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No. 44

House of Representatives

The House met at 10 a.m.

The Reverend Ronald S. Escalante, Good Shepherd Catholic Church, Alexandria, Virginia, offered the following prayer:

Almighty and ever-living God, You have revealed Your glory to all nations. Through Your authority is rightly administered, laws are enacted, and judgment is decreed.

Let the light of Your divine power and wisdom guide the deliberations of Congress, and shine forth in all the proceedings and laws framed for our rule and government. They seek to preserve peace, promote national happiness, and continue to bring us the blessings of liberty and equality.

We likewise commend to Your unbounded mercy all the citizens of the United States, that we may be blessed in the knowledge and sanctified in the observance of Your holy law. And after enjoying the blessings of this life, may we be admitted to those which are eternal.

We pray to You, who are Lord and God, forever and ever. Amen.

THE JOURNAL

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

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

Mr. FOLEY. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. FOLEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from Florida (Ms. ROS-LEHTINEN) come forward and lead the House in the Pledge of Allegiance.

Ms. ROS-LEHTINEN 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.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 1533. An act to amend the Public Health Service Act to reauthorize and strengthen the health centers program and the National Health Service Corps, and to establish the Healthy Communities Access Program, which will help coordinate services for the uninsured and underinsured, and for other purposes.

WELCOMING REVEREND RONALD S. ESCALANTE, ASSOCIATE PASTOR, GOOD SHEPHERD CATHOLIC CHURCH, ALEXANDRIA, VIRGINIA

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

Mr. MORAN of Virginia. Mr. Speaker, I'd like to just say a word about the priest who gave our invocation today. Father Escalante was born in the Philippines. He has his Masters in Divinity from Mount St. Mary's College and Seminary in Maryland. He has been the

Associate Pastor of Good Shepherd Catholic Church for the last 4 years.

Good Shepherd Catholic Church in Mount Vernon, Virginia, has been particularly affected by the events of 9/11. Three of their families lost loved ones, as well as most recently Corporal Matthew Commons was killed in a firefight in Afghanistan while on a mission to rescue a Navy Seal. So that parish has been particularly determined to bring an end to hostility around the world through God's word.

Father Escalante has played an important role in uniting that parish and helping them to get over their grief. We thank him for delivering our invocation this morning.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain ten 1-minute speeches on each side.

COMMENDING WAL-MART FOR PROVIDING AID TO THOSE AFFECTED BY SEPTEMBER 11 TRAGEDY

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

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to congratulate Wal-Mart for its participation in Vital Voices, an organization which assists Afghan women and children. Wal-Mart is supporting Vital Voices' efforts to provide aid to enable Afghan women to return to work and Afghan girls to return to school.

Wal-Mart's donation is part of a larger company effort to provide aid to those who are affected by the September 11 tragedy. Since September 11, Wal-Mart and Sam's Club associates

This symbol represents the time of day during the House proceedings, e.g., 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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and customers have raised and contributed nearly \$16 million in support of relief agencies and victims' families, including a \$1 million donation to UNICEF to help Afghani children.

Please join me in congratulating and recognizing the wonderful contributions of Wal-Mart and Sam's Club associates and customers.

RESPONDING TO SUPREME COURT RULING ON PORNOGRAPHY

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

Mr. LAMPSON. Mr. Speaker, child pornography was a worldwide industry that was all but eradicated in the 1980s. Unfortunately, it has resurfaced with a vengeance, thanks to computer technology. The explosive growth of computer technology via e-mail, chat rooms and news groups have created a bigger demand for pornographic pictures of our children on the Information Superhighway.

Congress must step up to the plate and take some action to stem the growing tide of child exploitation on the Internet and in other forms. On Tuesday, the Supreme Court struck down the Child Pornography Protection Act. Today the Congressional Missing and Exploited Children's Caucus will hold a briefing for members of the caucus on legislation that is being developed in response to the Supreme Court's decision.

We must continue to protect our children from exploitation and pornography. The Supreme Court sent the wrong message to pornographers all over the world. Mr. Speaker, Congress needs to send the right message, and we will, just as we will in returning Ludwig Koons to the United States. It is not right that Ludwig's pornographer mother illegally removed him to Italy against the order of the United States courts. She is a criminal. We need to bring Ludwig home and all of our children home.

FOSTERING FAMILY INDEPENDENCE THROUGH WELFARE REFORM

(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, in 1996 this House passed historic welfare reform legislation that fostered family independence by moving people into the workforce. Welfare reform is an issue of monumental proportion. Six years ago we had a positive effect on the lives of millions of needy Americans. Today we have another chance to improve the lives of many more.

Since 1996, statistics have shown that welfare families have begun to achieve independence. While we celebrate the progress of 1996, we must charter a plan that guarantees future success. This

Congress must move forward to reauthorize welfare reform and assist those Americans that have not yet achieved their goals.

Welfare reform works. But we must continually improve the system today for tomorrow. By reaching out to Americans in need, we will change not only lives, but put a smile on the face of our society.

We are making progress, Mr. Speaker, but it is time we turn the corner. Let us strengthen the path towards independence by empowering people to support themselves. I encourage my colleagues to support reauthorized welfare reform.

PROTECTING SACRED NATIVE AMERICAN SITES

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

Mr. GEORGE MILLER of California. Mr. Speaker, just yesterday we had a hearing in the Committee on Resources dealing with a parcel of land belonging to the Pechanga Band of Mission Indians in Riverside County, California. The Tribe is trying to protect the land because it contains several sites sacred to the tribe, including the largest living oak tree in the United States.

This magnificent tree is over 1,500 years old and has been the site of tribal ceremonies for generations. Believe it or not, this tree is in danger of being felled by an order to construct transmission lines.

We are often faced with the perception that Native American sacred sites are not worthy of protection somehow because they generally are a part of nature and not brick and mortar buildings with a large bell tower. One look at this tree, however, and the majesty of it comes across to even the most cynical.

While I believe we will be able to preserve this particular Native American site through the hard work of the gentleman from California (Mr. ISSA), Senator BOXER and Senator FEINSTEIN, dozens of other similar areas are threatened with desecration. The Glamis Mine in California and the Valley of the Chiefs in Montana are in danger of being lost forever by the presence of gold mining and the sights and sounds of oil drilling.

The time has come for us to stop running around trying to cherry-pick certain Native American sacred sites to save. We need to act and have one strong policy and procedure, backed up by the laws of this country.

SUPPORTING ISRAEL IN ITS WAR WITH TERRORISM

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

Mr. DOOLITTLE. Mr. Speaker, I rise today to condemn the terrorist attacks

upon the people of Israel. On the basis of our shared principles and democratic values, we have an obligation to stand squarely with our democratic ally. We will support those who stand for freedom.

On Monday, tens of thousands of Americans assembled in Washington, D.C., to stand in solidarity with the people of Israel and to support her right to defend herself. We must not and we will not allow the lone light of democracy in the entire Middle East to be extinguished by the Palestinian wave of hatred.

Yasser Arafat has impeded peace and perpetuated his charade for far too long. The Palestinian Authority must not be allowed to breed its violence and hatred, and the international community, led by the United States, must make it absolutely clear that terrorism will not be tolerated.

I urge all of my colleagues on both sides of the aisle to continue their unyielding support for the people of Israel as they wage their own war on terrorism.

HIGHWAY ROBBERY

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

Mr. DeFAZIO. Mr. Speaker, President Bush and the Republicans in Congress proclaim that today's vote to make permanent last year's \$2 trillion tax cut is merely to correct a quirk in the law that sunset the entire tax cut December 31, 2010.

That was no quirk. The Republicans controlled the House, the Senate and the White House. They wrote it into the law because they wanted to hide the implications of these massive tax cuts; the fact that they were going to put us back in deficit, that they were going to take money from the Social Security lock box, which they just voted for seven times, and they just wanted to pretend.

Well, now the pretension is over. They are revealing their true side. Make these cuts permanent. If they are successful in doing that, another \$400 billion of deficit in the next 10 years, every penny of it coming out of the Social Security trust fund, money raised with a regressive flat tax which is going to fund estate tax relief for people with estates over \$5 million and people who earn over \$373,000 a year.

That is what this vote is all about, plain and simple. No quirk; it is highway robbery.

FIGHTING FOR THE RELEASE OF HOUA LY

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

Mr. GREEN of Wisconsin. Mr. Speaker, I rise today to mark a tragic anniversary. Three years ago tomorrow,

Houa Ly, a Hmong-American constituent of mine, disappeared on the border between Laos and Thailand. Eyewitnesses last saw him with Lao government authorities, a brutal regime infamous for human rights abuses.

For 3 years his family has suffered without any real answers. It has been three frustrating years.

His family is inspired, however, by the memories they still have of their life together as an American family and of Mr. Ly's incredible service to this country, saving downed U.S. pilots during the Vietnam War.

Our Nation will also remember him. The Lao government and its apologists should know for that me and many others, this case is an insurmountable obstacle that should block any effort towards normalizing relations between our two countries.

It has been three frustrating years, and for all of our work together with the Ly family, it often feels like we have gotten nowhere. But we will not give up. A U.S. citizen is mission. His family deserves answers, and we will keep fighting until we get them.

SUPPORTING THE RIGHT OF LEGAL IMMIGRANTS TO BENEFITS UNDER THE FARM BILL

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise this morning to applaud the gentleman from California (Mr. BACA) for his motion to instruct today that I ask my colleagues to support enthusiastically. It is important to explain the purpose and the force and the importance of the motion to instruct, and that is to reinforce the language that was offered in the other body regarding legal immigrants and the rights of legal immigrants to receive benefits under the farm bill, in this instance, food stamps. Legal immigrants are represented by us all—we owe them good and fair representation.

It is important to note that nothing is being taken from those who claim to believe that only benefits should ensure to citizens. Legal immigrants work, pay taxes, are our neighbors, and, most of all, they offer their lives for our freedom in the United States military.

□ 1015

This is a commonsense amendment, and it states that the United States House of Representatives truly believes in the equality of all. We cannot owe shame to this body by declaring that legal immigrants who work here and are part of this Nation and sacrifice their lives deserve not to have the benefits. We realize that the U.S. military, many of them, are on food stamps. Would we deny to them the rights of those of us who live and breathe the free air of this Nation? Vote for the Baca amendment.

UNITED NATIONS HUMAN RIGHTS COMMISSION LOSES CREDIBILITY

(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, killing innocent civilians to achieve a political goal is unacceptable under any circumstance. But now we have received word that the United Nations Human Rights Commission has voted to condemn the State of Israel for a long list of supposed human rights violations without even once mentioning Palestinian violence. Worse than that, the resolution supports, and I quote, "all available means, including armed struggle," to establish a Palestinian State.

Now, the United States is on record of supporting an eventual Palestinian state. But we also know what "armed struggle" means in the current environment in the Middle East. It means a 17-year-old girl being promised all the glories of heaven if she will just strap a bomb to herself and go kill a bunch of innocent Israelis.

It is shocking that the U.N. Human Rights Commission would endorse violence against civilians. I think we should thank those countries who voted against this resolution, but we should express anger at the 40 countries who voted for it, including six from Europe. It is an outrage. As far as I am concerned, the U.N. Human Rights Commission has lost all of its credibility.

U.S. NEEDS COMPREHENSIVE ENERGY POLICY NOW

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

Mr. HALL of Texas. Mr. Speaker, I rise today to begin a series of remarks on energy. Energy, or the lack of energy, has caused many of the wars of the world. Once again, the uncertainties of the Middle East have caused prices in oil markets to rise; and from what we read in the news, the current uncertainty is, unfortunately, likely to last for quite some time.

My goal with this series is simple: to impress upon my colleagues the need to develop a national energy policy, and that policy should include all of our resources: fossil fuels, coal, nuclear renewables, and yes, conservation. We need them all.

In this country we are blessed with an abundance of energy choices. We have abundant coal reserves, in fact, some of the largest in the world. We have a tremendous potential for the development of solar and wind resources; and even though for many years we produced huge volumes of crude oil and natural gas and even supplied some of the world with it at times, we still have significant oil and gas resources in the ground.

Much of the rest of the world is envious of our energy resources and the choices we have. In the coming days and weeks, I will address some of these options and see what we can do to bring them into reality.

CONTINUING THE SUCCESS OF WELFARE REFORM

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

Mr. TIAHRT. Mr. Speaker, I support President Bush's welfare reform. I am often asked what I consider some of the best accomplishments I have made as a Congressman. Well, I am very proud to have been a Member of the historic 105th Congress that passed the 1996 Welfare Reform Act.

Perhaps more than anything else that we have accomplished during my time in Washington, reforming welfare has given the most hope to American families. Welfare caseloads fell by 9 million since 1994. That means 9 million more Americans, 9 million more people are on the road to making their dreams a reality.

The number of mothers who are more likely to go on welfare, but instead have a job, rose by 40 percent between 1995 and 2000. Since 1996, nearly 3 million children have been lifted from poverty. In the African American community, the child poverty rate is at an all-time record low.

The success of the 1996 welfare reform law is beyond dispute. Our challenge and our great opportunity is to build on that success by letting more Americans work their way to freedom of dependence and follow the path to making their dreams a reality.

EXTENDING CONDOLENCES AND GRATITUDE TO CANADA

(Mr. SKELTON asked and was given permission to address the House for 1 minute.)

Mr. SKELTON. Mr. Speaker, I want to express condolences to the families of the four Canadian soldiers who were killed and the eight soldiers who were injured during training exercises in Afghanistan. News reports say that these are the first Canadians to be killed in a combat zone in half a century.

Canada is a valued member of our coalition in the fight against terrorism and has been a valued friend of the United States for decades. I fear we do not express our gratitude enough to the Canadian people for their support and their friendship. In the face of this tragedy, it is important to thank Canada for its commitment to the fight against terrorism.

Our men and women in uniform, U.S. forces, as well as members of our coalition forces, take risks every day in support of our freedoms. Unfortunately, some of our best and brightest young people lose their lives in this cause. Canadian forces are fighting

alongside U.S. and European troops, seeking to hunt down remnants of Osama bin Laden's terrorist organization. We extend our condolences to our Canadian allies.

U.S. MUST STAND WITH ISRAEL

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

Mr. TIBERI. Mr. Speaker, it is more important than ever that we as individuals and the United States as a Nation reflect on the historic link between the United States and Israel. Yesterday was the 54th anniversary of Israel's independence. The U.S. must stand with Israel now as it did in 1948 as the war on terrorism continues throughout the world.

For 54 years, Israel has existed as the only democracy in the Middle East. We must not abandon our work to bring a lasting peace to the region. The efforts of those trying to achieve this goal over the past few days and weeks should be applauded. However, we must also not forget Israel's right as a sovereign nation to defend itself and its people from terrorism.

Israel has stood by efforts of the U.S. to combat terrorism around the globe. Likewise, the U.S. must stand by Israel in its effort to eradicate the scourge of terrorism.

Let us be clear: attacks on civilians by suicide bombers are acts of terrorism.

REJECT MAKING THE TAX CUTS PERMANENT

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

Mr. INSLEE. Mr. Speaker, today the majority party will ram through a bill making their tax cuts permanent; but it is not just tax cuts they will make permanent. They will make a \$4 trillion raid on the American Social Security trust fund permanent. They will make their \$1 billion raid on the Medicare trust fund permanent. They will take their temporary wound to Social Security and make it into a permanent scar.

Just when 40 million Americans will be entering Social Security, they will be permanently raiding it for \$4 trillion. They will be doing so as part of an ultimate dream to privatize Social Security and realize what one Republican called the hope that Medicare some day would just "wither on the vine."

Mr. Speaker, today's bill ought to be called the "Permanent Raid on Social Security," the "Permanent Injury to Medicare Act of 2002"; and we should reject it.

TIME FOR ACTION ON MEDICARE REFORM

(Mr. HEFLEY asked and was given permission to address the House for 1 minute.)

Mr. HEFLEY. Mr. Speaker, it is time to take a serious look at the problems we have with Medicare. Medicare started for the right reasons; there is no question about that, and I do not think we can argue with that. We did not want the elderly going without the ability to have the proper health care. We all realize it is not perfect and we need to do something about the prescription drug portion of it.

But there is a bigger problem with Medicare, and that is the problem of access. Doctors are dropping out across this country in droves. They are dropping out because the compensation is too low, and we proposed this year to make it even lower. They are dropping out because there is a hassle factor of feeling that if they make a little clerical error, that they might be drawn in by the police and pulled before the courts.

I had a woman come to me in a town meeting the other day that said she brought her mother from Missouri to Colorado, and they had gone to 128 doctors trying to find care for her mother and none of them would take new Medicare patients.

If we do not have access, we do not have a program. Congress must stop ignoring this problem. It is time for action.

INDIAN SACRED SITES MUST BE TREATED WITH REVERENCE

(Mr. RAHALL asked and was given permission to address the House for 1 minute.)

Mr. RAHALL. Mr. Speaker, yesterday at this time several Members of the House Committee on Resources Democratic Caucus rose to speak on a number of environmental issues as a prelude to Earth Day, which is April 22. As the ranking Democrat on that committee, today we continue with this theme.

My purpose this morning, however, is not to speak to the more traditional environmental concerns of which I share, but rather to draw attention to the destruction of sites located on Federal lands which are sacred to American Indians.

Valley of Chiefs, Montana. This area contains historic rock art and is used for ceremonial purposes. Yet the Bush administration believes it is a pretty good place to drill for oil and gas.

Indian Pass, California, a place where dream trails were woven. Yet the Bush administration has given the green light to a massive 1,600 acre open-pit gold mine there.

There are many other examples.

Most Americans understand a reverence for the great Sistine Chapel or a traditional church with steeple and a bell. I believe it is time we sound the alarm bell for Indian sacred sites and treat them with equal reverence. We are, after all, one Nation under God, and all of our religious beliefs must be protected.

WASHINGTON STATE NAMED WINE REGION OF THE YEAR

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

Mr. NETHERCUTT. Mr. Speaker, the State of Washington has long been known for its great people, its great natural beauty, its great companies like Boeing and Microsoft, and its great basketball teams. Now it has been designated with another honor, and that is "Wine Region of the Year" as endorsed by "Wine Enthusiast" magazine.

This designation is fully justified. Washington State is now the second largest wine producing State in the country. It provides \$2.4 billion to the Washington State economy, and it employs 11,000 people. It is a small business-focused industry, and it provides tremendously to the jobs and the agriculture community of eastern Washington and western Washington. It produced 100,000 tons of grapes in the year 2001.

So congratulations to the State of Washington, and congratulations to the wine industry in the State of Washington, which helps our agriculture economy, and thanks to "Wine Enthusiast" magazine for making this designation.

PROTECT LANDS SACRED TO INDIAN TRIBES

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, as cochair of the Native American Caucus, I work on many issues on behalf of our first Americans. An issue that is of particular importance to me relates to protecting lands sacred to our Indian tribes.

Native Americans were the first protectors of this great land, and protect it they really did.

Long before my forefathers arrived here, it was the native Americans who respected, honored and gave thanks for all that nature provided. They knew never to take more than what was needed, and never disrespect or damage their sacred areas.

I am sad to see so many native American sacred sites under the threat of desecration and the active role our government often plays.

We have attempted over the years to enact legislation to protect these sites, but each time it falls short. We need to pass legislation that will put the full legal weight of the United States behind the preservation of native American sacred sites.

POSTAL SERVICE REFORM

(Mr. GARY G. MILLER of California asked and was given permission to address the House for 1 minute.)

Mr. GARY G. MILLER of California. Mr. Speaker, on April 4, the postal

service transmitted its “Transformation Plan” to Congress. I read through some of the report and was surprised that there was no mention of the fact that the postal service spent \$55 million on general advertising in 2001.

The report did, however, stress that the postal service needs more “flexibility” and cited “increasing cost burdens” and “significant fixed costs” as part of the problem.

Now, why on earth is an organization who whines about “burdens” and “fixed costs” spending \$55 million on brand promotion? Remember, this money was spent during the same year it lost more than \$1 billion.

Mr. Speaker, the \$55 million the postal service spent on advertising for product lines which typically lose money could clearly have been spent more efficiently. For example, \$55 million would have just about covered all of the postal service’s tax liability on leased facilities last year. Even better, \$55 million would have paid for more than two-thirds of the postal service employee wages in my district.

Mr. Speaker, an agency which spends \$55 million on a losing advertising campaign does not need “flexibility.” No, Mr. Speaker. What the postal service needs is some old fashioned “accountability.”

□ 1030

EXTENSION OF TAX CUT WILL RAID SOCIAL SECURITY AND MEDICARE

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

Mr. MORAN of Virginia. Mr. Speaker, it is important to review a little of the chronology leading to today’s vote. Only last year, at the end of the Clinton administration, there was a \$5.6 trillion surplus forecast.

Now, the majority of Democrats said, let us be a little fiscally disciplined here. Let us wait and see if these numbers hold up. But the Republican majority, in a rush to judgment, went ahead and enacted a \$2 trillion tax cut. Here we are, the very next year, \$4 trillion of the surplus is gone and we realize that that money is going to have to come out of Social Security and Medicare trust funds, even though five times we all voted for a lockbox on Social Security and Medicare.

The lockbox is broken. Today we are going to cut taxes between the years 2011 to 2020 by another \$4 trillion, \$7 trillion when you count interest payments on the increased public debt it will create, and virtually all of that money is going to have to be paid for by Social Security and Medicare. Yet in that decade, from 2011 to 2020, we are going to see another 40 million people join the retirement rolls.

This is fiscally irresponsible. It is not right. We would not do it in our own

family, and we should not do it to the American family.

THE JOURNAL

The SPEAKER pro tempore (Mr. OSE). Pursuant to clause 8, rule XX, the pending business is the question of agreeing to the Speaker’s approval of the Journal of the last day’s proceedings.

The question is on the Speaker’s approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WILSON of South Carolina. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

This 15-minute vote will be followed by a 5-minute vote on the motion to instruct.

The vote was taken by electronic device, and there were—yeas 369, nays 52, not voting 13, as follows:

[Roll No. 99]

YEAS—369

- | | | |
|-------------|---------------|---------------|
| Abercrombie | Chabot | Fossella |
| Ackerman | Chambliss | Frank |
| Akin | Clayton | Frelinghuysen |
| Allen | Clyburn | Frost |
| Andrews | Coble | Galleghy |
| Armye | Collins | Ganske |
| Baca | Combest | Gekas |
| Bachus | Condit | Gephardt |
| Baird | Conyers | Gibbons |
| Baker | Cooksey | Gilchrest |
| Baldacci | Cox | Gilman |
| Baldwin | Coyne | Gonzalez |
| Ballenger | Cramer | Goode |
| Barcia | Crenshaw | Goodlatte |
| Barr | Crowley | Gordon |
| Barrett | Cubin | Goss |
| Bartlett | Culberson | Graham |
| Barton | Cummings | Granger |
| Bass | Cunningham | Graves |
| Bentsen | Davis (CA) | Green (TX) |
| Bereuter | Davis (FL) | Green (WI) |
| Berkley | Davis (IL) | Greenwood |
| Berman | Davis, Jo Ann | Grucci |
| Biggert | Davis, Tom | Gutierrez |
| Bilirakis | Deal | Hall (OH) |
| Bishop | DeFazio | Hall (TX) |
| Blagojevich | DeGette | Hansen |
| Blumenauer | Delahunt | Harman |
| Blunt | DeLauro | Hart |
| Boehert | DeLay | Hastings (WA) |
| Boehner | DeMint | Hayes |
| Bonilla | Deutsch | Hayworth |
| Bonior | Diaz-Balart | Heger |
| Bono | Dicks | Hill |
| Boozman | Dingell | Hilleary |
| Boswell | Doggett | Hinojosa |
| Boucher | Dooley | Hobson |
| Boyd | Doolittle | Hoeffel |
| Brady (TX) | Doyle | Hoekstra |
| Brown (OH) | Dreier | Holden |
| Brown (SC) | Duncan | Holt |
| Bryant | Dunn | Honda |
| Burr | Edwards | Hooley |
| Burton | Ehlers | Horn |
| Buyer | Ehrlich | Hossettler |
| Callahan | Engel | Houghton |
| Calvert | Eshoo | Hoyer |
| Camp | Etheridge | Hulshof |
| Cannon | Evans | Hunter |
| Cantor | Everett | Hyde |
| Capito | Farr | Inslee |
| Capps | Fattah | Isakson |
| Cardin | Ferguson | Israel |
| Carson (IN) | Flake | Issa |
| Carson (OK) | Foley | Istook |
| Castle | Forbes | Jackson (IL) |

- | | | |
|----------------|---------------|---------------|
| Jefferson | Miller, Jeff | Schrock |
| Jenkins | Mink | Sensenbrenner |
| John | Mollohan | Serrano |
| Johnson (CT) | Moore | Sessions |
| Johnson (IL) | Moran (VA) | Shadegg |
| Johnson, Sam | Morella | Shaw |
| Jones (NC) | Murtha | Shays |
| Kanjorski | Myrick | Sherman |
| Kaptur | Nadler | Sherwood |
| Keller | Napolitano | Shimkus |
| Kelly | Neal | Shows |
| Kennedy (RI) | Nethercutt | Shuster |
| Kerns | Ney | Simmons |
| Kildee | Northup | Skeen |
| Kilpatrick | Norwood | Skelton |
| Kind (WI) | Nussle | Slaughter |
| King (NY) | Obey | Smith (MI) |
| Kingston | Ortiz | Smith (NJ) |
| Kirk | Osborne | Smith (TX) |
| Kleczka | Ose | Smith (WA) |
| Knollenberg | Otter | Snyder |
| Kolbe | Owens | Solis |
| LaFalce | Oxley | Souder |
| LaHood | Pascarell | Spratt |
| Langevin | Pastor | Stearns |
| Lantos | Payne | Stenholm |
| Larson (CT) | Pelosi | Stump |
| Latham | Pence | Sullivan |
| LaTourette | Peterson (PA) | Sununu |
| Leach | Petri | Tancredo |
| Lee | Phelps | Tanner |
| Levin | Pickering | Tauscher |
| Lewis (CA) | Pitts | Tauzin |
| Lewis (GA) | Platts | Taylor (NC) |
| Lewis (KY) | Pombo | Terry |
| Linder | Pomeroy | Thomas |
| Lipinski | Portman | Thornberry |
| Lofgren | Price (NC) | Thune |
| Lowey | Pryce (OH) | Thurman |
| Lucas (KY) | Putnam | Tiahrt |
| Lucas (OK) | Quinn | Tiberi |
| Luther | Radanovich | Tierney |
| Lynch | Rahall | Toomey |
| Maloney (CT) | Rangel | Towns |
| Maloney (NY) | Regula | Turner |
| Manzullo | Rehberg | Upton |
| Markey | Reynolds | Velazquez |
| Mascara | Rivers | Vitter |
| Matsui | Rodriguez | Walsh |
| McCarthy (MO) | Roemer | Watkins (OK) |
| McCarthy (NY) | Rogers (MI) | Watson (CA) |
| McCollum | Rohrabacher | Watt (NC) |
| McCrery | Ros-Lehtinen | Watts (OK) |
| McGovern | Ross | Waxman |
| McHugh | Rothman | Weiner |
| McInnis | Roukema | Weldon (FL) |
| McIntyre | Roybal-Allard | Weldon (PA) |
| McKeon | Royce | Wexler |
| McKinney | Rush | Whitfield |
| Meehan | Ryan (WI) | Wicker |
| Meek (FL) | Ryun (KS) | Wilson (NM) |
| Meeks (NY) | Sanchez | Wilson (SC) |
| Mica | Sanders | Wolf |
| Millender- | Sandlin | Woolsey |
| McDonald | Sawyer | Wynn |
| Miller, Dan | Saxton | Young (FL) |
| Miller, Gary | Schakowsky | |
| Miller, George | Schiff | |

NAYS—52

- | | | |
|------------|----------------|---------------|
| Aderholt | Jackson-Lee | Ramstad |
| Berry | (TX) | Riley |
| Borski | Johnson, E. B. | Sabo |
| Brady (PA) | Kennedy (MN) | Scott |
| Brown (FL) | Kucinich | Strickland |
| Capuano | Lampson | Stupak |
| Costello | Larsen (WA) | Sweeney |
| Crane | LoBiondo | Taylor (MS) |
| Emerson | Matheson | Thompson (CA) |
| English | McDermott | Thompson (MS) |
| Filner | McNulty | Udall (CO) |
| Fletcher | Menendez | Udall (NM) |
| Ford | Moran (KS) | Visclosky |
| Gillmor | Oberstar | Walden |
| Gutknecht | Oliver | Waters |
| Hefley | Pallone | Weller |
| Hilliard | Paul | Wu |
| Hinchey | Peterson (MN) | |

NOT VOTING—13

- | | | |
|---------------|-------------|------------|
| Becerra | Reyes | Trafficant |
| Clay | Rogers (KY) | Wamp |
| Clement | Schaffer | Young (AK) |
| Hastings (FL) | Simpson | |
| Jones (OH) | Stark | |

□ 1055

So the Journal was approved.

