board for the forthcoming fiscal year as required by section 442(b) of the District of Columbia Home Rule Act (87 Stat. 824; Public Law 93–198; D.C. Official Code, sec. 1–204.42(b)).

DISTRICT OF COLUMBIA RETIREMENT BOARD

For the District of Columbia Retirement Board, established by section 121 of the District of Columbia Retirement Reform Act of 1979 (93 Stat. 866; D.C. Official Code, sec. 1–711), $13,388,000 from the earnings of the applicable retirement funds to pay legal, management, investment, and other fees and administrative expenses of the District of Columbia Retirement Board: Provided, That the District of Columbia Retirement Board shall provide to the Congress and to the Council of the District of Columbia a quarterly report of the allocations of charges by fund and of expenditures of all funds: Provided further, That the District of Columbia Retirement Board shall provide the Mayor, for transmittal to the Council of the District of Columbia, an itemized accounting of the planned use of appropriated funds in time for each annual budget submission and the actual use of such funds in time for each annual audited financial report.

WASHINGTON CONVENTION CENTER ENTERPRISE FUND

For the Washington Convention Center Enterprise Fund, $57,278,000 from other funds.

HOUSING FINANCE AGENCY

For the Housing Finance Agency, $4,711,000 from other funds.

NATIONAL CAPITAL REVITALIZATION CORPORATION

For the National Capital Revitalization Corporation, $2,673,000 from other funds.

CAPITAL OUTLAY

(INCLUDING RESCISSIONS)

For construction projects, an increase of $1,550,787,000 of which $1,348,783,000 shall be from local funds, $44,431,000 from Highway Trust funds, and $157,573,000 from Federal funds, and a rescission of $476,182,000 from local funds appropriated under this heading in prior fiscal years, for a net amount of $1,074,605,000 to remain available until expended: Provided, That funds for use of each capital project implementing agency shall be managed and controlled in accordance with all procedures and limitations established under the Financial Management System: Provided further, That all funds provided by this appropriation title shall be available only for the specific projects and purposes intended: Provided further, That the capital budget for the Department of Health shall not be available until the District of Columbia Council's Committee on Human Services receives a report on the use of any capital funds for projects on the grounds of D.C. General Hospital: Provided further, That notwithstanding the foregoing, all authorizations for capital outlay projects, except those projects covered by the first sentence of section 23(a) of the Federal Aid Highway Act of 1968 (82 Stat. 827; Public Law 90–495), for which funds are provided by this appropriation title, shall expire on September 30, 2003, except authorizations for projects as to which funds have been obligated in whole or in part prior to September 30, 2003: Provided further, That upon expiration of any such project authorization, the funds provided herein for the project shall lapse: Provided further, That except for funds approved in the budgets prior to the fiscal year 2002 budget and FL–MA2 in the fiscal year 2002 Budget Request, no funds may be expended to renovate, rehabilitate or construct any facility within the boundaries of census tract 68.04 for any purpose associated with the D.C. Department of Corrections, the CSOSA, or the federal Bureau of Prisons unit until March 31, 2002 or until such time as the Mayor shall present to the Council for its approval, a plan for the development of census tract 68.04 south of East Capitol Street, S.E., and the housing of any misdemeanants, felons, ex-offenders, or persons awaiting trial within the District of Columbia, whichever occurs earlier: Provided further, That none of the conditions set forth in this paragraph shall interfere with the current operations of any Federal agency: Provided further, That none of the conditions set forth shall restrict the ongoing operations of the Department of Corrections.

GENERAL PROVISIONS

SEC. 101. Whenever in this Act, an amount is specified within an appropriation for particular purposes or objects of expenditure, such amount, unless otherwise specified, shall be considered as the maximum amount that may be expended for said purpose or object rather than an amount set apart exclusively therefor.

SEC. 102. Appropriations in this Act shall be available for expenses of travel and for the payment of dues of organizations concerned with the work of the District of Columbia government, when authorized by the Mayor: Provided, That in the case of the Council of the District of Columbia, funds may be expended with the authorization of the chair of the Council.

SEC. 103. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of legal settlements or judgments that have been entered against the District of Columbia government: Provided, That nothing contained in this section shall be construed as modifying or affecting the provisions of section 11(c)(3) of title XII of the District of Columbia Income and Franchise Tax Act of 1947 (70 Stat. 78; Public Law 84–460; D.C. Code, sec. 47–1812.11(c)(3)).

SEC. 104. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 105. No funds appropriated in this Act for the District of Columbia government for the operation of educational institutions, the compensation of personnel, or for other educational purposes may be used to permit, encourage, facilitate, or further partisan political activities. Nothing herein is intended to prohibit the availability of school buildings for the use of any community or partisan political group during non-school hours.

SEC. 106. None of the funds appropriated in this Act shall be made available to pay the salary of any employee of the District of Columbia government whose name, title, grade, and salary are not available for inspection by the House and Senate Committees on Appropriations, the House Committee on Government Reform, the Senate Committee on Governmental Affairs, and the Council of the District of Columbia, or their duly authorized representative.

SEC. 107.(a) Except as provided in subsection (b), no part of this appropriation shall be used for publicity or propaganda purposes or implementation of any policy including boycott designed to support or defeat legislation pending before Congress or any State legislature.

(b) The District of Columbia may use local funds provided in this Act to carry out lobbying activities on any matter other than—

(1) the promotion or support of any boycott; or

(2) statehood for the District of Columbia or voting representation in Congress for the District of Columbia.

(c) Nothing in this section may be construed to prohibit any elected official from advocating with respect to any of the issues referred to in subsection (b).

SEC. 108. At the start of the fiscal year, the Mayor shall develop an annual plan, by quarter and by project, for capital outlay borrowings: Provided, That within a reasonable time after the close of each quarter, the Mayor shall report to the Council of the District of Columbia and the Congress the actual borrowings and spending progress compared with projections.

SEC. 109. (a) None of the funds provided under this Act to the agencies funded by this Act, both Federal and District government agencies, that remain available for obligation or expenditure in fiscal year 2002, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for an agency through a reprogramming of funds which: (1) creates new programs; (2) eliminates a program, project, or responsibility center; (3) establishes or changes allocations specifically denied, limited or increased by Congress in this Act; (4) increases funds or personnel by any means for any program, project, or responsibility center for which funds have been denied or restricted; (5) reestablishes through reprogramming any program or project previously deferred through reprogramming; (6) augments existing programs, projects, or responsibility centers through a reprogramming of funds in excess of $1,000,000 or 10 percent, whichever is less; or (7) increases by 20 percent or more personnel assigned to a specific program, project or responsibility center; unless the Committees on Appropriations of both the Senate and House of Representatives are notified in writing 30 days in advance of any reprogramming as set forth in this section.

(b) None of the local funds contained in this Act may be available for obligation or expenditure for an agency through a transfer of any local funds from one appropriation heading to another unless the Committees on Appropriations of the Senate and House of Representatives are notified in writing 30 days in advance of the transfer, except that in no event may the amount of any funds transferred exceed four percent of the local funds in the appropriation.

SEC. 110. Consistent with the provisions of 31 U.S.C. 1301(a), appropriations under this Act shall be applied only to the objects for which the appropriations were made except as otherwise provided by law.

SEC. 111. (a) Notwithstanding any other provisions of law, the provisions of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 (D.C. Law 2–139; D.C. Official Code, sec. 1–601.01 et seq.), enacted pursuant to section 422(3) of the District of Columbia Home Rule Act (87 Stat. 790; Public Law 93–198; D.C. Official Code, sec. 1–204.22(3)), shall apply with respect to the compensation of District of Columbia employees: Provided, That for pay purposes, employees of the District of Columbia government shall not be subject to the provisions of title 5, United States Code.

(b)(1) CERTIFICATION OF NEED BY CHIEF TECHNOLOGY OFFICER.—Section 2706(b) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, as added by section 2 of the District Government Personnel Exchange Agreement Amendment Act of 2000 (D.C. Law 13–296), is amended by inserting after ''Director of Personnel'' each place it appears the following: ''(or the Chief Technology Officer, in the case of the Office of the Chief Technology Officer)''.

(2) INCLUSION OF OVERHEAD COSTS IN AGREEMENTS.—Section 2706(c)(3) of such Act is amended by striking the period at the end and inserting the following: '', except that in the case of the Office of the Chief Technology Officer, general and administrative costs shall include reasonable overhead costs and shall be calculated by the Chief Technology Officer (as determined under such criteria as the Chief Technology Officer independently deems appropriate subject to the review of the City Administrator, including a consideration of standards used to calculate general, administrative, and overhead costs for off-site employees found in Federal law and regulation and in general private industry practice).''.

(3) REPORTING REQUIREMENT.—Section 2706 of such Act is amended—

(A) by redesignating subsection (f) as subsection (g); and

(B) by inserting after subsection (e) the following new subsection:

''(f) Not later than 45 days after the end of each fiscal year (beginning with fiscal year 2002), the Chief Technology Officer shall prepare and submit to the Council and to the Committees on Appropriations of the House of Representatives and Senate a report describing all agreements entered into by the Chief Technology Officer under this section which are in effect during the fiscal year.''.

(c) The authority which the Chief Financial Officer of the District of Columbia exercised with respect to personnel, procurement, and the preparation of fiscal impact statements during a control period (as defined in Public Law 104–8) shall remain in effect through July 1, 2002.

(d) Section 424(b)(3) of the District of Columbia Home Rule Act (sec. 1–204.24b(c), D.C. Official Code) is amended—

(1) by striking ''determined'' and all that follows through ''exceed'' and inserting ''equal to''; and

(2) by striking ''IV'' and inserting ''I''.

(e) EFFECTIVE DATE.—The amendment made by subsection (d) shall apply with respect to pay periods in fiscal year 2002 and each succeeding fiscal year.

SEC. 112. No later than 30 days after the end of the first quarter of the fiscal year ending September 30, 2002, the Mayor of the District of Columbia shall submit to the Council of the District of Columbia the new fiscal year 2002 revenue estimates as of the end of the first quarter of fiscal year 2002. These estimates shall be used in the budget request for the fiscal year ending September 30, 2003. The officially revised estimates at midyear shall be used for the midyear report.

SEC. 113. No sole source contract with the District of Columbia government or any agency thereof may be renewed or extended without opening that contract to the competitive bidding process as set forth in section 303 of the District of Columbia Procurement Practices Act of 1985 (D.C. Law 6–85; D.C. Code, sec. 2–303.3), except that the District of Columbia government or any agency thereof may renew or extend sole source contracts for which competition is not feasible or practical: Provided, That the determination as to whether to invoke the competitive bidding process has been made in accordance with duly promulgated rules and procedures and said determination has been reviewed and certified by the Chief Financial Officer of the District of Columbia.

SEC. 114. (a) In the event a sequestration order is issued pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 (99 Stat. 1037; Public Law 99–177), after the amounts appropriated to the District of Columbia for the fiscal year involved have been paid to the District of Columbia, the Mayor of the District of Columbia shall pay to the Secretary of the Treasury, within 15 days after receipt of a request therefor from the Secretary of the Treasury, such amounts as are sequestered by the order: Provided, That the sequestration percentage specified in the order shall be applied proportionately to each of the Federal appropriation accounts in this Act that are not specifically exempted from sequestration by such Act.

(b) For purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (99 Stat. 1037; Public Law 99–177), the term ''program, project, and activity'' shall be synonymous with and refer specifically to each account appropriating Federal funds in this Act, and any sequestration order shall be applied to each of the accounts rather than to the aggregate total of those accounts: Provided, That sequestration orders shall not be applied to any account that is specifically exempted from sequestration by the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 115. ACCEPTANCE AND USE OF GIFTS. (a) APPROVAL BY MAYOR.—

(1) IN GENERAL.—An entity of the District of Columbia government may accept and use a gift or donation during fiscal year 2002 if—

(A) the Mayor approves the acceptance and use of the gift or donation (except as provided in paragraph (2)); and

(B) the entity uses the gift or donation to carry out its authorized functions or duties.

(2) EXCEPTION FOR COUNCIL AND COURTS.—The Council of the District of Columbia and the District of Columbia courts may accept and use gifts without prior approval by the Mayor.

(b) RECORDS AND PUBLIC INSPECTION.—Each entity of the District of Columbia government shall keep accurate and detailed records of the acceptance and use of any gift or donation under subsection (a), and shall make such records available for audit and public inspection.

(c) INDEPENDENT AGENCIES INCLUDED.—For the purposes of this section, the term ''entity of the District of Columbia government'' includes an independent agency of the District of Columbia.

(d) EXCEPTION FOR BOARD OF EDUCATION.—This section shall not apply to the District of Columbia Board of Education, which may, pursuant to the laws and regulations of the District of Columbia, accept and use gifts to the public schools without prior approval by the Mayor.

SEC. 116. None of the Federal funds provided in this Act may be used by the District of Columbia to provide for salaries, expenses, or other costs associated with the offices of United States Senator or United States Representative under section 4(d) of the District of Columbia Statehood Constitutional Convention Initiatives of 1979 (D.C. Law 3–171; D.C. Official Code, sec. 1–123).

SEC. 117. None of the funds appropriated under this Act shall be expended for any abortion except where the life of the mother would be endangered if the fetus were carried to term or where the pregnancy is the result of an act of rape or incest.

SEC. 118. None of the Federal funds made available in this Act may be used to implement or enforce the Health Care Benefits Expansion Act of 1992 (D.C. Law 9–114; D.C. Official Code, sec. 32–701 et seq.) or to otherwise implement or enforce any system of registration of unmarried, cohabiting couples, including but not limited to registration for the purpose of extending employment, health, or governmental benefits to such couples on the same basis that such benefits are extended to legally married couples.

SEC. 119. ACCEPTANCE AND USE OF GRANTS NOT INCLUDED IN CEILING. (a) IN GENERAL.—Notwithstanding any other provision of this Act, the Mayor, in consultation with the Chief Financial Officer may accept, obligate, and expend Federal, private, and other grants received by the District government that are not reflected in the amounts appropriated in this Act.

(b) REQUIREMENT OF CHIEF FINANCIAL OFFICER REPORT AND COUNCIL APPROVAL.—No such Federal, private, or other grant may be accepted, obligated, or expended pursuant to subsection (a) until—

(1) the Chief Financial Officer of the District of Columbia submits to the Council a report setting forth detailed information regarding such grant; and

(2) the Council within 15 calendar days after receipt of the report submitted under (1) has reviewed and approved the acceptance, obligation, and expenditure of such grant.

(c) PROHIBITION ON SPENDING IN ANTICIPATION OF APPROVAL OR RECEIPT.—No amount may be obligated or expended from the general fund or other funds of the District government in anticipation of the approval or receipt of a grant under subsection (b)(2) of this section or in anticipation of the approval or receipt of a Federal, private, or other grant not subject to such paragraph.

(d) QUARTERLY REPORTS.—The Chief Financial Officer of the District of Columbia shall prepare a quarterly report setting forth detailed information regarding all Federal, private, and other grants subject to this section. Each such report shall be submitted to the Council of the District of Columbia, and to the Committees on Appropriations of the House of Representatives and the Senate, not later than 15 days after the end of the quarter covered by the report.

SEC. 120. (a) RESTRICTIONS ON USE OF OFFICIAL VEHICLES.—Except as otherwise provided in this section, none of the funds made available by this Act or by any other Act may be used to provide any officer or employee of the District of Columbia with an official vehicle unless the officer or employee uses the vehicle only in the performance of the officer's or employee's official duties. For purposes of this paragraph, the term ''official duties'' does not include travel between the officer's or employee's residence and workplace (except: (1) in the case of an officer or employee of the Metropolitan Police Department who resides in the District of Columbia or is otherwise designated by the Chief of the Department; (2) at the discretion of the Fire Chief, an officer or employee of the District of Columbia Fire and Emergency Medical Services Department who resides in the District of Columbia and is on call 24 hours a day; (3) the Mayor of the District of Columbia; and (4) the Chairman of the Council of the District of Columbia).

(b) INVENTORY OF VEHICLES.—The Chief Financial Officer of the District of Columbia shall submit, by November 15, 2001, an inventory, as of September 30, 2001, of all vehicles owned, leased or operated by the District of Columbia government. The inventory shall include, but not be limited to, the department to which the vehicle is assigned; the year and make of the vehicle; the acquisition date and cost; the general condition of the vehicle; annual operating and maintenance costs; current mileage; and whether the vehicle is allowed to be taken home by a District officer or employee and if so, the officer or employee's title and resident location.

(c) No officer or employee of the District of Columbia government (including any independent agency of the District but excluding the Office of the Chief Technology Officer, the Chief Financial Officer of the District of Columbia, and the Metropolitan Police Department) may enter into an agreement in excess of $2,500 for the procurement of goods or services on behalf of any entity of the District government until the officer or employee has conducted an analysis of how the procurement of the goods and services involved under the applicable regulations and procedures of the District government would differ from the procurement of the goods and services involved under the Federal supply schedule and other applicable regulations and procedures of the General Services Administration, including an analysis of any differences in the costs to be incurred and the time required to obtain the goods or services.

SEC. 121. Notwithstanding any other provision of law, not later than 120 days after the date that a District of Columbia Public Schools (DCPS) student is referred for evaluation or assessment—

(1) the District of Columbia Board of Education, or its successor, and DCPS shall assess or evaluate a student who may have a disability and who may require special education services; and

(2) if a student is classified as having a disability, as defined in section 101(a)(1) of the Individuals with Disabilities Education Act (84 Stat. 175; 20 U.S.C. 1401(a)(1)) or in section 7(8) of the Rehabilitation Act of 1973 (87 Stat. 359; 29 U.S.C. 706(8)), the Board and DCPS shall place that student in an appropriate program of special education services.

SEC. 122. (a) COMPLIANCE WITH BUY AMERICAN ACT.—No funds appropriated in this Act may be made available to any person or entity

that violates the Buy American Act (41 U.S.C. 10a–10c).

(b) SENSE OF THE CONGRESS; REQUIREMENT REGARDING NOTICE.—

(1) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products to the greatest extent practicable.