The result of the vote was announced as above recorded.

Stated for:

Mr. BECERRA. Mr. Speaker, this morning I was unavoidably detained, and therefore unable to cast my floor vote on rollcall No. 99, on Approving the Journal.

Had I been present for the vote, I would have voted "yea" on rollcall vote 99.

MOTION TO INSTRUCT CONFEREES ON H.R. 2646, FARM SECURITY ACT OF 2001

The SPEAKER pro tempore (Mr. OSE). The unfinished business is the question of agreeing to the motion to instruct on H.R. 2646 on which the yeas and nays were ordered.

The Clerk will designate the motion.

The Clerk designated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Michigan (Mr. SMITH).

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 265, nays 158, not voting 11, as follows:

[Roll No. 100]

YEAS—265

Ackerman	Diaz-Balart	Kaptur
Allen	Dicks	Keller
Andrews	Dingell	Kelly
Baird	Doggett	Kennedy (MN)
Baldacci	Doyle	Kennedy (RI)
Baldwin	Duncan	Kerns
Barcia	Ehlers	Kildee
Barr	Ehrlich	Kilpatrick
Barrett	Engel	Kind (WI)
Bartlett	English	King (NY)
Bass	Eshoo	Kirk
Becerra	Evans	Kleczka
Bereuter	Farr	Kucinich
Berkley	Fattah	LaFalce
Berman	Ferguson	Langevin
Biggert	Flake	Lantos
Billrakis	Ford	Latham
Blagojevich	Fossella	Leach
Blumenauer	Frank	Lee
Boehler	Frelinghuysen	Levin
Bonior	Ganske	Lewis (CA)
Bono	Gekas	Linder
Borski	Gephardt	Lipinski
Boswell	Gibbons	LoBiondo
Boucher	Gillmor	Loftgren
Brady (PA)	Gilman	Luther
Brown (OH)	Goss	Lynch
Calvert	Graham	Maloney (CT)
Cannon	Green (TX)	Maloney (NY)
Capito	Green (WI)	Mascara
Capps	Greenwood	Matheson
Capuano	Gutierrez	Matsui
Cardin	Hall (OH)	McCarthy (MO)
Carson (IN)	Harman	McCarthy (NY)
Castle	Hart	McCollum
Chabot	Hefley	McDermott
Clay	Hinche	McGovern
Clayton	Hinojosa	McHugh
Clyburn	Hobson	McInnis
Collins	Hoeffel	McKinney
Conyers	Hoekstra	McNulty
Cox	Holden	Meehan
Coyne	Holt	Meek (FL)
Crane	Honda	Meeks (NY)
Crowley	Hooley	Menendez
Cubin	Horn	Mica
Culberson	Hostettler	Millender-
Cummings	Houghton	McDonald
Davis (CA)	Hoyer	Miller, Dan
Davis (FL)	Hunter	Miller, Gary
Davis (IL)	Hyde	Miller, George
Davis, Tom	Inslee	Miller, Jeff
Deal	Isakson	Mollohan
DeFazio	Israel	Moore
DeGette	Istook	Moran (VA)
DeLauro	Jackson (IL)	Morella
DeMint	Johnson (CT)	Murtha
Deutsch	Kanjorski	Nadler

Napolitano	Rothman
Neal	Roukema
Ney	Roybal-Allard
Northup	Royce
Nussle	Rush
Oberstar	Ryan (WI)
Obey	Sabo
Oliver	Sanchez
Owens	Sanders
Oxley	Sawyer
Pallone	Saxton
Pascarell	Schakowsky
Payne	Schiff
Pelosi	Sensenbrenner
Peterson (PA)	Serrano
Petri	Shaw
Pitts	Shays
Platts	Sherman
Pomeroy	Sherwood
Portman	Shuster
Pryce (OH)	Simmons
Quinn	Slaughter
Rahall	Smith (MI)
Ramstad	Smith (NJ)
Rangel	Smith (WA)
Regula	Solis
Reynolds	Spratt
Rivers	Stark
Roemer	Stearns
Rohrabacher	Strickland
Ros-Lehtinen	Stupak

NAYS—158

Abercrombie	Gallely
Aderholt	Otter
Akin	Pastor
Armey	Paul
Baca	Pence
Bachus	Peterson (MN)
Baker	Phelps
Balleger	Pickering
Barton	Pombo
Bentsen	Price (NC)
Berry	Putnam
Bishop	Radanovich
Blunt	Rehberg
Boehner	Riley
Bonilla	Rodriguez
Boozman	Rogers (MI)
Boyd	Ross
Brady (TX)	Ryun (KS)
Brown (FL)	Sandlin
Brown (SC)	Schrock
Bryant	Scott
Burr	Sessions
Burton	Shadegg
Buyer	Shimkus
Callahan	Shows
Camp	Skeen
Cantor	Skelton
Carson (OK)	Smith (TX)
Chambless	Snyder
Coble	Souder
Kingston	Stenholm
Knollenberg	Stump
Kolbe	Sullivan
LaHood	Tanner
Lampson	Tauzin
Larsen (WA)	Taylor (NC)
Larson (CT)	Terry
LaTourette	Thomas
Lewis (GA)	Thompson (CA)
Lewis (KY)	Thompson (MS)
Lowe	Thornberry
Lucas (KY)	Thurman
Lucas (OK)	Tiahrt
Manzullo	Turner
McCrary	Visclosky
McIntyre	Vitter
McKeon	Walden
Mink	Watkins (OK)
Moran (KS)	Watts (OK)
Myrick	Weller
Nethercutt	Whitfield
Norwood	Wicker
Ortiz	Woolsey
Osborne	

NOT VOTING—11

Clement	Markey	Simpson
Hastings (FL)	Reyes	Traficant
Issa	Rogers (KY)	Young (AK)
Jones (OH)	Schaffer	

□ 1105

Mr. TAYLOR of North Carolina, Ms. JACKSON-LEE of Texas, and Ms. BROWN of Florida changed their vote from "yea" to "nay."

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. ISSA. Mr. Speaker, on rollcall No. 100 I was inadvertently detained. Had I been present, I would have voted "yea."

PROVIDING FOR CONSIDERATION OF H.R. 586, FAIRNESS FOR FOSTER CARE FAMILIES ACT OF 2001

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 390 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 390

Resolved, That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 586) to amend the Internal Revenue Code of 1986 to provide that the exclusion from gross income for foster care payments shall also apply to payments by qualified placement agencies, and for other purposes, with the Senate amendment thereto, and to consider in the House without intervention of any point of order a motion offered by the chairman of the Committee on Ways and Means or his designee that the House concur in the Senate amendment with the amendment printed in the report of the Committee on Rules accompanying this resolution. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The previous question shall be considered as ordered on the motion to final adoption without intervening motion or demand for division of the question.

The SPEAKER pro tempore (Mr. SWEENEY). The gentleman from Washington (Mr. HASTINGS) is recognized for 1 hour.

Mr. HASTINGS of Washington. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Ohio (Mr. HALL), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

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

Mr. HASTINGS of Washington. Mr. Speaker, House Resolution 390 provides for a motion offered by the chairman of the Committee on Ways and Means or his designee that the House concur in the Senate amendment with the amendment printed in the report of the Committee on Rules accompanying this resolution.

The rule waives all points of order against consideration of the motion to concur in the Senate amendment with an amendment. It provides one hour of debate in the House, equally divided and controlled by the chairman and ranking member of the Committee on Ways and Means.

Finally, the rule provides that the previous question shall be considered as ordered on the motion to final adoption without intervening motion or demand for division of the question.

Mr. Speaker, upon adoption of this resolution, it shall be in order to take from the Speaker's table the bill, H.R. 586, the Fairness on Foster Care Families Act of 2001. This measure was passed by the House on May 15, 2001 by a vote of 420-0, and would amend the Internal Revenue Code to provide that the exclusion from gross income for foster care payments shall also apply to payments by qualified placement agencies.

The motion to be offered by the chairman of the Committee on Ways and Means would modify H.R. 586 in a number of ways. First, it would make permanent the tax reductions passed by Congress last year by repealing Title IX of H.R. 1836, the Economic Growth Tax Relief Reconciliation Act of 2001, which "sunsets" tax relief provisions after 2010. The motion also contains a provision providing further protection for the Social Security and Medicare trust funds.

Finally, the measure assists taxpayers by reforming the penalty and interest sections of the Internal Revenue Code, providing new safeguards against unfair IRS collection procedures, and increasing the confidentiality of taxpayer information.

Mr. Speaker, it is imperative that the House act without delay to pass these important changes in our tax law. The need to make permanent the tax reductions passed last year is particularly acute. If we fail to pass this legislation, Americans will lose tax relief on January 1, 2011. On that date, if we fail to act: New, lower individual tax rates will disappear; the new \$1,000 per child tax credit will be cut to \$500; significant reductions in the marriage penalty would end; the annual IRA contributions would be cut from \$5,000 to \$2,000; the death tax would be resurrected; and contribution limits for education IRAs would be cut from \$2,000 to \$500; and, finally, greater deductibility of student interest loans would end.

Mr. Speaker, the American people have waited far too long for this much-awaited relief to have it snatched away because Congress failed to act. Accordingly, I urge my colleagues to support both the rule and the underlying measure.

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

Mr. HALL of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentleman from Washington (Mr. HASTINGS) for yielding me this time. This is a closed rule. It will allow for consideration of the measure to make permanent last year's tax cut. This restrictive rule will not make permanent any amendments. It will also prohibit a motion to recommit which is a long-standing right of the minority.

When Republicans were in the minority, they promised if they ran the

House, the minority's right to offer a motion to recommit would be protected. The rule that we are considering makes a mockery of that promise. It is hard to imagine a more restrictive rule, and it is wrong for a measure as expensive, important, and controversial as this bill is.

The bill makes permanent the 10-year tax cut enacted last June. I for one, and many of us, do not understand why the House is rushing to pass this bill. There is no way we can accurately predict how much this legislation will cost a decade from now.

Since we passed the tax cut last year, our Nation suffered of course the terrible terrorist acts on September 11, which shifted our national priorities to homeland defense and the war against terrorism. We do not know the full cost of these important initiatives, but it will become clear over the next few years. It would be prudent to wait and to get more realistic numbers before changing the tax laws again.

During Committee on Rules consideration of the rule, the gentleman from Illinois (Mr. PHELPS) offered an amendment which would allow the tax cuts to be made permanent upon certification by the Congressional Budget Office that the measure would not create a budget deficit in 2011 or 2012. The Republican majority on the committee refused to make the amendment in order.

The procedure that the Republicans used to bring this bill to the floor prevents Democrats from amending the bill or offering a motion to recommit, and only by defeating the previous question can we bring democracy and order back to the budget process.

Mr. Speaker, my constituents are not asking for this bill. In fact, they want us to delay the tax cuts in order to fund the war on terrorism and keep the budget in balance.

This year in my annual congressional questionnaire, I asked, "Do you favor or oppose delaying already enacted tax cuts in order to fund the war on terrorism?" A full 55 percent of those who responded said they favored delaying tax cuts.

Mr. Speaker, if the previous question is defeated, I will offer an amendment to this unfair rule that will protect the fiscal integrity of our budget. I urge defeat of the previous question.

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

Mr. HASTINGS of Washington. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. DREIER), the chairman of the Committee on Rules.

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

Mr. DREIER. Mr. Speaker, we are doing this today not because of any public opinion poll, not because our constituents have said that we should do this or not do it; we are doing it because it is the right thing to do. If we do not take this action, in 10 years we will see the largest tax increase in our Nation's history inflicted on the American people. That is just plain wrong.

It is very clear that this tax measure which we put into place, Mr. Speaker, has played a role in mitigating the economic downturn that we have suffered since September 11. I believe that it is important for us to let every single investor know, every single American taxpayer know that we are not going to put into place this massive tax increase.

It is just an incredible irony when we listen to the horror stories about how people have said we should live very productively for the next 10 years, but in 2010, before this thing expires, one has to drop dead. I think that the idea behind this whole measure of phasing it out was just plain wrong.

□ 1115

Some of my colleagues have been putting forward ridiculous claims that the idea of phasing it out initiated right here in the House. It did not. It was part of the Byrd rule in the Senate that required that.

So we passed out of the House of Representatives a measure which, in fact, did exactly what we are going to do today right here. We did it with bipartisan support. Democrats and Republicans supported this measure. I happen to believe very strongly in guaranteeing the minority the right to a motion to recommit, and I think it is the right thing to do, and we have guaranteed the minority the right to offer a motion to recommit, and they did it when this bill came forward.

It is not unusual for this procedure of our concurring in a Senate amendment as we are doing here today. In fact, in the 103rd Congress, in 1993, we saw on six occasions our Democratic colleagues do this exact same thing. I am not saying because one side does it that the other should do it. We are not doing this in retaliation at all; we are doing it because this has been a standard procedure. But when people claim that the motion to recommit is not being allowed, you have got to realize that every Member of this House has had a chance in the past to vote on an identical measure that we are going to be voting on today when it comes to the tax portion of this bill. And so it has been debated; and in fact, we gave the gentleman from New York (Mr. RANGEL) not only a motion to recommit but a substitute, so there were two bites at the apple when this measure was considered before. It is the right thing to do. Let us move it through.

We had to try four times to get the economic stimulus package through the United States Senate. Many people have said that the other body will not bring it up. I hope very much that they will, in fact, follow our lead once again and do the right thing.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SWEENEY). The Chair would advise Members to avoid urging the Senate to act.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. PHELPS).

Mr. PHELPS. Mr. Speaker, I thank the gentleman from Ohio for giving me the opportunity to speak on this very important issue.

Mr. Speaker, first and foremost I would like to express my strong concern with making this tax cut permanent. Yesterday, I offered a simple amendment to the Committee on Rules that would protect Social Security by not allowing the repeal of the sunset of the tax cut to borrow from our Social Security surplus. My amendment was simple and straightforward, and it would have helped save our Nation's most crucial program. But it was denied and without debate or question. A vote was not even allowed.

The budget already calls for tapping into the Social Security trust fund to support other government programs every year for the next 10 years to the total of \$1.5 trillion. Our Nation cannot afford to make this worse. Making this tax cut permanent will take away \$4 trillion from the Social Security and Medicare trust funds. This is \$4 trillion that we promised the American people would be kept safe, locked up.

I am very supportive of repeal of these taxes such as the marriage tax penalty and the estate tax, but only if it is within a balanced budget and it does not require raising the debt ceiling and we do not use the Social Security surplus funds. As fiscal policy leaders of this Nation, we must ensure that making tax cuts permanent will not require the use of Social Security surplus funds. However, it is obvious the Republicans do not agree.

It is time that we start being fiscally responsible. We need to look out for Americans by protecting the resources they depend on us to protect. By making this tax cut permanent, we will make our deficit larger by borrowing even more funds from our Social Security trust fund.

Vote "no" on the previous question, and then allow my amendment to be presented to save Social Security.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Texas (Mr. SESSIONS), a member of the Committee on Rules.

Mr. SESSIONS. Mr. Speaker, today is a classic example of what we have with one party that is for the taxpayer and one party that is for the tax collector. The tax collector in this case is that IRS that gets money after money after money from the American public. But we are telling the story today that we do not think that we cannot afford it and it is expensive because we have already given it to the taxpayer.

Alan Greenspan said lower taxes equals jobs and a stronger economy. That is what we are after. We want jobs for people, and the way you do that is by giving people back their own money.

What does this bill also do? This bill says today, we are going to make sure

that the American people, that through the elimination of taxes, 3.9 million low-income Americans will be able to keep that money that we have already given to them. The tax collector, you see what their plan is. They want to raise taxes on 3.9 million low-income families. We think that is wrong.

The tax collectors want to raise taxes for single moms by \$770. We believe that the President's plan, the Republican plan, that we cut taxes by \$770 for single moms, was the right thing to do. We believe the right thing to do is to give money to people so that they can make their own decisions in life. The bottom line is senior citizens count, too.

This is not an expensive tax cut. This is giving money directly to people who deserve it. The tax collectors' plan, they want to raise taxes. We want to give money back; \$920 is what would be taken for every single senior.

This is all about spending and making priority decisions. One side can spend \$2 trillion, but when it gets down to seniors and single moms and low-income Americans, they say, Sorry, you come last in line.

The Republican Party believes it is your money and you should keep it.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. SCHIFF).

Mr. SCHIFF. Mr. Speaker, I rise in opposition to the bill before us today to make permanent tax cuts before it is clear we can afford them. Today we have the opportunity to vote to fund a new round of tax cuts right out of Social Security. Today we can vote for America to go deeper into debt, to force our children to pay billions in interest, to pay more for their homes and to have less for their schools. Today we can vote to put this country back into deficit and debt and more deficit and more debt. Or we can vote for America's future. We can vote for a balanced budget. We can vote to restore the lockbox to protect Social Security.

When we had a \$5.6 trillion surplus, we could afford a substantial tax cut, and I supported the President. War and recession intervened. Now we have no surplus, and we have the added expenses of the war on terrorism. While we did not ask for this war and we certainly did not ask for this recession, we cannot shrink from the consequences. To make cuts permanent when it is not clear that we can afford them is simply irresponsible.

Imagine this: at the very same time that the House GOP is asking for a half a trillion dollars in additional tax cuts, the White House is asking to raise the debt limit by \$750 billion. What does that mean? That means that we are asking to borrow the money to fund the tax cut. It cannot be simpler than that. We are asking to fund a massive increase in the tax cut out of our Social Security.

I do not know about you, but I would have a hard time looking my parents in

the face and telling them that I would like to fund additional cuts for me out of their retirement. And I would have a hard time telling my children that I was prepared to raise the cost of their homes and their education to raise the debt over their heads to fund something now that we cannot afford.

I hope the circumstances change; but right now we should restore a balanced budget, and we should restore fiscal responsibility. I urge a "no" vote on this measure.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Arizona (Mr. SHADEGG).

Mr. SHADEGG. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise in strong support of both the rule and the underlying legislation.

Make no mistake about it, this is an issue on which there should not be a disagreement. John F. Kennedy said a rising tide lifts all ships. With that, he cut tax rates. The result was not less income to the Federal Government but more. Ronald Reagan took the same premise. He lowered tax rates and revenues went up.

We are being presented today with a false pretext, a pretext that the only way to increase government revenue is to increase government tax rates, and that is simply wrong. But look at the devastation that that position will cause. If Congress fails to make the Bush tax cut permanent, it will result in the single largest tax increase in American history. That simply makes no sense.

But what is puzzling here is that the American taxpayers do not even understand why we are doing this. Why we are doing this is because there is a bizarre rule in the other body called the Byrd rule; and under the Byrd rule it said that when you make tax policy and it goes beyond 10 years, you must have 60 votes. Sadly, there were only 58 votes, of course, a solid majority for these tax cuts; but we were stuck with the bizarre system where all of these tax relief provisions will go out of existence if we do not act now.

Which one do they oppose? Do they think we should reinstate the marriage penalty and punish Americans who are married? Do they believe that we should repeal the increase in the tax credit and punish parents with small children? I do not think so. Are they opposed to the repeal of the death tax and do they support it being fully reinstated? Because that is what opposing this rule and that is what opposing this bill will do.

But what about savings in America? In this legislation, IRA contribution limits were increased. They would be reduced by 60 percent if we do not act today to make them permanent.

Education IRAs. How many kids are in school today because we increase the ability for education IRAs? Who will be hurt if we do not make this tax cut permanent? Every American will be

hurt. I urge my colleagues to support this rule and support this important piece of legislation.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the very distinguished gentlewoman from California (Ms. HARMAN).

Ms. HARMAN. I thank the gentleman for yielding me this time and tell him how much we all will miss him when he leaves the House in the near future.

Mr. Speaker, the votes before us are a test of whether this Congress will force future generations to shoulder trillions of dollars of new debt incurred by current policy choices. It is a test of whether our grandchildren will have to respond to problems and issues this Congress and administration would rather postpone than try to solve. Amongst them, the solvency of Social Security.

There are, of course, alternatives. One is requiring this Congress and the President to fashion a wartime budget, a wartime budget based on a thorough assessment of our Nation's vulnerabilities and the strategy for addressing them; a wartime budget that ensures that our Armed Forces have all the resources needed to fight the long war against terrorism; a wartime budget that prioritizes every other government program, every other decision about spending and taxing.

Rather than legislate by ideology, we need a wartime budget that ensures our economy remains strong after we win the war against terrorism. Rather than incur trillions of dollars of new debt, we need a wartime budget that sets out the tough, but right, choices. Rather than use the Social Security surplus to fund our current government spending, we need a wartime budget that guarantees the promises we have made to Social Security recipients.

Fiscal responsibility is as critical to homeland defense as are the tools we provide to first responders. A wartime budget can achieve fiscal responsibility.

Defeat the rule. Enact a fiscally responsible wartime budget.

The SPEAKER pro tempore. Without objection, the gentlewoman from New York (Ms. SLAUGHTER) will now control the time for the gentleman from Ohio (Mr. HALL).

There was no objection.

□ 1130

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 30 seconds to the gentleman from Missouri (Mr. HULSHOF), the author of the bill.

Mr. HULSHOF. What I want to do, Mr. Speaker, is kind of set the record straight. There have been a couple of comments made by the other side, the gentleman from Illinois, that said somehow what we are doing today is going to cost \$4 trillion. Let me just advise the Members of the House there is actually no budget number from the Congressional Budget Office or the Joint Tax Committee or any official scorekeeper that says any such thing.

Secondly, the other side says we are taking this money out of Social Security. That also is not true. We are talking about budget implications in the fiscal years 2011 and 2012 when we are going to be running surpluses. The numbers, Mr. Speaker, are that over the next 10 years, permanence would cost \$374 billion. At the same time, we are projected to have a surplus of \$2.3 trillion.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Utah (Mr. MATHESON).

Mr. MATHESON. Mr. Speaker, I appreciate the opportunity to speak on this rule, and I want to point out that I am an individual who voted for the tax cut last year. It encompassed a number of measures which I personally felt were important, including elimination of the estate tax and elimination of the marriage penalty.

The bottom line is, times have changed in terms of what we know about the future. If anything we have learned in the last year, it is that things change, and my concern is one certainty we do know is that baby boomers are going to retire and our Social Security system, which is supposed to be overcollecting right now in anticipation of that, that we are spending that Social Security surplus.

So the question I raise is why are we looking at this now? This is something we are talking about 8 years down the line, and we are hearing comments today like this is the only shot we got, and if we do not do it now, then all these tax implications are going to expire. I do not think that is true. I think we are elected to be responsible and make good decisions.

There is concern about long-term planning. People need to understand what is in the tax cut. I will tell you one where I can accept that, and that is in terms of the estate tax. I understand that there is planning now for estate planning for the future, and if we were voting on that measure alone, that is something I would give serious consideration to.

But we are not doing that. Everything has been bundled together for something 8 years away, and I reject the notion that we need to be looking at that right now. In fact, in the face of the uncertainty we face, I think it is irresponsible to make that decision today.

I sure would like to come up with policies that reduce the long-term tax burden for this country, but one thing that is not going to reduce the long-term tax burden for this country is if we incur more debt and we have more interest we have to pay.

When I look at the next generation, when I look at my own 3-year-old son, we are going to be imposing an additional tax burden on him by the debt that we run up by decisions we make here in this Congress.

So I call on people to take a step back from the rhetoric and let us do the responsible thing. As I say, if you

want to bring up an estate tax issue, maybe that is one where the long-term planning implications make sense. But, in general, doing something today for 8 years from now, with all the uncertainties we face in the world, to me does not make sense, so I encourage people to oppose the previous question.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from South Carolina (Mr. BROWN).

Mr. BROWN of South Carolina. Mr. Speaker, we worked hard last year to provide real and meaningful tax relief to the American people, and I am glad to say that we succeeded in creating a package that was a true benefit to all who pay Federal income taxes. For too long the government has taken too much money from the pockets of the American people, and our President and Congress decided it was time to give some money back.

This tax relief sunset was a major flaw in what was an otherwise great initiative. If Congress does not remedy this, families will go back to bed on December 31, 2010, only to wake up the next morning to the largest tax increase in the history of our country. Low income taxpayers will see a 50 percent tax increase. Families will once again be subject to the marriage penalty and will see the child tax credit cut in half. The death tax will once again rob children of family owned and operated farms and businesses.

By passing this bill we can do what we meant to do all along, provide permanent tax relief to the American people. If any on the other side of the aisle believe it is right, either economically or morally, to increase taxes in order to put the people's money back into the coffers of the government, then they have every right to vote against this legislation and against this rule. I, for one, think it is important for Americans to see where their representatives stand on this issue, to see which side we are on, putting money in the pockets of the people, or the coffers of the government.

Again, I support the rule, and hope others will as well.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentleman from Tennessee (Mr. TANNER).

Mr. TANNER. Mr. Speaker, I would ask that every young person under the age of 35 years old in this country listen to what I have to say. We are almost \$6 trillion in debt as a Nation, as a people, we owe. That is 16 percent of the money that comes here every year. That means we have a 16 percent mortgage on this country.

The President has submitted a request to the Congress for authority to borrow another three-quarters of a trillion dollars. That is another \$750 billion. The administration has submitted a budget that is not balanced for the next 10 years.

If there ever was a recipe for financial disaster, if there ever was a generational mugging going on in this

Congress because we will not cut spending or raise the money that we need to finance the war and other things that we want today, then let me just say to all of you young people, under these policies, you are going to be overtaxed the rest of your lives because you are going to have to pay 16 or 18 percent interest before you ever get to what you need in your day when it comes.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 15 seconds to the gentleman from Wisconsin (Mr. RYAN), a cosponsor of the bill.

Mr. RYAN of Wisconsin. Mr. Speaker, I see my friend from Tennessee. I am under 35 and I am not interested in seeing my generation get hit with the single largest tax increase in American history in the year 2011 if this bill does not pass.

The score of this bill assumes that you are going to have a huge tax increase and if we do not have that huge tax increase, it is going to cost the government money.

All we are proposing is to keep taxes constant, level. Not cutting them, keeping them level. You are saying we want a big tax increase and if we do not get it, it is going to cost us money somehow.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Indiana (Mr. PENCE).

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

Mr. PENCE. Mr. Speaker, I thank the gentleman for yielding me time and rise in support of the rule.

Mr. Speaker and in support of the underlying bill, the tax relief guarantee act.

Mr. Speaker, we all realized, many on both sides of the aisle last year, that it was simply morally wrong to tax married couples more than unmarried couples living together in America.

Mr. Speaker, we realized it was morally wrong to tax small business owners and family farmers over 50 percent of everything they had earned and kept after paying taxes all of their lives, just because of their deaths. And last year Congress repealed, with much support on the Democrat side of the aisle, the marriage penalty and repealed estate taxes. But because of an arcane rule in the Senate, these taxes will be thrust back into the pockets of American taxpayers in the year 2011.

Just as it was morally wrong to have these taxes on the books, I offer to you it is morally wrong, Mr. Speaker, to bait and switch the American people. So many of my constituents have thanked me on the street for ending death taxes, thanked me for ending the onerous marriage penalty, and I have to stop them and say, well, almost. Because in Congress-speak, while we got all the publicity, all of us, for doing just that, the reality is we did less than that, and today we try to make that right.

If we do not pass the Tax Relief Guarantee Act, we will have the largest single year tax increase in American history in the year 2011, and it will most hit low income Americans and married couples. Low income Americans will see their tax rate rise from 10 percent to 15 percent. That is a 50 percent tax increase on those least able to pay. Three million American families now off the tax rolls will be thrust back on the tax rolls, and married couples with children, like me, will suddenly find their tax burden rising by thousands of dollars.

Mr. Speaker, those who say we cannot afford to pass this bill today, we cannot afford not to.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentleman from Arkansas (Mr. ROSS).

Mr. ROSS. Mr. Speaker, let me begin by saying this is not a partisan issue for me. I was one of 28 Democrats to stand with our President and vote for the largest tax cut in some 20 years. This tax cut does not sunset for 10 years. We all knew that when we voted for it and when we supported it. This is a vote that should happen, in 10 years, and it is a vote that I hope I can cast to repeal the sunset in 10 years. But not now. Not now, unless we can demonstrate without a shadow of a doubt that the money will not come from raiding the Social Security trust fund.

America is in a crisis. We are setting up a train wreck for our kids and our grandkids. \$5.9 trillion in debt. What does that mean to the American people? \$1 billion every single day this country pays, using your tax money in interest. Not principal, but just interest on the national debt. How much is \$1 billion? That is 200 brand new elementary schools every single day in America. That is new highways. That is more economic opportunities for our people. And now for next year we are proposing to deficit spend for the first time since 1997 \$50 billion, all of this coming from the Social Security trust fund.

We all know, everyone agrees that Social Security is broke in 2041. That is assuming that we find a way to pay back the \$1 trillion that we have already borrowed from the Social Security trust fund, which we all know there is no provision on how that money gets paid back.

Do not repeal the sunset now. Let us make certain that we can save Social Security and Medicare and not dip into it.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself 15 seconds.

Mr. Speaker, I want to emphasize what is being said here, and I suspect we will hear it over and over and over, regarding Social Security. But the fact of the matter is, this bill will not affect any benefits paid out now or in the future to any recipient of Social Security. That needs to be emphasized over and over and over.

Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Nebraska (Mr. OSBORNE)

Mr. OSBORNE. Mr. Speaker, I rise in support of H.R. 586, the Tax Relief Guarantee Act of 2002, and in support of the rule.

I know there are divided views on whether the tax cut was good for the economy or not. Alan Greenspan says it was a good thing, and I guess I tend to agree with him.

I would like to pay special attention to the permanent repeal of the death tax. Currently a farmer or small businessman needs three estate plans: First of all, if he dies before 2010, he has to be able to take advantage of the partial exemption; if he dies in 2010, he has a total repeal of the death tax; if he dies after 2010, then he has no death tax exemption and he has to pay the full death tax.

This may sound a little bit extreme, but this is what is going on today. Can you imagine dropping dead while you are watching the football games on January 1, 2011, and your family will not come to the funeral the next day because you died one day too late? That is real pressure to die on time in 2010, and that is basically what we have to do.

So what I would like to point out is that, as has been pointed out in previous debate, the death tax is the most unfair tax. The estate has already been taxed by income, Social Security, property and sales taxes. Then over half of what is left goes to pay taxes. Heirs usually have to sell the farm or business after estate taxes. There are not enough assets left to operate. Money leaves the communities, and this is devastating to small towns.

The death tax repeal needs to be made permanent and it needs to be made permanent now, because plans are being made to transfer businesses and farms, and I think this is the time to do it.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas (Mr. MOORE).

Mr. MOORE. Mr. Speaker, I thank the gentlewoman for yielding me time.

Mr. Speaker, I voted for the tax cut last year. This is not a partisan issue for me. Last year, there were surpluses. This year, the surpluses are gone. But this legislation would increase the debt of our Nation by over \$4 trillion in the next decade. That is \$4 trillion we will have to borrow, borrow from Social Security. That is \$4 trillion right when we need it, when the baby-boomers begin to retire. That is a \$4 trillion debt that we will have to pass on to our kids and grandkids. That is not fair. That is not fiscally responsible.

And it gets worse. Three times in the last year the Secretary of Treasury has written Congress warning us that unless Congress acted to raise the debt limit, we would place our country in a situation of default on current debt obligations.

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Congress has not acted; and 2 weeks ago, the Secretary of the Treasury

began to borrow money from Federal retirees' pension funds in order to keep our government solvent.

The President has requested a \$27 billion defense supplemental to continue our war on terrorism. That is \$27 billion we are going to have to borrow, and we will do it. So at a time when we are borrowing money to pay for the war on terrorism, when we are shifting retiree pension funds to maintain current services, and when we know in 10 years the baby boomers will begin to retire, we are wanting to cut taxes. We are wanting to cut taxes starting in 8 years. That is not only fiscally irresponsible, because we do not know what is going to be happening to the economy in 8 years, it is hypocritical; and it did not have to be this way.

Last year I voted for the President's tax cut. We had assurances from the President, and I believed it too, that we had these surpluses that would go on and we would be able to afford the tax cut. I am not apologizing for voting for the tax cut, but we should not take this irresponsible action. If we do, it is going to cost our kids \$4 trillion in the future.

The budget, the projected budget surpluses simply did not materialize. We need to reevaluate our position now, just like any responsible business would do.

Mr. Speaker, I ask the Members to vote against this proposal.

Mr. Speaker, I rise to oppose the rule to H.R. 586. This bill is brought to the floor under an abusive procedure that prevents the consideration of any amendments and even a motion to recommit.

This rule limits full and fair debate on proposed legislation that would have the effect of increasing the deficit by over \$4 trillion in the next two decades. That's \$4 trillion that we will have to "borrow" from the Social Security trust funds. That's \$4 trillion that we will need at precisely the time the baby boom generation will be retiring. That's a \$4 trillion debt we will pass on to our children and grandchildren.

Mr. Speaker, that's not fair; that's not fiscally responsible. And, it gets worse.

Three times in the last year, the Secretary of the Treasury has written Congress warning us of a ticking time bomb in our budget. He warned that, unless Congress acted to raise the debt limit—that is if Congress does not increase the government's authority to borrow money—we would place our country in the unprecedented position of defaulting on current debt obligations.

To date, Congress has not acted; and, 2 weeks ago, the Treasury Secretary began to "borrow" retirees' pension funds in order to keep the government open and to prevent a Federal default.

Moreover, this Congress has pending a \$27 billion defense supplemental to allow us to continue our campaign against terrorism. That is \$27 billion we did not anticipate; that is \$27 billion we will have to borrow. So, at a time when we're borrowing money to pay for the war on terror, when we're shifting retiree pension funds to maintain current services, and when we know we'll have, in ten years, an enormous obligation as baby boomers begin to retire and draw Social Security—we're cutting taxes?

Mr. Speaker, that's not only fiscally irresponsible, it's hypocritical. And it didn't have to be this way.

Last year, I voted for the President's tax cut with his assurance that we would have the money to pay for it without dipping into the Social Security surpluses. Like you, I believe that we should fix provisions of last year's tax cut to increase certainty in the tax code that will help people plan for their financial future. Unfortunately, the budget surpluses projected last year did not materialize and we are now in a situation where we must reevaluate our fiscal decisions in order to get us out of the deficit ditch.

Yesterday, our fiscally conservative coalition took to the Rules Committee a proposal to amend this bill to provide for this permanent extension without using the Social Security surpluses and to restore fiscal integrity to the Federal Government. This amendment was rejected on a vote of 6–3.

Today, I urge my colleagues to defeat this rule to allow the House to consider our amendment that will help ensure we get out of the deficit ditch, out of the Social Security surplus and back on the road to fiscal responsibility.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 15 seconds to the gentleman from Wisconsin (Mr. RYAN).

Mr. RYAN of Wisconsin. Mr. Speaker, I just want to clarify two errors from the last speaker. First of all, in 8 years we are not talking about cutting taxes. In 8 years we are talking about keeping them constant and not raising taxes. The \$4 trillion figure that has been mentioned repeatedly is a nonexistent figure. It is a bogus figure. It is not supported by CBO or by the Joint Tax. It is a dreamed-up Washington math figure, and it should be disregarded by those who are watching this debate.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Arizona (Mr. FLAKE).

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

Mr. Speaker, it is funny how politics changes very little over the years. More than 30 years ago, Ronald Reagan, in a speech for Barry Goldwater, what I consider the best speech ever given said, "This is the issue of this election: whether we believe in our capacity for self government, or whether we abandon the American revolution and confess that a little intellectual elite in a far distant capital can plan our lives for us better than we can plan them ourselves."

I guess I am now part of that little intellectual elite in Washington, but I can tell my colleagues that I have had no epiphany or no revelation over the past 2 years that tells me how to spend people's money better than they can spend it themselves. That is why I and all of my Republican colleagues and 28 of our Democrat colleagues supported the legislation last year to cut taxes. Now it is incumbent on us to make it permanent.

If we truly believe that Americans can spend their money better than we

can spend it for them, then we will support this measure to make the tax cuts permanent.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, common sense tells us if you want to get out of a hole, you do not dig it deeper. Well, our Nation is in a deep fiscal hole; and this fiscally irresponsible bill would dig that hole much, much deeper.

These are the facts. Our present national debt is right at \$6 trillion. Interest on that debt last year alone costs the American taxpayers \$360 billion. Last year's dreams of huge surpluses have disappeared. That is a fact. Instead, the reality is we will have a \$100 billion deficit this year. And the administration is presently asking us in Congress to immediately raise our national debt ceiling by \$700 billion.

Yet, despite all of those facts, we are debating today a proposal that would cut taxes by \$374 billion more in this decade and, yes, by \$4 trillion more in the next decade. The hole is getting deeper, Mr. Speaker; and sadly, it will be our children and our grandchildren who will be trapped in it for their entire lives, paying massive amounts of taxes just to pay the interest on the debt.

Our generation has no right, whether we are in an election year or not, to put that kind of unfair burden upon our children and future generations of Americans. Increasingly, the national debt harms our present economy by driving up interest rates on homes, cars, credit, and family businesses and farms.

Mr. Speaker, I want to say this: if a Member wants to take credit back home this week for cutting taxes \$4 trillion in this bill, then I hope he or she would be honest enough to tell his or her constituents just where you want to cut that \$4 trillion. You want to cut it out of defense, Medicare, Social Security, Medicaid, interest on the national debt, which are increasing. Those five programs represent 70 percent of the budget.

I am an appropriator. It will be interesting to look at how many Members who want to take credit for this tax cut today have letters sitting over at the Committee on Appropriations at this very moment. The fact is there are thousands of them asking for hundreds of billions of increased spending.

This is an unfair rule and a bad bill. We should defeat both.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Texas (Mr. BRADY), a member of the Committee on Ways and Means.

Mr. BRADY of Texas. Mr. Speaker, let me tell my colleagues where I would start cutting waste and spending. The American government spends \$5 billion a year helping salmon swim upstream each year. That is enough to put each fish on a first-class flight

from the mouth of the river to the top and still save money. That is where I would start cutting. By the way, we also give a grant to a group to teach them how to catch those fish once they are grown. That is where I would start.

The fact is, higher taxes do not balance the budget. A stronger economy balances the budget in Washington, D.C. Making permanent the President's tax relief is an issue of jobs.

Economists tell us that the President's tax relief has already created 800,000 new jobs just in the time it has been in place. It has helped soften the recession. It is the anti-recession formula. But we can grow the economy even faster, create more jobs, build this revenue here, if we will grow and strengthen where we can count on this relief in the future. Most importantly, getting the economy moving now is the key to balancing our Federal budget, to paying down our debt, to preserving Social Security and Medicare.

As my colleagues know, we are here because of a Senate rule that will eliminate the tax relief that we are counting on; and it is funny how the Senate has few rules when it comes to spending our money, but quite a few when it comes to sending it back. The fact is, making permanent this tax relief will help a family of four, two teachers raising their children, avoid a tax hike of \$2,000; a \$2,000 tax hike.

To grow our economy, to preserve Social Security, to pay down the debt, Americans need tax relief we can count on, not a tax hike we can count on.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. TURNER).

Mr. TURNER. Mr. Speaker, I think it is clear that everybody in this House would like to see tax cuts continued past 2010. The issue is not whether we are for tax cuts; the issue is whether or not we are willing to use the Social Security trust fund money to pay for those tax cuts.

I voted for the President's tax cut last June, and I would be glad to extend that tax cut; and I hope we have the opportunity to do it sometime between now and 2010. But when we have gone from projections of \$5.5 trillion in surplus down to where we no longer have any surplus and we are projecting deficits, it seems fiscally irresponsible to propose today to extend that tax cut.

I am confident we will be able to extend much of it, but fiscal conservatives will support a balanced budget first. Fiscal conservatives will oppose deficit spending, and fiscal conservatives will oppose spending the Social Security trust fund money to pay for future tax cuts.

There is no business in America that will use its retirement fund to give dividends to stockholders, and if they did, they would go to jail. So I am confident that today the right thing to do is to oppose the previous question, oppose this rule, and let us have the opportunity to adopt the Blue Dog

amendment to encourage and promote fiscal responsibility.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 30 seconds to the gentleman from Missouri (Mr. HULSHOF).

Mr. HULSHOF. Mr. Speaker, again, I am compelled to respond to the gentleman from Texas, my friend, who just spoke. The fact is, and again I respect those that bring the green eye shade approach here, keeping in mind, of course, that the Congressional Budget Office and Joint Tax do not take into account the economic benefits that are going to happen from small businesses being able to invest. But even assuming the numbers, we have on-budget surpluses; in the most recent numbers, on-budget surpluses in the year that this permanent tax cut kicks in.

If we really want to talk about numbers, the fact is that if we do nothing, nearly 4 million people that are now off the tax rolls are going to be put back on them, and 3 million of those are families with kids. So I would urge that we vote in favor of this measure.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentleman from Mississippi (Mr. SHOWS).

Mr. SHOWS. Mr. Speaker, this is an issue that is not a partisan issue for me, it is very bipartisan, because we just do not think it is the right thing to do. I supported the President's tax cuts when he brought them up and the Speaker and the leadership in the House, because I thought they were the right thing to do, and I still think they were the right thing to do. But they were just to go for 10 years, and then we were to reevaluate and then extend if the economy was doing right.

Even the Republican budget, fiscal year 2003, phased out these tax cuts. They knew the cuts would create a horrible, looming deficit. They knew these tax cuts would dramatically cut into Social Security, Medicare, military retirees, veterans' benefits, and public education. When the timing is right and the Nation does not have such pressing wartime needs or the deficits or taking care of Social Security, that is the time to institute the tax cuts, again extending it past the 10 years.

We cannot deny America's families and seniors what they were promised. The best way to give the American taxpayer back the money they deserve is to keep Social Security, keep Medicare solvent, and lower the cost of prescription drugs, and bring our jobs back from Mexico.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. THOMPSON).

Mr. THOMPSON of California. Mr. Speaker, I rise in strong opposition to the previous question and urge the defeat of this measure.

I am one who believes that nonsunsetting tax cuts are, in fact, appropriate. I do not think they should

sunset; I think they should be made permanent. But I think they need to be made permanent at a level that we can afford.

The sunset provision of existing law, I think, is flawed. It disallows Americans from planning, both for personal reasons and for business reasons. But the truth is, the existing tax policy should have been made at a level we can afford, a level that does not jeopardize Social Security, Medicare, homeland security, and the other priorities that are important to our Nation.

Unfortunately, we have seen the cost of this tax cut is increasing our debt and puts programs such as Social Security and Medicare in trouble. We pay \$1 billion per day just on the interest on our national debt, and if we remove this sunset, it is just going to exacerbate the problem.

It is time that we have honest debate on tax policy, debt reduction, and fiscal policy. That is what we should be doing now, not engaging in political debate, and I would urge defeat of this measure.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. RANGEL), the ranking member of the Committee on Ways and Means.

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

Mr. RANGEL. Mr. Speaker, I rise to oppose this rule. I went before the Committee on Rules yesterday, and I asked my Republican colleagues to consider just a little fairness in presenting this extremely important piece of legislation to the floor. But they refused to allow Democrats to amend it; they refused to allow us time to debate it; they refused to allow us even the opportunity to send it back to committee with certain instructions.

They do this because they know that our great Nation, our great Republic, even though we are at war today, is actually supporting the government not on regular tax dollars, but on the tax dollars that are being paid by people for their Social Security benefits. We are saying that maybe the President did not know at the time that he had the tax cuts that we would have war or the impact of the recession; but we as legislators, we cannot foresee what is going to happen in the far distant future. This bill before us will be cutting taxes for the next couple of decades at the very time that 40 million Americans will become eligible for their Social Security benefits.

□ 1200

Do we want to take a gamble that we will not have the money there, that the Social Security trust funds just will not be there as they have been for us? Do we want to take a gamble that for those 40 million Americans that become eligible for Medicare and health care as they become older, that the money will not be there?

What is the rush in doing this during the limited time that Mr. Bush is going

to be President? Why can we not do this, yes, with the green shades on, and look after the American future the same way we look after our businesses, and being able to say that when the time comes, we will take a look at the economy?

All we wanted to do is say, yes, make the tax cuts permanent, but make it contingent that it does not do violence to the Social Security trust fund. What are they so afraid of, that these things have to be rammed down America's throat, rammed down the Congress, and not even give us a chance to amend and express our views?

If Members think it is so good, why is it that they do not give us time as Americans, not as Democrats, not as Republicans, but as Members of the House of Representatives, to do this? We did not have time even to amend it in the committee of jurisdiction, the tax-writing committee.

We are dealing with close to \$5 trillion of revenue shortfalls. We are not dealing with just trying to spend the people's money, we are trying to make certain that the trust fund is there. These funds are entrusted to us. We are the board of trustees. We guarantee that the people are entitled to have their Social Security benefits, and they are taking away that right from the Congress, from the Democrats, and from the American people.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself 15 seconds.

Mr. Speaker, I want to emphasize once again when we have this discussion on Social Security that the benefits now will not be harmed at all by passage of this bill and signing it into law, and benefits in the future will not be harmed when this bill is signed into law by the President.

Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California (Mr. THOMAS), chairman of the Committee on Ways and Means.

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

Mr. THOMAS. Mr. Speaker, perhaps there is someone who is wondering how such extreme opposite statements could be made and both be true. I invite them to take a look at a section of the Constitution which is called the "speech and debate clause." There, any Member of Congress is protected from any of the normal libel, slander, or other penalties for not speaking the truth.

That is why, in the context of debate on the floor, we can have such wild and exaggerated statements which have no basis in fact and are not true, not only spoken but repeated by Member after Member.

What we just heard from the gentleman from Washington and what we might like to know is that in this legislation it says, "The Social Security and Medicare trust fund shall be held harmless." Not one penny will come out of the trust fund.

In addition to that, if Members are looking for fundamental debate be-

tween the parties, I think they have seen it. What they are using are scare tactics about Social Security and Medicare to make sure that the people do not get some of their hard-earned dollars back. What they are saying is they know better than the people, and what they say is when the time is right, they may let people have it back. It is kind of like when we go to a bank, and if we do not need the loan, we get one.

How are we going to grow the economy, have these people make the decisions about economic and industrial questions, or Americans? Republicans believe the way we grow the pie, the way we provide more over this decade and the next, is to get more of Americans' money in their hands and let them make the decisions. It has worked for 200 years.

They are concerned that it will work and that more people will understand the concepts and ideas of opportunity and power. Allow us to continue to grow as a country.

About the fact that we need opposite debate or bills or amendments, this is pretty simple: The tax cut is either going to be permanent or it is not. We are going to hear a lot of rhetoric. That is the basic question: Do we want it to be permanent, or not? It is pretty simple.

We have a board behind us. We have voting boxes. They vote yes or they vote no. This is not a complicated issue. Either people get their money back guaranteed over time so the country can grow, or they listen to them.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. GREEN).

Mr. GREEN of Texas. Mr. Speaker, I am glad to follow the chairman of the Committee on Ways and Means, because I guess since this week was April 15, my colleagues have to show again that they are against tax increases. We voted for one last year. Now let us show we are against them, and we are going to vote against one 8 years from now. It just does not make sense.

Last year, when Congress passed the tax cut, a lot of us voiced concerns that we were cutting and not leaving enough room for emergencies. Well, in the post-September 11 environment, that argument has even more weight now.

It is more important, with the war on terrorism, it is critical that we realize our defense responsibilities. We must continue to pay for the important domestic responsibilities we have, education, prescription drugs for seniors, and not go deeper into deficit spending.

All people ask is that the Federal Government live like our families. If our families have to pay for the security of their home, for their prescriptions for their parents, for the education of their children, why would they go to their employer and say, we need a tax cut; we need a pay cut 8 years from now?

It does not make economic sense, it only makes political sense during this

week. I am just amazed that my Republican colleagues would try and pull this over the eyes of Americans.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 15 seconds to the gentleman from Wisconsin (Mr. RYAN)

Mr. RYAN of Wisconsin. Mr. Speaker, I just wanted to quickly respond to the last speaker about tax cuts being the source of the loss of the surplus this past year.

That is simply not the case. Seventy-three percent of the loss of the surplus this past year came because our economy went into a recession. People lost their jobs and they did not pay taxes, and the surplus dried up because we went into recession. These tax cuts will grow the economy and get us back on track and grow those surpluses.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. HILL).

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

Mr. HILL. Mr. Speaker, the country's current budget situation is like the proverbial elephant in the living room. He is there and he is larger than life, but very few if any of our colleagues on the other side of the aisle will acknowledge him.

Several of my colleagues and I have been over the last several months trying to alert everyone to the elephant's presence. Rest assured that we are going to continue to come down to this House floor and point him out until everybody acknowledges him.

This elephant, unfortunately, comes with his own set of numbers. In one year, the projected 10-year surplus decreased \$4 trillion. That is the truth. That is a fact.

The Federal Government will run a deficit, both this year and next. That is the truth. That is a fact.

Because of these deficits, the Federal Government will have to borrow money to pay its bills. That is the truth. That is the fact.

To pay for these bills, the Federal Government will borrow almost \$2 trillion more this decade than was expected when CBO published its numbers in January, 2001. That is the truth. That is the fact.

All told, by the time the interest payments are added in, the national debt will be almost \$3 trillion larger than earlier projected when the 10-year budget window closes. That is the truth. That is the fact.

And to top it all off, Social Security surplus dollars will be used to help balance the budget through the end of this decade. That is the truth. That is the fact. This is our problem. This is the elephant. Our fiscal house is not in order.

For those who are listening, it is probably very hard to determine what is the truth and what is the fact, so we

offered an amendment that was rejected by the Committee on Rules: We will agree to the tax cuts, but let us do a study by CBO to in fact determine once and for sure what the truth and the facts are. Are we dipping into Social Security? Are we not managing our house in a fiscally responsible way?

This idea was rejected. I am sorry that it was.

Mr. HASTINGS of Washington. Mr. Speaker I yield 15 seconds to the gentleman from Texas (Mr. BRADY).

Mr. BRADY of Texas. Mr. Speaker, the truth and facts are that when one is laid off, they do not pay into Social Security. If they do not have a job, they do not pay to preserve Medicare. If there is no means of income, they are not helping balancing this budget, they are not paying for the war, they are not paying down our debts.

The economy strengthens our government and strengthens all these programs. That is what this bill is all about.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 minutes to the distinguished gentleman from Iowa (Mr. NUSSLE), chairman of the Committee on the Budget.

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

Mr. NUSSLE. Mr. Speaker, that is the truth? Those are the facts? Okay, let us say it is the truth. Let us say it is the facts. Where is their plan? We have been asking for their plan for now going on over 6 months. Where is their plan?

Where is their plan on terrorism? Where is their plan on defending this Nation? Where is their plan on special education? Where is their plan on prescription drugs? Where is their plan on Medicare? Where is their plan on Social Security? Where, where, where in the name of God is their budget?

They do not have a budget; the Senate does not have a budget. The only plan for the American people to look at is the plan that was passed here in the House of Representatives by the President of the United States and the House Republicans. Why is that? Because they are devoid of ideas, they are unable to act, and they are unwilling to lead; therefore, we must.

Now, this is a new phenomenon. The great Democratic Party that led us many times in our history is disappointing America with absolutely not one scintilla of an idea. So what do we have to do? We have to move forward. We want to do it in a bipartisan way.

I mean, translate this debate for us today. The Democrats are coming to the well and they are wringing their hands and saying, oh, my goodness, I am worried about the budget in 2020. That is what I am worried about, the budget in 2020.

We are worried about the family budget today. It is not the Federal budget. Wake up. It is America's family budget that matters. The Repub-

licans are the ones who have paid down the debt, \$450 billion. Yet, they come to the well and say, we are worried about the debt in 2020? Well, do something about it. Give us their plan, give us their budget, give us their ideas.

Do not just come down here and scare America's seniors and wring their hands about an economy they are unwilling to do anything about, but join us. Join us in recognizing that last year, because of some quirky Senate rules, they were unable and unwilling to do more than 10 years.

Alan Greenspan said yesterday, "The markets of America assumed this tax cut is permanent." Certainly, my constituents believe that when we pass a bill and pass a law, it means it is permanent until Congress is willing to change it.

The reason they are scared of this debate is simple: Because automatically, 10 years from today, do Members want to know what they are up to? They want the tax increase on America, but they do not want to have to vote for it. No, they do not want to have to show their plan, they do not want to have to show their budget, they just want it to automatically happen.

Have the guts to have a plan, have the guts to have a budget, have the guts to come to the floor and tell America what Democrats are all about. Do not just accuse us of doing nothing, of wrecking the economy, of dipping into Social Security, which we all know is impossible. Do not do that unless they have got a plan on what to do about it, and America will wake up to that fact as soon as we have the opportunity to get this story out.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SWEENEY). Members are asked to refrain from casting reflections upon the other body.

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

If Members had the guts to have an open rule, they would be hearing some Democrat plans.

Mr. Speaker, I yield 1½ minutes to the gentleman from New York (Mr. ISRAEL).

Mr. ISRAEL. Mr. Speaker, I thank the gentlewoman for yielding time to me.

Let me share our plan with the gentleman. I appreciate and respect his passion, but let me tell the Members what our plan is: It is the same plan that every American family and every small business has to abide by every day. That plan says we make sure that the budgets are balanced. That plan says we make sure that the numbers add up. That plan says we take care of retirement. That plan says we make sure if we get sick or if our parents or grandparents get sick, we can pay for their medications and prescription drugs.

That is not a novel plan, that is the plan that every single working American family has to abide by, and it is the same plan we should abide by.

I am one of those Democrats who have supported tax cuts. I was one of 28 Democrats to support the President's tax cut. I was one of nine Democrats to support the President's economic stimulus package because it provided tax cuts, because we could afford those plans.

Now all we are asking is for some bipartisanship. I will support this bill. All we are asking is that we do the responsible thing and have the Congressional Budget Office certify to the American people that this is not going to break into their Social Security and their retirement savings.

□ 1215

That is the responsible thing to do. That is the plan that every American family wants from us, and that is what we should do.

The SPEAKER pro tempore (Mr. SWEENEY). The Chair will advise Members that the gentlewoman from New York (Ms. SLAUGHTER) has 3 minutes remaining. The gentleman from Washington (Mr. HASTINGS) has 3¾ minutes remaining.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 15 seconds to the gentleman from Wisconsin (Mr. RYAN).

Mr. RYAN of Wisconsin. Mr. Speaker, I simply want to clarify the last speaker. According to the most recent figures from the Congressional Budget Office and the Joint Committee on Taxation, this bill will not dip into Social Security. This bill will still leave an on-budget or non-Social Security surplus in both the years 2011 and 2012, the years which we are discussing.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Speaker, I thank the gentleman from Washington (Mr. HASTINGS) for yielding me the time, and I rise in support of making these tax cuts permanent.

I just want to talk about the human factor in the death tax. I have a constituent in my congressional district in Kissimmee, Florida. Actually, it is a couple. They owned a florist, Dennis and Nancy Sexton. Their uncle owned a florist in the same town, a much bigger floral operation. He passed away. He had 19 employees, and Dennis inherited that operation; and Dennis had to spend about \$253,000 to deal with the death tax. The death tax was \$160,000. The lawyer's fee and accountant fees were \$60,000. He spent \$4,000 on the appraisal of his uncle's floral operation, and he did not have that kind of money.

So what did he do? He did the things that a lot of small business owners have to do. He laid off people. He took people that had worked for his uncle for years, brought them in and said I have to lay you off. Others he said I have to cut your salary. He took out a loan. He had to forego repairs on the building. They actually went a summer

in Florida in their office, with no air conditioning, just to save some money, and had fans in there.

The other thing he had to do, he had traditionally given to the United Way, to various charities in the community, as a lot of businessmen do. A lot of these charities come to the local businesses and ask for a donation. He has had to totally cut all that off.

Now, he is going to survive, and I think he is going to make it; and hopefully some day he will be able to grow the business back up to where it was before the IRS stepped in. But I think this death tax is absolutely horrible, and to say in our bill that we want to bring it back in 10 years I just think is obscene, and I thoroughly support all the other provisions.

I am only allowed 2 minutes, but my colleagues could put forward similar arguments with the retirement provisions. We can make the exact same arguments.

So this is a good piece of legislation, and I commend our leaders for bringing it to the floor, and I would encourage everybody on both sides of the aisle to vote in support of it.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Speaker, Woody Allen said, "This is a tragedy of a disaster." Look at the State of New Jersey. A member of my colleagues' own administration, very good friend of mine, left the State and said I had a billion dollar surplus. What happened to it? Now we have an \$8 billion deficit, the worst in the Nation.

We cannot fill these cards unless we know the numbers. We do not know the numbers 10 weeks from now. How can my colleagues tell us what the numbers are going to be 15 years from now? \$400 billion more in deficit, \$400 billion more and my colleagues need to address the American people on American values who believe we should pay for what we are getting and not go into debt even further.

By 2008 we will have paid the government's debt, the Nation's debt. Now what has happened? We are into deficit, Mr. Speaker, and Woody Allen's words ring so true, so true.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentlewoman from Michigan (Ms. KILPATRICK).

Ms. KILPATRICK. Mr. Speaker, I thank our ranking Committee on Rules member this morning for yielding me the time.