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available in this Act, the head of each agency of the Federal or District of Columbia government shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 123. None of the funds contained in this Act may be used for purposes of the annual independent audit of the District of Columbia government for fiscal year 2002 unless—

(1) the audit is conducted by the Inspector General of the District of Columbia, in coordination with the Chief Financial Officer of the District of Columbia, pursuant to section 208(a)(4) of the District of Columbia Procurement Practices Act of 1985 (D.C. Official Code, sec. 2–302.8); and

(2) the audit includes as a basic financial statement a comparison of audited actual year-end results with the revenues submitted in the budget document for such year and the appropriations enacted into law for such year using the format, terminology, and classifications contained in the law making the appropriations for the year and its legislative history.

SEC. 124. None of the funds contained in this Act may be used by the District of Columbia Corporation Counsel or any other officer or entity of the District government to provide assistance for any petition drive or civil action which seeks to require Congress to provide for voting representation in Congress for the District of Columbia.

SEC. 125. (a) None of the funds contained in this Act may be used for any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

(b) Any individual or entity who receives any funds contained in this Act and who carries out any program described in subsection (a) shall account for all funds used for such program separately from any funds contained in this Act.

SEC. 126. None of the funds contained in this Act may be used after the expiration of the 60-day period that begins on the date of the enactment of this Act to pay the salary of any chief financial officer of any office of the District of Columbia government (including any independent agency of the District) who has not filed a certification with the Mayor and the Chief Financial Officer of the District of Columbia that the officer understands the duties and restrictions applicable to the officer and the officer's agency as a result of this Act (and the amendments made by this Act), including any duty to prepare a report requested either in the Act or in any of the reports accompanying the Act and the deadline by which each report must be submitted, and the District's Chief Financial Officer shall provide to the Committees on Appropriations of the Senate and the House of Representatives by the 10th day after the end of each quarter a summary list showing each report, the due date and the date submitted to the Committees.

SEC. 127. (a) None of the funds contained in this Act may be used to enact or carry out any law, rule, or regulation to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act (21 U.S.C. 802) or any tetrahydrocannabinols derivative.

(b) The Legalization of Marijuana for Medical Treatment Initiative of 1998, also known as Initiative 59, approved by the electors of the District of Columbia on November 3, 1998, shall not take effect.

SEC. 128. Nothing in this Act may be construed to prevent the Council or Mayor of the District of Columbia from addressing the issue of the provision of contraceptive coverage by health insurance plans, but it is the intent of Congress that any legislation enacted on such issue should include a ''conscience clause'' which provides exceptions for religious beliefs and moral convictions.

PROMPT PAYMENT OF APPOINTED COUNSEL

SEC. 129. (a) ASSESSMENT OF INTEREST FOR DELAYED PAYMENTS.—If the Superior Court of the District of Columbia or the District of Columbia Court of Appeals does not make a payment described in subsection (b) prior to the expiration of the 45-day period which begins on the date the Court receives a completed voucher for a claim for the payment, interest shall be assessed against the amount of the payment which would otherwise be made to take into account the period which begins on the day after the expiration of such 45-day period and which ends on the day the Court makes the payment.

(b) PAYMENTS DESCRIBED.—A payment described in this subsection is—

(1) a payment authorized under section 11–2604 and section 11–2605, D.C. Code (relating to representation provided under the District of Columbia Criminal Justice Act);

(2) a payment for counsel appointed in proceedings in the Family Division of the Superior Court of the District of Columbia under chapter 23 of title 16, D.C. Code; or

(3) a payment for counsel authorized under section 21–2060, D.C. Code (relating to representation provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986).

(c) STANDARDS FOR SUBMISSION OF COMPLETED VOUCHERS.—The chief judges of the Superior Court of the District of Columbia and the District of Columbia Court of Appeals shall establish standards and criteria for determining whether vouchers submitted for claims for payments described in subsection (b) are complete, and shall publish and make such standards and criteria available to attorneys who practice before such Courts.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require the assessment of interest against any claim (or portion of any claim) which is denied by the Court involved.

(e) EFFECTIVE DATE.—This section shall apply with respect to claims received by the Superior Court of the District of Columbia or the District of Columbia Court of Appeals during fiscal year 2002, and claims received previously that remain unpaid at the end of fiscal year 2001, and would have qualified for interest payment under this section.

FEDERAL CONTRIBUTION FOR ENFORCEMENT OF LAW BANNING POSSESSION OF TOBACCO PRODUCTS BY MINORS

SEC. 130. (a) CONTRIBUTION.—There is hereby appropriated a Federal contribution of $100,000 to the Metropolitan Police Department of the District of Columbia, effective upon the enactment by the District of Columbia of a law which reads as follows:

''BAN ON POSSESSION OF TOBACCO PRODUCTS BY MINORS

''SECTION 1. (a) IN GENERAL.—It shall be unlawful for any individual under 18 years of age to possess any cigarette or other tobacco product in the District of Columbia.

''(b) EXCEPTIONS.—

''(1) POSSESSION IN COURSE OF EMPLOYMENT.—Subsection (a) shall not apply with respect to an individual making a delivery of cigarettes or tobacco products in pursuance of employment.

''(2) PARTICIPATION IN LAW ENFORCEMENT OPERATION.—Subsection (a) shall not apply with respect to an individual possessing products in the course of a valid, supervised law enforcement operation.

''(c) PENALTIES.—Any individual who violates subsection (a) shall be subject to the following penalties:

''(1) For any violation, the individual may be required to perform community service or attend a tobacco cessation program.

''(2) Upon the first violation, the individual shall be subject to a civil penalty not to exceed $50.

''(3) Upon the second and each subsequent violation, the individual shall be subject to a civil penalty not to exceed $100.

''(4) Upon the third and each subsequent violation, the individual may have his or her driving privileges in the District of Columbia suspended for a period of 90 consecutive days.''.

(b) USE OF CONTRIBUTION.—The Metropolitan Police Department shall use the contribution made under subsection (a) to enforce the law referred to in such subsection.

SEC. 131. The Mayor of the District of Columbia shall submit to the Senate and House Committees on Appropriations, the Senate Governmental Affairs Committee, and the House Government Reform Committee quarterly reports addressing the following issues: (1) crime, including the homicide rate, implementation of community policing, the number of police officers on local beats, and the closing down of open-air drug markets; (2) access to drug abuse treatment, including the number of treatment slots, the number of people served, the number of people on waiting lists, and the effectiveness of treatment programs; (3) management of parolees and pre-trial violent offenders, including the number of halfway house escapes and steps taken to improve monitoring and supervision of halfway house residents to reduce the number of escapes to be provided in consultation with the Court Services and Offender Supervision Agency; (4) education, including access to special education services and student achievement to be provided in consultation with the District of Columbia Public Schools; (5) improvement in basic District services, including rat control and abatement; (6) application for and management of Federal grants, including the number and type of grants for which the District was eligible but failed to apply and the number and type of grants awarded to the District but for which the District failed to spend the amounts received; and (7) indicators of child well-being.

SEC. 132. Nothing in this Act bars the District of Columbia Corporation Counsel from reviewing or commenting on briefs in private lawsuits, or from consulting with officials of the District government regarding such lawsuits.

RESERVE FUNDS

SEC. 133. (a) IN GENERAL.—Section 202(j) of Public Law 104–8, the District of Columbia Financial Responsibility and Management Assistance Act of 1995 is amended to read as follows:

''(j) RESERVE FUNDS.—

''(1) BUDGET RESERVE.—

''(A) IN GENERAL.—For each of the fiscal years 2002 and 2003, the budget of the District government for the fiscal year shall contain a budget reserve in the following amounts:

''(i) $120,000,000, in the case of fiscal year 2002.

''(ii) $70,000,000, in the case of fiscal year 2003.

''(B) AVAILABILITY OF FUNDS.—Any amount made available from the budget reserve described in subparagraph (A) shall remain available until expended.

''(C) AVAILABILITY OF FISCAL YEAR 2001 BUDGET RESERVE FUNDS.—For fiscal year 2001, any amount in the budget reserve shall remain available until expended.

''(2) CUMULATIVE CASH RESERVE.—In addition to any other cash reserves required under section 450A of the District of Columbia Home Rule Act, for each of the fiscal years 2004 and 2005, the budget of the District government for the fiscal year shall contain a cumulative cash reserve of $50,000,000.

''(3) CONDITIONS ON USE.—The District of Columbia may obligate or expend amounts in the budget reserve under paragraph (1) or the cumulative cash reserve under paragraph (2) only in accordance with the following conditions:

''(A) The Chief Financial Officer of the District of Columbia shall certify that the amounts are available.

''(B) The amounts shall be obligated or expended in accordance with laws enacted by the Council in support of each such obligation or expenditure.

''(C) The amounts may not be used to fund the agencies of the District of Columbia government under court ordered receivership.

''(D) The amounts may be obligated or expended only if the Mayor notifies the Committees on Appropriations of the House of Representatives and Senate in writing 30 days in advance of any obligation or expenditure.

''(4) REPLENISHMENT.—Any amount of the budget reserve under paragraph (1) or the cumulative cash reserve under paragraph (2) which is expended in one fiscal year shall be replenished in the following fiscal year appropriations to maintain the required balance.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect October 1, 2001.

(c) CONFORMING AMENDMENTS.—Section 159(c) of the District of Columbia Appropriations Act, 2001 (Public Law 106–522; 114 Stat. 2482) is amended to read as follows:

''(c) EFFECTIVE DATE.—

''(1) IN GENERAL.—Except as provided in paragraph (2), this section and the amendments made by this section shall take effect on October 1, 2000.

''(2) REPEAL OF POSITIVE FUND BALANCE REQUIREMENT.—The amendment made by subsection (b)(2) shall take effect October 1, 1999.

''(3) TRANSFER OF FUNDS.—All funds identified by the District government pursuant to section 148 of Public Law 106–113, as reflected in the certified annual financial report for fiscal year 2000, shall be deposited during fiscal year 2002 into the Emergency and Contingency Reserve Funds established pursuant to Section 159 of Public Law 106–522, during fiscal year 2002.''.

(d) CONTINGENCY RESERVE FUND.—Section 450A(b) of the Home Rule Act (Public Law 93–198) is amended—

(1) by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—There is established a contingency cash reserve fund (in this subsection referred to as the 'contingency reserve fund') as an interest-bearing account (separate from other accounts in the General Fund) into which the Mayor shall deposit in cash not later than October 1 of each fiscal year (beginning with fiscal year 2002) such amount as may be required to maintain a balance in the fund of at least 3 percent of the total budget appropriated for operating expenditures for such fiscal year which is derived from local funds (or, in the case of fiscal years prior to fiscal year 2007, such amount as may be required to maintain a balance in the fund of at least the minimum contingency reserve balance for such fiscal year, as determined under paragraph (2)).''; and

(2) by striking subparagraph (B) of paragraph (2) and inserting the following:

''(B) APPLICABLE PERCENTAGE DEFINED.—In subparagraph (A), the 'applicable percentage' with respect to a fiscal year means the following:

''(i) For fiscal year 2002, 0 percent.

''(ii) For fiscal year 2003, 0 percent.

''(iii) For fiscal year 2004, 0 percent.

''(iv) For fiscal year 2005, 1 percent.

''(v) For fiscal year 2006, 2 percent.''.

SEC. 134. INTEGRATED PRODUCT TEAM. No funds appropriated by this Act shall be available for an Integrated Product Team until reorganization plans for the Integrated Product Team and a Capital Construction Services Administration have been approved, or deemed approved, by the Council: Provided, That this paragraph shall not apply to funds appropriated for the Office of Contracting and Procurement.

SEC. 135. No later than 30 calendar days after the date of the enactment of this Act, the Chief Financial Officer of the District of Columbia shall submit to the appropriate committees of Congress, the Mayor, and the Council a revised appropriated funds operating budget in the format of the budget that the District of Columbia government submitted pursuant to section 442 of the District of Columbia Home Rule Act (Public Law 93–198; D.C. Official Code, sec. 1–204.42), for all agencies of the District of Columbia government for such fiscal year that is in the total amount of the approved appropriation and that realigns all budgeted data for personal services and other-than-personal-services, respectively, with anticipated actual expenditures.

SEC. 136. Section 403 of the District of Columbia Home Rule Act, approved December 24, 1973 (Public Law 93–198; D.C. Official Code, sec. 1–204.03), is amended as follows:

(1) Subsection (c) is amended by striking ''shall receive, in addition to the compensation to which he is entitled as a member of the Council, $10,000 per annum, payable in equal installments, for each year he serves as Chairman, but the Chairman''.

(2) A new subsection (d) is added to read as follows:

''(d) Notwithstanding subsection (a), as of the effective date of the District of Columbia Appropriations Act, 2001, the Chairman shall receive compensation, payable in equal installments, at a rate equal to $10,000 less than the annual compensation of the Mayor.''.

SEC. 137. RISK MANAGEMENT FOR SETTLEMENTS AND JUDGMENTS. In addition to any other authority to pay claims and judgments, any department, agency, or instrumentality of the District government may pay the settlement or judgment of a claim or lawsuit in an amount less than $10,000, in accordance with the Risk Management for Settlements and Judgments Amendment Act of 2000, effective October 19, 2000 (D.C. Law 13–172; D.C. Official Code §2–402).

SEC. 138. Notwithstanding section 602(c)(1) of the District of Columbia Home Rule Act (sec. 1–206(c)(1), D.C. Code), the Closing of Portions of 2nd and N Streets, N.E. and Alley System in Square 710, S.O. 00–97, Act of 2001 (D.C. Act 14–106) shall take effect on the date of the enactment of such Act or the date of the enactment of this Act, whichever is later.

SEC. 139. None of the funds contained in this Act may be used to issue, administer, or enforce any order by the District of Columbia Commission on Human Rights relating to docket numbers 93–030–(PA) and 93–031–(PA).

SEC. 140. (a) Notwithstanding 20 U.S.C. §1415, 42 U.S.C. §1988, 29 U.S.C §794a, or any other law, none of the funds appropriated under this Act, or in appropriations Acts for subsequent fiscal years, may be made available to pay attorneys' fees accrued prior to the effective date of this Act that exceeds a cap imposed on attorneys' fees by prior appropriations Acts that were in effect during the fiscal year when the work was performed, or when payment was requested for work previously performed, in an action or proceeding brought against the District of Columbia Public Schools under the Individuals with Disabilities Education Act (20 U.S.C. §1400 et seq.).

(b) No later than 60 days after the date of enactment of this Act, the Superintendent of Schools for the District of Columbia shall submit to the Committees on Appropriations for the Senate and the House of Representatives a written report for each of the fiscal years 1999, 2000, and 2001, detailing a complete itemized list, by year, of the judgments for attorneys' fees awarded to plaintiffs who prevailed in cases brought against the District of Columbia or the District of Columbia Public Schools under section 615(i)(3) of the Individuals with Disabilities Education Act (20 U.S.C. 1415(i)(3)). Such report shall specify: (1) the amount of each judgment; (2) the total amount paid on each judgment as of the date of the report; (3) the principal balance remaining due on each such judgment as of the date of the report, the amount of interest due as of December 31, 2001 on each unpaid amount; and the prospective annual rate of interest applicable to the judgment as of January 1, 2002; (4) the name of the Court and case number for each judgment; (5) the aggregate total due in principal and interest on the judgments; and (6) the amount paid by the District of Columbia, in each case listed, to defense counsel representing the District or the District of Columbia Public Schools.

SEC. 141. The Comptroller General, in consultation with the relevant agencies and members of the Committees on Appropriations Subcommittees on the District of Columbia, shall submit by March 31, 2002 a report to the Committees on Appropriations of the House and the Senate and the Committee on Governmental Affairs of the Senate and the Committee on Government Reform of the House of Representatives detailing the awards in judgment rendered in the District of Columbia that were in excess of the cap imposed by prior appropriations Acts in effect during the fiscal year when the work was performed, or when payment was requested for work previously performed, in actions brought against the District of Columbia Public Schools under the Individuals with Disabilities Education Act (20 U.S.C. §1400 et seq.): Provided, That such report shall include a comparison, to the extent practicable, of the causes of action and judgments rendered against public school districts of comparable demographics and population as the District.

This Act may be cited as the ''District of Columbia Appropriations Act, 2002''.

And the Senate agree to the same.

JOE KNOLLENBERG,
ERNEST ISTOOK,
JOHN T. DOOLITTLE,
JOHN E. SWEENEY,
DAVID VITTER,
BILL YOUNG,
CHAKA FATTAH,
ALAN B. MOLLOHAN,
Managers on the Part of the House.

MARY L. LANDRIEU,
JACK REED,
DANIEL K. INOUYE,
MIKE DEWINE,
TED STEVENS,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2944) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2002, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the actions agreed

upon by the managers and recommended in the accompanying conference report.

The conference agreement on the District of Columbia Appropriations Act, 2002, incorporates some of the provisions of both the House and Senate versions of the bill. The language and allocations set forth in House Report 107–216 and Senate Report 107–85 should be complied with unless specifically addressed in the accompanying bill and statement of the managers to the contrary. The agreement agreed to herein, while repeating some report language for emphasis, does not negate the language reference above unless expressly provided. General provisions which are identical in the House and Senate passed versions of H.R. 2944 are unchanged by the conference agreement and are approved unless provided to the contrary herein.

A summary chart appears later in this statement just before the explanations of the general provisions showing the Federal appropriations by account and the allocation of District funds by agency or office under each appropriation title showing the fiscal year 2001 appropriation, the fiscal year 2002 request, the House and Senate recommendations and the conference allowance.

FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

The conference agreement includes language requiring the Federal payment for resident tuition support be deposited into a dedicated account with any interest accrued to be used on behalf of eligible District of Columbia residents. The conference action requires quarterly financial reports from the Chief Financial Officer on the use of resident tuition funds and limits administrative expenses to seven percent of the total amount appropriated herein rather than allowing administrative expenses to be charged again on carryover amounts.

The conferees recognize and appreciate the important role of Historically Black Colleges and Universities (HBCUs) in educating citizens of the District of Columbia. Therefore, conferees urge the prompt expansion of the District of Columbia's Tuition Assistance Grant Program to make those students attending HBCUs outside of the District of Columbia, Maryland and Virginia eligible for grant assistance.