Someone else asked earlier why do we not put our own plan forward. Well, we have a rule that will not give us a substitute, will not allow us a substitute, will not allow us amendments and will not allow us a motion to recommit. What kind of process is this?

I rise in opposition to the rule and also the underlying bill. If we spend as much time on tax cuts, if we translate that to education and health care, our health care system that is collapsing, Medicare trust fund, our senior par-

ents, our aunts and uncles who built this country, the world and this country would be a better place.

It is a bad bill, it is a bad rule, and until we shore up Social Security for those who built this country, until we have an adequate health care system and Medicare, why do we have a tax bill with a permanent tax cut years out that really cannot bind this Congress? It is a bad rule. It is a bad rule.

Let us vote the rule down, vote the bill down and continue to build America for the people who built it, the Medicare senior citizens who deserve a better health care system than we now have.

The SPEAKER pro tempore. The Chair would advise the Members that the gentleman from Washington (Mr. HASTINGS) has the right to close. He has 1½ minutes remaining. The gentlewoman from New York (Ms. SLAUGHTER) has 1 minute remaining.

Mr. HASTINGS of Washington. Mr. Speaker, I reserve my time.

Ms. SLAUGHTER. Mr. Speaker, I yield myself the remaining time.

I want to remind my colleagues and anybody listening out there that the cost of this bill is \$753,713,000. The intended raise in the debt limit is \$750 billion. Coincidence, I do not know; but one certainly wonders whether one has a lot to do with the other.

We are going to call for a vote on the previous question. If it is defeated I am going to offer an amendment for this unfair rule. The Phelps substitute that was offered in the Committee on Rules and that the Republican majority on the Committee on Rules refused to make in order would allow the tax cuts to be made permanent upon certification by the director of the Congressional Budget Office that enactment of the legislation would not result in an on-budget deficit.

Quite simply, Mr. Speaker, the permanent extension of the tax cuts should not use Social Security funds; and we all stood here, both sides alike, and pledged to protect Social Security funds in a lockbox. We propose that my colleagues let that promise be kept to the American people.

The procedure that the majority used to bring the bill to the floor prevents the Democrats from having a substitute motion to recommit, and only by defeating the previous question can we bring fiscal order back to the budget process. That should be the top priority of this Congress.

So I urge a "no" vote on the previous question.

Mr. Speaker, I ask unanimous consent that the text of the amendment be printed in the RECORD immediately before the vote.

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

There was no objection.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield the balance of our time to the gentleman from Missouri (Mr. HULSHOF), the author of this bill.

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

Mr. HULSHOF. Mr. Speaker, I thank the gentleman from Washington (Mr. HASTINGS) for yielding me the time.

My friend from New Jersey awhile ago quoted Woody Allen. Let me provide this quote that I came across in an old "Farmers Almanac" recently. It said, "If Patrick Henry thought taxation without representation was bad, he ought to see it with representation"; and I think Mr. Henry would look at what we did a year ago and he would roll over in his grave because this sunset that was placed on this tax cut has no policy reason at all. It was simply put there by the other body by the bill's opponents.

Why is it, I ask my colleagues, especially those 28 of them, many of whom spoke here today, why is it that tax increases are always permanent? We are still paying for the Spanish-American War with the tax on luxury telephones that was passed in 1898. The death tax that we are trying to repeal once and for all was enacted in 1916. We still have deficit reduction taxes that my colleagues put on the American people back in 1993. So it is a good policy reason that we make these tax cuts permanent.

What is going to happen if we do not? What I hear from the other side of the aisle is, talking about this, we cannot afford this tax cut. Mr. Speaker, if we do nothing, this cost has to be borne by someone, and that someone is the American family, it is the American business, because we know if we do nothing, they are going to see the largest tax increase our Nation has ever had thrust upon them.

Mr. Speaker, a bipartisan majority voted to enact these tax relief measures that we passed a year ago. If it was good policy then, it remains good policy now. I urge a "yes" vote on the rule and a "yes" vote on the underlying legislation.

The material referred to earlier by the gentlewoman from New York (Ms. SLAUGHTER) is as follows:

PREVIOUS QUESTION ON H. RES. 390, RULE FOR H.R. 586, FAIRNESS FOR FOSTER CARE FAMILIES ACT OF 2001

At the end of the resolution, add the following new section:

SEC. ____ (a) Upon adoption of the House amendment to the Senate amendment to H.R. 586, the enrolling clerk of the House of Representatives shall—

(1) prepare an engrossment of the House amendment without title ____ (related to the repeal of the sunset provision of the Economic Growth and Taxpayer Relief Act of 2001) and transmit it to the Senate for further legislative action; and

(2) prepare an engrossment of a bill comprised of title ____ (related to the repeal of the sunset provision of the Economic Growth and Taxpayer Relief Act of 2001).

(b) The vote by which such House amendment was agreed to shall be deemed to have been a vote in favor of the bill referred to in subsection (a)(2) upon certification by the chairman of the Budget Committee that enactment of the legislation would not rely on

the use of Social Security surplus funds. Upon the engrossment of such bill, it shall be deemed to have passed the House of Representatives and been duly certified and examined. The engrossed copy shall be signed by the Clerk and transmitted to the Senate for further legislative action. Upon final passage by both houses, the bill shall be signed by the presiding officer of both houses and presented to the President for his signature (and otherwise treated for all purposes) in the manner provided for bills generally.

(c) The Chairman of the Budget Committee shall make the certification under subsection (b) only if the Director of the Congressional Budget Office finds that enactment of the bill would not result in an on-budget deficit in any of the 10 fiscal years based on the most recent economic and technical assumptions by the Congressional Budget Office and all legislation enacted prior to the certification and any additional changes in spending and revenues assumed in H. Con. Res. 353 as passed by the House.

Mr. HASTINGS of Washington. Mr. Speaker, I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting, if ordered, on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 219, nays 206, not voting 9, as follows:

[Roll No. 101]

YEAS—219

Aderholt	Coble	Gibbons
Akin	Collins	Gilchrest
Armey	Combust	Gillmor
Bachus	Cooksey	Gilman
Baker	Cox	Goode
Ballenger	Crane	Goodlatte
Barr	Crenshaw	Goss
Bartlett	Cubin	Graham
Barton	Culberson	Granger
Bass	Cunningham	Graves
Bereuter	Davis, Jo Ann	Green (WI)
Biggart	Davis, Tom	Greenwood
Bilirakis	Deal	Grucci
Blunt	DeLay	Gutknecht
Boehlert	DeMint	Hansen
Boehner	Diaz-Balart	Hart
Bonilla	Doolittle	Hastings (WA)
Bono	Dreier	Hayes
Boozman	Dunn	Hayworth
Brady (TX)	Ehlers	Hefley
Brown (SC)	Ehrlich	Hergert
Burr	Emerson	Hilleary
Burr	English	Hobson
Burton	Everett	Hoekstra
Buyer	Ferguson	Hostettler
Callahan	Flake	Houghton
Calvert	Fletcher	Hulshof
Camp	Foley	Hunter
Cannon	Forbes	Hyde
Cantor	Fossella	Isakson
Capito	Frelinghuysen	Issa
Castle	Gallely	Istook
Chabot	Ganske	Jenkins
Chambliss	Gekas	Johnson (CT)

Johnson (IL)	Ose
Johnson, Sam	Otter
Jones (NC)	Oxley
Keller	Paul
Kelly	Pence
Kennedy (MN)	Peterson (PA)
Kerns	Petri
King (NY)	Pickering
Kingston	Pitts
Kirk	Platts
Knollenberg	Pombo
Kolbe	Portman
LaHood	Pryce (OH)
Latham	Putnam
LaTourette	Quinn
Leach	Radanovich
Lewis (CA)	Ramstad
Lewis (KY)	Regula
Linder	Rehberg
LoBiondo	Reynolds
Lucas (OK)	Riley
Manzullo	Rogers (MI)
McCrery	Rohrabacher
McHugh	Ros-Lehtinen
McInnis	Roukema
McKeon	Royce
Mica	Ryan (WI)
Miller, Dan	Ryun (KS)
Miller, Gary	Saxton
Miller, Jeff	Schaffer
Moran (KS)	Moran (KS)
Morella	Sensenbrenner
Myrick	Sessions
Nethercutt	Shadegg
Ney	Shaw
Northup	Shays
Norwood	Sherwood
Nussle	Shimkus
Osborne	Shuster

NAYS—206

Abercrombie	Farr	Matheson
Ackerman	Fattah	Matsui
Allen	Filner	McCarthy (MO)
Andrews	Ford	McCarthy (NY)
Baca	Frank	McCollum
Baird	Frost	McDermott
Baldacci	Gephardt	McGovern
Baldwin	Gonzalez	McIntyre
Barcia	Gordon	McKinney
Barrett	Green (TX)	McNulty
Becerra	Gutierrez	Meehan
Bentsen	Hall (TX)	Meek (FL)
Berkley	Harman	Meeks (NY)
Berman	Hill	Menendez
Berry	Hilliard	Millerender
Bishop	Hinchee	McDonald
Blagojevich	Hinojosa	Miller, George
Blumenauer	Hoeffel	Mink
Bonior	Holden	Mollohan
Borski	Holt	Moore
Boswell	Honda	Moran (VA)
Boucher	Hooley	Murtha
Boyd	Hoyer	Nadler
Brady (PA)	Inslee	Napolitano
Brown (FL)	Israel	Neal
Capps	Jackson (IL)	Oberstar
Capuano	Jackson-Lee	Obey
Cardin	(TX)	Olver
Carson (IN)	Jefferson	Ortiz
Carson (OK)	John	Owens
Clay	Johnson, E. B.	Pallone
Clayton	Kanjorski	Pascarell
Clyburn	Kaptur	Pastor
Cummins	Kennedy (RI)	Payne
Condit	Kildee	Pelosi
Conyers	Kilpatrick	Peterson (MN)
Costello	Kind (WI)	Phelps
Coyne	Kleczka	Pomeroy
Cramer	Kucinich	Price (NC)
Crowley	LaFalce	Rahall
Davis (CA)	Lampson	Rangel
Davis (FL)	Langevin	Reyes
Davis (IL)	Lantos	Rivers
DeFazio	Larsen (WA)	Rodriguez
DeGette	Larson (CT)	Roemer
Delahunt	Lee	Ross
DeLauro	Levin	Rothman
Deutsch	Lewis (GA)	Roybal-Allard
Dicks	Lipinski	Rush
Dingell	Lofgren	Sabo
Doggett	Lowe	Sanchez
Dooley	Lucas (KY)	Sanders
Doyle	Luther	Sandlin
Edwards	Lynch	Sawyer
Engel	Maloney (CT)	Schakowsky
Eshoo	Maloney (NY)	Schiff
Etheridge	Markey	Scott
Evans	Mascara	Serrano

Sherman	Tanner	Visclosky
Shows	Tauscher	Waters
Skelton	Taylor (MS)	Watson (CA)
Slaughter	Thompson (CA)	Watt (NC)
Smith (WA)	Thompson (MS)	Waxman
Smith (NJ)	Thurman	Weiner
Smith (TX)	Solis	Tierney
Souder	Spratt	Towns
Stearns	Stark	Turner
Stump	Stenholm	Udall (CO)
Sullivan	Strickland	Udall (NM)
Sununu	Stupak	Velazquez
Sweeney		
Tancredo		
Tauzin		
Taylor (NC)		
Quinn		
Terry		
Ramstad		
Thomas		
Thornberry		
Thune		
Tiahrt		
Tiberi		
Toomey		
Upton		
Vitter		
Walden		
Walsh		
Wamp		
Watkins (OK)		
Watts (OK)		
Weldo (FL)		
Weldon (PA)		
Weller		
Whitfield		
Wicker		
Wilson (NM)		
Wilson (SC)		
Wolf		
Young (AK)		
Young (FL)		

NOT VOTING—9

Brown (OH)	Hall (OH)	Jones (OH)
Clement	Hastings (FL)	Rogers (KY)
Duncan	Horn	Traficant

□ 1248

Mrs. CAPPS and Messrs. MCDERMOTT, WYNN and STUPAK changed their vote from "yea" to "nay."

Mr. REHBERG changed his vote from "nay" to "yea."

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. SWEENEY). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Ms. SLAUGHTER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 218, noes 205, not voting 11, as follows:

[Roll No. 102]

AYES—218

Aderholt	Davis, Tom	Hoekstra
Akin	Deal	Horn
Armey	DeLay	Hostettler
Bachus	DeMint	Houghton
Baker	Diaz-Balart	Hulshof
Ballenger	Doolittle	Hunter
Barr	Dreier	Hyde
Bartlett	Dunn	Isakson
Barton	Ehlers	Issa
Bass	Ehrlich	Istook
Bereuter	Emerson	Jenkins
Biggart	English	Johnson (CT)
Bilirakis	Everett	Johnson (IL)
Blunt	Ferguson	Johnson, Sam
Boehlert	Flake	Jones (NC)
Boehner	Fletcher	Keller
Bonilla	Foley	Kelly
Bono	Forbes	Kennedy (MN)
Boozman	Fossella	Kerns
Brady (TX)	Gallely	King (NY)
Brown (SC)	Ganske	Kingston
Burr	Gekas	Kirk
Burr	Gibbons	Knollenberg
Burton	Gilchrest	Kolbe
Buyer	Gillmor	LaHood
Callahan	Gilman	Latham
Calvert	Goode	LaTourette
Camp	Goodlatte	Leach
Cannon	Goss	Lewis (CA)
Cantor	Graham	Lewis (KY)
Capito	Granger	Linder
Castle	Graves	LoBiondo
Chabot	Green (WI)	Lucas (OK)
Chambliss	Greenwood	Manzullo
Coble	Grucci	McCrery
Collins	Gutknecht	McHugh
Combust	Hansen	McInnis
Cooksey	Hart	McKeon
Cox	Hastings (WA)	Mica
Crane	Hayes	Miller, Dan
Crenshaw	Hayworth	Miller, Gary
Cubin	Hefley	Miller, Jeff
Culberson	Hergert	Moran (KS)
Cunningham	Hilleary	Morella
Davis, Jo Ann	Hobson	Myrick

Nethercutt	Rohrabacher	Sweeney
Ney	Ros-Lehtinen	Tancredo
Northup	Roukema	Tauzin
Norwood	Royce	Taylor (NC)
Nussle	Ryan (WI)	Terry
Osborne	Ryun (KS)	Thomas
Ose	Saxton	Thornberry
Otter	Schaffer	Thune
Oxley	Schrock	Tiahrt
Paul	Sensenbrenner	Tiberi
Pence	Sessions	Toomey
Peterson (PA)	Shadegg	Upton
Petri	Shaw	Vitter
Pickering	Shays	Walden
Pitts	Sherwood	Walsh
Platts	Shimkus	Wamp
Pombo	Shuster	Watkins (OK)
Portman	Simmons	Watts (OK)
Pryce (OH)	Simpson	Weldon (FL)
Putnam	Skeen	Weldon (PA)
Quinn	Smith (MI)	Weller
Radanovich	Smith (NJ)	Wicker
Ramstad	Smith (TX)	Wilson (NM)
Regula	Souder	Wilson (SC)
Rehberg	Stearns	Wolf
Reynolds	Stump	Young (AK)
Riley	Sullivan	Young (FL)
Rogers (MI)	Sununu	

NOT VOTING—11

Brown (OH)	Hall (OH)	Rogers (KY)
Clement	Hastings (FL)	Traficant
Duncan	Jones (OH)	Whitfield
Frelinghuysen	Kaptur	

□ 1258

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FRELINGHUYSEN. Mr. Speaker, I was inadvertently detained and was not recorded for rollcall vote 102 on April 18. Had it been recorded, I would have voted "aye".

PARLIAMENTARY INQUIRY

Mr. McDERMOTT. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. McDERMOTT. Mr. Speaker, the Committee on Ways and Means, the Subcommittee on Human Resources, is meeting at this time rewriting the welfare bill, the TANF bill. Is there any rule under which it is possible for us to suspend here on the floor so that we can go back to the committee and work on that? Members of the Committee on Ways and Means are presently supposed to be in two places at once. I am asking whether there is provision under the rules.

The SPEAKER pro tempore. The Chair would advise the gentleman that there is no House prohibition on committees meeting while the House is considering H.R. 586. Therefore, the committees are able to meet.

PERMISSION FOR MEMBER TO REVISE AND EXTEND REMARKS ON H.R. 586, FAIRNESS FOR FOSTER CARE FAMILIES ACT OF 2001

Mr. McDERMOTT. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on the bill which is before us.

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

There was no objection.

PARLIAMENTARY INQUIRY

Mr. THOMAS. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. THOMAS. How can the gentleman from Washington revise and extend his remarks on the bill before us when the bill has not been laid before us?

The SPEAKER pro tempore. By unanimous consent, a Member is allowed to revise and extend his remarks on a bill that is yet to be considered.

Mr. THOMAS. As long as it is yet to be considered. The gentleman said "the bill before us."

The SPEAKER pro tempore. The gentleman's unanimous consent request is perfectly in order.

Mr. THOMAS. I would like to place in front of the House the bill that the gentleman just placed his information on the RECORD. I did that for the purpose of making sure that notwithstanding the Speaker's response, guided by the Parliamentarian, this individual from California believes the bill has to be in front of us if you are going to place unanimous consent remarks on the bill that is in front of us.

FAIRNESS FOR FOSTER CARE FAMILIES ACT OF 2001

Mr. THOMAS. Mr. Speaker, pursuant to House Resolution 390, I call up from the Speaker's table the bill (H.R. 586) to amend the Internal Revenue Code of 1986 to provide that the exclusion from gross income for foster care payments shall also apply to payments by qualified placement agencies, and for other purposes, with a Senate amendment thereto, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:
Page 3, after line 19, insert:

SEC. 3. ACCELERATION OF EFFECTIVE DATE FOR EXPANSION OF ADOPTION TAX CREDIT AND ADOPTION ASSISTANCE PROGRAMS.

Subsection (g) of section 202 of the Economic Growth and Tax Relief Reconciliation Act of 2001 is amended to read as follows:

"(g) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001."

MOTION OFFERED BY MR. THOMAS

Mr. THOMAS. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. THOMAS moves that the House concur in the Senate amendment with an amendment, as follows:

In lieu of the matter proposed to be inserted by the Senate, strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; ETC.

(a) SHORT TITLE.—This Act may be cited as the "Tax Relief Guarantee Act of 2002".

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) TABLE OF CONTENTS.—

Sec. 1. Short title; etc.

TITLE I—TAX REDUCTIONS MADE PERMANENT

Sec. 101. Tax reductions made permanent.

Sec. 102. Protection of social security and medicare.

TITLE II—TAXPAYER PROTECTION AND IRS ACCOUNTABILITY

Sec. 201. Short title.

Subtitle A—Penalties and Interest

Sec. 211. Failure to pay estimated tax penalty converted to interest charge on accumulated unpaid balance.

Sec. 212. Exclusion from gross income for interest on overpayments of income tax by individuals.

NOES—205

Abercrombie	Hall (TX)	Napolitano
Ackerman	Harman	Neal
Allen	Hill	Oberstar
Andrews	Hilliard	Obey
Baca	Hinchev	Olver
Baird	Hinojosa	Ortiz
Baldacci	Hoefel	Owens
Baldwin	Holden	Pallone
Barcia	Holt	Pascrell
Barrett	Honda	Pastor
Becerra	Hoolley	Payne
Bentsen	Hoyer	Pelosi
Berkley	Inslee	Peterson (MN)
Berman	Israel	Phelps
Berry	Jackson (IL)	Pomeroy
Bishop	Jackson-Lee	Price (NC)
Blagojevich	(TX)	Rahall
Blumenauer	Jefferson	Rangel
Bonior	John	Reyes
Borski	Johnson, E. B.	Rivers
Boswell	Kanjorski	Rodriguez
Boucher	Kennedy (RI)	Roemer
Boyd	Kildee	Ross
Brady (PA)	Kilpatrick	Rothman
Brown (FL)	Kind (WI)	Roybal-Allard
Capps	Kleczka	Rush
Capuano	Kucinich	Sabo
Cardin	LaFalce	Sanchez
Carson (IN)	Lampson	Sanders
Carson (OK)	Langevin	Sandlin
Clay	Lantos	Sawyer
Clayton	Larsen (WA)	Schakowsky
Clyburn	Larson (CT)	Schiff
Condit	Lee	Scott
Conyers	Levin	Serrano
Costello	Lewis (GA)	Sherman
Coyne	Lipinski	Shows
Cramer	Lofgren	Skelton
Crowley	Lowey	Slaughter
Cummings	Lucas (KY)	Smith (WA)
Davis (CA)	Luther	Snyder
Davis (FL)	Lynch	Solis
Davis (IL)	Maloney (CT)	Spratt
DeFazio	Maloney (NY)	Stark
DeGette	Markey	Stenholm
Delahunt	Mascara	Strickland
DeLauro	Matheson	Stupak
Deutsch	Matsui	Tanner
Dicks	McCarthy (MO)	Tauscher
Dingell	McCarthy (NY)	Taylor (MS)
Doggett	McCollum	Thompson (CA)
Dooley	McDermott	Thompson (MS)
Doyle	McGovern	Thurman
Edwards	McIntyre	Tierney
Engel	McKinney	Towns
Eshoo	McNulty	Turner
Etheridge	Meehan	Udall (CO)
Evans	Meek (FL)	Udall (NM)
Farr	Meeks (NY)	Velazquez
Fattah	Menendez	Visclosky
Filner	Millender	Waters
Ford	McDonald	Watson (CA)
Frank	Miller, George	Watt (NC)
Frost	Mink	Waxman
Gephardt	Mollohan	Weiner
Gonzalez	Moore	Wexler
Gordon	Moran (VA)	Woolsey
Green (TX)	Murtha	Wu
Gutierrez	Nadler	Wynn

Sec. 213. Abatement of interest.
 Sec. 214. Deposits made to suspend running of interest on potential underpayments.
 Sec. 215. Expansion of interest netting for individuals.
 Sec. 216. Waiver of certain penalties for first-time unintentional minor errors.
 Sec. 217. Frivolous tax submissions.
 Sec. 218. Clarification of application of Federal tax deposit penalty.
 Subtitle B—Fairness of Collection Procedures
 Sec. 221. Partial payment of tax liability in installment agreements.
 Sec. 222. Extension of time for return of property.
 Sec. 223. Individuals held harmless on wrongful levy, etc. on individual retirement plan.
 Sec. 224. Seven-day threshold on tolling of statute of limitations during tax review.
 Sec. 225. Study of liens and levies.
 Subtitle C—Efficiency of Tax Administration
 Sec. 231. Revisions relating to termination of employment of Internal Revenue Service employees for misconduct.
 Sec. 232. Confirmation of authority of Tax Court to apply doctrine of equitable recoupment.
 Sec. 233. Jurisdiction of Tax Court over collection due process cases.
 Sec. 234. Office of Chief Counsel review of offers in compromise.
 Sec. 235. 15-day delay in due date for electronically filed individual income tax returns.
 Subtitle D—Confidentiality and Disclosure
 Sec. 241. Collection activities with respect to joint return disclosable to either spouse based on oral request.
 Sec. 242. Taxpayer representatives not subject to examination on sole basis of representation of taxpayers.
 Sec. 243. Disclosure in judicial or administrative tax proceedings of return and return information of persons who are not party to such proceedings.
 Sec. 244. Prohibition of disclosure of taxpayer identification information with respect to disclosure of accepted offers-in-compromise.
 Sec. 245. Compliance by contractors with confidentiality safeguards.
 Sec. 246. Higher standards for requests for and consents to disclosure.
 Sec. 247. Notice to taxpayer concerning administrative determination of browsing; annual report.
 Sec. 248. Expanded disclosure in emergency circumstances.
 Sec. 249. Disclosure of taxpayer identity for tax refund purposes.
 Subtitle E—Miscellaneous
 Sec. 251. Clarification of definition of church tax inquiry.
 Sec. 252. Expansion of declaratory judgment remedy to tax-exempt organizations.
 Sec. 253. Employee misconduct report to include summary of complaints by category.
 Sec. 254. Annual report on awards of costs and certain fees in administrative and court proceedings.
 Sec. 255. Annual report on abatement of penalties.
 Sec. 256. Better means of communicating with taxpayers.

Sec. 257. Explanation of statute of limitations and consequences of failure to file.
 Sec. 258. Amendment to Treasury auction reforms.
 Sec. 259. Enrolled agents.
 Sec. 260. Financial management service fees.
 Sec. 261. Capital gain treatment under section 631(b) to apply to outright sales by land owner.
 Sec. 262. Acceleration of effective date for expansion of adoption tax credit and adoption assistance programs.

Subtitle F—Low-Income Taxpayer Clinics
 Sec. 271. Low-income taxpayer clinics.

TITLE I—TAX REDUCTIONS MADE PERMANENT

SEC. 101. TAX REDUCTIONS MADE PERMANENT.

Title IX of the Economic Growth and Tax Relief Reconciliation Act of 2001 is hereby repealed.

SEC. 102. PROTECTION OF SOCIAL SECURITY AND MEDICARE.

The amounts transferred to any trust fund under the Social Security Act shall be determined as if the Economic Growth and Tax Relief Reconciliation Act of 2001 had not been enacted.

TITLE II—TAXPAYER PROTECTION AND IRS ACCOUNTABILITY

SEC. 201. SHORT TITLE.

This title may be cited as the “Taxpayer Protection and IRS Accountability Act of 2002”.

Subtitle A—Penalties and Interest

SEC. 211. FAILURE TO PAY ESTIMATED TAX PENALTY CONVERTED TO INTEREST CHARGE ON ACCUMULATED UNPAID BALANCE.

(a) PENALTY MOVED TO INTEREST CHAPTER OF CODE.—The Internal Revenue Code of 1986 is amended by redesignating section 6654 as section 6641 and by moving section 6641 (as so redesignated) from part I of subchapter A of chapter 68 to the end of subchapter E of chapter 67 (as added by subsection (e)(1) of this section).

(b) PENALTY CONVERTED TO INTEREST CHARGE.—The heading and subsections (a) and (b) of section 6641 (as so redesignated) are amended to read as follows:

“SEC. 6641. INTEREST ON FAILURE BY INDIVIDUAL TO PAY ESTIMATED INCOME TAX.

“(a) IN GENERAL.—Interest shall be paid on any underpayment of estimated tax by an individual for a taxable year for each day of such underpayment. The amount of such interest for any day shall be the product of the underpayment rate established under subsection (b)(2) multiplied by the amount of the underpayment.

“(b) AMOUNT OF UNDERPAYMENT; INTEREST RATE.—For purposes of subsection (a)—

“(1) AMOUNT.—The amount of the underpayment on any day shall be the excess of—
 “(A) the sum of the required installments for the taxable year the due dates for which are on or before such day, over
 “(B) the sum of the amounts (if any) of estimated tax payments made on or before such day on such required installments.

“(2) DETERMINATION OF INTEREST RATE.—

“(A) IN GENERAL.—The underpayment rate with respect to any day in an installment underpayment period shall be the underpayment rate established under section 6621 for the first day of the calendar quarter in which such installment underpayment period begins.

“(B) INSTALLMENT UNDERPAYMENT PERIOD.—For purposes of subparagraph (A), the term ‘installment underpayment period’ means the period beginning on the day after the due date for a required installment and

ending on the due date for the subsequent required installment (or in the case of the 4th required installment, the 15th day of the 4th month following the close of a taxable year).

“(C) DAILY RATE.—The rate determined under subparagraph (A) shall be applied on a daily basis and shall be based on the assumption of 365 days in a calendar year.

“(3) TERMINATION OF ESTIMATED TAX INTEREST.—No day after the end of the installment underpayment period for the 4th required installment specified in paragraph (2)(B) for a taxable year shall be treated as a day of underpayment with respect to such taxable year.”.

(c) INCREASE IN SAFE HARBOR WHERE TAX IS SMALL.—

(1) IN GENERAL.—Clause (i) of section 6641(d)(1)(B) (as so redesignated) is amended to read as follows:

“(i) the lesser of—

“(I) 90 percent of the tax shown on the return for the taxable year (or, if no return is filed, 90 percent of the tax for such year), or
 “(II) the tax shown on the return for the taxable year (or, if no return is filed, the tax for such year) reduced (but not below zero) by \$2,000, or”.

(2) CONFORMING AMENDMENT.—Subsection (e) of section 6641 (as so redesignated) is amended by striking paragraph (1) and redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively.

(d) CONFORMING AMENDMENTS.—

(1) Paragraphs (1) and (2) of subsection (e) (as redesignated by subsection (c)(2)) and subsection (h) of section 6641 (as so designated) are each amended by striking “addition to tax” each place it occurs and inserting “interest”.