FEDERAL PAYMENT FOR INCENTIVES FOR ADOPTION OF CHILDREN

The conference agreement has approved extending the availability until September 30, 2002 of the $5,000,000 approved in Public Law 106–113 dated November 29, 1999 for this program. The conference action provides that $1,000,000 be used for the establishment of a scholarship fund for post high school education and training for District children of adoptive families as well as for District children without parents due to the September 11, 2001 terrorist attack. The language also allows the funds to be used to fund programs included in amendments made by title 22 of the District's FY 2002 Budget Support Act to the Adoption Support Fund.

The conferees encourage the Mayor to use funds made available to create incentives to promote the adoption of children in the District of Columbia foster care system, including $2,000,000 for attorney fees and home studies, $1,000,000 for establishment of a private adoptive family resource center in the District to provide ongoing information, education and support to adoptive families, and $1,000,000 for adoption incentives and support for children with special needs.

FEDERAL PAYMENT TO THE CAPITOL CITY CAREER DEVELOPMENT AND JOB TRAINING PARTNERSHIP

Appropriates $500,000 for a Federal payment to the Capitol City Career Development and Job Training Partnership as proposed by the House.

FEDERAL PAYMENT TO CAPITOL EDUCATION FUND

Appropriates $500,000 to the Capitol Education Fund.

FEDERAL PAYMENT TO METROPOLITAN KAPPA YOUTH DEVELOPMENT FOUNDATION, INC.

Appropriates $450,000 to the Metropolitan Kappa Youth Development Foundation, Inc.

FEDERAL PAYMENT TO THE FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT

Appropriates $500,000 to the Fire and Emergency Medical Services Department for dry docking of the fire boat as proposed by the House.

FEDERAL PAYMENT TO THE CHIEF MEDICAL EXAMINER

Appropriates $585,000 for the Chief Medical Examiner for reduction in the backlog of autopsies, case reports and for the purchase of toxicology and histology equipment as proposed by the House.

FEDERAL PAYMENT TO THE YOUTH LIFE FOUNDATION

Appropriates $250,000 to the Youth Life Foundation for technical assistance, operation expenses, and establishment of a National Training Institute as proposed by the House.

FEDERAL PAYMENT TO FOOD AND FRIENDS

Appropriates $2,000,000 to Food and Friends for their Capital Campaign as proposed by the House.

FEDERAL PAYMENT TO THE CITY ADMINISTRATOR

Appropriates $300,000 to the City Administrator for the Criminal Justice Coordinating Council for the District of Columbia as proposed by the House.

FEDERAL PAYMENT TO SOUTHEASTERN UNIVERSITY

Appropriates $500,000 to Southeastern University for a public/private partnership with the District of Columbia Public Schools at the McKinley Technology High School campus as proposed by the House instead of $250,000 as proposed by the Senate.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA PUBLIC SCHOOLS

Appropriates $2,500,000 to the District of Columbia Public Schools of which $2,000,000 is for the Voyager Expanded Learning Literacy Program in kindergarten and first grade classrooms, $250,000 is for the Failure Free Reading Literacy Program for nonreaders and special education students and $250,000 is for Lightspan, Inc. to implement the eduTest.com program in the public school system.

FEDERAL PAYMENTS FOR DISTRICT OF COLUMBIA AND FEDERAL LAW ENFORCEMENT MOBILE WIRELESS INTEROPERABILITY PROJECT

Appropriates $1,400,000 as proposed by the Senate in support of the District of Columbia and Federal law enforcement Mobile Wireless Interoperability Project as follows: $400,000 to the District of Columbia Office of the Chief Technology Officer, $333,334 to the United States Secret Service, $333,333 to the United States Capitol Police, and $333,333 to the United States Park Police. The conferees expect the Secret Service, the Park Police, and the Capitol Police to provide additional funding to continue this project through their own appropriations or through existing interagency funding pools in subsequent fiscal years.

FEDERAL PAYMENT FOR EMERGENCY PLANNING AND SECURITY COSTS IN THE DISTRICT OF COLUMBIA

Appropriates $16,058,000 for emergency planning and security costs in the District of Columbia of which $12,652,000 is to be made available immediately to the District's Emergency Management Agency for planning, training, and personnel costs required for implementing the emergency operations plan and $3,406,000 is to be made available immediately for reimbursement for equipment purchased to provide security for the planned meetings in September 2001 of the World Bank and the International Monetary Fund. The conference action requires the Mayor and the Chairman of the Council of the District of Columbia, in consultation with the Director of the Office of Personnel Management, the United States Park Police, the United States Capitol Police, the Washington Metropolitan Area Transit Authority, regional transportation authorities, the Federal Emergency Management Agency, the Governor of the State of Maryland and the Governor of the Commonwealth of Virginia, the county executives of the contiguous counties of the regional and the respective state and local law enforcement entities in the region, to develop an integrated emergency operations plan for the District of Columbia in cases of national security events, including terrorist threats, protests, or other unanticipated events. The plan is to be submitted to the Committees on Appropriations of the Senate and House of Representatives no later than January 2, 2002. In addition, the Chief Financial Officer is required to provide quarterly reports on the use of the funds under this heading beginning not later than April 2, 2002.

FEDERAL PAYMENT TO THE CHIEF FINANCIAL OFFICER OF THE DISTRICT OF COLUMBIA

Appropriates $8,300,000 instead of $2,350,000 as proposed by the House and $5,900,000 as proposed by the Senate. The appropriation includes $1,000,000 for payment to the Excel Institute Adult Education Program to be used by the Institute for construction, $300,000 for payment to the Woodlawn Cemetery for restoration of the Cemetery, $250,000 for payment to the Real World Schools concerning 21st Century reform models for secondary education and the use of technology to support learning in the District of Columbia, $300,000 for payment to a mentoring program and for hotline services; $250,000 for payment to a youth development program with character education initiative; $250,000 for payment to a basic values training in the local public schools, $2,250,000 for payment for a pilot project to demonstrate the ''Active Cap'' river cleanup technology on the Anacostia River, $500,000 for payment to the Washington, D.C. Sports and Entertainment Commission, which in coordination with the U.S. Soccer Foundation, shall use the funds for environmental and infrastructure costs at the Kenilworth Park in the creation of the Kenilworth Regional Sport Complex, $600,000 for payment to the One Economy Corporation to increase Internet access to low-income homes in the District of Columbia, $500,000 for payment to the Langston Project for the 21st Century, a community revitalization project to improve physical education and training facilities, $1,000,000 for payment to the Green Door Program, for capital improvements at a community mental health clinic, $500,000 for payment to the Historical Society of Washington for capital improvements to the new City Museum; $200,000 to Teach for America DC for teacher development, $50,000 to the District of Columbia for initial renovations at Eastern Market, $350,000 to the District of Columbia Safe Kids Coalition to promote child passenger safety through the Child Occupant Protection Initiative. The conferees direct the District's Chief Financial Officer to make the above payments directly to the organizations within 30 days of the enactment

of this Act. The conferees do not expect the Chief Financial Officer to administer these programs or get involved in any way with the programs except to ensure that the funds are disbursed promptly and correctly to the proper organizations.

The conferees encourage the District's Chief Financial Officer to credit amounts reimbursed by the U.S. Marshals Service for District of Columbia inmates housed in private contract facilities directly to the District of Columbia Department of Corrections for payment to a contract bed space service provider.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA CORRECTIONS TRUSTEE OPERATIONS

Appropriates $30,200,000 instead of $32,700,000 as proposed by the House and Senate. The reduction consists of $2,000,000 from building renovations and $500,000 from funds requested for the closing of the sewage treatment plant and the removal of underground storage tanks at the Lorton Correctional Complex.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

Appropriates $112,180,000 instead of $111,238,000 as proposed by the House and $140,181,000 as proposed by the Senate and allocates $66,091,000 as proposed by the House for Superior Court instead of $72,694,000 as proposed by the Senate, $31,594,000 for the Court System instead of $31,149,000 as proposed by the House and $31,634,000 as proposed by the Senate, and $6,492,000 for capital improvements instead of $5,995,000 as proposed by the House and $27,850,000 as proposed by the Senate. The conference action deletes the proviso proposed by the House that would have required approval by the Committees for the purchase, installation and operation of an Integrated Justice Information System. The conference action deletes language proposed by the Senate that would have allowed the District of Columbia Courts to reallocate not more than $1,000,000 of funds provided under this heading among the items and entities funded under such heading. The conference action transfers the new District of Columbia Family Court to a separate appropriation heading as proposed by the House instead of as a proviso under this heading as proposed by the Senate.

ADMINISTRATIVE PROVISIONS

The conference agreement amends D.C. Official Code, sec. 11–1722(a) to remove the Director of Social Services in the Superior Court from direct supervision of the Executive Officer as proposed by the Senate.

The conference agreement amends D.C. Official Code, sec. 11–1723(a)(3) to remove the internal auditing of the accounts of the courts from the fiscal officer as proposed by the Senate.

Crime victims compensation.—The conference agreement amends D.C. Official Code, sec. 4–515(d) and (e) concerning the Victims of Violent Crime Compensation Fund to allow 50 percent of the estimated balance to be used for direct compensation payments to crime victims through the Fund and the balance for outreach activities designed to increase the number of crime victims who apply for such direct compensation payments. The language also provides that not more than 5 percent of the total amount of monies in the Fund may be used to pay administrative costs.

The District's Chief Financial Officer is directed to certify that priority is given to crime victim assistance programs that provide assistance to victims of sexual assault, domestic violence, or child abuse including but not limited to abuse counseling, health and mental health services, child advocacy centers, emergency housing, emergency child care, transportation, hospital-based informational and referral services, and family support. The conferees recommend that the District government make funds available for victim assistance programs which are aimed at improving the intake, assessment, screening and investigation of reports of child abuse and neglect and domestic violence.

The District's Chief Financial Officer is directed to certify that the program funds awarded to grantees under this program are used to directly serve victims of crime.

The conference agreement amends D.C. Official Code, sec. 11–2604 to increase the hourly rate for attorneys for indigents appointed under the Criminal Justice Act (CJA) from $50 per hour to $65 per hour and increases the rate paid to investigators from $10 per hour to $25 per hour. The rates are effective for cases initiated on or after March 1, 2002.

Quality of CJA legal services.—The conferees strongly urge the D. C. Superior Court to evaluate the quality of the legal services rendered by lawyers appointed under the Criminal Justice Act to handle juvenile delinquency cases. The Court is urged to take immediate, affirmative steps to ensure that lawyers who lack the requisite training, experience and skill are not appointed to delinquency cases. The conferees also urge the Court to adopt a Continuing Legal Education (CLE) requirement for all lawyers rendering legal services under the Criminal Justice Act. Such training is critical to improving the quality of legal representation provided to indigent people in the District of Columbia and will result in a more cost-efficient system.

FEDERAL PAYMENTS FOR FAMILY COURT ACT

Appropriates $24,016,000 for carrying out the District of Columbia Family Court Act of 2001 instead of $23,316,000 as proposed by the House and $23,315,000 as proposed by the Senate. The increase of $700,000 includes $200,000 for the completion of a plan by the Mayor on integrating the computer systems of the District of Columbia government with the Family Court of the Superior Court and $500,000 to be used by the Child and Family Services Agency for activities authorized by the District of Columbia Family Court Act of 2001.

DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

Appropriates $34,311,000 as proposed by the House instead of $39,311,000 as proposed by the Senate and makes conforming technical changes. The reduction of $5,000,000 below the Senate recommendation reflects conference action that requires the use of unobligated balances to fund the rate increase for investigators and for attorneys for indigents appointed under the Criminal Justice Act. The conference agreement also requires that $4,685,500 for design and construction expenses of the courthouse at 451 Indiana Avenue, N.W., be paid from unobligated balances in this account.

FEDERAL PAYMENT TO THE COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA

(INLCUDING TRANSFER OF FUNDS)

The conference agreement allows $2,000 for official receptions related to the offender and defendant support programs instead of $1,500 proposed by the House and $5,000 proposed by the Senate. The conference agreement restores the proviso requiring the Director to keep accurate and detailed records of the acceptance and use of any gift or donation as proposed by the House and makes conforming technical changes. The conference action includes language proposed by the Senate that allows the Director flexibility in acquiring an appropriate site to house or supervise offenders and defendants rather than limiting the Director to a specific site as proposed in the budget request and proposed by the House. In any event the site is to be acquired by March 31, 2002.

FEDERAL PAYMENT TO THE CHILDREN'S NATIONAL MEDICAL CENTER

Appropriates $5,500,000 to the Children's National Medical Center of which $500,000 is for completion of a network of satellite pediatric health clinics for children and families in underserved neighborhoods and communities in the District of Columbia and $5,000,000 is for capital and equipment improvements.

ST. COLETTA OF GREATER WASHINGTON EXPANSION PROJECT

Appropriates $2,000,000 to St. Coletta of Greater Washington, Inc. instead of $1,000,000 as proposed by the House for costs associated with the establishment of a day program and comprehensive case management services for mentally retarded and multiple handicapped adolescents and adults in the District of Columbia including property acquisition and construction.

FEDERAL PAYMENT TO FAITH AND POLITICS INSTITUTE

Appropriates $50,000 to the Faith and Politics Institute for grass roots-based racial sensitivity programs in the District of Columbia as proposed by the House.

FEDERAL PAYMENT TO THE THURGOOD MARSHALL ACADEMY CHARTER SCHOOL

Appropriates $1,000,000 as proposed by the Senate to the Thurgood Marshall Academy Charter School to be used to acquire and renovate an educational facility in the Anacostia area of the District.

FEDERAL PAYMENT TO THE GEORGE WASHINGTON UNIVERSITY CENTER FOR EXCELLENCE IN MUNICIPAL MANAGEMENT

Appropriates $250,000 to the George Washington University Center for Excellence in Municipal Management as proposed by the Senate to increase the enrollment of managers from the District of Columbia government.

COURT APPOINTED SPECIAL ADVOCATES

Appropriates $250,000 to the District of Columbia Court Appointed Special Advocates Unit as proposed by the Senate to be used to expand the Unit's work in the Family Court of the District of Columbia Superior Court.

ADMINISTRATIVE PROVISION

The conference agreement allows $100,000 appropriated in the District of Columbia Appropriations Act, 2001, Public Law 106–522 (114 Stat. 2441) to remain available until September 30, 2002 for the Metropolitan Police Department to fund a youth safe haven police mini-station for mentoring high risk youth; $1,000,000 made available in such Act for the Washington Interfaith Network (114 Stat. 2444) to remain available until December 31, 2002 for reimbursement of costs incurred in carrying out preconstruction activities at the former Fort Dupont Dwellings and Additions, and $3,450,000 for Brownfield Remediation (114 Stat. 2445) to remain available until expended for environmental and infrastructure costs at Poplar Point as proposed by the Senate.

CONGRESSIONAL RESEARCH SERVICE

The conferees direct the Congressional Research Service to analyze the differences and similarities in municipal, state and national government, including funding, management, oversight, and the rights of citizens, in the District of Columbia and ten other comparable national capitals. The conferees request that the report be submitted to the House and Senate Committees on Appropriations not later than March 31, 2002.

DISTRICT OF COLUMBIA FUNDS

DIVISION OF EXPENSES

Provides that operating expenses for the District of Columbia for fiscal year 2002 shall not exceed $6,048,160,000 of which $124,163,000 is from intra-District funds and $3,574,493,000 is from local funds instead of $6,043,881,000 of which $124,163,000 is from intra-District funds and $3,571,343,000 is from local funds as proposed by the House and $6,051,646,000 of which $124,163,000 is from intra-District funds and $3,553,300,000 is from local funds as proposed by the Senate. The changes in the amounts reflect actions taken by the conferees in the funding levels under the various appropriation headings.

The conference agreement includes a proviso allowing the ceiling amount to be increased by proceeds of one-time transactions which are expended for emergency or unanticipated operating or capital needs and deletes the provision that would have allowed expenditures above the cap to generate additional revenues. The conferees encourage the Chief Financial Officer to reprioritize existing resources for this purpose.

GOVERNMENTAL DIRECTION AND SUPPORT

Appropriates $286,138,000 including $229,421,000 from local funds, $38,809,000 in Federal funds and $17,908,000 from other funds instead of $285,359,000 including $229,271,000 from local funds, $38,809,000 from Federal funds and $17,279,000 from other funds as proposed by the House and $307,117,000 including $228,471,000 from local funds, $61,367,000 from Federal funds and $17,279,000 from other funds as proposed by the Senate.

Office of the Mayor.—The conference agreement includes an increase of $200,000 in Federal funds appropriated earlier under Federal Payments for Family Court Act for a computer integration plan for Child and Family Social Services as proposed by the Senate.

Recycled crumb rubber.—The conferees encourage the District government to use recycled crumb rubber from tires in environmentally responsible applications such as roads, playgrounds, bicycle paths, and parking lots. Last year in the United States alone 270 million tires were ''retired''. While it has been reported that 70 percent of the tires were beneficially utilized, some 30 percent went into landfills. Tires in landfills create problems that should be minimized or eliminated. New technology has now allowed tires to be recycled more economically, producing metals that are recycled and tire crumb that can be used in numerous applications that provide added benefits. Rubberized asphalt in road applications has been reported to last longer and provide lower noise levels. Mats made from recycled rubber have been known to provide a safer environment for children in playgrounds. These and other applications allow for environmentally responsible uses and minimize the number of tires that may be discarded.

Office of the City Administrator.—The conference agreement includes an increase of $300,000 in Federal funds appropriated earlier in this Act for the Criminal Justice Coordinating Council of the District of Columbia as proposed by the House. The conferees encourage District officials to reprogram or transfer funds to augment this program in the event additional funds are required.

Office of the Chief Technology Officer.—The conference agreement includes an increase of $400,000 in Federal funds appropriated earlier in this Act to manage a wireless pilot project to connect local and Federal law enforcement agencies in the region as proposed by the Senate instead of $500,000 as proposed by the House.

Office of the Corporation Counsel.—The conference agreement includes $386,000 for activities related to the D.C. Antitrust Act of 1980, $10,000 for Antifraud activities related to section 820 of the D.C. Procurement Practices Act of 1985, and $233,000 for the Consumer Protection Fund established pursuant to section 1402 of the District of Columbia Budget Support Act for fiscal year 2001.

Office of the Chief Financial Officer.—The conference agreement includes $50,000 for initial renovations at Eastern Market from Federal funds appropriated earlier in this Act.

ECONOMIC DEVELOPMENT AND REGULATION

The conference agreement includes the provisos proposed by the Senate requiring the Department of Consumer and Regulatory Affairs to use $50,000 of the receipts from the net proceeds from the contractor that handles the District's occupational and professional licensing to fund additional staff and equipment for the Rental Housing Administration. The conference agreement approves $293,000 from other funds resulting from the lapse of personnel vacancies, caused by transferring employees into NSO positions without filling the resultant vacancies, into the revolving 5–513 fund to be used to implement the provisions in D.C. Law 13–281, the Abatement and Condemnation of Nuisance Properties Omnibus Amendment Act of 2000, pertaining to the prevention of the demolition by neglect of historic properties. The conference agreement approves the proviso that requires 18 percent of the annual total amount in the 5–513 fund, up to $500,000, that is deposited into the 5–513 fund on an annual basis, be used to implement section 102 and other related sections of D.C. Law 13–281. The conference agreement deletes the proviso concerning personnel matters and the filling of certain positions in the Department.

Downtown Business Improvement Districts (BID).—The conferees have reviewed concerns expressed by businesses and business organizations in the District, as well as criticism expressed in the local press, concerning the Downtown BID's commitment to expand its mission into areas of regulation, planning, marketing, advocacy and economic development by way of the creation of affiliated entities, and its advocacy for legislative authority to expand its functions to include public space management and regulation.

The Downtown BID and other BIDs in the District generate funding for operations and administration under the authority granted to it by legislation enacted by the Council of the District of Columbia and approved by Congress. Justification for delegating the authority to impose taxes, fees or liens on all commercial owners and tenants within the BID's boundaries arose out of the need to enhance the District's ability to maintain cleanliness and public safety within those boundaries. In fact, language exempting BIDs from taxes levied by the District of Columbia was initially placed in the fiscal year 1999 District of Columbia Appropriations Act based on assurances that the BIDs' role would be limited to augmenting the services that the District government was providing in the areas of public safety, trash collection, street cleaning and ''ambassadorial'' assistance. The proposal was for the businesses in the area to ''tax themselves'' and use those funds to provide a higher level of basic services in their area. On that basis, it seemed fair to allow the tax exemption. However, the intent was not to provide a tax exemption for economic development or activities other than those that would enhance the appearance and livability in the BID area.

The House Committee took the initiative to investigate and respond to the concerns expressed by the business community to the expansion of the BID's mission as well as the various proposals for funding the operation and administration of such affiliate entities. As a result of the House Committee's discussions with Downtown BID Board members and staff members, the Downtown BID has informed its Board and other business organizations in the District that it will not move forward with the expansion of its core mission at this time, and that any expansion of its core mission, either within the BID or through affiliated entities, will not duplicate existing government functions that are currently funded with taxpayer dollars.

The conferees are concerned about this situation and the considerable deviation from the BIDs' original mission as conveyed to Congress.

PUBLIC SAFETY AND JUSTICE

Appropriates $633,853,000 including $594,803,000 from local funds, instead of $632,668,000 including $593,618,000 from local funds as proposed by the Senate.

Metropolitan Police Department.—The conference agreement provides $100,000 in Federal funds included in section 130 of the general provisions on the condition that the District government enacts into law a ban on the possession of tobacco products by minors as specified in section 132. The funds are to be used by the Department to enforce the ban.

Fire and Emergency Medical Services Department.—The conference agreement includes $500,000 for the Fire and Emergency Medical Services Department to cover the costs of dry docking the fireboat as proposed by the House.

Office of the Chief Medical Examiner.—The conference agreement includes $585,000 for the Chief Medical Examiner to help reduce backlogs of autopsies and case reports and to purchase toxicology and histology equipment as proposed by the House.

The conference agreement retains the proviso enacting into law section 3703 of title XXXVII of the Fiscal Year 2002 Budget Support Act of 2001 as proposed by the House and transfers the proviso relating to the District of Columbia Income and Franchise Tax Act of 1947 to section 103 of the general provisions.

PUBLIC EDUCATION SYSTEM

Appropriates $1,108,665,000 including $896,994,000 from local funds instead of $1,106,165,000 including $185,044,000 from Federal funds as proposed by the House and $1,108,915,000 including $187,794,000 from Federal funds as proposed by the Senate. The conference agreement allocates $400,000 for Enhancing and Actualizing Internationalism and Multiculturalism in the Academic Programs of the University of the District of Columbia and not less than $200,000 for Adult Education. The conference action allocates $1,277,500 for the Excel Institute Adult Education Program and requires that quarterly payments be made by the District's Chief Financial Officer. The conference action allocates funds for various programs as proposed by the Senate and retains the proviso that excludes the evaluation process for District of Columbia Public School employees as a negotiable item for collective bargaining purposes. The conference agreement deletes the proviso that would have changed the fiscal year for the District of Columbia Public Schools, District of Columbia Public Charter Schools and the University of the District of Columbia. The conference agreement extends the availability of $1,000,000 in local funds appropriated in Public Law 107–20 for the State Education Office for a census-type audit of the student enrollment of each District of Columbia Public School and each public charter school. The funds are to remain available until expended.

Public Schools.—Allocates $813,042,000 including $661,124,000 from local funds and

$144,630,000 from Federal funds for public schools instead of $810,542,000 including $144,630,000 from Federal funds as proposed by the House and $813,292,000 from local funds and $147,380,000 from Federal funds as proposed by the Senate. The increase above the House allowance includes $250,000 for the Failure Free Reading literacy program for non-readers and special education students, $250,000 for Lightspan, Inc. to implement the eduTec.com program, and $2,000,000 for the Voyager Expanded Learning Literacy Program in kindergarten and first grade. The $2,000,000 for the Voyager Program consists of Federal funds appropriated earlier in this Act and will allow the program to be implemented in kindergarten and first grade classrooms throughout the District's public school system. The program is a comprehensive literacy system that guarantees that all children entering the system in kindergarten will be reading at grade level or above by the third grade. The program includes a 5 day reading certification for teachers, a student assessment system, and electronic data management system, an in-school reading program, after school and summer school interventions, and a home study program for parents.

PUBLIC CHARTER SCHOOLS

ENSURING INDEPENDENCE WITH ACCOUNTABILITY

Public charter schools are innovations in public education designed to provide public education programs free from traditional public school bureaucracy. The conferees are proud to have played a partial role in their establishment in the District of Columbia. After four years, the District continues to offer one of the most vibrant and diverse charter school programs in the United States, enrolling more than 11% of the District's public school students.

The conferees believe strongly that public charter schools must remain free of bureaucratic regulation. However, the conferees are also disturbed by press reports of fiscal irregularities and questionable management, reporting, discipline and academic practice at a few charter schools. Three schools were closed by their chartering authority for such reasons in the summer of 2001. Moreover, a number of schools will soon undergo the mandatory five-year review, to determine whether there is reason to revoke their charters. Obviously, charter school closings disrupt the instruction of their students. At the same time, chartering authorities cannot responsibly leave children in schools that are demonstrably failing or accept continued public funding of schools whose academic or financial performance is irresponsible.

In authorizing the establishment of public charter schools in the District of Columbia, Congress has chosen to encourage responsible educational creativity by a system that grants freedom from regulation in exchange for accountability. Accountability, however, requires the full disclosure of information about school performance and finances, and active oversight by chartering authorities. While the chartering authorities must not tell charter schools how to achieve results or require the submission of unnecessary data, they are obligated to remain informed of school performance and to take action when a school fails to live up to the promises made in its charter application, fails to provide legally mandated information, or fails to conform to acceptable financial practice.

The conferees therefore encourage the chartering authorities to act quickly when they become aware of problems at a public charter school that could potentially lead to revocation of its charter, to notify and offer support to the school in order to prevent the disruption to children's education of charter revocation and to protect public funds. The conferees do not encourage regulation or directives of the kind practiced by school system administrations, but do believe that the kind of accountability required of public schools in the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301) must be asked of the District's public charter schools also.

HUMAN SUPPORT SERVICES

(INCLUDING TRANSFER OF FUNDS)

The conference action makes conforming technical changes as to the amount available for the Health Care Safety Net Administration and deletes the proviso that would have prohibited the District from providing free government services such as water, sewer, solid waste disposal or collection, utilities, maintenance, repairs, or similar services to any legally constituted private nonprofit organization, if the District would not be qualified to receive reimbursement pursuant to the Stewart B. McKinney Homeless Assistance Act.

The conference agreement inserts a proviso earmarking $7,500,000 to remain available until expended for the Addiction Recovery Fund to be used solely for the purpose of the Drug Treatment Choice Program.

PUBLIC WORKS

The conference agreement inserts provisos earmarking funds for various programs as proposed by the Senate.

RECEIVERSHIP PROGRAMS

Appropriates $403,868,000 including $250,515,000 from local funds, $134,339,000 from Federal funds instead of $403,368,000 including $134,339,000 from Federal funds as proposed by the House and $403,868,000 including $134,839,000 from Federal funds as proposed by the Senate. The conference agreement includes an increase of $500,000 in Federal funds appropriated earlier in this Act for the Family Court to hire additional staff to enhance coordination with the Family Court of the Superior Court of the District of Columbia as required by the Family Court Act.

RESERVE

The conference agreement provides a reserve of $120,000,000 as proposed by the Senate instead of $150,000,000 as proposed by the House and deletes the proviso concerning the obligation of the reserve funds as proposed by the Senate.

RESERVE RELIEF

The conference agreement inserts a new heading and language that allows the District to spend $30,000,000 of the Reserve under certain conditions as proposed by the Senate.

CONTINGENCY RESERVE FUND

The conference agreement deletes this heading and language as proposed by the Senate.

EMERGENCY AND CONTINGENCY RESERVE FUND

The conference agreement inserts a new heading and language to allow deposits into the Contingency Reserve Fund beginning in fiscal year 2002 if certain conditions are met.

REPAYMENT OF LOANS AND INTEREST

The conference agreement transfers the proviso for the Emergency Assistance Loan Guaranty Program to a separate heading.

EMERGENCY ASSISTANCE LOAN GUARANTEES

The conference agreement inserts a new heading and transfers language from Repayment of Loans and Interest that provides indefinite appropriations of local funds to make payments related to the District of Columbia Emergency Assistance Act of 2001 that was enacted by the District government in response to the impact that the terrorist attack of September 11, 2001 had on local businesses. The loans will be made by local banks for a period up to 10 years and will be guaranteed by the District government. The conferees encourage the District's Chief Financial Officer to consult with the Office of Management and Budget in developing legislation for consideration by the Mayor and Council consistent with the purposes of the Federal Credit Reform Act. Such legislation would require the District to accurately estimate and budget for the potential liability from existing District of Columbia loan and loan guarantee programs and the potential liability from legislation proposed to establish such programs.

EMERGENCY PLANNING AND SECURITY COSTS

Appropriates $16,058,000 in Federal funds appropriated earlier in this Act for emergency planning and security costs in the District of Columbia. The language agreed to by the conferees makes $12,652,000 of this amount available immediately to the District of Columbia Emergency Management Agency for planning, training and personnel costs required for development and implementation of the emergency operations plan for the District of Columbia.

EMERGENCY RESERVE FUND TRANSFER

The conference action makes conforming technical changes and requires that not less than $33,254,000 will be deposited into the Emergency and Contingency Reserve Funds.

ENTERPRISE AND OTHER FUNDS

WATER AND SEWER AUTHORITY

The conference agreement inserts an administrative provision that clarifies responsibilities concerning the water and sewer system and the Federally owned water main system as well as the installation of and access to meters.

SPORTS AND ENTERTAINMENT COMMISSION

The conference agreement retains language concerning the transfer of funds and changes the date for a payment from the Commission to the general fund from September 20, 2001 as proposed by the House to September 30, 2001. The increase of $500,000 is for the creation of the Kenilworth Regional Sports Complex. The funds are to be used by the Commission in coordination with the U.S. Soccer Foundation to cover environmental and infrastructure costs at Kenilworth Park in connection with the creation of the Kenilworth Regional Sports Complex.

D.C. RETIREMENT BOARD

The conference agreement retains the proviso requiring the Retirement Board to provide the Congress and the Council of the District of Columbia a quarterly report of the allocations of charges by fund and of expenditures of all funds.

CAPITAL OUTLAY

The conference agreement includes language proposed by the Senate concerning the requirement for a plan for the development of census tract 68.04 south of East Capitol Street, S.E., and the housing of any misdemeanants, felons, ex-offenders, or persons awaiting trial within the District of Columbia as proposed by the Senate. The conference agreement includes language that none of the conditions set forth in this paragraph shall interfere with the current operations of any Federal agency.

SUMMARY TABLE OF CONFERENCE RECOMMENDATIONS BY AGENCY

A summary table showing the Federal appropriations by account and the allocation of District funds by agency or office under each appropriation heading for fiscal year 2001, the fiscal year 2002 request, the House and Senate recommendations, and the conference allowance follows:

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SUMMARY
FY 2002 D. C. APPROPRIATIONS BILL

	House Bill		Senate Bill		Conference	
	FTEs	Amount	FTEs	Amount	FTEs	Amount
FEDERAL FUNDS						
Federal Payment for Resident Tuition Support	0	17,000,000	0	17,000,000	0	17,000,000
Federal Payment to the Capitol City Career Development and Job Training Partnership	0	1,500,000	0	0	0	500,000
Federal Payment to Capitol Education Fund	0	0	0	0	0	500,000
Federal Payment to Metropolitan Kappa Youth Development Foundation, Inc.	0	0	0	0	0	450,000
Federal Payment to the Fire and Emergency Medical Services Department	0	500,000	0	0	0	500,000
Federal Payment to the Chief Medical Examiner	0	585,000	0	0	0	585,000
Federal Payment to the Youth Life Foundation	0	250,000	0	0	0	250,000
Federal Payment to Food and Friends	0	2,000,000	0		0	2,000,000
Federal Payment to the City Administrator	0	300,000	0	0	0	300,000
Federal Payment to Southeastern University	0	500,000	0	0	0	500,000
Federal Payment for Voyager Universal Literacy System	0	1,000,000	0	0	0	0
Federal Payment to the District of Columbia Public Schools	0	0	0	2,750,000	0	2,500,000
Federal Payment to the Office of the Chief Technology Officer	0	500,000	0	0	0	0
Federal Payment for District of Columbia and Federal Law Enforcement Mobile Wireless Interoperability Project	0	0	0	1,400,000	0	1,400,000
Federal Payment for Emergency Planning and Security Cost in the District of Columbia	0	16,058,000	0	16,058,000	0	16,058,000
Federal Payment to the Chief Financial Officer of the District of Columbia	0	2,350,000	0	5,900,000	0	8,300,000
Federal Payment to the District of Columbia Corrections Trustee Operations	0	32,700,000	0	32,700,000	0	30,200,000
Federal Payment to the District of Columbia Courts	0	111,238,000	0	140,181,000	0	112,180,000
Federal Payment for Family Court Act	0	23,316,000	0	0	0	24,016,000
Defender Services in the District of Columbia Courts	0	34,311,000	0	39,311,000	0	34,311,000
Federal Payment to the Court Services and Offender Supervision Agency for the District of Columbia	0	147,300,000	0	147,300,000	0	147,300,000
Federal Payment for Children's National Medical Center	0	5,500,000	0	3,200,000	0	5,500,000
St. Coletta of Greater Washington Expansion Project	0	1,000,000	0	0	0	2,000,000
Federal Payment to Faith and Politics Institute	0	50,000	0	0	0	50,000
Federal Payment to the Thurgood Marshall Academy Charter School	0	0	0	1,000,000	0	1,000,000
Federal Payment to the George Washington University Center for Excellence in Municipal Planning	0	0	0	250,000	0	250,000
Federal Payment for Child and Family Social Services Computer Integration Plan	0	0	0	200,000	0	0
Court Appointed Special Advocates	0	0	0	250,000	0	250,000
Child and Family Services Agency - Family Court Reform	0	0	0	500,000	0	0
Federal contribution for enforcement of law banning possession of tobacco products by minors, Sec. 130	0	100,000	0	0	0	100,000
	0	**398,058,000**	**0**	**408,000,000**	**0**	**408,000,000**