(2) Section 167(g)(5)(D) is amended by striking “6654” and inserting “6641”.

(3) Section 460(b)(1) is amended by striking “6654” and inserting “6641”.

(4) Section 3510(b) is amended—

(A) by striking “section 6654” in paragraph (1) and inserting “section 6641”;

(B) by amending paragraph (2)(B) to read as follows:

“(B) no interest would be required to be paid (but for this section) under 6641 for such taxable year by reason of the \$2,000 amount specified in section 6641(d)(1)(B)(i)(II).”;

(C) by striking “section 6654(d)(2)” in paragraph (3) and inserting “section 6641(d)(2)”; and

(D) by striking paragraph (4).

(5) Section 6201(b)(1) is amended by striking “6654” and inserting “6641”.

(6) Section 6601(h) is amended by striking “6654” and inserting “6641”.

(7) Section 6621(b)(2)(B) is amended by striking “addition to tax under section 6654” and inserting “interest required to be paid under section 6641”.

(8) Section 6622(b) is amended—

(A) by striking “PENALTY FOR” in the heading; and

(B) by striking “addition to tax under section 6654 or 6655” and inserting “interest required to be paid under section 6641 or addition to tax under section 6655”.

(9) Section 6658(a) is amended—

(A) by striking “6654, or 6655” and inserting “or 6655, and no interest shall be required to be paid under section 6641,”; and

(B) by inserting “or paying interest” after “the tax” in paragraph (2)(B)(ii).

(10) Section 6665(b) is amended—

(A) in the matter preceding paragraph (1) by striking “, 6654,”; and

(B) in paragraph (2) by striking “6654 or”.

(11) Section 7203 is amended by striking “section 6654 or 6655” and inserting “section 6655 or interest required to be paid under section 6641”.

(e) CLERICAL AMENDMENTS.—

(1) Chapter 67 is amended by inserting after subchapter D the following:

“Subchapter E—Interest on Failure by Individual to Pay Estimated Income Tax

“Sec. 6641. Interest on failure by individual to pay estimated income tax.”.

(2) The table of subchapters for chapter 67 is amended by adding at the end the following new items:

“Subchapter D. Notice requirements.

“Subchapter E. Interest on failure by individual to pay estimated income tax.”.

(3) The table of sections for part I of subchapter A of chapter 68 is amended by striking the item relating to section 6654.

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to installment payments for taxable years beginning after December 31, 2002.

SEC. 212. EXCLUSION FROM GROSS INCOME FOR INTEREST ON OVERPAYMENTS OF INCOME TAX BY INDIVIDUALS.

(a) IN GENERAL.—Part III of subchapter B of chapter 1 (relating to items specifically excluded from gross income) is amended by inserting after section 139 the following new section:

“SEC. 139A. EXCLUSION FROM GROSS INCOME FOR INTEREST ON OVERPAYMENTS OF INCOME TAX BY INDIVIDUALS.

“(a) IN GENERAL.—In the case of an individual, gross income shall not include interest paid under section 6611 on any overpayment of tax imposed by this subtitle.

“(b) EXCEPTION.—Subsection (a) shall not apply in the case of a failure to claim items resulting in the overpayment on the original return if the Secretary determines that the principal purpose of such failure is to take advantage of subsection (a).

“(c) SPECIAL RULE FOR DETERMINING MODIFIED ADJUSTED GROSS INCOME.—For purposes of this title, interest not included in gross income under subsection (a) shall not be treated as interest which is exempt from tax for purposes of sections 32(i)(2)(B) and 6012(d) or any computation in which interest exempt from tax under this title is added to adjusted gross income.”.

(b) CLERICAL AMENDMENT.—The table of sections for part III of subchapter B of chapter 1 is amended by inserting after the item relating to section 139 the following new item:

“Sec. 139A. Exclusion from gross income for interest on overpayments of income tax by individuals.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to interest received in calendar years beginning after the date of the enactment of this Act.

SEC. 213. ABATEMENT OF INTEREST.

(a) ABATEMENT OF INTEREST WITH RESPECT TO ERRONEOUS REFUND CHECK WITHOUT REGARD TO SIZE OF REFUND.—Paragraph (2) of section 6404(e) is amended by striking “unless—” and all that follows and inserting “unless the taxpayer (or a related party) has in any way caused such erroneous refund.”.

(b) ABATEMENT OF INTEREST TO EXTENT INTEREST IS ATTRIBUTABLE TO TAXPAYER RELIANCE ON WRITTEN STATEMENTS OF THE IRS.—Subsection (f) of section 6404 is amended—

(1) in the subsection heading, by striking “PENALTY OR ADDITION” and inserting “INTEREST, PENALTY, OR ADDITION”; and

(2) in paragraph (1) and in subparagraph (B) of paragraph (2), by striking “penalty or addition” and inserting “interest, penalty, or addition”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to interest accruing on or after the date of the enactment of this Act.

SEC. 214. DEPOSITS MADE TO SUSPEND RUNNING OF INTEREST ON POTENTIAL UNDERPAYMENTS.

(a) IN GENERAL.—Subchapter A of chapter 67 (relating to interest on underpayments) is amended by adding at the end the following new section:

“SEC. 6603. DEPOSITS MADE TO SUSPEND RUNNING OF INTEREST ON POTENTIAL UNDERPAYMENTS, ETC.

“(a) AUTHORITY TO MAKE DEPOSITS OTHER THAN AS PAYMENT OF TAX.—A taxpayer may make a cash deposit with the Secretary which may be used by the Secretary to pay any tax imposed under subtitle A or B or chapter 41, 42, 43, or 44 which has not been assessed at the time of the deposit. Such a deposit shall be made in such manner as the Secretary shall prescribe.

“(b) NO INTEREST IMPOSED.—To the extent that such deposit is used by the Secretary to pay tax, for purposes of section 6601 (relating to interest on underpayments), the tax shall be treated as paid when the deposit is made.

“(c) RETURN OF DEPOSIT.—Except in a case where the Secretary determines that collection of tax is in jeopardy, the Secretary shall return to the taxpayer any amount of the deposit (to the extent not used for a payment of tax) which the taxpayer requests in writing.

“(d) PAYMENT OF INTEREST.—

“(1) IN GENERAL.—For purposes of section 6611 (relating to interest on overpayments), a deposit which is returned to a taxpayer shall be treated as a payment of tax for any period to the extent (and only to the extent) attributable to a disputable tax for such period. Under regulations prescribed by the Secretary, rules similar to the rules of section 6611(b)(2) shall apply.

“(2) DISPUTABLE TAX.—

“(A) IN GENERAL.—For purposes of this section, the term ‘disputable tax’ means the amount of tax specified at the time of the deposit as the taxpayer’s reasonable estimate of the maximum amount of any tax attributable to disputable items.

“(B) SAFE HARBOR BASED ON 30-DAY LETTER.—In the case of a taxpayer who has been issued a 30-day letter, the maximum amount of tax under subparagraph (A) shall not be less than the amount of the proposed deficiency specified in such letter.

“(3) OTHER DEFINITIONS.—For purposes of paragraph (2)—

“(A) DISPUTABLE ITEM.—The term ‘disputable item’ means any item of income, gain, loss, deduction, or credit if the taxpayer—

“(i) has a reasonable basis for its treatment of such item, and

“(ii) reasonably believes that the Secretary also has a reasonable basis for disallowing the taxpayer’s treatment of such item.

“(B) 30-DAY LETTER.—The term ‘30-day letter’ means the first letter of proposed deficiency which allows the taxpayer an opportunity for administrative review in the Internal Revenue Service Office of Appeals.

“(4) RATE OF INTEREST.—The rate of interest allowable under this subsection shall be the Federal short-term rate determined under section 6621(b), compounded daily.

“(e) USE OF DEPOSITS.—

“(1) PAYMENT OF TAX.—Except as otherwise provided by the taxpayer, deposits shall be treated as used for the payment of tax in the order deposited.

“(B) RETURNS OF DEPOSITS.—Deposits shall be treated as returned to the taxpayer on a last-in, first-out basis.”.

(b) CLERICAL AMENDMENT.—The table of sections for subchapter A of chapter 67 is amended by adding at the end the following new item:

“Sec. 6603. Deposits made to suspend running of interest on potential underpayments, etc.”.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to deposits made after the date of the enactment of this Act.

(2) COORDINATION WITH DEPOSITS MADE UNDER REVENUE PROCEDURE 84-58.—In the case of an amount held by the Secretary of the Treasury or his delegate on the date of the enactment of this Act as a deposit in the nature of a cash bond deposit pursuant to Revenue Procedure 84-58, the date that the taxpayer identifies such amount as a deposit made pursuant to section 6603 of the Internal Revenue Code (as added by this Act) shall be treated as the date such amount is deposited for purposes of such section 6603.

SEC. 215. EXPANSION OF INTEREST NETTING FOR INDIVIDUALS.

(a) IN GENERAL.—Subsection (d) of section 6621 (relating to elimination of interest on overlapping periods of tax overpayments and underpayments) is amended by adding at the end the following: “Solely for purposes of the preceding sentence, section 6611(e) shall not apply in the case of an individual.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to interest accrued after December 31, 2002.

SEC. 216. WAIVER OF CERTAIN PENALTIES FOR FIRST-TIME UNINTENTIONAL MINOR ERRORS.

(a) IN GENERAL.—Section 6651 (relating to failure to file tax return or to pay tax) is amended by adding at the end the following new subsection:

“(i) TREATMENT OF FIRST-TIME UNINTENTIONAL MINOR ERRORS.—

“(1) IN GENERAL.—In the case of a return of tax imposed by subtitle A filed by an individual, the Secretary may waive an addition to tax under subsection (a) if—

“(A) the individual has a history of compliance with the requirements of this title,

“(B) it is shown that the failure is due to an unintentional minor error,

“(C) the penalty would be grossly disproportionate to the action or expense that would have been needed to avoid the error, and imposing the penalty would be against equity and good conscience,

“(D) waiving the penalty would promote compliance with the requirements of this title and effective tax administration, and

“(E) the taxpayer took all reasonable steps to remedy the error promptly after discovering it.

“(2) EXCEPTIONS.—Paragraph (1) shall not apply if—

“(A) the Secretary has waived any addition to tax under this subsection with respect to any prior failure by such individual,

“(B) the failure is a mathematical or clerical error (as defined in section 6213(g)(2)), or

“(C) the failure is the lack of a required signature.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on January 1, 2003.

SEC. 217. FRIVOLOUS TAX SUBMISSIONS.

(a) CIVIL PENALTIES.—Section 6702 is amended to read as follows:

“SEC. 6702. FRIVOLOUS TAX SUBMISSIONS.

“(a) CIVIL PENALTY FOR FRIVOLOUS TAX RETURNS.—A person shall pay a penalty of \$5,000 if—

“(1) such person files what purports to be a return of a tax imposed by this title but which—

“(A) does not contain information on which the substantial correctness of the self-assessment may be judged, or

“(B) contains information that on its face indicates that the self-assessment is substantially incorrect; and

“(2) the conduct referred to in paragraph (1)—

“(A) is based on a position which the Secretary has identified as frivolous under subsection (c), or

“(B) reflects a desire to delay or impede the administration of Federal tax laws.

“(b) CIVIL PENALTY FOR SPECIFIED FRIVOLOUS SUBMISSIONS.—

“(1) IMPOSITION OF PENALTY.—Except as provided in paragraph (3), any person who submits a specified frivolous submission shall pay a penalty of \$5,000.

“(2) SPECIFIED FRIVOLOUS SUBMISSION.—For purposes of this section—

“(A) SPECIFIED FRIVOLOUS SUBMISSION.—The term ‘specified frivolous submission’ means a specified submission if any portion of such submission—

“(i) is based on a position which the Secretary has identified as frivolous under subsection (c), or

“(ii) reflects a desire to delay or impede the administration of Federal tax laws.

“(B) SPECIFIED SUBMISSION.—The term ‘specified submission’ means—

“(i) a request for a hearing under—

“(I) section 6320 (relating to notice and opportunity for hearing upon filing of notice of lien), or

“(II) section 6330 (relating to notice and opportunity for hearing before levy), and

“(ii) an application under—

“(I) section 7811 (relating to taxpayer assistance orders),

“(II) section 6159 (relating to agreements for payment of tax liability in installments), or

“(III) section 7122 (relating to compromises).

“(3) OPPORTUNITY TO WITHDRAW SUBMISSION.—If the Secretary provides a person with notice that a submission is a specified frivolous submission and such person withdraws such submission promptly after such notice, the penalty imposed under paragraph (1) shall not apply with respect to such submission.

“(c) LISTING OF FRIVOLOUS POSITIONS.—The Secretary shall prescribe (and periodically revise) a list of positions which the Secretary has identified as being frivolous for purposes of this subsection. The Secretary shall not include in such list any position that the Secretary determines meets the requirement of section 6662(d)(2)(B)(ii)(II).

“(d) REDUCTION OF PENALTY.—The Secretary may reduce the amount of any penalty imposed under this section if the Secretary determines that such reduction would promote compliance with and administration of the Federal tax laws.

“(e) PENALTIES IN ADDITION TO OTHER PENALTIES.—The penalties imposed by this section shall be in addition to any other penalty provided by law.”

(b) TREATMENT OF FRIVOLOUS REQUESTS FOR HEARINGS BEFORE LEVY.—

(1) FRIVOLOUS REQUESTS DISREGARDED.—Section 6330 (relating to notice and opportunity for hearing before levy) is amended by adding at the end the following new subsection:

“(g) FRIVOLOUS REQUESTS FOR HEARING, ETC.—Notwithstanding any other provision of this section, if the Secretary determines that any portion of a request for a hearing under this section or section 6320 meets the requirement of clause (i) or (ii) of section 6702(b)(2)(A), then the Secretary may treat such portion as if it were never submitted and such portion shall not be subject to any further administrative or judicial review.”

(2) PRECLUSION FROM RAISING FRIVOLOUS ISSUES AT HEARING.—Section 6330(c)(4) is amended—

(A) by striking “(A)” and inserting “(A)(i)”;

(B) by striking “(B)” and inserting “(ii)”;

(C) by striking the period at the end of the first sentence and inserting “; or”; and

(D) by inserting after subparagraph (A)(ii) (as so redesignated) the following:

“(B) the issue meets the requirement of clause (i) or (ii) of section 6702(b)(2)(A).”

(3) STATEMENT OF GROUNDS.—Section 6330(b)(1) is amended by striking “under subsection (a)(3)(B)” and inserting “in writing under subsection (a)(3)(B) and states the grounds for the requested hearing”.

(c) TREATMENT OF FRIVOLOUS REQUESTS FOR HEARINGS UPON FILING OF NOTICE OF LIEN.—Section 6320 is amended—

(1) in subsection (b)(1), by striking “under subsection (a)(3)(B)” and inserting “in writing under subsection (a)(3)(B) and states the grounds for the requested hearing”, and

(2) in subsection (c), by striking “and (e)” and inserting “(e), and (g)”.

(d) TREATMENT OF FRIVOLOUS APPLICATIONS FOR OFFERS-IN-COMPROMISE AND INSTALLMENT AGREEMENTS.—Section 7122 is amended by adding at the end the following new subsection:

“(e) FRIVOLOUS SUBMISSIONS, ETC.—Notwithstanding any other provision of this section, if the Secretary determines that any portion of an application for an offer-in-compromise or installment agreement submitted under this section or section 6159 meets the requirement of clause (i) or (ii) of section 6702(b)(2)(A), then the Secretary may treat such portion as if it were never submitted and such portion shall not be subject to any further administrative or judicial review.”

(e) CLERICAL AMENDMENT.—The table of sections for part I of subchapter B of chapter 68 is amended by striking the item relating to section 6702 and inserting the following new item:

“Sec. 6702. Frivolous tax submissions.”

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to submissions made and issues raised after the date on which the Secretary first prescribes a list under section 6702(c) of the Internal Revenue Code of 1986, as amended by subsection (a).

SEC. 218. CLARIFICATION OF APPLICATION OF FEDERAL TAX DEPOSIT PENALTY.

Nothing in section 6656 of the Internal Revenue Code of 1986 shall be construed to permit the percentage specified in subsection (b)(1)(A)(iii) thereof to apply other than in a case where the failure is for more than 15 days.

Subtitle B—Fairness of Collection Procedures

SEC. 221. PARTIAL PAYMENT OF TAX LIABILITY IN INSTALLMENT AGREEMENTS.

(a) IN GENERAL.—

(1) Section 6159(a) (relating to authorization of agreements) is amended—

(A) by striking “satisfy liability for payment of” and inserting “make payment on”, and

(B) by inserting “full or partial” after “facilitate”.

(2) Section 6159(c) (relating to Secretary required to enter into installment agreements in certain cases) is amended in the matter preceding paragraph (1) by inserting “full” before “payment”.

(b) REQUIREMENT TO REVIEW PARTIAL PAYMENT AGREEMENTS EVERY TWO YEARS.—Section 6159 is amended by redesignating subsections (d) and (e) as subsections (e) and (f), respectively, and inserting after subsection (c) the following new subsection:

“(d) SECRETARY REQUIRED TO REVIEW INSTALLMENT AGREEMENTS FOR PARTIAL COLLECTION EVERY TWO YEARS.—In the case of an agreement entered into by the Secretary under subsection (a) for partial collection of a tax liability, the Secretary shall review the agreement at least once every 2 years.”

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to agreements entered into on or after the date of the enactment of this Act.

SEC. 222. EXTENSION OF TIME FOR RETURN OF PROPERTY.

(a) EXTENSION OF TIME FOR RETURN OF PROPERTY SUBJECT TO LEVY.—Subsection (b) of section 6343 (relating to return of property) is amended by striking “9 months” and inserting “2 years”.

(b) PERIOD OF LIMITATION ON SUITS.—Subsection (c) of section 6532 (relating to suits by persons other than taxpayers) is amended—

(1) in paragraph (1) by striking “9 months” and inserting “2 years”, and

(2) in paragraph (2) by striking “9-month” and inserting “2-year”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to—

(1) levies made after the date of the enactment of this Act, and

(2) levies made on or before such date if the 9-month period has not expired under section 6343(b) of the Internal Revenue Code of 1986 (without regard to this section) as of such date.

SEC. 223. INDIVIDUALS HELD HARMLESS ON WRONGFUL LEVY, ETC. ON INDIVIDUAL RETIREMENT PLAN.

(a) IN GENERAL.—Section 6343 (relating to authority to release levy and return property) is amended by adding at the end the following new subsection:

“(f) INDIVIDUALS HELD HARMLESS ON WRONGFUL LEVY, ETC. ON INDIVIDUAL RETIREMENT PLAN.—

“(1) IN GENERAL.—If the Secretary determines that an individual retirement plan has been levied upon in a case to which subsection (b) or (d)(2)(A) applies, an amount equal to the sum of—

“(A) the amount of money returned by the Secretary on account of such levy, and

“(B) interest paid under subsection (c) on such amount of money, may be deposited into an individual retirement plan (other than an endorsement contract) to which a rollover from the plan levied upon is permitted.

“(2) TREATMENT AS ROLLOVER.—The distribution on account of the levy and any deposit under paragraph (1) with respect to such distribution shall be treated for purposes of this title as if such distribution and deposit were part of a rollover described in section 408(d)(3)(A)(i); except that—

“(A) interest paid under subsection (c) shall be treated as part of such distribution and as not includible in gross income,

“(B) the 60-day requirement in such section shall be treated as met if the deposit is made not later than the 60th day after the day on which the individual receives an amount under paragraph (1) from the Secretary, and

“(C) such deposit shall not be taken into account under section 408(d)(3)(B).

“(3) REFUND, ETC., OF INCOME TAX ON LEVY.—If any amount is includible in gross income for a taxable year by reason of a levy referred to in paragraph (1) and any portion of such amount is treated as a rollover under paragraph (2), any tax imposed by chapter 1 on such portion shall not be assessed, and if assessed shall be abated, and if collected shall be credited or refunded as an overpayment made on the due date for filing the return of tax for such taxable year.

“(4) INTEREST.—Notwithstanding subsection (d), interest shall be allowed under subsection (c) in a case in which the Secretary makes a determination described in subsection (d)(2)(A) with respect to a levy upon an individual retirement plan.”

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to amounts paid under subsections (b), (c), and (d)(2)(A) of section 6343 of the Internal Revenue Code of 1986 after December 31, 2002.

SEC. 224. SEVEN-DAY THRESHOLD ON TOLLING OF STATUTE OF LIMITATIONS DURING TAX REVIEW.

(a) IN GENERAL.—Section 7811(d)(1) (relating to suspension of running of period of limitation) is amended by inserting after “application,” the following: “but only if the date of such decision is at least 7 days after the date of the taxpayer’s application”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to applications filed after the date of the enactment of this Act.

SEC. 225. STUDY OF LIENS AND LEVIES.

The Secretary of the Treasury, or the Secretary’s delegate, shall conduct a study of the practices of the Internal Revenue Service concerning liens and levies. The study shall examine—

(1) the declining use of liens and levies by the Internal Revenue Service, and

(2) the practicality of recording liens and levying against property in cases in which the cost of such actions exceeds the amount to be realized from such property.

Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit such study to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate.

Subtitle C—Efficiency of Tax Administration

SEC. 231. REVISIONS RELATING TO TERMINATION OF EMPLOYMENT OF INTERNAL REVENUE SERVICE EMPLOYEES FOR MISCONDUCT.

(a) IN GENERAL.—Subchapter A of chapter 80 (relating to application of internal revenue laws) is amended by inserting after section 7804 the following new section:

“SEC. 7804A. DISCIPLINARY ACTIONS FOR MISCONDUCT.

“(a) DISCIPLINARY ACTIONS.—

“(1) IN GENERAL.—Subject to subsection (c), the Commissioner shall take an action in accordance with the guidelines established under paragraph (2) against any employee of the Internal Revenue Service if there is a final administrative or judicial determination that such employee committed any act or omission described under subsection (b) in the performance of the employee’s official duties or where a nexus to the employee’s position exists.

“(2) GUIDELINES.—The Commissioner shall issue guidelines for determining the appropriate level of discipline, up to and including termination of employment, for committing any act or omission described under subsection (b).

“(b) ACTS OR OMISSIONS.—The acts or omissions described under this subsection are—

“(1) willful failure to obtain the required approval signatures on documents authorizing the seizure of a taxpayer’s home, personal belongings, or business assets;

“(2) willfully providing a false statement under oath with respect to a material matter involving a taxpayer or taxpayer representative;

“(3) with respect to a taxpayer or taxpayer representative, the willful violation of—

“(A) any right under the Constitution of the United States;

“(B) any civil right established under—

“(i) title VI or VII of the Civil Rights Act of 1964;

“(ii) title IX of the Education Amendments of 1972;

“(iii) the Age Discrimination in Employment Act of 1967;

“(iv) the Age Discrimination Act of 1975;

“(v) section 501 or 504 of the Rehabilitation Act of 1973; or

“(vi) title I of the Americans with Disabilities Act of 1990; or

“(C) the Internal Revenue Service policy on unauthorized inspection of returns or return information;

“(4) willfully falsifying or destroying documents to conceal mistakes made by any employee with respect to a matter involving a taxpayer or taxpayer representative;

“(5) assault or battery on a taxpayer or taxpayer representative, but only if there is a criminal conviction, or a final adverse judgment by a court in a civil case, with respect to the assault or battery;

“(6) willful violations of this title, Department of the Treasury regulations, or policies of the Internal Revenue Service (including the Internal Revenue Manual) for the purpose of retaliating against, or harassing, a taxpayer or taxpayer representative;

“(7) willful misuse of the provisions of section 6103 for the purpose of concealing information from a congressional inquiry;

“(8) willful failure to file any return of tax required under this title on or before the date prescribed therefor (including any extensions) when a tax is due and owing, unless such failure is due to reasonable cause and not due to willful neglect;

“(9) willful understatement of Federal tax liability, unless such understatement is due to reasonable cause and not due to willful neglect; and

“(10) threatening to audit a taxpayer, or to take other action under this title, for the purpose of extracting personal gain or benefit.

“(c) DETERMINATIONS OF COMMISSIONER.—

“(1) IN GENERAL.—The Commissioner may take a personnel action other than a disciplinary action provided for in the guidelines under subsection (a)(2) for an act or omission described under subsection (b).

“(2) DISCRETION.—The exercise of authority under paragraph (1) shall be at the sole discretion of the Commissioner and may not be delegated to any other officer. The Commissioner, in his sole discretion, may establish a procedure to determine if an individual should be referred to the Commissioner for a determination by the Commissioner under paragraph (1).

“(3) NO APPEAL.—Notwithstanding any other provision of law, any determination of the Commissioner under this subsection may not be reviewed in any administrative or judicial proceeding. A finding that an act or omission described under subsection (b) occurred may be reviewed.

“(d) DEFINITION.—For the purposes of the provisions described in clauses (i), (ii), and (iv) of subsection (b)(3)(B), references to a program or activity regarding Federal financial assistance or an education program or activity receiving Federal financial assistance shall include any program or activity conducted by the Internal Revenue Service for a taxpayer.

“(e) ANNUAL REPORT.—The Commissioner shall submit to Congress annually a report on disciplinary actions under this section.”.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 80 is amended by inserting after the item relating to section 7804 the following new item:

“Sec. 7804A. Disciplinary actions for misconduct.”.

(c) REPEAL OF SUPERSEDED SECTION.—Section 1203 of the Internal Revenue Service Restructuring and Reform Act of 1998 (Public Law 105-206; 112 Stat. 720) is repealed.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 232. CONFIRMATION OF AUTHORITY OF TAX COURT TO APPLY DOCTRINE OF EQUITABLE RECOURPMENT.

(a) CONFIRMATION OF AUTHORITY OF TAX COURT TO APPLY DOCTRINE OF EQUITABLE

RECOURPMENT.—Subsection (b) of section 6214 (relating to jurisdiction over other years and quarters) is amended by adding at the end the following new sentence: “Notwithstanding the preceding sentence, the Tax Court may apply the doctrine of equitable recoupment to the same extent that it is available in civil tax cases before the district courts of the United States and the United States Court of Federal Claims.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to any action or proceeding in the Tax Court with respect to which a decision has not become final (as determined under section 7481 of the Internal Revenue Code of 1986) as of the date of the enactment of this Act.

SEC. 233. JURISDICTION OF TAX COURT OVER COLLECTION DUE PROCESS CASES.

(a) IN GENERAL.—Section 6330(d)(1) (relating to judicial review of determination) is amended to read as follows:

“(1) JUDICIAL REVIEW OF DETERMINATION.—The person may, within 30 days of a determination under this section, appeal such determination to the Tax Court (and the Tax Court shall have jurisdiction with respect to such matter).”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to judicial appeals filed after the date of the enactment of this Act.

SEC. 234. OFFICE OF CHIEF COUNSEL REVIEW OF OFFERS IN COMPROMISE.

(a) IN GENERAL.—Section 7122(b) (relating to record) is amended by striking “Whenever a compromise” and all that follows through “his delegate” and inserting “If the Secretary determines that an opinion of the General Counsel for the Department of the Treasury, or the Counsel’s delegate, is required with respect to a compromise, there shall be placed on file in the office of the Secretary such opinion”.

(b) CONFORMING AMENDMENTS.—Section 7122(b) is amended by striking the second and third sentences.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to offers-in-compromise submitted or pending on or after the date of the enactment of this Act.

SEC. 235. 15-DAY DELAY IN DUE DATE FOR ELECTRONICALLY FILED INDIVIDUAL INCOME TAX RETURNS.

(a) IN GENERAL.—Section 6072 (relating to time for filing income tax returns) is amended by adding at the end the following new subsection:

“(f) ELECTRONICALLY FILED RETURNS OF INDIVIDUALS.—

“(1) IN GENERAL.—Returns of an individual under section 6012 or 6013 (other than an individual to whom subsection (c) applies) which are filed electronically—

“(A) in the case of returns filed on the basis of a calendar year, shall be filed on or before the 30th day of April following the close of the calendar year, and

“(B) in the case of returns filed on the basis of a fiscal year, shall be filed on or before the last day of the 4th month following the close of the fiscal year.

“(2) ELECTRONIC FILING.—Paragraph (1) shall not apply to any return unless—

“(A) such return is accepted by the Secretary, and

“(B) the balance due (if any) shown on such return is paid electronically in a manner prescribed by the Secretary.

“(3) SPECIAL RULES.—

“(A) ESTIMATED TAX.—If—

“(i) paragraph (1) applies to an individual for any taxable year, and

“(ii) there is an overpayment of tax shown on the return for such year which the individual allows against the individual’s obligation under section 6641,

then, with respect to the amount so allowed, any reference in section 6641 to the April 15 following such taxable year shall be treated as a reference to April 30.