	House Bill		Senate Bill		Conference	
	FTEs	Amount	FTEs	Amount	FTEs	Amount
DISTRICT OF COLUMBIA FUNDS						
Operating expenses:						
Governmental Direction and Support	2,569	285,359,000	2,569	307,117,000	2,569	286,138,000
Economic Development and Regulation	1,518	230,878,000	1,518	230,878,000	1,518	230,878,000
Public Safety and Justice	7,617	633,853,000	7,617	632,668,000	7,617	633,853,000
Public Education System	11,903	1,106,165,000	11,903	1,108,915,000	11,903	1,108,665,000
Human Support Services	3,931	1,803,923,000	3,931	1,803,923,000	3,931	1,803,923,000
Public Works	1,663	300,151,000	1,663	300,151,000	1,663	300,151,000
Receivership Programs	2,994	403,368,000	2,994	403,868,000	2,994	403,868,000
Workforce Investments	0	42,896,000	0	42,896,000	0	42,896,000
Reserve	0	150,000,000	0	120,000,000	0	120,000,000
Reserve Relief	0	0	0	30,000,000	0	30,000,000
Repayment of Loans and Interest	0	247,902,000	0	247,902,000	0	247,902,000
Repayment of General Fund Recovery Debt	0	39,300,000	0	39,300,000	0	39,300,000
Payment of Interest on Short-Term Borrowing	0	500,000	0	500,000	0	500,000
Emergency Planning and Security Costs	0	16,058,000	0	0	0	16,058,000
Wilson Building	0	8,859,000	0	8,859,000	0	8,859,000
Emergency Reserve Fund Transfer	0	33,254,000	0	33,254,000	0	33,254,000
Non-Departmental Agency	0	5,799,000	0	5,799,000	0	5,799,000
Water and Sewer Enterprise Fund	0	244,978,000	0	244,978,000	0	244,978,000
Washington Aqueduct	0	46,510,000	0	46,510,000	0	46,510,000
Stormwater Permit Compliance	0	3,100,000	0	3,100,000	0	3,100,000
Lottery and Charitable Games Enterprise Fund	100	229,688,000	100	229,688,000	100	229,688,000
Sports and Entertainment Commission	0	9,127,000	0	9,127,000	0	9,627,000
D.C. Retirement Board	14	13,388,000	14	13,388,000	14	13,388,000
Washington Convention Center Enterprise Fund	0	57,278,000	0	57,278,000	0	57,278,000
Housing Finance Agency	0	4,711,000	0	4,711,000	0	4,711,000
National Capital Revitalization Corporation	0	2,673,000	0	2,673,000	0	2,673,000
Total, operating expenses	**32,309**	**5,919,718,000**	**32,309**	**5,927,483,000**	**32,309**	**5,923,997,000**
Capital Outlay:						
General fund	0	1,074,605,000	0	1,074,604,000	0	1,074,605,000
Water and Sewer fund	0	152,114,000	0	152,114,000	0	152,114,000
Total, capital outlay	**0**	**1,226,719,000**	**0**	**1,226,718,000**	0	**1,226,719,000**
Grand Total, District of Columbia Funds	**32,309**	**7,146,437,000**	**32,309**	**7,154,201,000**	**32,309**	**7,150,716,000**

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GOVERNMENTAL DIRECTION AND SUPPORT

Agency/Activity	FY 2001 Approved	FY 2002	House Recom-mendation	Senate Recom-mendation	Conference Allowance
Council of the District of Columbia	12,124,000	13,232,000	13,232,000	13,232,000	13,232,000
Office of the District of Columbia Auditor	1,283,000	1,299,000	1,299,000	1,299,000	1,299,000
Advisory Neighborhood Commissions	748,000	808,000	808,000	808,000	808,000
Office of the Mayor	7,217,000 1/	7,787,000	7,787,000	7,987,000	7,987,000
Office of the Secretary	1,946,000	2,516,000	2,516,000	2,516,000	2,516,000
City-Wide Call Center	0	1,898,000	1,898,000	1,898,000	1,898,000
Office of the City Administrator	23,386,000	27,709,000	28,009,000	27,709,000	28,009,000
Office of Personnel	11,285,000	15,908,000	15,908,000	15,908,000	15,908,000
Human Resources Development Fund	2,744,000	3,766,000	3,766,000	3,766,000	3,766,000
Office of Finance and Resource Management	7,553,000 2/	2,198,000	2,198,000	2,198,000	2,198,000
Office of Contracting and Procurement	15,337,000	13,066,000	13,066,000	13,066,000	13,066,000
Office of the Chief Technology Officer	11,770,000	12,502,000	13,002,000	12,902,000	12,902,000
Office of Property Management	8,550,000	8,905,000	8,905,000	8,905,000	8,905,000
Contract Appeals Board	734,000	746,000	746,000	746,000	746,000
Board of Elections and Ethics	3,250,000	3,503,000	3,503,000	3,503,000	3,503,000
Office of Campaign Finance	1,209,000	1,388,000	1,388,000	1,388,000	1,388,000
Public Employee Relations Board	652,000	686,000	686,000	686,000	686,000
Office of Employee Appeals	1,434,000	1,540,000	1,540,000	1,540,000	1,540,000
Metropolitan Washington Council of Governments	367,000	367,000	367,000	367,000	367,000
Office of the Corporation Counsel	0	49,811,000	49,811,000	49,811,000	50,440,000
Settlements and Judgments	0	23,450,000	23,450,000	23,450,000	23,450,000
Office of the Inspector General	12,399,000	12,476,000	12,476,000	12,476,000	12,476,000
Office of the Chief Financial Officer	76,933,000	78,998,000	78,998,000	84,898,000	79,048,000
Federal Payment to the District of for Security Costs	0	0	0	16,058,000	0
Total, Governmental Direction and Support	200,921,000	284,559,000	285,359,000	307,117,000	286,138,000
Plus Intra-District funds	36,950,000	36,576,000	36,576,000	36,576,000	36,576,000
Total	237,871,000	321,135,000	321,935,000	343,693,000	322,714,000

1/ Includes $250,000 rescission in FY01 Supplemental (P.L. 107-20).
2/ Includes $5,400,000 increase in FY 01 Supplemental (P.L. 107-20).

ECONOMIC DEVELOPMENT AND REGULATION

Agency/Activity	FY 2001 Approved	FY 2002 Request	House Recom-mendation	Senate Recom-mendation	Conference Allowance
Business Services and Economic Development	27,753,000 1/	32,840,000	32,840,000	32,840,000	32,840,000
Office of Zoning	1,763,000	2,378,000	2,378,000	2,378,000	2,378,000
Department of Housing and Community Development	48,273,000	57,890,000	57,890,000	57,890,000	57,890,000
Department of Employment Services	80,812,000	80,477,000	80,477,000	80,477,000	80,477,000
Board of Appeals and Review	244,000	242,000	242,000	242,000	242,000
Board of Real Property Assessments and Appeals	0 300,000	298,000	298,000	298,000	298,000
Department of Consumer and Regulatory Affairs	27,198,000 2/	28,605,000	28,605,000	28,605,000	28,605,000
Alcoholic Beverage Regulation Administration	0	2,607,000	2,607,000	2,607,000	2,607,000
Office of Banking and Financial Institutions	1,869,000	2,694,000	2,694,000	2,694,000	2,694,000
Public Service Commission	5,678,000	6,402,000	6,402,000	6,402,000	6,402,000
Office of People's Counsel	3,020,000	3,884,000	3,884,000	3,884,000	3,884,000
Department of Insurance and Securities Regulation	7,359,000	9,377,000	9,377,000	9,377,000	9,377,000
Office of Cable Television and Telecommunications	3,054,000	3,184,000	3,184,000	3,184,000	3,184,000
Total, Economic Development and Regulation	207,323,000	230,878,000	230,878,000	230,878,000	230,878,000
Plus Intra-District Funds	2,017,000	1,017,000	1,017,000	1,017,000	1,017,000
Total	209,340,000	231,895,000	231,895,000	231,895,000	231,895,000

1/ Includes $1,000,000 in FY 01 Supplemental (P.L. 107-20).
2/ Includes $685,000 in FY 01 Supplemental (P.L. 107-20).

PUBLIC SAFETY AND JUSTICE

Agency/Activity	FY 2001 Approved	FY 2002 Request	House Recom-mendation	Senate Recom-mendation	Conference Allowance
Metropolitan Police Department	306,081,000 1/	311,868,000	311,968,000	311,868,000	311,968,000
Fire and Emergency Medical Services Department	122,536,000 2/	119,330,000	119,830,000	119,330,000	119,830,000
Police Officers and Fire Fighters' Retirement System	49,000,000	74,600,000	74,600,000	74,600,000	74,600,000
Office of the Corporation Counsel	46,066,000 3/	0	0	0	0
Settlements and Judgments Fund	23,450,000	0	0	0	0
Department of Corrections	212,993,000	111,532,000	111,532,000	111,532,000	111,532,000
District of Columbia National Guard	2,326,000	2,823,000	2,823,000	2,823,000	2,823,000
D.C. Emergency Management Agency	2,978,000	3,964,000	3,964,000	3,964,000	3,964,000
Commission on Judicial Disabilities and Tenure	169,000	172,000	172,000	172,000	172,000
Judicial Nomination Commission	90,000	91,000	91,000	91,000	91,000
Citizen Complaint Review Board	857,000	1,424,000	1,424,000	1,424,000	1,424,000
Advisory Commission on Sentencing	733,000 4/	637,000	637,000	637,000	637,000
Office of the Chief Medical Examiner	4,138,000	6,227,000	6,812,000	6,227,000	6,812,000
Total, Public Safety and Justice	771,417,000	632,668,000	633,853,000	632,668,000	633,853,000
Plus Intra-District funds	5,884,000	4,140,000	4,140,000	4,140,000	4,140,000
Total	777,301,000	636,808,000	637,993,000	636,808,000	637,993,000

1/ Includes rescission of $131,000 and increase of $2,800,000 in FY 01 Supplemental (P.L. 107-20).
2/ Includes $5,940,000 in FY 01 Supplemental (P.L. 107-20).
3/ Includes $101,000 in FY 01 Supplemental (P.L. 107-20).
4/ Includes $161,000 in FY 01 Supplemental (P.L. 107-20).

PUBLIC EDUCATION SYSTEM

Agency/Activity	FY 2001 Approved	FY 2002 Request	House Recom-mendation	Senate Recom-mendation	Conference Allowance
District of Columbia Public Schools	781,943,000 1/	810,542,000	810,542,000	813,292,000	813,042,000
Teachers' Retirement System	200,000	0	0	0	0
State Education Office	2,679,000 2/	47,370,000	47,370,000	47,370,000	47,370,000
D.C. Resident Tuition Support	17,000,000	0	0	0	0
Public Charter Schools	105,000,000	142,257,000	142,257,000	142,257,000	142,257,000
University of the District of Columbia	76,433,000	76,542,000	76,542,000	76,542,000	76,542,000
District of Columbia Public Library	26,459,000	27,256,000	27,256,000	27,256,000	27,256,000
Commission on the Arts and Humanities	2,204,000	2,198,000	2,198,000	2,198,000	2,198,000
Total, Public Education System	1,011,918,000	1,106,165,000	1,106,165,000	1,108,915,000	1,108,665,000
Plus Intra-District funds	24,623,000	43,349,000	43,349,000	43,349,000	43,349,000
Total	1,036,541,000	1,149,514,000	1,149,514,000	1,152,264,000	1,152,014,000

1/ Includes $12,000,000 in FY 01 Supplemental (P.L. 107-20).
2/ Includes $1,000,000 in FY 01 Supplemental (P.L. 107-20).

HUMAN SUPPORT SERVICES

Agency/Activity	FY 2001 Approved	FY 2002 Request	House Recom-mendation	Senate Recom-mendation	Conference Allowance
Department of Human Services	384,840,000	417,581,000	417,581,000	417,581,000	417,581,000
Department of Health	1,033,881,000 1/	1,289,086,000	1,289,086,000	1,289,086,000	1,289,086,000
Department of Parks and Recreation	28,855,000	31,307,000	31,307,000	31,307,000	31,307,000
D.C. Office on Aging	19,131,000	19,649,000	19,649,000	19,649,000	19,649,000
Public Benefit Corporation Subsidy	45,313,000	0	0	0	0
Unemployment Compensation Fund	6,199,000	8,200,000	8,200,000	8,200,000	8,200,000
Disability Compensation Fund	28,836,000 2/	27,986,000	27,986,000	27,986,000	27,986,000
Office of Human Rights	1,407,000	1,651,000	1,651,000	1,651,000	1,651,000
Office on Latino Affairs	1,882,000 3/	2,849,000	2,849,000	2,849,000	2,849,000
D.C. Energy Office	4,860,000	5,177,000	5,177,000	5,177,000	5,177,000
Office on Asian and Pacific Islander Affairs	0	207,000	207,000	207,000	207,000
Office of Veterans Affairs	0	230,000	230,000	230,000	230,000
Brownfield Remediation	3,450,000	0	0	0	0
Children Investment Trust Fund	5,000,000 4/	0	0	0	0
Total, Human Support Services	1,563,654,000	1,803,923,000	1,803,923,000	1,803,923,000	1,803,923,000
Plus Intra-District funds	6,586,000	12,547,000	12,547,000	12,547,000	12,547,000
Total	1,570,240,000	1,816,470,000	1,816,470,000	1,816,470,000	1,816,470,000

1/ Includes $19,000,000 in FY 01 Supplemental (P.L. 107-20).
2/ Includes $3,000,000 in FY 01 Supplemental (P.L. 107-20).
3/ Includes $1,000,000 in FY 01 Supplemental (P.L. 107-20).
4/ Includes $5,000,000 in FY 01 Supplemental (P.L. 107-20).

PUBLIC WORKS

Agency/Activity	FY 2001 Approved	FY 2002 Request	House Recom-mendation	Senate Recom-mendation	Conference Allowance
Department of Public Works	108,589,000	113,324,000	113,324,000	113,324,000	113,324,000
Department of Motor Vehicles	27,825,000	33,580,000	33,580,000	33,580,000	33,580,000
D.C. Taxicab Commission	804,000 1/	1,442,000	1,442,000	1,442,000	1,442,000
Washington Metropolitan Area Transit Commission	82,000	83,000	83,000	83,000	83,000
Washington Metropolitan Area Transit Authority	138,073,000	148,622,000	148,622,000	148,622,000	148,622,000
School Transit Subsidy	3,000,000	3,100,000	3,100,000	3,100,000	3,100,000
Total, Public Works	278,373,000	300,151,000	300,151,000	300,151,000	300,151,000
Plus Intra-District funds	19,703,000	13,942,000	13,942,000	13,942,000	13,942,000
Total	298,076,000	314,093,000	314,093,000	314,093,000	314,093,000

1/ Includes $131,000 in FY 01 Supplemental (P.L. 107-20).

RECEIVERSHIP PROGRAMS

Agency/Activity	FY 2001 Approved	FY 2002 Request	House Recom-mendation	Senate Recom-mendation	Conference Allowance
Child and Family Services Agency	166,652,000	175,799,000	175,799,000	176,299,000	176,299,000
Incentives for Adoption of Children	0	0	0	0	0
Commission on Mental Health Services	210,569,000	227,569,000	227,569,000	227,569,000	227,569,000
Corrections Medical Receiver	12,307,000	0	0	0	0
Total, Receivership Programs	389,528,000	403,368,000	403,368,000	403,868,000	403,868,000
Plus Intra-District funds	1,800,000	12,592,000	12,592,000	12,592,000	12,592,000
Total	391,328,000	415,960,000	415,960,000	416,460,000	416,460,000

FINANCING AND OTHER USES

Agency/Activity	FY 2001 Approved	FY 2002 Request	House Recom-mendation	Senate Recom-mendation	Conference Allowance
Workforce Investment	40,500,000 1/	42,896,000	42,896,000	42,896,000	42,896,000
Reserve	150,000,000	150,000,000	150,000,000	120,000,000	120,000,000
Reserve Relief	0	0	0	30,000,000	30,000,000
Repayment of Loans and Interest	243,238,000	247,902,000	247,902,000	247,902,000	247,902,000
Repayment of General Fund Recovery Debt	39,300,000	39,300,000	39,300,000	39,300,000	39,300,000
Payment of Interest on Short-Term Borrowing	1,140,000	500,000	500,000	500,000	500,000
Presidential Inauguration	5,961,000	0	0	0	0
Certificates of Participation	7,950,000	0	0	0	0
Security for Meetings	0	15,918,000 3/	0	0	0
Emergency Planning and Security Costs	0	0	16,058,000	16,058,000	16,058,000
Wilson Building	15,509,000 2/	8,859,000	8,859,000	8,859,000	8,859,000
Optical and Dental Insurance Payments	2,675,000	0	0	0	0
Management Supervisory Service	13,200,000	0	0	0	0
Tobacco Settlement Trust Fund Transfer Payment	61,406,000	0	0	0	0
Emergency Reserve Fund Transfer	0	33,254,000	33,254,000	33,254,000	33,254,000
Operational Improvement Savings (Including Managed Competition)	(10,000,000)	0	0	0	0
Management Reform Savings	(37,000,000)	0	0	0	0
Cafeteria Plan Savings	(5,000,000)	0	0	0	0
Non-Departmental Agency	0	5,799,000	5,799,000	5,799,000	5,799,000
Total, Financing and Other Uses	528,879,000	544,428,000	544,568,000	544,568,000	544,568,000

1/ Includes in FY 01 Supplemental (P.L. 107-20).
2/ Includes $7,100,000 in FY 01 Supplemental (P.L. 107-20).
3/ Included in Budget Amendment House Doc. 107-116.

ENTERPRISE AND OTHER FUNDS

Agency/Activity	FY 2001 Approved	FY 2002 Request	House Recom-mendation	Senate Recom-mendation	Conference Allowance
Water and Sewer Authority	230,614,000	244,978,000	244,978,000	244,978,000	244,978,000
Washington Aqueduct	45,091,000	46,510,000	46,510,000	46,510,000	46,510,000
Stormwater Permit Compliance	2,151,000 1/	3,100,000	3,100,000	3,100,000	3,100,000
D. C. Lottery and Charitable Games Control Board	223,200,000	229,688,000	229,688,000	229,688,000	229,688,000
D.C. Sports and Entertainment Commission	10,968,000	9,127,000	9,127,000	9,127,000	9,627,000
District of Columbia Health and Hospitals Public Benefit Corporation	78,235,000	0	0	0	0
District of Columbia Retirement Board	11,414,000	13,388,000	13,388,000	13,388,000	13,388,000
Correctional Industries Fund	1,808,000	0	0	0	0
Washington Convention Center Authority	52,726,000	57,278,000	57,278,000	57,278,000	57,278,000
Housing Finance Agency	0	4,711,000	4,711,000	4,711,000	4,711,000
National Capital Revitalization Corporation	0	2,673,000	2,673,000	2,673,000	2,673,000
Total, Enterprise Funds	656,207,000	611,453,000	611,453,000	611,453,000	611,953,000
Plus Intra-District funds	75,044,000	0	0	0	0
Total	731,251,000	611,453,000	611,453,000	611,453,000	611,953,000

1/ Included in FY 01 Supplemental (P.L. 107-20).