“(B) REFERENCES TO DUE DATE.—Paragraph (1) shall apply solely for purposes of determining the due date for the individual’s obligation to file and pay tax and, except as otherwise provided by the Secretary, shall be treated as an extension of the due date for any other purpose under this title.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2001.

Subtitle D—Confidentiality and Disclosure

SEC. 241. COLLECTION ACTIVITIES WITH RESPECT TO JOINT RETURN DISCLOSABLE TO EITHER SPOUSE BASED ON ORAL REQUEST.

(a) IN GENERAL.—Paragraph (8) of section 6103(e) (relating to disclosure of collection activities with respect to joint return) is amended by striking “in writing” the first place it appears.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to requests made after the date of the enactment of this Act.

SEC. 242. TAXPAYER REPRESENTATIVES NOT SUBJECT TO EXAMINATION ON SOLE BASIS OF REPRESENTATION OF TAXPAYERS.

(a) IN GENERAL.—Subsection (h) of section 6103 (relating to disclosure to certain Federal officers and employees for purposes of tax administration, etc.) is amended by adding at the end the following new paragraph:

“(7) TAXPAYER REPRESENTATIVES.—Notwithstanding paragraph (1), the return of the representative of a taxpayer whose return is being examined by an officer or employee of the Department of the Treasury shall not be open to inspection by such officer or employee on the sole basis of the representative’s relationship to the taxpayer unless a supervisor of such officer or employee has approved the inspection of the return of such representative on a basis other than by reason of such relationship.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act.

SEC. 243. DISCLOSURE IN JUDICIAL OR ADMINISTRATIVE TAX PROCEEDINGS OF RETURN AND RETURN INFORMATION OF PERSONS WHO ARE NOT PARTY TO SUCH PROCEEDINGS.

(a) IN GENERAL.—Paragraph (4) of section 6103(h) (relating to disclosure to certain Federal officers and employees for purposes of tax administration, etc.) is amended by adding at the end the following new subparagraph:

“(B) DISCLOSURE IN JUDICIAL OR ADMINISTRATIVE TAX PROCEEDINGS OF RETURN AND RETURN INFORMATION OF PERSONS NOT PARTY TO SUCH PROCEEDINGS.—

“(i) NOTICE.—Return or return information of any person who is not a party to a judicial or administrative proceeding described in this paragraph shall not be disclosed under clause (ii) or (iii) of subparagraph (A) until after the Secretary makes a reasonable effort to give notice to such person and an opportunity for such person to request the deletion of matter from such return or return information, including any of the items referred to in paragraphs (1) through (7) of section 6110(c). Such notice shall include a statement of the issue or issues the resolution of which is the reason such return or return information is sought. In the case of S corporations, partnerships, estates, and trusts, such notice shall be made at the entity level.

“(ii) DISCLOSURE LIMITED TO PERTINENT PORTION.—The only portion of a return or return information described in clause (i)

which may be disclosed under subparagraph (A) is that portion of such return or return information that directly relates to the resolution of an issue in such proceeding.

“(iii) EXCEPTIONS.—Clause (i) shall not apply—

“(I) to any civil action under section 7407, 7408, or 7409,

“(II) to any ex parte proceeding for obtaining a search warrant, order for entry on premises or safe deposit boxes, or similar ex parte proceeding,

“(III) to disclosure of third party return information by indictment or criminal information, or

“(IV) if the Attorney General or the Attorney General’s delegate determines that the application of such clause would seriously impair a criminal tax investigation or proceeding.”.

(b) CONFORMING AMENDMENTS.—Paragraph (4) of section 6103(h) is amended by—

(1) by striking “PROCEEDINGS.—A return” and inserting “PROCEEDINGS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), a return”;

(2) by redesignating subparagraphs (A), (B), (C), and (D) as clauses (i), (ii), (iii), and (iv), respectively; and

(3) in the matter following clause (iv) (as so redesignated), by striking “subparagraph (A), (B), or (C)” and inserting “clause (i), (ii), or (iii)” and by moving such matter 2 ems to the right.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to proceedings commenced after the date of the enactment of this Act.

SEC. 244. PROHIBITION OF DISCLOSURE OF TAXPAYER IDENTIFICATION INFORMATION WITH RESPECT TO DISCLOSURE OF ACCEPTED OFFERS-IN-COMPROMISE.

(a) IN GENERAL.—Paragraph (1) of section 6103(k) (relating to disclosure of certain returns and return information for tax administrative purposes) is amended by inserting “(other than the taxpayer’s address and TIN)” after “Return information”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to disclosures made after the date of the enactment of this Act.

SEC. 245. COMPLIANCE BY CONTRACTORS WITH CONFIDENTIALITY SAFEGUARDS.

(a) IN GENERAL.—Section 6103(p) (relating to State law requirements) is amended by adding at the end the following new paragraph:

“(9) DISCLOSURE TO CONTRACTORS.—Notwithstanding any other provision of this section, no return or return information shall be disclosed by any officer or employee of any Federal agency or State to any contractor of such agency or State unless such agency or State—

“(A) has requirements in effect which require each contractor of such agency or State which would have access to returns or return information to provide safeguards (within the meaning of paragraph (4)) to protect the confidentiality of such returns or return information,

“(B) agrees to conduct an annual, on-site review (mid-point review in the case of contracts of less than 1 year in duration) of each contractor to determine compliance with such requirements,

“(C) submits the findings of the most recent review conducted under subparagraph (B) to the Secretary as part of the report required by paragraph (4)(E), and

“(D) certifies to the Secretary for the most recent annual period that all contractors are in compliance with all such requirements.

The certification required by subparagraph (D) shall include the name and address of each contractor, a description of the con-

tract of the contractor with the Federal agency or State, and the duration of such contract.”.

(b) CONFORMING AMENDMENT.—Subparagraph (B) of section 6103(p)(8) is amended by inserting “or paragraph (9)” after “subparagraph (A)”.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to disclosures made after December 31, 2002.

(2) CERTIFICATIONS.—The first certification under section 6103(p)(9)(D) of the Internal Revenue Code of 1986, as added by subsection (a), shall be made with respect to calendar year 2003.

SEC. 246. HIGHER STANDARDS FOR REQUESTS FOR AND CONSENTS TO DISCLOSURE.

(a) IN GENERAL.—Subsection (c) of section 6103 (relating to disclosure of returns and return information to designee of taxpayer) is amended by adding at the end the following new paragraphs:

“(2) REQUIREMENTS FOR VALID REQUESTS AND CONSENTS.—A request for or consent to disclosure under paragraph (1) shall only be valid for purposes of this section or sections 7213, 7213A, or 7431 if—

“(A) at the time of execution, such request or consent designates a recipient of such disclosure and is dated, and

“(B) at the time such request or consent is submitted to the Secretary, the submitter of such request or consent certifies, under penalty of perjury, that such request or consent complied with subparagraph (A).

“(3) RESTRICTIONS ON PERSONS OBTAINING INFORMATION.—Any person shall, as a condition for receiving return or return information under paragraph (1)—

“(A) ensure that such return and return information is kept confidential,

“(B) use such return and return information only for the purpose for which it was requested, and

“(C) not disclose such return and return information except to accomplish the purpose for which it was requested, unless a separate consent from the taxpayer is obtained.

“(4) REQUIREMENTS FOR FORM PRESCRIBED BY SECRETARY.—For purposes of this subsection, the Secretary shall prescribe a form for requests and consents which shall—

“(A) contain a warning, prominently displayed, informing the taxpayer that the form should not be signed unless it is completed,

“(B) state that if the taxpayer believes there is an attempt to coerce him to sign an incomplete or blank form, the taxpayer should report the matter to the Treasury Inspector General for Tax Administration, and

“(C) contain the address and telephone number of the Treasury Inspector General for Tax Administration.”.

(b) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Treasury Inspector General for Tax Administration shall submit a report to the Congress on compliance with the designation and certification requirements applicable to requests for or consent to disclosure of returns and return information under section 6103(c) of the Internal Revenue Code of 1986, as amended by subsection (a). Such report shall—

(1) evaluate (on the basis of random sampling) whether—

(A) the amendment made by subsection (a) is achieving the purposes of this section;

(B) requesters and submitters for such disclosure are continuing to evade the purposes of this section and, if so, how; and

(C) the sanctions for violations of such requirements are adequate; and

(2) include such recommendations that the Treasury Inspector General for Tax Administration considers necessary or appropriate to better achieve the purposes of this section.

(c) CONFORMING AMENDMENT.—Section 6103(c) is amended by striking “TAXPAYER.—The Secretary” and inserting “TAXPAYER.—“(1) IN GENERAL.—The Secretary”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to requests and consents made after 3 months after the date of the enactment of this Act.

SEC. 247. NOTICE TO TAXPAYER CONCERNING ADMINISTRATIVE DETERMINATION OF BROWSING; ANNUAL REPORT.

(a) NOTICE TO TAXPAYER.—Subsection (e) of section 7431 (relating to notification of unlawful inspection and disclosure) is amended by adding at the end the following: “The Secretary shall also notify such taxpayer if the Treasury Inspector General for Tax Administration determines that such taxpayer’s return or return information was inspected or disclosed in violation of any of the provisions specified in paragraph (1), (2), or (3).”.

(b) REPORTS.—Subsection (p) of section 6103 (relating to procedure and recordkeeping), as amended by section 245, is further amended by adding at the end the following new paragraph:

“(10) REPORT ON UNAUTHORIZED DISCLOSURE AND INSPECTION.—As part of the report required by paragraph (3)(C) for each calendar year, the Secretary shall furnish information regarding the unauthorized disclosure and inspection of returns and return information, including the number, status, and results of—

- “(A) administrative investigations,
- “(B) civil lawsuits brought under section 7431 (including the amounts for which such lawsuits were settled and the amounts of damages awarded), and
- “(C) criminal prosecutions.”.

(c) EFFECTIVE DATE.—

(1) NOTICE.—The amendment made by subsection (a) shall apply to determinations made after the date of the enactment of this Act.

(2) REPORTS.—The amendment made by subsection (b) shall apply to calendar years ending after the date of the enactment of this Act.

SEC. 248. EXPANDED DISCLOSURE IN EMERGENCY CIRCUMSTANCES.

(a) IN GENERAL.—Section 6103(i)(3)(B) (relating to danger of death or physical injury) is amended by striking “or State” and inserting “, State, or local”.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act.

SEC. 249. DISCLOSURE OF TAXPAYER IDENTITY FOR TAX REFUND PURPOSES.

(a) IN GENERAL.—Paragraph (1) of section 6103(m) (relating to disclosure of taxpayer identity information) is amended by striking “and other media” and by inserting “, other media, and through any other means of mass communication.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

Subtitle E—Miscellaneous

SEC. 251. CLARIFICATION OF DEFINITION OF CHURCH TAX INQUIRY.

Subsection (i) of section 7611 (relating to section not to apply to criminal investigations, etc.) is amended by striking “or” at the end of paragraph (4), by striking the period at the end of paragraph (5) and inserting “, or”, and by inserting after paragraph (5) the following:

“(6) information provided by the Secretary related to the standards for exemption from tax under this title and the requirements under this title relating to unrelated business taxable income.”.

SEC. 252. EXPANSION OF DECLARATORY JUDGMENT REMEDY TO TAX-EXEMPT ORGANIZATIONS.

(a) IN GENERAL.—Paragraph (1) of section 7428(a) (relating to creation of remedy) is amended—

(1) in subparagraph (B) by inserting after “509(a)” the following: “or as a private operating foundation (as defined in section 4942(j)(3))”; and

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

“(C) with respect to the initial qualification or continuing qualification of an organization as an organization described in section 501(c) (other than paragraph (3)) which is exempt from tax under section 501(a), or”.

(b) COURT JURISDICTION.—Subsection (a) of section 7428 is amended in the material following paragraph (2) by striking “United States Tax Court, the United States Claims Court, or the district court of the United States for the District of Columbia” and inserting the following: “United States Tax Court (in the case of any such determination or failure) or the United States Claims Court or the district court of the United States for the District of Columbia (in the case of a determination or failure with respect to an issue referred to in subparagraph (A) or (B) of paragraph (1)).”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to pleadings filed with respect to determinations (or requests for determinations) made after the date of the enactment of this Act.

SEC. 253. EMPLOYEE MISCONDUCT REPORT TO INCLUDE SUMMARY OF COMPLAINTS BY CATEGORY.

(a) IN GENERAL.—Clause (ii) of section 7803(d)(2)(A) is amended by inserting before the semicolon at the end the following: “, including a summary (by category) of the 10 most common complaints made and the number of such common complaints”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to reporting periods ending after the date of the enactment of this Act.

SEC. 254. ANNUAL REPORT ON AWARDS OF COSTS AND CERTAIN FEES IN ADMINISTRATIVE AND COURT PROCEEDINGS.

Not later than 3 months after the close of each Federal fiscal year after fiscal year 2001, the Treasury Inspector General for Tax Administration shall submit a report to Congress which specifies for such year—

- (1) the number of payments made by the United States pursuant to section 7430 of the Internal Revenue Code of 1986 (relating to awarding of costs and certain fees);
- (2) the amount of each such payment;
- (3) an analysis of any administrative issue giving rise to such payments; and
- (4) changes (if any) which will be implemented as a result of such analysis and other changes (if any) recommended by the Treasury Inspector General for Tax Administration as a result of such analysis.

SEC. 255. ANNUAL REPORT ON ABATEMENT OF PENALTIES.

Not later than 6 months after the close of each Federal fiscal year after fiscal year 2001, the Treasury Inspector General for Tax Administration shall submit a report to Congress on abatements of penalties under the Internal Revenue Code of 1986 during such year, including information on the reasons and criteria for such abatements.

SEC. 256. BETTER MEANS OF COMMUNICATING WITH TAXPAYERS.

Not later than 18 months after the date of the enactment of this Act, the Treasury Inspector General for Tax Administration shall submit a report to Congress evaluating whether technological advances, such as e-mail and facsimile transmission, permit the use of alternative means for the Internal

Revenue Service to communicate with taxpayers.

SEC. 257. EXPLANATION OF STATUTE OF LIMITATIONS AND CONSEQUENCES OF FAILURE TO FILE.

The Secretary of the Treasury or the Secretary’s delegate shall, as soon as practicable but not later than 180 days after the date of the enactment of this Act, revise the statement required by section 6227 of the Omnibus Taxpayer Bill of Rights (Internal Revenue Service Publication No. 1), and any instructions booklet accompanying a general income tax return form for taxable years beginning after 2001 (including forms 1040, 1040A, 1040EZ, and any similar or successor forms relating thereto), to provide for an explanation of—

- (1) the limitations imposed by section 6511 of the Internal Revenue Code of 1986 on credits and refunds; and
- (2) the consequences under such section 6511 of the failure to file a return of tax.

SEC. 258. AMENDMENT TO TREASURY AUCTION REFORMS.

(a) IN GENERAL.—Clause (i) of section 202(c)(4)(B) of the Government Securities Act Amendments of 1993 (31 U.S.C. 3121 note) is amended by inserting before the semicolon “(or, if earlier, at the time the Secretary releases the minutes of the meeting in accordance with paragraph (2))”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to meetings held after the date of the enactment of this Act.

SEC. 259. ENROLLED AGENTS.

(a) IN GENERAL.—Chapter 77 (relating to miscellaneous provisions) is amended by adding at the end the following new section:

“SEC. 7527. ENROLLED AGENTS.

“(a) IN GENERAL.—The Secretary may prescribe such regulations as may be necessary to regulate the conduct of enrolled agents in regards to their practice before the Internal Revenue Service.

“(b) USE OF CREDENTIALS.—Any enrolled agents properly licensed to practice as required under rules promulgated under section (a) herein shall be allowed to use the credentials or designation as ‘enrolled agent’, ‘EA’, or ‘E.A.’.”.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 77 is amended by adding at the end the following new item:

“Sec. 7525. Enrolled agents.”.

(c) PRIOR REGULATIONS.—Nothing in the amendments made by this section shall be construed to have any effect on part 10 of title 31, Code of Federal Regulations, or any other Federal rule or regulation issued before the date of the enactment of this Act.

SEC. 260. FINANCIAL MANAGEMENT SERVICE FEES.

Notwithstanding any other provision of law, the Financial Management Service may charge the Internal Revenue Service, and the Internal Revenue Service may pay the Financial Management Service, a fee sufficient to cover the full cost of implementing a continuous levy program under subsection (h) of section 6331 of the Internal Revenue Code of 1986. Any such fee shall be based on actual levies made and shall be collected by the Financial Management Service by the retention of a portion of amounts collected by levy pursuant to that subsection. Amounts received by the Financial Management Service as fees under that subsection shall be deposited into the account of the Department of the Treasury under section 3711(g)(7) of title 31, United States Code, and shall be collected and accounted for in accordance with the provisions of that section. The amount credited against the taxpayer’s liability on account of the continuous levy shall be the

amount levied, without reduction for the amount paid to the Financial Management Service as a fee.

SEC. 261. CAPITAL GAIN TREATMENT UNDER SECTION 631(b) TO APPLY TO OUTRIGHT SALES BY LAND OWNER.

(a) IN GENERAL.—The first sentence of section 631(b) (relating to disposal of timber with a retained economic interest) is amended by striking “retains an economic interest in such timber” and inserting “either retains an economic interest in such timber or makes an outright sale of such timber”.

(b) CONFORMING AMENDMENT.—The third sentence of section 631(b) is amended by striking “The date of disposal” and inserting “In the case of disposal of timber with a retained economic interest, the date of disposal”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to sales after the date of the enactment of this Act.

SEC. 262. ACCELERATION OF EFFECTIVE DATE FOR EXPANSION OF ADOPTION TAX CREDIT AND ADOPTION ASSISTANCE PROGRAMS.

(a) IN GENERAL.—Subsection (g) of section 202 of the Economic Growth and Tax Relief Reconciliation Act of 2001 is amended to read as follows:

“(g) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.”

(b) TECHNICAL CORRECTIONS.—Paragraph (3) of section 411(c) of the Job Creation and Worker Assistance Act of 2002 is amended to read as follows:

“(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to taxable years beginning after December 31, 2001.”

Subtitle F—Low-Income Taxpayer Clinics

SEC. 271. LOW-INCOME TAXPAYER CLINICS.

(a) LIMITATION ON AMOUNT OF GRANTS.—Paragraph (1) of section 7526(c) (relating to special rules and limitations) is amended by striking “\$6,000,000 per year” and inserting “\$9,000,000 for 2002, \$12,000,000 for 2003, and \$15,000,000 for each year thereafter”.

(b) LIMITATION ON USE OF CLINICS FOR TAX RETURN PREPARATION.—Subparagraph (A) of section 7526(b)(1) is amended by adding at the end the following flush language:

“The term does not include a clinic that provides routine tax return preparation. The preceding sentence shall not apply to return preparation in connection with a controversy with the Internal Revenue Service.”

(c) PROMOTION OF CLINICS.—Section 7526(c) is amended by adding at the end the following new paragraph:

“(7) PROMOTION OF CLINICS.—The Secretary is authorized to promote the benefits of and encourage the use of low-income taxpayer clinics through the use of mass communications, referrals, and other means.”

Amend the title so as to read: “A bill to amend the Internal Revenue Code of 1986 to make permanent the tax reductions enacted by the Economic Growth and Tax Relief Reconciliation Act of 2001 and to protect taxpayers and ensure accountability of the Internal Revenue Service.”

The SPEAKER pro tempore. Pursuant to House Resolution 390, the gentleman from California (Mr. THOMAS) and the gentleman from New York (Mr. RANGEL) each will control 30 minutes.

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

□ 1300

Mr. THOMAS. Mr. Speaker, I yield such time as he may consume to the gentleman from Louisiana (Mr. McCRERY).

(Mr. McCRERY asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. McCRERY. Mr. Speaker, I rise in support of the motion and of making permanent the tax cuts enacted last year.

To me, the key consideration is ensuring the level of federal revenue is sufficient to meet the needs of the government without imposing an unsupportable burden on the governed.

Over the last 40 years, federal government revenues have averaged about 18.2 percent of our gross domestic product. Some might argue that this was too low to meet pressing needs. Others believe it is so high as to stifle economic growth. But the fact is that while revenues fluctuated somewhat, they were usually within 1 percent of that 40-year average. That has changed in the last 4 years, as federal revenues as a share of GDP rose to exceed 20 percent.

In January, the Congressional Budget Office confirmed that even with the passage of the 2001 tax cuts, federal revenues will continue to be close to 20 percent of GDP in every year of the 10-year budget window.

That is contrary to claims that the phased-in nature of the tax cut will starve Washington of revenue in the second half of this decade. The truth is that between 2006 and 2011, federal revenues as a share of GDP will actually increase.

In fact, only three times between the end of World War II and 2001, a span of more than five decades, did federal revenues consume a larger share of our national income than they will in 2011. And those years were 1998, 1999, and 2000.

The real question is whether, over the long-term, allowing the tax cuts to sunset will increase federal revenues to an unsupportable level.

A recent analysis by the General Accounting Office found that if the tax cuts are made permanent and discretionary spending grows as fast as the economy, federal revenues as a share of GDP will remain just under 19 percent for the next 50 years, still higher than historical levels. If the sunset is allowed to occur, the GAO concluded revenues will rise to 20.5 percent of national income every year through the end of their 75-year forecast period.

Looking back 70 years—a period which includes the Great Depression, the New Deal, World War II, the Korean War, the Great Society, the Vietnam War, and the oil embargo of the 1970s—federal revenues have never exceeded 20.5 percent of GDP for 2 consecutive years.

Mr. Speaker, I remain concerned about the drag on our economy which results from having taxpayers send almost one in every five dollars of our national income to Washington. We should certainly not allow the 2001 tax cuts to sunset, thereby further driving up the federal government's take from the national income to historically high and potentially unsupportable levels.

Mr. Speaker, I urge passage of this measure.

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

Mr. Speaker, we are going to engage in a debate about whether or not the tax bill that was enacted into law last year does not end 10 years from now,

but, rather, is open-ended. We are going to hear a series of statements which, frankly, will become very baffling to many people in this debate trying to follow what it is that Members of Congress are saying. I will try to provide a firm set of measuring tools as we get into this debate.

Number one, no matter how many times it is going to be said that we are invading, raiding, doing anything with the Social Security trust fund, that statement is not true.

We will hear a number of dollar amounts thrown around. I guess \$700 billion is a lot of money. I cannot comprehend it from a personal revenue point of view. \$1 trillion is a lot of money. The economy is currently producing at about \$10 trillion a year. It is very, very difficult for most people, and I would say, frankly, for this Member and most Members of Congress, to really put those dollar amounts in some kind of context, so let me give you a little bit of a measurement as you listen to this debate and as dollar amounts are thrown around and the dire consequences given of actually letting the American people permanently keep a little bit more of their own money.

If you would take a look at what this economy is going to produce over the next 10 years by the best estimates and call that \$1,000, what we are talking about doing here on a permanent basis is about \$2.30. Or, to put it in a yearly basis, if every year of that 10-year \$1,000 economy is \$100, we are talking about this year's discussion being 23 cents.

Now, you are going to hear that it will reduce the Republic to rubble, deny every senior their Social Security check, deny Medicare, cause diaper rash and every other problem under the sun if, on the economy being \$100, we decide to utilize 23 cents to allow people to make decisions on their own, which, frankly from a philosophical point of view is a good guideline between Democrats and Republicans, because we believe the best guarantee to have a surplus 10 years from now is to give people their own money, to allow them to make decisions, to invest, to grow, to be entrepreneurial, and we will have a bigger pie in which more revenue comes in.

Listen carefully to the Democrat plan. They will say, “We think it is a good idea to have a tax cut if and when we think it is a good idea to have a tax cut.” I think you will find those 10 years will come and go, and their belief is hanging on to it here in Washington guarantees a better economy. In other words, they do not trust you.

We believe you should have more of your own money back. They were willing to do it because they were forced to do it on a temporary basis, and in no way do they want to make it permanent. That is what this debate is all about.

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

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

Mr. Speaker, we have a lot of smart people in this world that cannot even determine what the economy is going to look like next week, so it is really extraordinary that we have someone that can give us a forecast of what it looks like in the next 20 years.

Mr. Speaker, I yield 2½ minutes to the gentleman from California (Mr. MATSUI), an outstanding member of the Committee on Ways and Means.

Mr. MATSUI. Mr. Speaker, I thank the ranking member of the Committee on Ways and Means for yielding me time.

Mr. Speaker, this bill will not give anybody a diaper rash. It has nothing to do with diaper rashes and things of that nature. What we saw was that in January of 2001, we were projecting a \$5.6 trillion surplus. That surplus is almost all gone now because we passed a tax cut of \$1.3 trillion last year, and now we are going to pass a \$4 trillion tax cut over the next 20 years. \$5.5 trillion in tax cuts.

What is interesting about this tax cut, it will not give baby rashes, but those people whose tax returns show an average of \$500,000 a year, let me repeat that, \$500,000 a year, will get 60 percent of that \$5.5 trillion surplus. To put it another way, if your tax return shows over \$1 million a year, you are going to get 40 percent of this \$5.5 trillion tax cut.

This is payroll tax money. The people on the elevators, running the elevators, waitresses in restaurants, this is their money that they think is going into the Social Security trust account, and instead it is going to go to pay for tax cuts for those earning \$1 million a year or \$500,000 a year.

I have to say that in addition to that, this is going to put a massive drain on the Social Security trust fund. It will not give baby rashes, but it is going to do major damage to senior citizens throughout the United States. \$5.5 trillion.

Forty million new Americans are going to go on the Social Security system in the next 20 years while this tax cut is going through, and we are going to see, if this tax cut goes through, \$5.5 trillion, a 30 percent reduction, a 30 percent reduction in the average American Social Security benefits.

That is what this is really all about. It is an issue, frankly, of values, what this country stands for. We want to make sure that we have clean air, we want to make sure we have education for our children, we want to make sure that we give our senior citizens the life they are entitled to in their retirement age.

Mr. RANGEL. Mr. Speaker will the gentleman yield?

Mr. MATSUI. I yield to the gentleman from New York.

Mr. RANGEL. Mr. Speaker, I would like to ask some questions of the gentleman, because he has made some pretty bold statements out here.

Did not the Republican leadership promise that they would not invade the Social Security trust fund? Did they not put this in a lock box? What is the gentleman's response to that?

Mr. MATSUI. Mr. Speaker, reclaiming my time, I would say to the gentleman from New York that over the last 4 years, we had seven votes that the Republican leadership put to the floor of the House saying we were not going to invade the Social Security trust accounts.

Mr. RANGEL. If the gentleman will yield further, what did they do?

Mr. MATSUI. Mr. Speaker, they have raided the Social Security trust account. They are going to take \$5.5 trillion out if this tax cut goes through, and it is going to have a 30 percent reduction in benefits for the average Social Security recipient.

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

Mr. Speaker, I repeat my statement: There will be no trust fund monies spent from Social Security.

To underscore that, it is my pleasure to yield 2 minutes to the gentleman from Florida (Mr. SHAW), the chairman of the Subcommittee on Social Security.

Prior to that, I ask unanimous consent to yield the balance of my time to the gentleman from Missouri (Mr. HULSHOF), and that he be allowed to control said time.

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

There was no objection.

(Mr. SHAW asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. SHAW. Mr. Speaker, I have a prepared statement that I will make part of the RECORD, and therefore I want to direct my statements to really the incredible statement that I just heard on the floor by the ranking member on the Subcommittee on Social Security and the ranking member of the Committee on Ways and Means.

Mr. Speaker, I would say to my friends, no one is raiding the Social Security trust fund. By law you cannot. The only thing in the trust fund is Treasury Bills. Is anybody saying we are taking Treasury Bills out of the Social Security trust fund? Of course not.

Let us get a basic knowledge here of honesty and really look into how this system works. The FICA taxes that are paid, which, incidentally, are not being cut, so I do not know where that argument came from, that came really out of left field, goes into the Social Security trust fund. It goes out by way of payment of benefits. What is not used is a surplus, which then goes into the general fund and is replaced with Treasury Bills inside the trust fund.

Now, how in the world do you raid the Social Security trust fund? By law you cannot. You cannot and never

have. When the Democrats were spending all of the surplus and deficit spending, they did not go into the trust fund, because you cannot. You cannot go into the trust fund.

I also heard the incredible statement made just a few moments ago that this is going to lower benefits by 30 percent. Do you know where that figure comes from? If this Congress does nothing, nothing, to reform the Social Security system in this country by forward funding it. That is what the Democrats are talking about. They are not going to have enough money beginning after somewhere in about 25 or 30 years, and they will be faced with a situation, the country will be faced with a situation, of not being able to maintain the amount of benefits that we have.

My colleagues on the other side of the aisle continue to mislead American workers and seniors. They claim the Social Security trust funds are being raided to pay for needed tax relief—in spite of the facts.

Such myths are intended only to scare seniors, use Social Security as a political jackhammer, and divert attention from the fact that the Democratic leadership has no plan for strengthening Social Security. They are not acting responsibly.

Everybody here knows the Social Security trust funds have no dollars to "raid." Social Security works the way it always has: surplus payroll taxes are credited to the trust funds as interest bearing Treasury bills—that's the law. It is legally impossible to use those Treasury IOUs for anything else other than paying benefits or administering the Social Security program.

In the name of Social Security, Democrats opposed to making the tax cuts permanent are for tax hikes. Yet, saddling hard-working taxpayers with higher taxes does nothing to stop the enormous cash-flow deficits Social Security faces due to the aging of our nation. If nothing is done, Americans will soon face the additional tax burden of supporting Social Security. While doing nothing appears to be the Democrat solution, it certainly isn't ours.

Moreover, the numbers just don't add up. The cost of Social Security's annual cash-flow deficits will continue to grow, well beyond over-inflated cost estimates of extending tax relief.

And everyone knows adding more government IOUs to the trust fund doesn't do a single thing for Social Security. Because at the end of the day, the Treasury still needs to find the cash to pay those debts.

Making the tax cuts permanent will help the economy grow by hundreds of billions of dollars in the near future, making debt reduction easier, sustaining productivity growth and improving our ability to address the needs of the retiring baby-boom. Letting the tax cuts expire, on the other hand, will cause tax hikes on taxpayers, dampen economic growth, and erode retirement security. For example, a 35 year old would set aside over \$160,000 less in their IRA at age 65 if the tax cut is not made permanent.

Rather than talking about how to pass the buck onto future generations, let's have a full and honest debate about how to keep the pledge both Republicans and Democrats made last December. In a vote of 415-5 we pledged to save Social Security without cutting

benefits, without raising taxes, or ignoring the special needs of women and minorities.

This debate should start with the Democrats' offering their plan to save Social Security. Are they for massive, growing, and never-ending general revenue transfers that still leave an unsustainable program? Are they for Uncle Sam sitting in the corporate boardrooms of America by allowing government investing of the trust funds or making millions of workers pay more payroll taxes without giving them credit toward their benefits, as called for by Mr. DEFAZIO—who has my sincere respect for committing his plan to legislation. Where are his Democrat colleagues?

America's seniors, workers, and their families are counting on us to provide leadership to strengthen Social Security. If we neglect this duty, if we play political games using Social Security as a pawn, it is our kids and grandkids that will pay the price of our shortsightedness.

Mr. RANGEL. Mr. Speaker, so our side will be able to respond to that question, I yield 2½ minutes to the gentleman from South Carolina (Mr. SPRATT), the ranking member on the Committee on the Budget, who has provided an outstanding service to the Congress and the country.

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

Mr. SPRATT. Mr. Speaker, the critical vote came first. It was the vote to bypass the budget and do away with the rules that have served us well for the last 10 years. They moved the budget out of deep deficit into big surpluses. Now, with those rules out of the way, this tax bill can work its will, which is just what the gentleman said, it is to raid Social Security.

If you do not believe me, look at the President's own budget. The President's budget calls for \$675 billion in tax cuts on top of the \$1.3 trillion passed last June. Among other things, it calls for this repeal of the sunset provision. As a result, look at the President's own budget. It wipes out what it is left of any surplus, it spends the entire Medicare surplus, consumes it completely, and spends two-thirds of the Social Security surplus, by the President's own accounting.

Last month, when our Republican colleagues in the House brought out their budget resolution, it provided for none of those tax cuts. Not any of them. It did not make any mention of repeal of the so-called sunset in last year's tax bill. Why was that? Because they knew if they factored into their budget these tax cuts, it would drive the bottom line through the floor. It would put the budget in deficit for as far as the eye could see. They would be spending virtually all of Social Security, the Social Security surplus, and all of the Medicare surplus.

Now, one month later, they bring up a tax cut that they could not accommodate in their budget resolution, did not want to put in the context of a budget resolution, because that would have shown what it did to Social Security, what it did to Medicare. They

bring it up ad hoc, all by itself, a blatant violation of the budget process rules.

Consider this: Last year, the Secretary of the Treasury told us that we would not need to raise the ceiling on the amount of national debt we can incur for at least 8 years. That was his testimony. Yesterday the Secretary of the Treasury sent us his third letter saying that the ceiling on the national debt needs to be raised, and raised now, by \$750 billion. Why is that? Because we are spending the Social Security trust account, we are spending the Medicare trust account, and not using them to pay down the debt of the United States.

So what is the response of our Republican leaders in the House? It is not to raise the debt ceiling. Their response is to reduce taxes by another \$500 billion between now and 2012, \$4 trillion between 2012 and 2022. This will wipe out what is left of Social Security and all of the surplus that builds up between now and 2012.

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

Mr. Speaker, I would just say in response to the gentleman that the only budget this House has considered this year does, in fact, include room to make these tax cuts permanent. In fact, the most recent numbers from our official scorekeepers, the Congressional Budget Office, as well as the Joint Tax Committee, tell us this extension would take from the Treasury \$374 billion over 10 years. At the same time, we would accumulate surpluses of \$2.3 trillion.

Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. HOUGHTON), a member of the Committee on Ways and Means.

Mr. HOUGHTON. Mr. Speaker, this is a bill that never should have happened. If it had not been for quirks in the Senate language, this all would have been put to bed when we settled the tax reduction issue last year.

Now, look, this bill is not perfect. I have questions about the amount of money, I have questions about the timing, I have questions about the estate tax. But basically it is moving us in the right direction.

I ask the question, what is wrong with reducing taxes? When I was in business, many times we made money, and sometimes we did not make money. But every so often you would say to your employees, gentlemen, ladies, you have hung with us a long time. We have not given you an increase. Many times we have had to have layoffs.

□ 1315

But we are going to give you back some of that money which now we are generating. I think that is a good idea, and that is what this thing is all about.

I strongly support this bill.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. LEWIS), my distinguished friend and member of the committee.

Mr. LEWIS of Georgia. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. SPRATT. Mr. Speaker, will the gentleman yield?

Mr. LEWIS of Georgia. I yield to the gentleman from South Carolina.

Mr. SPRATT. Mr. Speaker, I simply want to point out that the budget resolution brought to the floor by the House Republicans last month provided only \$77 billion in tax cuts over the next 5 years. The President is calling for \$675 billion in tax cuts over the next 10 years, and the repeal of this repealer will take at least \$400 to \$500 billion. Their budget resolution did not provide for this tax cut.

Mr. LEWIS of Georgia. Mr. Speaker, I rise in strong opposition to H.R. 586. This tax cut bill is not the way to go. It does not provide real relief for all Americans. It is just plain, downright irresponsible.

I ask my Republican colleagues to reconsider their priorities.

Mr. Speaker, if we make the Republican tax cut permanent, we risk stealing, taking, really raiding the Social Security trust fund by more than \$4 trillion. We risk gambling the future of the Medicare trust fund. We jeopardize funding for education and a prescription drug benefit for our seniors.

This tax cut bill breaks the promise that we made to the American people to use their tax dollars wisely. A huge windfall for the wealthy, pocket change for working Americans. We should be taking care of the basic needs of all of our people, not rushing to pass a tax cut bill that puts us deeper and deeper in debt.

Today we have a choice, a choice between a permanent tax cut bill that benefits a few, or Social Security and Medicare security that benefit all Americans. I urge my colleagues to make the right choice, the moral choice, the good choice. Vote against this bill.

Mr. HULSHOF. Mr. Speaker, what is irresponsible is forcing upon the American families and American businesses a tax increase if Congress does nothing.

Mr. Speaker, I am happy to yield 2 minutes to the gentleman from Texas (Mr. SAM JOHNSON).

(Mr. SAM JOHNSON of Texas asked and was given permission to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, it is morally irresponsible not to pass this. Mr. Speaker, I want to thank the gentleman from California (Mr. THOMAS), the chairman of the Committee on Ways and Means, for bringing this bill to the floor. We have to make the tax cuts we enacted last year permanent. Hard-working Americans and the Texans who live in my congressional district were downright angry when they heard that their taxes would increase in 10 years. They think we have lost our minds in Washington. Mr. Speaker, I think they are right.

Just think about it for a moment. We decided to repeal the worst parts of the

marriage penalty. We all hope and expect marriages to last. Why would anyone object to the marriage penalty relief becoming permanent? If they do, they must be in a fight with their spouse.

Why would anyone object to \$1,000 child tax credit being permanent? How can somebody be against giving parents the extra money they need to raise their children? If my colleagues are against it, I guess they just do not like children.

On another issue, this Congress took important steps to help Americans save for their own retirement by increasing the amount people can contribute to an IRA to \$5,000. How can anyone argue against this? If my colleagues do, it means my colleagues are addicted to government spending and against personal savings. The only reason for arguing against these important changes is if my colleagues love big government and do not like people making their own choices and keeping their own money.

Mr. Speaker, we need to pass this for the good of America.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. HOYER), a leader in this Congress.

Mr. HOYER. Mr. Speaker, the gentleman from Texas said they must have been out of their minds. Of course it was his side of the aisle that included this provision. Remember that, I say to the gentleman, and tell them that.

Mr. Speaker, we are here today for one reason and one reason only: to indulge the GOP in its pavlovian policy prescription for every occasion: tax cuts. The GOP sold its tax cuts last year by telling the American people they were overcharged. Democrats fought for and are still for affordable tax relief. But we knew the projected surplus might never materialize, and we were right.

Mr. Speaker, \$5.6 trillion the President said we had; he came down to us now and says we have \$6 trillion. The President's own budget says the tax cut was the single biggest factor in erasing our surplus. So is the GOP here to say they made a mistake, to say, let us stop the raid on Social Security and Medicare? Of course not.

With deficits projected every year for the next 10 years and an unchecked raid on Social Security and Medicare, the GOP proposes a bill that would deplete an estimated \$7 trillion from the Social Security and Medicare trust funds.

I asked Secretary O'Neill that yesterday, whether \$4 trillion to \$7 trillion was the accurate figure, and he said he thought it probably was. Just as the baby boomers become of age, to take Social Security, we are doing this to them.

Mr. Speaker, I urge my colleagues to reject this demagogic, reckless, irresponsible piece of legislation.

Mr. HULSHOF. Mr. Speaker, it is my privilege to yield 2 minutes to the gen-

tlewoman from Washington (Ms. DUNN), a Member who has, more than any other Member, fought to eliminate the Federal death tax.

Ms. DUNN. Mr. Speaker, I stand in strong support of the Tax Relief Guarantee Act, and I do so on behalf of families and small businesses all over this great country of ours.

Last year we passed a landmark tax relief bill that reduced income taxes for all Americans, the first across-the-board rate cut since the second world war. Now it is time to finish the job.

We have to strip away the sunset provision or else taxpayers will face a decade of uncertainty. Many economists, including Federal Reserve Chairman Alan Greenspan, have declared that it is very important for Congress to act clearly and unequivocally in this area, because taxpayers need certainty.

Consider the perverse case of the death tax. As the law now stands, the death tax will be repealed on December 31, 2009; and it will return on January 1, 2011, at pre-2001 rates, 55 percent, on estates over \$675,000. We are in essence telling people that they have one calendar year to die, or else their heirs will pay that punishing 55 percent tax rate. Without permanence, no small business owner or family farmer can assume the death tax is gone forever. They have to continue to spend money on expensive life insurance policies and costly estate plans.

A study of women-owned businesses recently found that small businesswomen spend, on average, \$1,000 a month paying to provide for the death tax. This is money that they could use to hire workers or to buy new equipment or to provide health care for their employees. It is important, Mr. Speaker, to understand that the lack of permanence has real consequences. It is also important to acknowledge that if we do not support permanence, then we are implicitly supporting a tax increase on January 1, 2011.

We have an opportunity to correct a mistake, a legacy of the other body. I think, Mr. Speaker, we ought to seize this moment, fulfill the promise we made, and the President made, to Americans last spring. Let us make these tax cuts permanent.

Mr. RANGEL. Mr. Speaker, I yield 2½ minutes to the gentleman from Wisconsin (Mr. KLECZKA), a member of the Committee on Ways and Means.

REQUEST FOR MOTION TO ADJOURN

Mr. KLECZKA. Mr. Speaker, I move that the House, upon conclusion of today's business, adjourn until noon, January 1, 2011.

The SPEAKER pro tempore (Mr. SIMPSON). That motion is not in order at this time.

Mr. KLECZKA. Well, Mr. Speaker, if it was in order, it would give some rationale to the bill before the House.

The tax bill, as passed by my colleagues to my left, provided for the sunset. And the gentlewoman from Washington State just stood up and said, my friends, here is what happens.

If you die in 2011, you are going to pay an inheritance tax. And if you die in 2009, you will not. Well, whoever drafted such a nutty bill?

It was they who did so, and it was they who passed it. And it was signed by the President in June of last year. So now a few months later to come back and say, my God, the sky is falling, we are hearing from people who know they are going to die in 2011, and they want it changed now. And I have not heard from any constituent who knows they are going to die in 2011.

But I say to my colleagues that we have some other things to talk about before we restore the permanency to this tax cut. Why are we doing it? I think I know why.

In November there is going to be a congressional election, and right now, the poll numbers are showing them guys think they are in trouble. And if, in fact, the Democrats take back the House, which I think we will, that bill might not come up. And the new chairman of the committee, the gentleman from New York (Mr. RANGEL), might see to it that it does not come up right away, because he and I and many other Democrats are concerned about providing for a drug benefit for the Medicare program. That is going to cost some money. We are told by the Secretary of the Treasury that by June of this year, we have to increase the national debt for all Americans to \$6.5 trillion. How can we do that if we make permanent a tax cut which is questionable to begin with?

But remember the debate last year. We were awash in a surplus. We were just swimming in greenbacks here in Congress, so they had a tax bill that gave the bulk of it back; and this year's budget is back in a deficit. Let us take care of the needs of the people; let us get out of deficit before we do something foolhardy, and if I get that call from a constituent who is going to die in 2011, I want to know how he or she knows that.

Mr. HULSHOF. Mr. Speaker, I yield 3 seconds to the gentleman from California (Mr. THOMAS), the chairman of the Committee on Ways and Means.

Mr. THOMAS. Mr. Speaker, just so we stay on this planet in terms of our rhetoric, six times between March and May, this House passed tax reduction bills. Every one of them was permanent, including on April 4, H.R. 8, which repealed the death or estate tax. That was permanent. It was the United States Senate, and please stop me when I have violated any rule in talking about the other body, that produced this document which was the only time the House voted not to make the tax cuts permanent, and that was a bill generated through a conference. This House voted to make it permanent, and we are trying to do it again.

Mr. KLECZKA. Mr. Speaker, will the gentleman yield? The fact is he voted for the conference committee report.

Mr. HULSHOF. Regular order, Mr. Speaker.

Would the Chair be kind enough to advise each side as to how much time remains.

The SPEAKER pro tempore. The gentleman from Missouri (Mr. HULSHOF) has 18 minutes remaining; the gentleman from New York (Mr. RANGEL) has 18¼ minutes remaining.

Mr. RANGEL. Mr. Speaker, I yield myself such time as I may consume just to respond to my distinguished chairman, since it appears as though the dog has eaten his homework.

This bill was signed into law by a Republican President after passing a Republican House of Representatives and passing a Republican Senate that had had a compromise that excluded all Democrats.

□ 1330

Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from Florida (Mrs. THURMAN), an outstanding Member of Congress and of the committee.

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

Mr. Speaker, I just think this is the wrong bill at the wrong time for hard-working taxpayers who work hard to make ends meet today and retire comfortably tomorrow.

Working Americans get little from this bill. They already have received 70 percent of the tax cut that Congress passed last year: the 10 percent rate, increased child care credit, education incentives, and higher pension contribution limits.

So what does this bill do for middle America? First, it will bring even more working Americans under the alternative minimum tax. By 2012, 39 million taxpayers, about one in three, will face AMT liability. This bill gives a promise with one hand and takes away the promised tax cut with the other.

This bill increases the deficit by \$374 billion over the next 10 years. Every dollar of that added deficit comes from the Social Security trust funds. That is \$374 billion that cannot be used to reduce the national debt and interest on that debt.

If interest payments were not so large, we would have a chance to deal with our other priorities: Social Security, a Medicare prescription drug program, education, or our veterans' programs.

Speaking of veterans, the cost of this bill will be more than three times as large as the VA budget. Think about it: Every Member has heard from local veterans who know, as we all know, that the VA budget needs to be increased, especially for health care. We all have heard of veterans who cannot get appointments because VA hospitals and clinics do not have the resources.

Most of us have supported an increase in the VA budget in recent years. Yet, today we debate giving away future VA increases, and then some.

In addition, this bill will reduce revenue by \$4 trillion in the period after

2012. People born in 1946 will be 66 years old that year, retired and using Medicare. Will Medicare be there for them? It may not if we continue to provide unnecessary tax cuts and eat up the trust funds.

Mr. Speaker, this is the wrong bill at the wrong time, and it is wrong for us to leave this increased debt for our children and grandchildren.

Mr. HULSHOF. Mr. Speaker, it is my honor to yield 2 minutes to the gentleman from Illinois (Mr. WELLER), a valued member of the Committee on Ways and Means who has fought to eliminate the marriage penalty.

Mr. WELLER. Mr. Speaker, I thank the gentleman from Missouri for his leadership, and he and the gentleman from Wisconsin (Mr. RYAN) for their leadership on this permanency legislation, and my chairman for making this a priority, as well.

Often a question in debate on this floor is who is helped and who is hurt by the legislation that is on the floor. If Members vote no on making the Bush tax cut permanent, we will label it the Bush tax cut, 100 million Americans benefit from the Bush tax cut. So if Members vote no, they are voting to raise taxes on 100 million Americans.

I would note that there are 3.9 million Americans who do not pay taxes because of the Bush tax cut, 3 million Americans with children do not pay taxes because of the Bush tax cut. If Members vote no and the Bush tax cut expires, those 3.9 million low-income taxpayers will once again have to pay taxes. They are the ones who are hurt.

Let us take a moment to talk about the marriage tax penalty. Under the Bush tax cut, we eliminated the marriage tax penalty. There are 43 million Americans who paid on average about \$1,700 more prior to the Bush tax cut just because they were married. They combined their incomes, filed jointly, and they were pushed into a higher tax bracket; 43 million couples, \$1,700. We eliminated that with the Bush tax cut.

It is always important, I think, to put a human face on who also benefits when we eliminate the marriage tax penalty. Let me introduce a family from Joliet, Illinois, Jose and Magdalene Castillo, their son Eduardo, and their daughter, Carolina. They suffered the marriage tax penalty prior to the Bush tax cut, but because of the commitment of the Republican majority in the House, we eliminated the marriage tax penalty for two hard-working laborers from Joliet, Illinois, who paid on average about \$1,125 more because of the marriage tax penalty. The Bush tax cut eliminated the marriage tax penalty.

So the question is, today, are we going to vote to reimpose the marriage tax penalty on Jose and Magdalene Castillo, or are we going to protect them? That is what is always interesting.

My Democratic friends will argue passionately for permanent spending increases, they will argue passionately

for permanent tax increases, but they always oppose making a tax cut permanent.

Let us vote yes. Let us do the right thing. Let us help people like Jose and Magdalene Castillo of Joliet, Illinois.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentleman from North Dakota (Mr. POMEROY), a member of the Committee on Ways and Means.

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

We look back to that brief period of time when Republicans and Democrats alike came to this floor to pledge that they would protect Social Security revenues and pledge to protect that lockbox, and actually compete with one another in terms of who could best protect those Social Security dollars.

How differently things are right now. The majority never came to this floor and said, all bets are off. We are going to grab the Social Security cash to fund the government because we are going to cut the rest of the revenues of this country, but that is exactly what is at stake. They are shortchanging the Social Security revenues that we will need to fund the Social Security program by passing this measure. In doing that, they are leaving a much bigger burden for our children.

None of the families I represent are preparing for their retirement costs by just doing no planning at all, spending freely, and relying entirely on the children, their children, to carry the day. Why should we then, as a country, steer our national budget in a way that blows the revenues now and relies upon our children to make up the difference?

There will never be a retirement switch demographically quite like the baby-boomers moving into retirement. The first will turn 65 in the year 2011. What in the world can we be thinking about to propose devastating the Federal budget at the very time the boomers are fully drawing Social Security, fully drawing Medicare?

The only thing that can explain this is this is the baby-boomers' last great self-indulgent act: Blow the revenue now, leave the kids to pick up the slack. That is not how our families function and that is not, as a nation, how we should function.

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

Mr. Speaker, I would say to the gentleman that I am confident that there are family farmers and small businesses in North Dakota that are trying to plan to pass those businesses on to their next generation, and yet cannot because of the sunset, which we are trying to repeal.

Mr. Speaker, especially on the pension issue, no one has been a better champion on our side of the aisle than the gentleman from Ohio.

Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Ohio (Mr. PORTMAN).

Mr. PORTMAN. Mr. Speaker, I thank my colleague for yielding time to me, and I want to congratulate the gentleman from Wisconsin (Mr. RYAN) and

the gentleman from Missouri (Mr. HULSHOF) for bringing this bill to the floor. All we are doing is reaffirming what this House did last spring.

I suppose it is going to be tough for some of my colleagues on the other side of the aisle who did not join some of their colleagues, because it was a bipartisan vote last spring, to change their vote and now support tax relief. But they ought to think about it, for a couple of reasons.

First, what do we know since last spring? We know these tax cuts were extremely important in keeping us out of a deep recession, and now helping this economy to grow. Economists right, left, and center, including the chairman of the Federal Reserve, have said that: low inflation, low interest rates, lower taxes.

So if they are interested in getting us back into a surplus position so we can take care of the needs of our seniors through Social Security and Medicare, I would think they would want to think again about maybe supporting this tax relief.

Second, even though we have passed a good bill out of the House, the Senate put this 10-year limit on it. That does not make any sense. Why would we want to have tax relief only last for 10 years? We cannot plan. The whole idea with taxes is to be able to plan. Otherwise, we have a huge cost to the economy, to people, to businesses. Not being able to plan means incredibly increased costs and incredible new complexity.

Think about it. If somebody is trying to plan what they are going to do, their accountants and planners are going to say, well, in the ninth year this thing ends and in the tenth year it starts up again, so we really cannot give you any advice about planning, so you have to plan for both. That is a terrible inefficiency in the economy.

I would hope my colleagues would think about that. I will just give one example.

The gentleman from Missouri (Mr. HULSHOF) mentioned the retirement security provisions. They were very popular on a bipartisan basis because they make a lot of sense. They simplify the plans so the small businesses can get into them. They let people take the plan from job to job. They let people save more for their retirement. This year, people can save 50 percent more for their IRA, in their 401(k). If you are over 50, you can save even more.

This is great stuff. Do we want this to expire in 9 years? This does not make any sense. Let us not pull out the rug from the American people. Let us support this permanence.

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

Sir, this stupid 10-year limitation was passed by the Republican Senate, came back here, and was passed by the House, the Republicans, and went to our President and he signed it. So I would tell the gentleman to be careful what he calls stupid when he voted for it.

Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT), a distinguished member of the Committee on Ways and Means.

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

Mr. Speaker, Many people have said that 9/11 changed everything for this country. It certainly did for President Bush and his budget. He is now urging this Congress to increase the size of Federal spending by 22 percent for this coming year, over what it was in 1999.

This is the largest increase in Federal spending over that period of time than any comparable time since another Texan named Lyndon Johnson was President. Somehow 9/11 has changed nothing in what is always the predominant theme of the House Republican leadership and their agenda: convincing voters that they can have something for nothing. They are out to convince folks that every year they can pay less and less. Even if we have new, essential security requirements and other government needs, they will just continue to "borrow and spend"—their traditional policy.

The Republicans that were once known as the "party of fiscal responsibility" are now known as the "party of shifting responsibility", letting tomorrow's children pay for today's needs.

It was not long ago that the Republicans were bringing the debt clock out here to the House floor to show us the impact of the national debt. It kept going up. It reminded me of that old ad about a watch: "It takes a licking and it keeps on ticking." Well, it is ticking now as a result of the licking that it is taking with this economy and with the increased spending being proposed.

If there was a problem with the "guns-and-butter" budget of the sixties, imagine the extent of the problem we are going to have with what is essentially a "guns-and-caviar" approach: unlimited defense spending and tax cuts for the caviar set. At the very time this takes effect, many Americans who are baby boomers are going to be retiring. They will need their Social Security. They will need their Medicare. They will have other needs of an aging population even as we have fewer workers to finance those needs. Yet, they propose more debt instead of more responsibility.

Reject the fiscal folly: reject this "gimmick for the gullible."

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

I would remind the gentleman from Texas, Mr. Speaker, that Social Security and Medicare are funded with payroll taxes, not income taxes.

Mr. Speaker, it is my privilege to yield 2 minutes to the gentleman from Arizona (Mr. HAYWORTH), another valued member of the Committee on Ways and Means.

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

Mr. HAYWORTH. Mr. Speaker, I thank my colleague from Missouri for yielding time to me.

I listened with great interest to my friend, the gentleman from Texas (Mr. DOGGETT). Mr. Speaker, it is something to see a change in political parties. It is something when we stop and realize that the standardbearer of the once proud Democratic Party said the only thing we have to fear is fear itself, and now, sadly, from the modern Democratic Party, the only thing they have to offer is fear itself.

Courage and commitment should be bipartisan, or really should be non-partisan. Indeed, if we take a look at history over the last 40 years, it was first a Democratic President, John F. Kennedy, who said we should reduce marginal tax rates because a rising tide lifts all the boats. Ronald Reagan followed with a similar philosophy in 1980, as did George W. Bush last year.

And guess what? Revenues to the government long-term actually increased because people have more of their money to save, spend, and invest.

My friends on the left have been here really captive to a debate of process. What we should talk about, Mr. Speaker, is a debate based on principles and priorities involving real people.

This is the real consequence if Members vote no today on permanency for tax cuts: A single mother, hear me, not the caviar crew, not the Cadillac set, a single mother will end up paying an additional \$963 of her hard-earned money in higher taxes if they say no to making the tax cut permanent.

Now, I know we have been talking about millions and trillions and billions, but a thousand dollars is important in the family budget. Do Members really, Mr. Speaker, want to see taxes raised on working Americans? And yet, that is the net effect if Members do not join with us in a bipartisan, nay, in a nonpartisan fashion, and vote to enact permanent tax cuts. Vote yes.

□ 1345

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. NEAL), a member of the Committee on Ways and Means.

Mr. NEAL of Massachusetts. Mr. Speaker, I thank the gentleman from New York (Mr. RANGEL) very much for yielding me the time.

The previous speaker from Ohio said we are asked to reconfirm what we had done last spring. That is astounding in light of the fact that we are also asked since 9-11 to spend \$4 billion more on defense, \$38 billion more on homeland security, and protect tax cuts. For him to say that we are only doing what we did last spring, as though nothing happened on 9-11, just do what we did last spring, is astounding.

Here we are on the heels of the annual tax filing season to once again to say to the American people we appreciate your contributions for military defense, for homeland security, for health care for elderly and the poor and our veterans, and to also argue on behalf of fiscal discipline. Last year, Congress learned quickly these cuts in

tax would lead to big deficits. Trillions of dollars in surplus overnight vanished, and the American taxpayer wondered what happened to that money.

The Republican amendment today is fraudulent and everybody knows it. They are playing a game of three card monty. When they are in charge, they will always draw the tax cut card, but when the average middle-income taxpayer is involved, they will find simply they are going to pay the bill. No matter how many times they play, middle-income taxpayers will get stuck with alternative minimum tax, and this bill does nothing about it.

The Bush administration indicated that because of the alternative minimum tax we will see a massive increase in the number of affected families reaching 39 million by 2012, a full one-third of taxpayers with a liability. At the beginning of this week, Mr. Speaker, Republican leaders and the Treasury Department held press conferences to talk about how badly the current Tax Code needs to be simplified; and by the end of this week, we are voting to eliminate any possibility of getting it done, and we are being pushed into further debt.

We heard speeches years ago against fiscal discipline. One leader in the Republican Party said we are having a fiscal Armageddon. Another one said what a disaster. We had 8 years of unparalleled economic prosperity before this Administration. Vote against this fraudulent measure and for fiscal integrity.

Mr. HULSHOF. Mr. Speaker, may I inquire as to the time remaining on each side.

The SPEAKER pro tempore (Mr. SIMPSON). The gentleman from Missouri (Mr. HULSHOF) has 11¾ minutes remaining, and the gentleman from New York (Mr. RANGEL) has 9¼ minutes remaining.

Mr. HULSHOF. Mr. Speaker, it is my honor to yield 2 minutes to the gentleman from Texas (Mr. DELAY), the majority whip.

Mr. DELAY. Mr. Speaker, I thank the gentleman from Missouri for yielding me the time.