02FUNDS

DISTRICT OF COLUMBIA

TOTAL ESTIMATED RESOURCES AVAILABLE TO THE DISTRICT OF COLUMBIA, FISCAL YEAR 2002

AS APPROVED BY CONFERENCE AGREEMENT, DECEMBER 4, 2001

(Amounts in thousands)

	Local Funds		Federal Grants		Private & Other		Subtotal FY 2002		Intra-District		FY 2002 total resources	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Governmental Direction and Support:												
Council of the District of Columbia	163	13,232	0	0	0	0	163	13,232	0	0	163	13,232
Office of the D.C. Auditor	14	1,299	0	0	0	0	14	1,299	0	0	14	1,299
Advisory Neighborhood Commissions	1	808	0	0	0	0	1	808	0	0	1	808
Office of the Mayor	75	7,622	4	365	0	0	79	7,987	4	307	83	8,294
Office of the Secretary	25	2,425	0	0	2	91	27	2,516	0	0	27	2,516
City-wide Call Center	38	1,898	0	0	0	0	38	1,898	0	0	38	1,898
Office of the City Administrator	76	6,890	16	21,119	0	0	92	28,009	4	266	96	28,275
Office of Personnel	125	14,602	0	0	20	1,306	145	15,908	29	1,230	174	17,138
Human Resources Development Fund	10	3,766	0	0	0	0	10	3,766	0	0	10	3,766
Office of Finance and Resource Management	34	2,198	0	0	0	0	34	2,198	3	175	37	2,373
Office of Contracting and Procurement	164	13,066	0	0	0	0	164	13,066	0	0	164	13,066
Office of the Chief Technology Officer	83	12,888	0	0	0	14	83	12,902	22	2,539	105	15,441
Office of Property Management	48	7,262	0	0	2	1,643	50	8,905	156	24,916	206	33,821
Contract Appeals Board	6	746	0	0	0	0	6	746	0	0	6	746
Board of Elections and Ethics	50	3,503	0	0	0	0	50	3,503	0	0	50	3,503
Office of Campaign Finance	15	1,388	0	0	0	0	15	1,388	0	0	15	1,388
Public Employee Relations Board	4	686	0	0	0	0	4	686	0	0	4	686
Office of Employee Appeals	16	1,540	0	0	0	0	16	1,540	0	0	16	1,540
Metropolitan Washington Council of Governments	0	367	0	0	0	0	0	367	0	0	0	367
Office of the Corporation Counsel	377	30,299	119	15,180	14	4,961	510	50,440	27	2,065	537	52,505
Settlements and Judgments	0	23,450	0	0	0	0	0	23,450	0	0	0	23,450
Office of Inspector General	92	11,263	16	1,213	0	0	108	12,476	0	0	108	12,476
Office of the Chief Financial Officer	911	68,223	3	932	46	9,893	960	79,048	76	5,078	1,036	84,126
Total, Governmental Direction and Support	2,327	229,421	158	38,809	84	17,908	2,569	286,138	321	36,576	2,890	322,714
Economic Development and Regulation:												
Business Services & Economic Development	93	16,440	2	304	7	16,096	102	32,840	0	0	102	32,840
Office of Zoning	17	2,378	0	0	0	0	17	2,378	0	0	17	2,378
Department of Housing and Community Development	13	7,716	137	42,168	0	8,006	150	57,890	0	0	150	57,890
Department of Employment Services	44	7,309	378	53,624	158	19,544	580	80,477	0	0	580	80,477
Board of Appeals and Review	3	242	0	0	0	0	3	242	0	0	3	242
Board of Real Property Assessments and Appeals	3	298	0	0	0	0	3	298	0	0	3	298
Department of Consumer and Regulatory Affairs	371	26,203	0	0	5	2,402	376	28,605	0	500	376	29,105
Alcoholic Beverage Regulation Administration	0	0	0	0	36	2,607	36	2,607	0	0	36	2,607
Office of Banking and Financial Institutions	0	200	0	0	27	2,494	27	2,694	0	0	27	2,694
Public Service Commission	0	0	1	103	67	6,299	68	6,402	0	0	68	6,402
Office of People's Counsel	0	0	0	0	33	3,884	33	3,884	0	0	33	3,884
Department of Insurance and Securities Regulation	0	0	0	0	103	9,377	103	9,377	0	0	103	9,377
Office of Cable Television & Telecommunications	0	0	0	0	20	3,184	20	3,184	12	517	32	3,701
Total, Economic Development and Regulation	544	60,786	518	96,199	456	73,893	1,518	230,878	12	1,017	1,530	231,895

	Local Funds		Federal Grants		Private & Other		Subtotal FY 2002		Intra-District		FY 2002 total resources	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Public Safety and Justice:												
Metropolitan Police Department	4,350	296,996	200	6,829	25	8,143	4,575	311,968	2	4,140	4,577	316,108
Fire and Emergency Medical Services	1,920	119,821	0	0	0	9	1,920	119,830	0	0	1,920	119,830
Police and Fire Retirement System	0	74,600	0	0	0	0	0	74,600	0	0	0	74,600
Department of Corrections	749	89,035	0	0	194	22,497	943	111,532	0	0	943	111,532
National Guard	30	2,317	13	506	0	0	43	2,823	0	0	43	2,823
Emergency Management Agency	26	3,001	13	963	0	0	39	3,964	0	0	39	3,964
Commission on Judicial Disabilities and Tenure	2	172	0	0	0	0	2	172	0	0	2	172
Judicial Nomination Commission	1	91	0	0	0	0	1	91	0	0	1	91
Office of Citizen Complaint Review	21	1,424	0	0	0	0	21	1,424	0	0	21	1,424
Advisory Commission on Sentencing	6	637	0	0	0	0	6	637	0	0	6	637
Office of the Chief Medical Examiner	65	6,709	0	0	2	103	67	6,812	0	0	67	6,812
Total, Public Safety and Justice	7,170	594,803	226	8,298	221	30,752	7,617	633,853	2	4,140	7,619	637,993
Public Education System:												
Public Schools	9,821	661,124	506	144,630	119	7,288	10,446	813,042	365	34,032	10,811	847,074
State Education Office	27	19,911	10	26,917	6	542	43	47,370	2	480	45	47,850
District of Columbia Public Charter Schools	0	142,257	0	0	0	0	0	142,257	0	0	0	142,257
University of the District of Columbia	545	45,912	169	12,539	258	18,091	972	76,542	160	8,799	1,132	85,341
Public Library	422	26,030	9	560	2	666	433	27,256	0	0	433	27,256
Commission on the Arts and Humanities	2	1,760	7	398	0	40	9	2,198	0	38	9	2,236
Total, Public Education System	10,817	896,994	701	185,044	385	26,627	11,903	1,108,665	527	43,349	12,430	1,152,014
Human Support Services:												
Department of Human Services	848	201,593	977	214,602	0	1,386	1,825	417,581	19	1,733	1,844	419,314
Department of Health	439	424,657	825	851,753	87	12,676	1,351	1,289,086	10	6,110	1,361	1,295,196
Department of Parks and Recreation	579	28,912	0	34	83	2,361	662	31,307	93	4,308	755	35,615
Office on Aging	14	14,687	9	4,962	0	0	23	19,649	3	266	26	19,915
Unemployment Compensation Fund	0	8,200	0	0	0	0	0	8,200	0	0	0	8,200
Disability Compensation Fund	0	27,986	0	0	0	0	0	27,986	0	100	0	28,086
Office of Human Rights	23	1,545	0	106	0	0	23	1,651	0	0	23	1,651
Office on Latino Affairs	12	2,849	0	0	0	0	12	2,849	0	30	12	2,879
D.C. Energy Office	2	206	17	4,503	10	468	29	5,177	0	0	29	5,177
Office on Asian and Pacific Islander Affairs	3	207	0	0	0	0	3	207	0	0	3	207
Office of Veterans' Affairs	3	230	0	0	0	0	3	230	0	0	3	230
Total, Department of Human Services	1,923	711,072	1,828	1,075,960	180	16,891	3,931	1,803,923	125	12,547	4,056	1,816,470

	Local Funds		Federal Grants		Private & Other		Subtotal FY 2002		Intra-District		FY 2002 total resources	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Public Works:												
Department of Public Works	1,248	104,943	3	4,392	50	3,989	1,301	113,324	68	13,942	1,369	127,266
Department of Motor Vehicles	253	28,580	0		90	5,000	343	33,580	0	0	343	33,580
D.C. Taxicab Commission	16	1,006	0	0	3	436	19	1,442	0	0	19	1,442
Washington Metropolitan Area Transit Commission	0	83	0	0	0	0	0	83	0	0	0	83
Washington Metropolitan Area Transit Authority	0	148,622	0	0	0	0	0	148,622	0	0	0	148,622
School Transit Subsidy	0	3,100	0	0	0	0	0	3,100	0	0	0	3,100
Total, Public Works	1,517	286,334	3	4,392	143	9,425	1,663	300,151	68	13,942	1,731	314,093
Receivership Programs:												
Child and Family Services Agency	522	108,235	310	67,414	0	650	832	176,299	0	12,592	832	188,891
Department of Mental Health	1,502	142,280	660	66,925	0	18,364	2,162	227,569	0	0	2,162	227,569
Total, Receivership Programs	2,024	250,515	970	134,339	0	19,014	2,994	403,868	0	12,592	2,994	416,460
Financing and Other:												
Workforce Investments	0	42,896	0	0	0	0	0	42,896	0	0	0	42,896
Reserve	0	120,000	0	0	0	0	0	120,000	0	0	0	120,000
Reserve Relief	0	30,000	0	0	0	0	0	30,000	0	0	0	30,000
Repayment of Loans and Interest	0	247,902	0	0	0	0	0	247,902	0	0	0	247,902
Repayment of General Fund Recovery Debt	0	39,300	0	0	0	0	0	39,300	0	0	0	39,300
Payment of Interest on Short-Term Borrowing	0	500	0	0	0	0	0	500	0	0	0	500
Emergency Planning and Security Costs	0	16,058	0	0	0	0	0	16,058	0	0	0	16,058
Wilson Building	0	8,859	0	0	0	0	0	8,859	0	0	0	8,859
Emergency Reserve Fund Transfer	0	33,254	0	0	0	0	0	33,254	0	0	0	33,254
Non-Departmental Agency	0	5,799	0	0	0	0	0	5,799	0	0	0	5,799
Total, Financing and Other	0	544,568	0	0	0	0	0	544,568	0	0	0	544,568
Total, General Fund - Operating Expenses	26,322	3,574,493	4,404	1,543,041	1,469	194,510	32,195	5,312,044	1,055	124,163	33,250	5,436,207

	Local Funds		Federal Grants		Private & Other		Subtotal FY 2002		Intra-District		FY 2002 total resources	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Enterprise and Other Funds:												
Water and Sewer Authority	0	0	0	0	0	244,978	0	244,978	0	0	0	244,978
Washington Aqueduct	0	0	0	0	0	46,510	0	46,510	0	0	0	46,510
Stormwater Permit Compliance Enterprise Fund	0	0	0	0	0	3,100	0	3,100	0	0	0	3,100
Lottery and Charitable Games Enterprise Fund	0	0	0	0	100	229,688	100	229,688	0	0	100	229,688
Sports and Entertainment Commission	0	0	0	0	0	9,627	0	9,627	0	0	0	9,627
District of Columbia Retirement Board	0	0	0	0	14	13,388	14	13,388	0	0	14	13,388
Washington Convention Center Enterprise Fund	0	0	0	0	0	57,278	0	57,278	0	0	0	57,278
Housing Finance Agency	0	0	0	0	0	4,711	0	4,711	0	0	0	4,711
National Capital Revitalization Corporation	0	0	0	0	0	2,673	0	2,673	0	0	0	2,673
Total, Enterprise and Other Funds	0	0	0	0	114	611,953	114	611,953	0	0	114	611,953
Total, Operating Expenses	26,322	3,574,493	4,404	1,543,041	1,583	806,463	32,309	5,923,997	1,055	124,163	33,364	6,048,160
Capital Outlay:												
General Fund	0	917,032	0	157,573	0	0	0	1,074,605	0	0	0	1,074,605
Water and Sewer	0	0	0	0	0	152,114	0	152,114	0	0	0	152,114
Total, Capital Outlay	0	917,032	0	157,573	0	152,114	0	1,226,719	0	0	0	1,226,719
Grand Total	26,322	4,491,525	4,404	1,700,614	1,583	958,577	32,309	7,150,716	1,055	124,163	33,364	7,274,879

FISCAL YEAR 2002 FINANCIAL PLAN

[In thousands of dollars]

	Local funds	Grants and other revenue	Gross funds
Revenue:			
Local Sources:			
Property Taxes	746,031	0	746,031
Sales Taxes	738,507	0	738,507
Income Taxes	1,361,077	0	1,361,077
Gross Receipts	244,480	0	244,480
Other Taxes	153,460	0	153,460
Licenses, Permits	43,336	0	43,336
Fines, Forfeitures	60,040	0	60,040
Service Charges	49,928	0	49,928
Miscellaneous	72,030	194,510	266,540
Subtotal, local revenues	3,468,889	194,510	3,663,339
Federal sources:			
Federal payments	38,143	0	38,143
Grants	0	1,543,041	1,543,041
Subtotal, Federal sources	38,143	1,543,041	1,581,184
Other financing sources: Lottery transfer	70,000	0	70,000
Total, general fund revenues	3,577,032	1,737,551	5,314,583
Expenditures:			
Governmental Direction and Support	229,421	56,717	286,138
Economic Development and Regulation	60,786	170,092	230,878
Public Safety and Justice	594,803	39,050	633,853
Public Education System	896,994	211,671	1,108,665
Human Support Services	711,072	1,092,851	1,803,923
Public Works	286,334	13,817	300,151
Receiverships	250,515	153,353	403,868
Financing and Other	361,314	0	361,314
Reserve	120,000	0	120,000
Reserve Relief	30,000	0	30,000
Emergency Reserve Fund	33,254	0	33,254
Total, general fund expenditures	3,574,493	1,737,551	5,312,044
Surplus/Deficit	2,539	0	2,539

GENERAL PROVISIONS

The conference agreement changes several section numbers for sequential purposes and makes technical revisions in certain citations. Unless noted otherwise, the conference action refers to H.R. 2944 as passed the House.

The conference agreement inserts the words ''legal settlements or'' to section 103 of the House bill as proposed by the Senate concerning making payment of judgments that have been entered against the District of Columbia government.

The conference agreement retains section 106 of the House bill but amended to delete the words ''past work experience, and salary history''.

The conference agreement deletes section 107 of the House bill appropriating from the applicable funds of the District of Columbia such sums as may be necessary for making payments authorized by the District of Columbia Revenue Recovery Act.

The conference agreement modifies section 108 (new section 107) of the Senate bill to allow local funds to be used for certain lobbying activities.

The conference agreement amends section 110 (new section 109) of the House relating to reprogramming procedures to provide authority to transfer four percent of local funds between appropriation headings.

The conference agreement retains section 112(b) (new section 111(b)) of the House bill on Certification of Need by the Chief Technology Officer, deletes section (c) which provided no limit on full-time equivalent positions for the Office of the Chief Technology Officer, and retains section 112(d) (new section 111(b)) amending the District of Columbia Home Rule Act as it relates to the Chief Financial Officer's salary.

The conference agreement inserts section 111 (new section 112) of the Senate bill requiring the Mayor to submit to the Council the new fiscal year 2002 revenue estimates by the end of the first quarter of fiscal year 2002.

The conference agreement retains section 112 (new section 113) of the House bill as amended by the Senate to include whether to invoke the competitive bidding process ''and said determination has been reviewed and certified by the Chief Financial Officer of the District of Columbia''.

The conference agreement inserted section 113 (new section 114(b)) of the Senate bill and combines with section 114 (new section 114(a)) of the House bill regarding the Balanced Budget and Emergency Deficit Control Act of 1985.

The conference agreement amends section 118 of the House bill as amended by the Senate to delete extraneous language.

The conference agreement amends section 120(c) of the House bill to allow the Chief Financial Officer of the District of Columbia and the Metropolitan Police Department to enter into agreements in excess of $2,500 for the procurement of goods or services.

The conference agreement retains section 122 and combines with section 137 of the House bill. These sections relate to compliance with the Buy American Act.

The conference agreement amends section 123 of the House bill to require the annual audit be coordinated with the Chief Financial Officer.

The conference agreement retains section 124 of the House bill to prohibit funds in this Act from being used by the District of Columbia Corporation Counsel or any other officer or entity of the District government to provide assistance for any petition drive or civil action which seeks to require Congress to provide for voting representation in Congress for the District of Columbia.

The conference agreement retains section 125 of the House bill, which prohibits any funds contained in this Act to be used for any program of distributing sterile needles, or syringes for the hypodermic injection of any illegal drug.

The conference agreement retains section 126 of the House bill which requires the chief financial officer of any office of the District of Columbia government (including any independent agency of the District) to file a certification with the Mayor and the Chief Financial Officer that they understand the duties and restrictions applicable to the officer and the officer's agency as a result of this Act (and the amendments made by this Act).

The conference agreement deletes section 126 of the Senate bill which requires the Chief Financial Officer to submit a revised appropriated funds operating budget within 30 calendar days after the date of the enactment of this Act. This is section 135 of the House bill.

The conference agreement deletes section 127 of the House bill requiring that in submitting any documents showing the budget for an office of the District of Columbia government that contains a category of activities labeled as ''other'', ''miscellaneous'', or a similar general, nondescriptive term, the document shall include a description of the types of activities covered in the category and a detailed breakdown as proposed by the Senate.

The conference agreement deletes section 129 of the House bill authorizing the Mayor to allocate the District's limitation amount of qualified zone academy bonds.

The conference agreement inserts section 131 (new section 129) as proposed by the Senate that relates to prompt payment of appointed counsel.

The conference agreement retains section 132 (new section 130) of the House bill by appropriating a $100,000 Federal contribution to the Metropolitan Police Department on the condition that the District government enacts into law a ban on the possession of tobacco products by minors as specified in this section. The funds are to be used by the Department to enforce the ban.

The conference agreement retains section 132 (new section 131) of the Senate bill which requires the Mayor of the District of Columbia to submit to the Senate and House Committees on Appropriations, the Senate Governmental Affairs Committee, and the House Government Reform Committee quarterly reports addressing the following issues: (1) crime, (2) access to drug abuse treatment, (3) management of parolees and pre-trial violent offenders, (4) education, (5) improvement in basic District services, (6) application for and management of Federal grants, and (7) indicators of child well-being.

The conference agreement retains section 133 (new section 132) of the House bill that allows the District of Columbia Corporation Counsel to review and comment on briefs in private lawsuits and consult with officials of the District government regarding such lawsuits.

The conference agreement retains section 133 as proposed by the Senate amending the District of Columbia Financial Responsibility and Management Assistance Act concerning reserve fund requirements.

The conference agreement deletes section 134 as proposed by the House that amended the National Capital Revitalization and Self-Government Improvement Act of 1997.

The conference agreement retains section 134 as proposed by the Senate that prohibits funds appropriated by this Act for an Integrated Product Team until reorganization plans for the Integrated Product Team and a Capital Construction Services Administration have been approved, or deemed approved by the Council.

The conference agreement retains section 135 as proposed by the House which requires the Chief Financial Officer to submit to the appropriate committees of Congress, the Mayor, and the Council a revised appropriated fund operating budget in the format of the budget that the District of Columbia government submitted pursuant to section 442 of the District of Columbia Home Rule Act.

The conference agreement deletes section 135 as proposed by the Senate which appropriated for the use of the Office of the Corporation Counsel of the District of Columbia all funds deposited in the District of Columbia Antitrust Fund, Antifraud Fund, and District of Columbia Consumer Protection Fund and transferred those provisions to the Governmental Direction and Support appropriation title.

The conference agreement retains section 136 as proposed by the House that amends the Home Rule Act to increase the salary of the Council Chairman to $10,000 less than the annual compensation of the Mayor.

The conference agreement retains section 136 (new section 137) as proposed by the Senate on risk management for settlements and judgments.

The conference agreement deletes section 137 as proposed by the House stating that no funds appropriated in this Act may be made available to pay any person or entity that violates the Buy American Act and combines it with section 122 of the House bill.

The conference agreement retains section 137 (new section 138) as proposed by the Senate which waives the period of Congressional review for the Closing of Portions of 2nd and N Streets, N.E. and Alley System in Square 710, Act.

The conference agreement retains section 138 (new section 139) as proposed by the House that prohibits funds contained in this Act from being used to issue, administer, or enforce any order by the District of Columbia Commission on Human Rights relating to docket numbers 93–030–(PA) and 93–031–(PA).

The conference agreement deletes Section 138(a) which placed a limitation on the amount of fees attorneys may receive when representing a party who prevails in an action or the fees of any attorney who defends any action, including an administrative proceeding, brought against the District of Columbia Public Schools under the Individuals with Disabilities Education Act and Section 138(b) which allowed the Mayor and the Superintendent of the District of Columbia Public Schools to concur in a Memorandum of Understanding setting forth a new rate and amount of compensation, or a new limit.

The conference agreement retains section 138(c) (new section 140) concerning attorney fee awards made in cases under the Individuals with Disabilities Education Act. The conference agreement inserts a new subsection 140(b) which requires no later than 60 days after the date of enactment of this Act the Superintendent of Schools of the District of Columbia shall submit to the Committees on Appropriations of the House of Representatives and the Senate a written report for each of the fiscal years 1999, 2000, and 2001, detailing a complete itemized list, by year, of the judgments for attorneys' fees awarded to plaintiffs who prevailed in cases brought against the District of Columbia or the District of Columbia Public Schools under section 6154(i)(3) of the Individuals with Disabilities Education Act (20 U.S.C. 1415(i)(3)).

The conference agreement deletes section 139 as proposed by the Senate that makes certain exceptions to the limitation in the previous section on the amount of fees attorneys can receive when representing a party who prevails in an action or any attorney who defends any action, including an administrative proceeding, brought against the District of Columbia Public Schools under the Individuals with Disabilities Education Act.

The conference agreement deletes section 140 of the Senate bill concerning mandatory advanced electronic information for air cargo and passengers entering the United States.

The conference agreement inserts a new section 141 as proposed by the Senate that requires the General Accounting Office to submit by March 31, 2002 a report detailing the awards in judgment rendered in the District of Columbia that were in excess of the cap imposed by prior appropriations acts on attorney fees for work performed or previously performed in actions brought against the District of Columbia Public Schools under the Individuals with Disabilities Education Act.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligation) authority for the fiscal year 2002 recommended by the Committee of Conference, with comparisons to the fiscal year 2001 amount, the 2002 budget estimates, and the House and Senate bills for 2002 follows:

[In thousands of dollars]

Federal Funds:	
New budget (obligational) authority, fiscal year 2001	$464,125
Budget estimates of new (obligational) authority, fiscal year 2002	358,607
House bill, fiscal year 2002	398,058
Senate bill, fiscal year 2002	408,000
Conference agreement, fiscal year 2002	408,000
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2001	−56,125
Budget estimates of new (obligational) authority, fiscal year 2002	+49,393
House bill, fiscal year 2002	+9,942
Senate bill, fiscal year 2002	——
District of Columbia Funds:	
New budget (obligational) authority, fiscal year 2001	6,774,159
Budget estimates of new (obligational) authority, fiscal year 2002	7,144,312
House bill, fiscal year 2002	7,146,437
Senate bill, fiscal year 2002	7,154,201
Conference agreement, fiscal year 2002	7,150,716
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2001	+376,557
Budget estimates of new (obligational) authority, fiscal year 2002	+6,404
House bill, fiscal year 2002	+4,279
Senate bill, fiscal year 2002	−3,485

JOE KNOLLENBERG,
ERNEST ISTOOK,
JOHN T. DOOLITTLE,
JOHN E. SWEENEY,
DAVID VITTER,
BILL YOUNG,
CHAKA FATTAH,
ALAN B. MOLLOHAN,
Managers on the Part of the House.

MARY L. LANDRIEU,
JACK REED,
DANIEL K. INOUYE,
MIKE DEWINE,
TED STEVENS,
Managers on the Part of the Senate.

ELECTION IRREGULARITIES

The SPEAKER pro tempore (Mr. GUTKNECHT). Under a previous order of the House, the gentlewoman from Georgia (Ms. MCKINNEY) is recognized for 5 minutes.

Ms. MCKINNEY. Mr. Speaker, I mentioned awhile ago a fact of what happened in the elections in Florida, which I would like to take an opportunity to revisit, and I am glad that the gentlewoman from Florida (Ms. BROWN) has agreed to stay here so that she can respond to this information.

An enterprising journalist by the name of Gregory Palast who operates out of London and works with BBC-TV has provided some very interesting information to me. I have got a list here, and the list is about those people who were put on the voter file that said that they could not vote because they were convicted felons. I have got the list here.

For instance, number 354 on the list is Johnny Jackson, Jr., who is a black male from Texas, and then, unfortunately, John Fitzgerald Jackson. They said that those two people were the same people, so John Fitzgerald Jackson in Florida was denied the right to vote because a list from Texas that had the name of Johnny Jackson, Jr., on it, said that Johnny Jackson, Jr., was not eligible to vote.

I have got on this list, for example, Thomas Alvin Cooper, who is a white male from Ohio. Thomas Cooper is a pretty common name. There is more than one Thomas Cooper, I am sure, in all of the people in Florida. But Thomas Cooper was denied the right to vote in Florida, and Thomas Cooper in Florida, who was denied the right to vote, was a black man.

I have got here Michael Rodriguez from New Jersey, and I am sure Michael Rodriguez is a common name. But in Florida, Michael Rodriguez was denied the right to vote. In New Jersey it was Michael A. Rodriguez.

What this list shows is that there were about 2,800 people who were not allowed the right to vote because the State of Florida said that they were convicted felons in other states, and, therefore, they could not vote in Florida.

Mr. Speaker, 57,700 people, innocent people, I might add, were targeted for removal. Ninety percent of the people on the list that was purged so that these people could not vote in Florida, 90 percent of the names were wrong. At least 54 percent were black. 80 percent of those who finally were purged were black, and 93 percent of the people who were targeted to be purged vote Democratic.

Ms. BROWN of Florida. If the gentlewoman would yield for one minute, let me give you the rest of the story. Florida used $4 million of taxpayer money that they gave to a firm, it was not bid out, to a firm from Texas. Katherine Harris' office did that to the people of Florida, and they came up and purged people. There was no procedure, none whatsoever.

In fact, when I went to the poll on election day, I went downtown and there was some young black guys there saying they are not letting them vote because they said they were felons, and they had never been arrested.

Ms. MCKINNEY. It was a procedure, all right, but the procedure was that if you were black, then you had your name on this list and you were denied the right to vote.

Ms. BROWN of Florida. There is no question. But I am going back to how it came about. There was a bid, a nonsolicited bid, where a contract was given to a firm, and all this is in the record, and the firm told the State of Florida that this system that you are using will identify people that are not convicted felons. The State of Florida says, oh, that is okay. That is okay.

Ms. MCKINNEY. That is exactly what happened. The name of the firm was Database Technologies, which was later absorbed by ChoicePoint, which has its headquarters right outside of

Atlanta. The gentlewoman is absolutely right, that they told Katherine Harris, for whom a Congressional District I understand is being specially carved, that the information we are going to give you, according to your specifications, is wrong. We want you to know that the information that we are going to give you, the information that you have requested, is wrong. Do you want us to give you wrong information? And Katherine Harris and company, said yes, we want the wrong information.

VOTER IRREGULARITIES IN FLORIDA

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. BROWN) is recognized for 5 minutes.

Ms. BROWN of Florida. Mr. Speaker, I want the gentlewoman from Georgia (Ms. MCKINNEY) to know that this is a very touchy situation for me, because so much happened in Florida. In fact, former President Jimmy Carter said that if Florida had been any other country, it would not have been certified, because when you had Republican operatives going into the supervisor of elections filling out forms and sending them out, it was totally illegal. But that happened in Florida.

Some of the things that happened in Florida you would not believe. It is just so hard for me to talk about. In my county alone, 27,000 of my people, voters, were thrown out; thrown out. Let me tell you, 16,000 said it was overvotes. We never saw them. But 10,000, let me tell you, the machines were old, there were undervotes, and the machines kicked them out. So, to date, they have never been counted.

Ms. MCKINNEY. If the gentlewoman will yield, there was serious disenfranchisement that took place. It was systematic, it was purposeful. It was stolen, because we are talking about 2,800 people who Florida took the right to vote away from just because they came from other states. But let me just add that they lied to the Department of Justice, because they told the Department of Justice that our little election thing here that we are trying to do, this little thing here is race-neutral, is not going to have an effect. And what did it do? It had an effect. It took away the right to vote for African Americans and other minorities.

I know the gentlewoman lived it and breathed it every day, but I am here to tell you that Florida was not the only place that it happened. We now know that it happened in too many places all over America, including Georgia.

But I am going to give the gentlewoman the last word, because in Florida, Florida certified the national election, and we have some serious questions about the validity of the Florida election and the Florida outcome.

Ms. BROWN of Florida. The one thing that I want to say on that, and it goes back to what I said earlier, the letter that Jimmy Carter, former President Carter and former President Ford said was give the American people a Christmas President. Give them election reform. What happened in Florida in that election, a black eye is not what it was.

□ 2100

It goes against who we are as Americans. It is bigger than that. Because if someone cannot win the election without stealing it, they do not deserve the office that they are running for.

One of the things I can say that happened in the last election in Virginia, there was close to 1,000 attorneys in all of the precincts. People are committed to making sure that what happened in Florida never, ever happens again in another election. We have had other elections in Florida where still, we have, from the governor's office, highway patrols park in front of the precinct all day.

Ms. MCKINNEY. But, Mr. Speaker, the question I have is, in the State of Florida, the Governor, Jeb Bush down there has declared a state of emergency. I wonder how long that state of emergency is going to last and if it is going to allow this kind of thing to happen again and the kinds of things that happened with the State patrol parked outside polling precincts and that kind of thing, if that is going to happen again as a result of this state of emergency.

Ms. BROWN of Florida. Mr. Speaker, the point of the matter is that the gentlewoman talked about what happened with the voters, but keep in mind that the system broke down before then, because we had Motor Voter where people went to the driver's license place, they received their driver's license, and they signed up to register to vote and to this day, they have not received their cards. So we had thousands of people that was registered to vote that never got the opportunity because that office did not turn it into the Supervisor of Election's office.

Ms. MCKINNEY. Mr. Speaker, we had similar problems in Georgia in my district as well. This is a sad day when we can provide for the people, for the Record, a piece of information like this that shows that people were designed to take away their right to vote just so that they could have a predetermined outcome.

Ms. BROWN of Florida. God bless America.

RECESS

The SPEAKER pro tempore (Mr. GUTKNECHT). Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 9 o'clock and 2 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 2302

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LINDER) at 11 o'clock and 2 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mrs. MYRICK, from the Committee on Rules, submitted a privileged report (Report No. 107–322) on the resolution (H. Res. 305) providing for consideration of motions to suspend the rules, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3005, BIPARTISAN TRADE PROMOTION AUTHORITY ACT OF 2001

Mrs. MYRICK, from the Committee on Rules, submitted a privileged report (Rept. No. 107–323) on the resolution (H. Res. 306) providing for consideration of the bill (H.R. 3005) to extend trade authorities procedures with respect to reciprocal trade agreements, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2944, DISTRICT OF COLUMBIA APPROPRIATIONS, 2002

Mrs. MYRICK, from the Committee on Rules, submitted a privileged report (Rept. No. 107–324) on the resolution (H. Res. 307) waiving points of order against the conference report to accompany the bill (H.R. 2944) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2002, and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DEFAZIO (at the request of Mr. GEPHARDT) for today on account of personal business.

Mr. FORD (at the request of Mr. GEPHARDT) for November 27 and the balance of that week on account of a death in the family.

Mr. HOSTETLER (at the request of Mr. ARMEY) for today until further notice on account of family medical reasons.

Mr. NEY (at the request of Mr. ARMEY) for today on account of family illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. PALLONE) to revise and extend their remarks and include extraneous material:)

Mr. BONIOR, for 5 minutes, today.

Mr. LYNCH, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Ms. MILLENDER-MCDONALD, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. LANGEVIN, for 5 minutes, today.

Mr. INSLEE, for 5 minutes, today.

Mr. CONYERS, for 5 minutes, today.

Ms. BALDWIN, for 5 minutes, today.

Mr. MCGOVERN, for 5 minutes, today.

Mr. MASCARA, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Mr. FILNER, for 5 minutes, today.

Mr. STRICKLAND, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mr. RODRIGUEZ, for 5 minutes, today.

Mr. LEWIS of Georgia, for 5 minutes, today.

Mr. BACA, for 5 minutes, today.

Mr. OWENS, for 5 minutes, today.

Mrs. NAPOLITANO, for 5 minutes, today.

Mr. HILL, for 5 minutes, today.

(The following Members (at the request of Mrs. JO ANN DAVIS of Virginia) to revise and extend their remarks and include extraneous material:)

Mr. FOLEY, for 5 minutes, today.

Mrs. JO ANN DAVIS of Virginia, for 5 minutes, December 6.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Mr. SMITH of Michigan, for 5 minutes, today.

Mr. CUNNINGHAM, for 5 minutes, today.

Ms. MCKINNEY, for 5 minutes, today.

Ms. BROWN of Florida, for 5 minutes, today.

ADJOURNMENT

Mrs. MYRICK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 3 minutes p.m.), under its previous order, the House adjourned until Thursday, December 6, 2001, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

4723. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Azoxystrobin: Pesticide Tolerances for Emergency Exemptions [FRL–6809–3] received November 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4724. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule—Office of Security and Emergency Operations; Security Requirements for Protected Disclosures Under Section 3164 of the National Defense Authorization Act for Fiscal Year 2000 [Docket No. SO–RM–00–3164] (RIN: 1992–AA26) received November 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

4725. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule—Management of Report Deliverables—received November 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4726. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule—Energy Conservation Program for Consumer Products: Amendment to the Definition of ''Electric Refrigerator'' [Docket No. EE–RM–93–801] (RIN: 1904–AB03) received November 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4727. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule—Energy Efficiency Program for Certain Commercial and Industrial Equipment: Extension of Time for Electric Motor Manufacturers To Certify Compliance With Energy Efficiency Standards [Docket No. EE–RM–96–400] (RIN: 1904–AB11) received November 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4728. A letter from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule—Office of Civilian Radioactive Waste Management; General Guidelines for the Recommendation of Sites for Nuclear Waste Repositories; Yucca Mountain Site Suitability Guidelines [Docket No. RW–RM–99–963] (RIN: 1901–AA72) received November 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4729. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Change to Definition of Major Source [FRL–7107–4] (RIN: 2060–AJ60) received November 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4730. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—New York: Final Authorization of State Hazardous Waste Management Program Revision [FRL–7101–9] received November 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4731. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Utah: Final Authorization of State-Initiated Changes and Incorporation by Reference of State Hazardous Waste Management Program [FRL–7092–1] received November 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4732. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Montana; Transportation Conformity; Correction [SIP NO. MT–001–0032; FRL–7102–5] received November 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4733. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants for Pesticide Active Ingredient Production [FRL–7106–6] received November 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4734. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants for Pesticide Active Ingredient Production [FRL–7106–1] received November 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4735. A letter from the Acting Assistant Secretary, Bureau of Land Management, Department of the Interior, transmitting the Department's final rule—Mineral Materials Disposal; Sales; Free Use [WO–320–1430–PB–24 1A] (RIN: 1004–AD29) received November 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

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. HANSEN: Committee on Resources. H.R. 1576. A bill to designate the James Peak Wilderness and Protection Area in the Arapaho and Roosevelt National Forests in the State of Colorado, and for other purposes; with an amendment (Rept. 207–316). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. 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; with an amendment (Rept. 107–317). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 1963. A bill to amend the National Trails System Act to designate the route taken by American soldier and frontiersman George Rogers Clark and his men during the Revolutionary War to capture the British forts at Kaskaskia and Cahokia, Illinois, and Vincennes, Indiana, for study for potential addition to the National Trails System (Rept. 107–318). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 3334. A bill to designate the Richard J. Guadagno Headquarters and Visitors Center at Humboldt Bay National Wildlife Refuge, California (Rept. 107–319). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMAS: Committee on Ways and Means. H.R. 3129. A bill to authorize appropriations for fiscal years 2002 and 2003 for the United States Customs Service for antiterrorism, drug interdiction, and other operations, for the Office of the United States Trade Representative, for the United States International Trade Commission, and for other purposes; with an amendment (Rept. 107–320). Referred to the Committee of the Whole House on the State of the Union.

Mr. KNOLLENBERG: Committee of Conference. Conference report on H.R. 2944. A bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2002, and for other purposes (Rept. 107–321). Ordered to be printed.

Mrs. MYRICK: Committee on Rules. House Resolution 305. Resolution providing for consideration of motions to suspend the rules (Rept. 107–322). Referred to the House Calendar.

Mr. REYNOLDS: Committee on Rules. House Resolution 306. Resolution providing for consideration of the bill (H.R. 3005) to extend trade authorities procedures with respect to reciprocal trade agreements (Rept. 107–323). Referred to the House Calendar.

Mr. LINDER: Committee on Rules. House Resolution 307. Resolution waiving points of order against the conference report to accompany the bill (H.R. 2944) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2002 (Rept. 107–324). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of the rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

[Omitted from the Record of November 14, 2001]

By Mr. UDALL of Colorado:

H.R. 3296. A bill to amend title 49, United States Code, to prohibit the purchase, rent, or lease, for use as a schoolbus, of a motor vehicle that does not comply with motor vehicle safety standards that apply to schoolbuses, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, 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.

[Submitted December 5, 2001]

By Mr. MCGOVERN:

H.R. 3404. A bill to require the Consumer Product Safety Commission to conduct a study on methods to dramatically increase the percentage of consumers effectively reached by product safety recalls; to the Committee on Energy and Commerce.

By Mr. ACEVEDO-VILÁ:

H.R. 3405. A bill to amend the Food Stamp Act of 1977 to increase the nutritional assistance block grant for Puerto Rico, and for other purposes; to the Committee on Agriculture.

By Mr. BARTON of Texas:

H.R. 3406. A bill to benefit consumers and enhance the Nation's energy security by removing barriers to the development of competitive markets for electric power, providing for the reliability and increased capacity of the Nation's electric transmission networks, promoting the use of renewable and alternative sources of electric power generation, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, and Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BONO (for herself, Mr. HAYWORTH, Mr. KILDEE, Mr. CAMP, and Mr. KENNEDY of Rhode Island):

H.R. 3407. A bill to amend the Indian Financing Act of 1974 to improve the effectiveness of the Indian loan guarantee and insurance program; to the Committee on Resources.

By Mr. FOLEY:

H.R. 3408. A bill to require foreign insurance companies doing business in the United States to disclose any financial dealings they had with individuals who survived or died in the Holocaust, to provide for the Attorney General of the United States to submit requests to such companies regarding claims on behalf of such individuals, and to prohibit insured depository institutions from transacting any business with or on behalf of any such foreign insurance companies that fail to comply with such disclosure requirements or fail to adequately respond to such requests, and for other purposes; to the Committee on Financial Services.

By Mr. FOSSELLA:

H.R. 3409. A bill to amend title 18, United States Code, to prevent or mitigate crimes of violence or acts of terrorism by authorizing Federal criminal investigators to carry firearms and respond to such crimes of violence or acts of terrorism committed in their presence and to amend section 5545a of title 5, United States Code, to expand the definition of ''available'' for those criminal investigators who receive Law Enforcement Availability Pay, to include responding to crimes of violence or acts of terrorism, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Government Reform, 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. GRANGER:

H.R. 3410. A bill to provide for the inclusion of hazardous duty pay and diving pay in the computation of military retired pay for members of the armed forces with extensive hazardous duty experience, to require a study on the need for a tax credit for businesses that employ members of the National Guard and Reserve, and to require a study on the expansion of the Junior ROTC and similar military programs for young people; to the Committee on Armed Services.

By Ms. GRANGER (for herself, Mr. DAN MILLER of Florida, Mr. GOODE, Mr. EDWARDS, and Mr. BOYD):

H.R. 3411. A bill to amend title 37, United States Code, to provide the Secretary of Defense with the authority to make temporary, emergency adjustments in the rates of the basic allowance for housing for members of the uniformed services in response to a sudden increase in housing costs in a military housing area in the United States; to the Committee on Armed Services.

By Mr. HOSTETTLER (for himself, Mr. BARTLETT of Maryland, Mr. CUNNINGHAM, Mr. TAYLOR of Mississippi, Mr. EVERETT, and Mr. CALVERT):

H.R. 3412. A bill to extend the tax benefits available with respect to services performed in a combat zone to services performed in the Republic of Korea; to the Committee on Ways and Means.

By Mr. KENNEDY of Rhode Island (for himself and Mrs. ROUKEMA):

H.R. 3413. A bill to amend the Public Health Service Act to establish a program of grants to States and political subdivisions of States for the provision of mental health services in response to public health emergencies, including disasters resulting from terrorism, and for other purposes; to the Committee on Energy and Commerce.

By Mr. KING (for himself, Mr. BROWN of Ohio, Mr. WALSH, Mr. DINGELL, Mr. HOUGHTON, Mr. WAXMAN, Mrs. KELLY, Mr. BONIOR, Mr. SWEENEY, Mr. NADLER, Mr. QUINN, Mr. PALLONE, Mr. GRUCCI, Mrs. CAPPS, Mr. SERRANO, Mrs. MALONEY of New York, Mr. BOUCHER, Mr. TOWNS, Mr. BARRETT, Mr. MCNULTY, Mr. FARR of California, Mr. ACKERMAN, Mr. STENHOLM, Mr. ISRAEL, Mr. SHOWS, Mr. ENGEL, Mrs. MCCARTHY of New York, Mr. GREEN of Texas, Mr. STRICKLAND, Mr. GILMAN, Mr. ALLEN, Mr. HINCHEY, Mr. STUPAK, Ms. LEE, Mr. RANGEL, Mr. REYNOLDS, Mrs. LOWEY, Mr. WEINER, Mr. CROWLEY, Ms. VELÁZQUEZ, Mr. MCHUGH, and Mr. FOLEY):

H.R. 3414. A bill to provide certain temporary increases in the Federal medical assistance percentage (FMAP) under the Medicaid Program for fiscal year 2002 to help States finance increases in enrollment due to rising unemployment and to prevent reductions in health insurance coverage due to State budget crises; to the Committee on Energy and Commerce.

By Mr. KUCINICH:

H.R. 3415. A bill to amend title 11 of the United States Code to extend the priority provided to claims for compensation and benefits of all employees; to the Committee on the Judiciary.

By Mrs. MINK of Hawaii:

H.R. 3416. A bill to amend title 49, United States Code, to permit the hiring as security screening personnel of legal immigrants who have filed for naturalization before September 11, 2001; to the Committee on Transportation and Infrastructure.

By Mr. PAUL:

H.R. 3417. A bill to amend title 10, United States Code, to provide for the award of a medal to persons who served in the Armed Forces during the Cold War; to the Committee on Armed Services.

By Mr. SIMMONS (for himself, Mr. SHAYS, Mrs. JOHNSON of Connecticut, Ms. DELAURO, Mr. LARSON of Connecticut, and Mr. MALONEY of Connecticut):

H.R. 3418. A bill to name the Department of Veterans Affairs outpatient clinic located in New London, Connecticut, as the ''John P. McGuirk Department of Veterans Affairs Outpatient Clinic''; to the Committee on Veterans' Affairs.

By Mr. YOUNG of Florida:

H.J. Res. 76. A joint resolution making further continuing appropriations for the fiscal year 2002, and for other purposes; to the Committee on Appropriations; considered and passed.

By Ms. LOFGREN:

H.J. Res. 77. A joint resolution proposing an amendment to the Constitution of the United States regarding the appointment of individuals to serve as Members of the House of Representatives when, in a national emergency, a significant number of Members are unable to serve; to the Committee on the Judiciary.

By Mr. SCHAFFER (for himself, Mr. ARMEY, Mr. SHOWS, Ms. ROS-LEHTINEN, Mr. SMITH of New Jersey, Mr. PITTS, Ms. HART, Mr. ROGERS of Michigan, Mr. STEARNS, Mr. PENCE, Mr. AKIN, Mr. FORBES, Mr. PICKERING, Mr. HOSTETTLER, Mr. TANCREDO, Mr. KENNEDY of Minnesota, Mr. WELDON of Florida, Mr. HOEKSTRA, Mr. ENGLISH, Mr. CRENSHAW, Mr. BARTLETT of Maryland, Mr. GRUCCI, Mr. RYUN of Kansas, Mr. SHUSTER, Mr. TERRY, Mr. BURTON of Indiana, Mr. LEWIS of Kentucky, Mr. DEMINT, Mr. LARGENT, Mr. SOUDER, Mr. SHIMKUS, Mr. FERGUSON, Mrs. MYRICK, Mr. RYAN of Wisconsin, Mr. VITTER, Mr. GOODE, Mr. COX, Mr. ISTOOK, Mr. BROWN of South Carolina, Mr. CHABOT, Mr. JONES of North Carolina, Mr. TIAHRT, and Mr. GUTKNECHT):

H. Res. 302. A resolution expressing the sense of the House of Representatives with respect to crisis pregnancy centers; to the Committee on Energy and Commerce.

By Mr. GALLEGLY (for himself and Mr. HILLIARD):

H. Res. 303. A resolution expressing appreciation to the North Atlantic Treaty Organization, the European Union, the Organization for Security and Cooperation in Europe, and the individual countries of Europe for providing or offering military forces and other assistance in support of Operation Enduring Freedom and the campaign against international terrorism; to the Committee on International Relations.

By Mr. KUCINICH:

H. Res. 304. A resolution providing for consideration of the bill (H.R. 808) to provide certain safeguards with respect to the domestic steel industry; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. JOHNSON of Illinois introduced a bill (H.R. 3419) for the relief of J.L. Simmons Company, Inc., of Champaign, Illinois; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 318: Mr. FILNER, Mrs. LOWEY, Mr. HOLT, Mr. ACEVEDO-VILA, Mr. SANDERS, Mr. JEFFERSON, Mrs. NAPOLITANO, and Mr. CARDIN.

H.R. 604: Ms. SCHAKOWSKY and Ms. ESHOO.

H.R. 661: Mr. JEFFERSON.

H.R. 742: Mr. HINCHEY and Ms. LOFGREN.

H.R. 951: Mr. MCKEON.

H.R. 959: Mr. BENTSEN.

H.R. 1073: Mr. QUINN and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 1090: Mr. MALONEY of Connecticut.

H.R. 1177: Mr. LUCAS of Kentucky.

H.R. 1296: Mr. MCINTYRE and Mr. LINDER.

H.R. 1331: Mr. DOOLITTLE.

H.R. 1466: Mr. SHOWS, Mr. KIRK, and Mr. THUNE.

H.R. 1475: Mr. HONDA and Mr. WU.

H.R. 1520: Mr. LIPINSKI.

H.R. 1582: Mr. PAYNE.

H.R. 1723: Mr. LEACH and Mr. FRANK.

H.R. 1724: Mr. MCGOVERN.

H.R. 1754: Mrs. MCCARTHY of New York.

H.R. 1771: Mr. VISCLOSKY.

H.R. 1795: Mr. SHOWS, Mr. SCHIFF, and Mr. LATOURETTE.

H.R. 1841: Mr. LAMPSON, Mr. SANDERS, and Mr. CRAMER.

H.R. 1911: Ms. WOOLSEY and Mr. SCHIFF.

H.R. 2023: Mr. STEARNS.

H.R. 2125: Mr. PASTOR, Mr. BASS, Mr. PLATTS, Ms. ESHOO, Mr. PRICE of North Carolina, Mr. PUTNAM, Mr. LAHOOD, and Mr. GARY G. MILLER of California.

H.R. 2147: Mr. SOUDER.

H.R. 2484: Mr. BROWN of Ohio, Mr. PAYNE, Mr. BALDACCI, Mr. MARKEY, Mr. OLVER, Mr. RUSH, Mr. NEAL of Massachusetts, and Ms. BROWN of Florida.

H.R. 2610: Mr. CARSON of Oklahoma, Mr. WATT of North Carolina, Mr. TERRY, Mr. CLEMENT, and Mr. RAHALL.

H.R. 2706: Mr. RADANOVICH.

H.R. 2737: Mr. BONIOR.

H.R. 2820: Mr. PALLONE, Mr. BACA, and Mr. BROWN of Ohio.

H.R. 2839: Mrs. MINK of Hawaii, Mr. CUMMINGS, Ms. RIVERS, and Mr. HONDA.

H.R. 2847: Mr. BEREUTER.

H.R. 2863: Ms. SCHAKOWSKY.

H.R. 2869: Ms. CARSON of Indiana.

H.R. 2917: Mr. SHAW, Mr. LUCAS of Kentucky, and Mr. TAYLOR of Mississippi.

H.R. 2935: Mr. PAYNE.

H.R. 2969: Mr. PLATTS.

H.R. 3014: Mr. CRANE.

H.R. 3019: Ms. BERKLEY and Mr. BAIRD.

H.R. 3054: Mr. BEREUTER, Ms. SCHAKOWSKY, Mr. ROGERS of Michigan, Mr. FERGUSON, Mr. HINOJOSA, Mr. SHERMAN, Mr. DEUTSCH, Ms. BALDWIN, Ms. ROS-LEHTINEN, Mr. LUTHER, Mr. BROWN of Ohio, Mr. BORSKI, Mr. HOEFFEL, Ms. MCCARTHY of Missouri, Mrs. CAPPS, Mr. HORN, Mr. SCHAFFER, Mr. KIRK, Mr. CANTOR, Mr. OTTER, Mr. HAYWORTH, Mr. SCOTT, Mr. BARRETT, Mr. FRANK, Mr. TIERNEY, Mr. LAFALCE, Mr. NADLER, Mr. LEWIS of Georgia, Mr. ORTIZ, Mr. CONDIT, Mr. RUSH and Mr. SHAYS.

H.R. 3075: Mr. KUCINICH, Ms. DEGETTE, Mr. BARRETT, Mr. BAIRD, Mr. BRADY of Pennsylvania, Mr. FALEOMAVAEGA, Ms. MCCOLLUM, Ms. RIVERS, and Ms. ROYBAL-ALLARD.

H.R. 3113: Mr. OLVER.

H.R. 3175: Ms. RIVERS.

H.R. 3235: Mr. LIPINSKI, Mr. HINCHEY, Mr. FILNER, Ms. WOOLSEY, Mrs. MINK of Hawaii, and Mr. BONIOR.

H.R. 3271: Mr. KILDEE and Mrs. CHRISTENSEN.

H.R. 3306: Mr. UNDERWOOD and Mr. FROST.

H.R. 3332: Mr. CARDIN, Mr. DUNCAN, Mr. GONZALEZ, Mr. KANJORSKI, Mr. KING, Mr. POMEROY, Ms. SCHAKOWSKY, Mr. TERRY, and Mr. WU.

H.R. 3341: Ms. WATERS and Mr. KILDEE.

H.R. 3351: Mr. SMITH of Washington, Mr. BACA, Ms. BERKLEY, Ms. PRYCE of Ohio, Mrs. DAVIS of California, Mr. BENTSEN, Mr. RILEY, Mr. CARDIN, Mr. DEUTSCH, Ms. SCHAKOWSKY, Mr. SCHAFFER, Mr. FRANK, Mr. NEAL of Massachusetts, Mr. ROGERS of Michigan, Mr. WALSH, Mr. BERMAN, Mr. CLAY, Mr. MORAN of Virginia, Mr. SUNUNU, and Mrs. MINK of Hawaii.

H.R. 3358: Mr. MOORE.

H.R. 3368: Mr. JACKSON of Illinois, Mr. FROST, Mr. RUSH, and Mr. GRUCCI.

H.R. 3371: Mr. FROST.

H.R. 3376: Mr. SHAYS, Mr. KING, Mr. SMITH of New Jersey, and Mr. MCHUGH.

H. Con. Res. 273: Mr. LEACH, Mr. BARTLETT of Maryland, Mr. BURTON of Indiana, Mr. SMITH of New Jersey, Mrs. MALONEY of New York, Ms. MCKINNEY, Ms. ROS-LEHTINEN, Mr. ROYCE, Mr. UNDERWOOD, Mr. BERMAN, Mr. TANCREDO, Mr. HORN, Mr. NADLER, Mr. GILCHREST, Mr. STEARNS, Mr. JONES of North Carolina, Mr. DUNCAN, Mr. WAMP, Mr. MORAN of Virginia, Mr. GEKAS, Mr. HAYWORTH, Mr. WALSH, Mr. ISTOOK, Mr. WELDON of Florida, Mr. RADANOVICH, Mr. WICKER, Mr. HERGER, and Mr. GOODLATTE.

H. Con. Res. 280: Mr. FALEOMAVAEGA, Mr. PLATTS, Mr. ISRAEL, Mr. HALL of Ohio, Mrs. MALONEY of New York, Mr. HOYER, Mr. FRANK, Mr. PENCE, Mr. ROSS, Mr. SCHROCK, and Mr. CULBERSON.

H. Res. 75: Mr. KERNS, Mr. BACHUS, Mr. REYNOLDS, Mr. RAMSTAD, Mrs. ROUKEMA, Mr. GOODE, Mr. CHABOT, Mr. DAN MILLER of Florida, Mr. LARGENT, Mr. HORN, Mr. CHAMBLISS, and Mr. ROHRABACHER.

H. Res. 280: Ms. ROYBAL-ALLARD, Mr. Filner, Mrs. MINK of Hawaii, and Ms. RIVERS.

H. Res. 281: Ms. SCHAKOWSKY, Mr. ROTHMAN, Mr. GUTIERREZ, and Ms. LOFGREN.

H. Res. 295: Mr. ENGLISH and Mr. TIAHRT.

H. Res. 300: Mr. NEAL of Massachusetts, Mr. MURTHA, Mr. MCHUGH, and Mr. COSTELLO.