Mr. Speaker, I think it says it all when the gentleman from Texas previous to me said that tax cuts are a spending program. Only Democrats would think that tax cuts, leaving money in people's pocket, is a spending program.

Well, Mr. Speaker, a vote against this bill is a decision to bury the middle class beneath a wave of new taxes at the end of the decade; and if the Democrats vote no today, they are inflicting a rash of higher taxes on the American family.

They will slice the child care tax credit in half. It falls from \$1,000 down to \$500 without permanent tax relief.

They will revive the discriminatory marriage penalty that punishes families with a greater burden.

They will resuscitate the hated death tax that has been stalking American

farmers and small businesswomen all these years.

They will weaken the retirement security of millions of Americans by slashing the level of contributions to 401(k) plans by more than a third, and they are dropping IRA contributions from \$5,000 down to a paltry \$2,000.

Democrats who vote "no" are really saying yes to the largest single-day tax increase in American history. That is the wrong message for American families. It heaps uncertainty on farmers and small businesses, and it sows doubt and uncertainty about our commitment to fiscal discipline and the prospects for limited government. That is the wrong path.

We need to reject this tax hike by making the President's tax cuts permanent; and if we do, average Americans will reap a number of powerful economic benefits. Married couples will send \$1,700 less to the IRS. Families with kids will pay \$1,500 less in taxes. Single moms will keep more than \$700, and our senior citizens will see almost \$1,000 in additional savings in their tax.

All of these steps are positive in their own right; but taken altogether, they will send a powerful economic signal that will encourage growth and job creation and, yes, provide more revenues to the government. So in this way, we will prove to the American people that we believe they should keep more of the hard-earned money that they earned.

That is the right message for America. It is what the President wants and I ask our Members to vote "yes."

Mr. RANGEL. Mr. Speaker, I yield myself 1½ minutes to then yield to the gentleman from Texas (Mr. DELAY), the majority leader, to ask a couple of questions here since he was in charge of this bill and did not make it permanent before. I would like to yield time to him. No one else is responding. I would like to yield 30 seconds to him.

Mr. DELAY. Mr. Speaker, will the gentleman yield?

Mr. RANGEL. I yield to the gentleman from Texas.

Mr. DELAY. Mr. Speaker, I will take the 30 seconds, and I appreciate the 30 seconds; but I am not the leader. I am the whip.

Mr. RANGEL. Mr. Speaker, the gentleman is the leader. He is the leader.

Now, did not the Republican-controlled other body put in this 10-year limitation?

Mr. DELAY. Mr. Speaker, only in response to the Byrd rule. That is the rule. If the gentleman is going to yield, let me answer the question.

Mr. RANGEL. The answer is yes.

Mr. DELAY. Mr. Speaker, no. Would the gentleman yield so I can answer?

Mr. RANGEL. Then the answer is no. Is it yes or no, did they do it?

The SPEAKER pro tempore. The gentleman from New York controls time.

Mr. DELAY. Mr. Speaker, will the gentleman yield?

Mr. RANGEL. I yield to the gentleman from Texas.

Mr. DELAY. Mr. Speaker, we opposed that because it was a response to a silly rule over in the Senate called the Byrd rule that does not allow us to make taxes permanent, yes.

Mr. RANGEL. Mr. Speaker, now did not this silly rule that the silly Republicans have on the other side—

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The gentleman will suspend momentarily. Members are reminded not to characterize members of the Senate or Senate rules.

Mr. RANGEL. Mr. Speaker, would the gentleman withdraw calling the Republicans silly on the other side of the aisle because it is against the House rules?

Having said that, whatever it was that came over, did not the Republicans have a conference that excluded Democrats where you accepted it?

Mr. DELAY. Mr. Speaker, will the gentleman yield?

Mr. RANGEL. I yield to the gentleman from Texas.

Mr. DELAY. Mr. Speaker, absolutely not. We did not exclude anybody from any of the process; and the gentleman may characterize it as that, but we passed a good tax cut for the American people the best way we could with the Democrat opposition that we faced.

Mr. RANGEL. The answers are terrific. Did you not vote for a bill that included this silly amendment?

Mr. DELAY. Mr. Speaker, will the gentleman yield?

Mr. RANGEL. I yield to the gentleman from Texas.

Mr. DELAY. Mr. Speaker, I voted for the bill because it was the only way we could get tax cuts for American families with the Democrat opposition that we faced.

Mr. RANGEL. Mr. Speaker, did not the President of the United States sign the bill with this silly amendment that came from the Republican-controlled Senate?

Mr. DELAY. Mr. Speaker, will the gentleman yield?

Mr. RANGEL. I yield to the gentleman from Texas.

Mr. DELAY. Mr. Speaker, certainly the President signed the only tax cut we could get for the American family in the face of the Democrat opposition that we faced.

Mr. RANGEL. Mr. Speaker, so I would just like to know where all this silliness came from and where it emanated and where it finally concluded. I thank the gentleman for his responses.

Mr. Speaker, I yield ½ minute to the gentleman from California (Mr. BECERRA), a member of the committee.

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

Let me make sure we have this straight. The bill that we have before us is to correct something that our friends on the Republican side did a year ago when we passed the tax bill that cost about \$1.3 trillion, but when we cost it out a lot more than that because they did not want to show the

American people how much it really would cost. Now we are seeing.

In the decade from 2012 forward for those 10 years, it is about another \$4 trillion. What does that translate to, because \$4 trillion is something none of us will ever see. Come 2010, my colleagues can expect that the top 1 percent of Americans, the richest Americans, will get about an average of \$53,000 in a tax cut; and 60 percent of Americans will average about \$347 in 2010 from that tax cut.

What does that mean? Well, somehow we have to pay for it. How do we pay for it? We take every single cent out of the Medicare trust fund. We take every single cent out of the Social Security trust fund, and all that surplus money, and we spend it to pay for this tax cut.

How do we do that? We did it back in the 80s. We did it with this. It made very good use of this card. It was one of those we cannot pay now, but we will pay later. And who pays? I have got three daughters. They will be paying this credit card. Who else pays? If someone has some kids, that is who will be paying.

Why are we doing this? We should be the stewards of the people's money. We are in the people's House, and it is our responsibility to be responsible stewards of the people's money which they put into Social Security, which they put into Medicare. And what are we doing? At a time when we know we are already in deficit, we are going to go further into it.

This is not the thing to do. Do what any American house would do, and that is, be responsible with their money, plan for the future for their kids and retirement. Let us not pass this bill.

Mr. HULSHOF. Mr. Speaker, it is my privilege to yield 2 minutes to the gentleman from Texas (Mr. ARMEY), the majority leader of the House.

Mr. ARMEY. Mr. Speaker, I thank the gentleman from Missouri for yielding me the time.

Mr. Speaker, it is such a privilege and such a pleasure to be here today. The President of the United States is George W. Bush, achieved his reduction in taxes for the American working man and woman earlier in his Presidency than any President that I can ever remember. It was a good thing what we were able to accomplish with the President, and to do it so early was particularly rewarding.

There was a hitch in the process when we tried to bring that bill through because of an arcane rule of the Senate, the other body, requiring a vote of 60 Senators for permanent tax reduction; and because we could not acquire 60 votes for permanent tax reduction, we were forced to accept a 10-year sunset on the Tax Code.

Today, we are here to address that and to renew our commitment to the American people. So for those young couples that got married and are enjoying the fact that they are not receiving today prejudice in the Tax Code for their act of marriage, we are here to

say you do not want to have to sunset your marriage or suffer perverse tax penalties in 10 years. We want to make it permanent in your life, till death do you part. Permanent surcease from prejudice in the Tax Code.

For those people that worked hard all their life and said I want to struggle and build and create something and when my days on this Earth are over leave it to my children that I love so much, we want to say for the rest of your life, not just for the next 10 years. You do not have to time your death in accordance with the rules of the other body, and so on down the line.

So we are asking all our colleagues, do the same rational thing. Vote for permanent tax relief, a Tax Code that prevails on the American people today that it be permanent.

In addition to that, we are doing a good thing for those families that reach out and adopt children. We are giving them a special consideration in the Tax Code and a special dispensation, some relief from the burden of taxation as they bring those precious babies into their homes and make a home for them. A good thing to do.

Finally Mr. Speaker, pursuant to a study that I asked for from GAO just the last week revealed 2 million American taxpayers, half of whom had the benefit of professional tax preparation, and were still so intimidated by the rules of the Tax Code and the enforcement procedures of the IRS that they did not take fully all of their tax deductions, to the tune of \$1 million in tax overpayment. We are in this bill again addressing the question of our rights to due process, fair decent treatment under the Tax Code.

Three good things we do with this bill. I thank the committee. It is not often that we can come to the floor of the House and with one vote do three good things for the American people. I hope all my colleagues, especially those on the other side of the aisle who so often miss these opportunities, will today avail themselves of the opportunity, do the right thing, three good things for one vote.

You will never get a bargain like that often in our life. Take the opportunity today. You will feel better for it.

Mr. RANGEL. Mr. Speaker, I yield such time as he may consume to the gentleman from Mississippi (Mr. TAYLOR).

(Mr. TAYLOR of Mississippi asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. TAYLOR of Mississippi. Mr. Speaker, I include for the RECORD this statement of the public debt that shows that our Nation's debt has increased by \$232,291,656,313.85 since the passage of this measure 12 months ago. Our Nation now has a record \$6 trillion debt for which we squander \$1 billion a day on interest.

SIMPLE TRUTHS ABOUT THE BUDGET AND THE DEBT

UPDATED THROUGH MARCH, 2002 MONTHLY STATEMENT OF THE PUBLIC DEBT AND FEBRUARY, 2002 MONTHLY TREASURY STATEMENT

The Federal debt is still growing. At the close of business on March 31, 2002, the total public debt was \$6,006,031,606,265.38, or \$6.006 trillion. The public debt increased by \$232 billion in the twelve months since March 31, 2002.

Of the \$6 trillion debt, \$2.55 trillion is owed to various federal trust funds. These funds were collected and earmarked for specific purposes, but all their surpluses have been borrowed and spent in exchange for government securities.

There is no surplus except in trust funds. Through five months of Fiscal Year 2002, federal trust funds accumulated a total of \$82.2 billion in surpluses, while non-trust fund accounts ran a deficit of \$156.6 billion. For Fiscal Year 2001, which ended in September, trust funds had \$224 billion in surpluses. Outside the trust funds, the federal government ran a deficit of \$97 billion.

The trust fund surpluses are obligated for future benefits. Most of the surplus funds are collected for Social Security, Medicare, military retirement, federal employee retirement, and unemployment benefits to save and invest to pay future obligations.

We spend a billion dollars per day on interest. In the first five months of Fiscal Year 2002, the Treasury spent \$150.4 billion on interests in 151 days. Over the same period, military spending totaled \$129.9 billion, \$20.5 billion less than interest costs. Medicare spending totaled \$101.4 billion, \$49 billion less than interest costs.

In Fiscal Year 2001, the Treasury spent \$359.5 billion on interest on the debt, an average of almost one billion dollars per day. In the same twelve months, military spending totaled \$291 billion, \$68.5 billion less than gross interest. Medicare spending totaled \$241.4 billion, \$118 billion less than gross interest.

DEBT INCREASE IN PAST 12 MONTHS

Total Public Debt Outstanding March 31, 2002; \$6,006,031,606,265.38. Total Public Debt Outstanding March 31, 2001: \$5,773,739,949,951.53. Increase in Public Debt Outstanding in 12 months: \$232,291,656,313.85.

DEBT OWED TO TRUST FUNDS

Total Owed to All Government Accounts	\$2.546 trillion
Total Owed to Social Security Trust Funds	\$1.24 trillion
Old-Age and Survivors Insurance	\$1.097 trillion
Disability Insurance	\$144.7 billion
Total Owed to Medicare Trust Funds	\$257.0 billion
Hospital Insurance (Part A)	\$214.2 billion
Supplementary Medical Insurance (Part B)	\$42.8 billion
Military Retirement	\$156.0 billion
Civil Service Retirement and Disability	\$529.8 billion
Unemployment Trust Fund	\$75.9 billion

Source: Monthly Statement of the Public Debt, March 2002.

Mr. RANGEL. Mr. Speaker, I yield 30 seconds to the gentleman from Washington (Mr. INSLEE).

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

□ 1400

Mr. INSLEE. Mr. Speaker, the Arthur Andersen accountants are really confused today. For the last several weeks, they have been listening to the Republican Party trooping in front of the television cameras and calling them irresponsible, reckless and fiscally negligent. The Republican leadership then comes to the floor today and

proposes a bill that will blow a trillion dollar hole in Social Security below the water line, ensure deficits for decades; and they call the Arthur Andersen accountants irresponsible?

Mr. Speaker, the Republican leadership is on a course to do to Social Security and Medicare and fiscal responsibility what Ken Lay and Arthur Andersen did with Enron. We ought to reject it.

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

Mr. Speaker, in brief response, I would remind the gentleman, as I know the gentleman was not here during part of the debate, that the 10-year cost for the tax cut that is being considered is \$374 billion, and the most recent Congressional Budget Office numbers project a \$2.3 trillion surplus over that period of time.

Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. FOLEY).

Mr. FOLEY. Mr. Speaker, I am humored somewhat by the debate today. There seems to be a lot of hand wringing and shock and outrage over the deficit. It reminds me of a cross between the pit bull and a collie: It rips a person's arm off, and then it runs for help.

What we have heard from the other side, 40 years of managing this process, of running up untold debt, placing it on the back of taxpayers, watching Social Security become insolvent, and all of a sudden we hear all of this outrage. When we have debates on appropriations, I do not hear the same kind of a conservative approach from the other side of the aisle in holding down spending.

April 15 just passed. I am hopeful that everybody on both sides of the aisle concluded their tax return. If Members are so outraged with the tax cut, they could have easily used the old numbers from the old charts. When we handed out the \$500 or \$600 checks to individuals, \$300 checks, I did not see this rush of Members from the other side of the aisle coming to hand their checks back to the Treasury.

The American hard-working taxpayers, police officers, teachers, nurses, doctors, lawyers, janitors, have benefited from this tax policy that we have initiated. Americans are getting to spend more money on their kids. People are talking about buying a new washer-dryer, or get to go on vacation. The appetite for spending in this process is unbelievable. If they hold up numbers of debt, let us talk about how it originated. Let us talk about the spending. Let us bring that into the debate. We cannot talk about doing it as the American family would do, because if we used that analogy, the neighbors would be being robbed by us because we would have encouraged them to take something that is not theirs, use it for someone else, and call it fairness.

This bill on the floor today gives every American a chance to project over their time how they will deal with their finances. It is certain, it is important, and it is fair.

Mr. RANGEL. Mr. Speaker, I yield such time as he may consume to the gentleman from Vermont (Mr. SANDERS).

Mr. SANDERS. Mr. Speaker, I rise in opposition to this bill. We should not be borrowing trillions from Social Security to give huge tax breaks to the wealthiest 1 percent, and then have inadequate funding for education, prescription drugs, and veterans' needs.

Mr. Speaker, it may make sense to some people to borrow trillions of dollars from Social Security in order to give tax breaks to millionaires. It may make sense to some to raise the \$6 trillion dollar National debt for our kids and grand kids, and increase the deficit—and then have inadequate funding for education, veterans' needs, prescription drugs, environmental protection, and other important social needs.

It does not make sense to me and poll after poll shows that it does not make sense to the American people.

Let's be honest. This bill has nothing to do with good social policy. It has everything to do with rewarding the rich folks who have contributed hundreds of millions to the Republican Party. Thirty eight percent of the benefits in this proposal would go to the richest one percent—people who have a minimum income of \$375,000 a year.

Tax breaks for millionaires, inadequate funding for veterans, the elderly, the kids. That's what this bill is about. It is an outrage. Let's vote "no."

Mr. RANGEL. Mr. Speaker, I yield 1 minute to the gentleman from Louisiana (Mr. JEFFERSON).

Mr. JEFFERSON. Mr. Speaker, making this \$1.35 trillion tax cut permanent is bad policy, bad for the economy, bad for the American people, and it is bad timing. This bill is not about tax cuts, it is priorities. Not Democratic or Republican priorities, but the priorities of the American people. Members favor tax cuts. The American taxpayers favor tax cuts, but our job in Congress is to enact sensible and affordable tax cuts. We should repeal the AMT because it is a stealth tax increase on millions of unsuspecting Americans. Many of us believe we should enact business tax cuts like depreciation reform to stimulate the economy.

Mr. Speaker, in good conscience, how can we support legislation that robs Congress of the resources today that we all know are needed to keep our promises to the American people.

Just last year, a \$5 trillion surplus made everything seem possible. But even with then, with that rosy scenario, Congress knew it could not see clear to afford permanent tax cuts. That is why it sunset them in the first place. What has changed in a year? Everything, and none of it argues for making tax cuts permanent.

Mr. Speaker, if we pass these tax cuts, we are making a big mistake. It is plain wrong for our economy and for the American people. It is terrible timing. Oppose this legislation.

Mr. HULSHOF. Mr. Speaker, I yield 2½ minutes to the gentleman from Wis-

consin (Mr. RYAN), and I am reminded that in America, pessimists are seldom prophets, and the gentleman is an optimist, and a cosponsor of this bill.

Mr. RYAN of Wisconsin. Mr. Speaker, I would like to thank the gentleman for his leadership on this issue. The reason we introduced this bill, to reverse this arcane Senate rule that caused this problem, was to give the American taxpayer certainty so they know how to plan for the future, and to strike a blow for fairness and justice.

This issue, contrary to what we are hearing from the Democrats, is not an attempt to get another tax cut. We are not raising taxes, we are not cutting taxes, we are trying to keep taxes steady. If we do not pass this repeal of the sunset, we are raising taxes. Specifically, a family of 4 earning \$36,268 will have their taxes raised in 2011 by \$2,035; a family of 4 earning \$46,756 will have their taxes go up in 1 year by \$3,856; a family of 4 earning almost \$85,000 will see a tax bill on January 1, 2011, of \$8,000.

Mr. Speaker, I do not think Members realize the magnitude of the moment that is coming if we do not repeal this sunset. What will happen from New Year's Eve to New Year's Day, December 31, 2010, to January 1, 2011, will be this: The IRA contribution limit from New Year's Eve to New Year's Day will go from \$5,000 down to \$2,000; on New Year's Eve to New Year's Day that year, the education IRA will go from \$2,000 down to \$500; on New Year's Eve to New Year's Day in that year, the 401(k) limit plans will be cut from a \$15,000 cap to \$10,500. Every 401(k) plan in America will have to be cut by a third on that day in 2011.

Mr. Speaker, the death tax on December 31, 2010, will be zero percent; the next day it will be 55 percent beginning on estates over \$675,000.

Income taxes: Small businesses right now pay a higher income tax rate than the largest corporations of America. Their taxes will be 35 percent on New Year's Eve; the next day, 39.6 percent, larger than the taxes paid by IBM or Chrysler or any large operation.

The child tax credit will go from \$1,000 down to \$500, and the marriage tax penalty will come back to haunt us. That is what awaits us on New Year's Day, January 1, 2011, if we do not repeal this arcane Senate rule sunset. This is a major tax increase if we do not act today.

Mr. RANGEL. Mr. Speaker, I yield 30 seconds to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Speaker, it was nonsense last June when President Bush and the Republicans argued that we could have a \$1.5 trillion tax cuts and not raid Social Security and Medicare and Medicaid. It is nonsense on stilts after September 11, after the deficits, after all that has happened, that they now want to permanently extend those tax breaks for the wealthiest 2 percent because they are now going to

permanently raid Medicare, permanently raid Social Security, permanently raid Medicaid, which provides nursing home care for every person in America with Alzheimer's. This is a shameful day in the history of this country when such a vote can be taken.

Mr. HULSHOF. Mr. Speaker, I yield 2 minutes to the gentleman from Oklahoma (Mr. WATTS).

Mr. WATTS of Oklahoma. Mr. Speaker, I think we have to understand when proceeding in this debate, there is a difference in philosophies that is driving this debate. One, the Democrats believe in creating more taxes; Republicans believe in creating more taxpayers.

When we give Americans more money to spend, to put food on the table, to help pay the car insurance, that is good for jobs. It is good for the economy, and it is good for creating more taxpayers. Let us look at the bottom line and forget all of the goop that we have heard over the last 2 hours.

The bottom line is that the Democrat leaders' plan for married couples is to raise taxes by reinstating the marriage tax penalty in 2001. The President's bipartisan plan that got 28 Democratic votes in the House will give couples \$1,700 more per year to spend on themselves and their kids. The bottom line for families with kids, raise taxes by the Democrats, repealing the President's child tax credit in 2011. The bipartisan plan that the President proposed that we passed, cuts taxes by \$1,500 for families every year.

The Democrats' plan for singles, the leadership's plan says in 1993 they raised taxes on Social Security. The President's bipartisan plan, we give seniors \$920 more to spend for themselves.

The bottom line on education IRA, Democrat leaders' plan, raise taxes by reinstating tax on contributions to education IRA over \$500. The President's bipartisan plan, that got 28 votes of Democrats in the House, it eliminates taxes on contributions up to \$2,000. That is a good thing for people saving for their children's education.

The bottom line on child care, the Democrat leaders' plan raises taxes by \$770 for single moms in 2011. The President's plan, the bipartisan plan that got 28 Democrat votes, cuts taxes by \$770 for single moms.

The bottom line for low income families, the Democrat leaders' plan raises taxes for 3.9 million low-income families. The President's bipartisan plan eliminates 3.9 million people. Give Americans a fiscal break. Vote for the President's plan to eliminate higher taxes on the American people.

Mr. RANGEL. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the minority whip.

Ms. PELOSI. Mr. Speaker, I rise in opposition to the Republican raid on Social Security that is being made on the floor of the House today. If we support Social Security as we know it today, which are benefits for America's

retiring citizens, Members must vote no on this plan to make these tax breaks permanent.

Earlier today our body had the opportunity to vote for a resolution put forth by the gentleman from Illinois (Mr. PHELPS). It said that these tax cuts could go forward and be made permanent if the Congressional Budget Office certified that no Social Security funds will be used to cover them. Every Republican voted against that. Every Democrat voted for it. One has to wonder where all of the Republican deficit hawks have gone. It seems that they have become an endangered species.

I think it is very, very important to note that the only way to reconcile what the Republicans are doing is that they want the surplus to be reduced, and they want to change Social Security. They want to exact the huge cuts in benefits that President Bush's commission calls for that. That is the only way it would add up. I urge my colleagues to vote no.

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Mr. RANGEL. Mr. Speaker, I yield 30 seconds to the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. Mr. Speaker, bananaramma, Rubik's Cube, leg warmers, "Miami Vice," and a tax cut for the rich.

The Republican Party wants to go back to the future to 1981 and President Reagan's voodoo economics. And who is directing this remake? The House Republicans and this administration.

In just 1 year, this tax cut we have seen has virtually raided all of the Social Security and Medicare trust funds to provide for huge tax cuts to wealthy oilmen and other millionaires throughout this country. At the same time we have seen that Congress can no longer protect Social Security and the Medicare trust funds from bankruptcy because we need to pay for this Republican tax scheme somehow.

I ask the American people to stay home and not buy a ticket to this show. It is a flop and it is a sham.

Mr. RANGEL. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. MENENDEZ), an outstanding leader of our party.

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

The Bush tax cut is really a tax increase on seniors and on lower- and middle-income Americans because, for the wealthiest 1 percent to get a huge tax cut today, working Americans and retirees are going to end up paying back the debt tomorrow. It is like the Republicans giving a huge credit line increase to the wealthiest 1 percent who then rack up astronomical credit card bills, with working families and cash-strapped retirees being stuck paying the tab at a later date. That is not smart. That is not fair. That is not fiscally responsible.

We Democrats want a tax cut, but we want a tax cut that benefits working

families and that does not bust the budget or raid Social Security to pay for it. The fact is after 8 years of fiscal responsibility and economic growth under a Democratic administration, it took Republicans less than 1 year to bring us back into long-term deficit spending. Making that reality permanent is not a good idea.

Let us defeat this tax on retirees and working families and defeat this unwise raid of Social Security.

Mr. RANGEL. Mr. Speaker, I yield the balance of my time to close this argument on behalf of the minority and the American people to the gentleman from Missouri (Mr. GEPHARDT), our minority leader.

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

Mr. GEPHARDT. Mr. Speaker, I urge Members to vote for the motion to recommit and, if that fails, against this legislation.

Last year, the Republicans passed their economic plan. Due to their plan, we lost \$4 trillion in surplus in about 15 months. We lost the opportunity for long-term economic growth. We lost the chance to promote opportunity in people's lives. And, most importantly, we lost the chance to pay down the debt and be ready to stabilize and take care of Social Security for the baby boomers.

But, worst of all, the plan was dishonest. When you presented the plan, you could have gone ahead and not had a sunset in the plan and made the tax cut go out into the future, which is what you are trying to do today. I believe you did that because you wanted to mislead the American people and the Congress on what was actually happening.

You had another chance when you presented your budget a few weeks ago to say that the tax cut should not have a sunset, that it should go out into the future. Once again, you did not do it. You did not do it because we are already back into the Social Security trust funds spending those dollars for current revenue needs. We are already back into the Social Security trust fund spending those dollars for current needs.

We passed in this House five times a lockbox that said we would never spend the Social Security funds. Majority Whip DELAY vowed the people's hard-earned money would be saved so they can enjoy their well-deserved retirement. Majority Leader ARMEY vowed that the House is not going to go back to raiding Social Security and Medicare. In 2001, Chairman NUSSLE vowed that this Congress will protect 100 percent of the trust funds. Period. No speculation. No supposition. No projections.

I think that everybody here probably voted at least once for the lockbox. Well, if you vote for this bill today, you are throwing the lockbox on the ground, breaking it open and taking all the money out of it finally.

This is the definitive vote in this Congress on whether you want the economic plan to be permanent or whether you want to save Social Security, stabilize Social Security and ensure that it will always be there for every citizen.

In truth, the bill that we ought to have in front of us today is not this bill. The bill we ought to have in front of us is how to make certain that Social Security will not be privatized, that it will not be raided, that it will always be there for everybody in the future. The Republicans have a plan of privatization. We think it leads to cuts in benefits and raising the retirement age. You do not want to bring it up this year because you do not want it to be an issue in the election. But mark my words, it is going to be an issue in the election, and the issue is, who is for Social Security and who is against it? Who is for saving Social Security and who is for reducing it? Who is for making it stable and who is for tearing it apart? The lockbox is broken open. This is the definitive vote of this Congress, not on taxes. That has been decided. The issue is, what is going to happen to Social Security?

I urge Members to vote "no" against this bill. Vote for the motion to recommit. Save Social Security and Medicare.

PARLIAMENTARY INQUIRIES

Mr. THOMAS. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore (Mr. SIMPSON). The gentleman will state it.

Mr. THOMAS. Was the minority leader's statement accurate? Is there a vote on the motion to recommit?

The SPEAKER pro tempore. A motion to recommit is not in order.

Mr. THOMAS. There will be no motion to recommit. The minority leader's statement was inaccurate.

Mr. RANGEL. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. RANGEL. Is it true that the Republicans crafted a rule that denied us the motion to recommit?

The SPEAKER pro tempore. Pursuant to the rule, the previous question is ordered to final adoption of the motion without intervening motion. There is no opportunity under the rule for a member to offer a motion to recommit.

Mr. RANGEL. I thank the Chair.

Mr. HULSHOF. Mr. Speaker, to conclude the debate on our side, it is my honor and privilege to yield the balance of my time to the gentleman from Illinois (Mr. HASTERT), the Speaker of the House.

Mr. HASTERT. Mr. Speaker, we hear a lot of rhetoric at times like this when we talk about taxes, when we talk about Social Security, when we talk about our future. But we need to also talk about promises and commitments that we make to people. The fact is, every dollar in a trust fund of Social Security is tied in that trust

fund. And every promise we make not to cut benefits and not to raise taxes on Social Security is a commitment that we have made. It is there. It is there for a long time.

The real issue that we are talking about today is a commitment that this House made to cut taxes of American working people and to keep a strong economy and trying to make commitments so this economy will work.

I have heard a lot of rhetoric. Some try to bring class warfare into this whole issue. That is not the right thing to do, in my opinion. But let us set the record straight. On September 30 of this year, less than 6 months ago, we paid down \$450 billion in public debt. This Congress said, "We are going to do it." This Congress did exactly that.

We also said that we think American working people ought to have a fair tax break. We said that if you are a married couple, it is not common sense, it is not fair to be taxed \$1,400 more if you are married than if you are single. Are we going to say, we are going to do that now, now you see it, now you don't? Nine years from now that is going to disappear and you are going to be taxed more just because you are married rather than being single?

We also made a commitment that if you are raising a family, if you have four children, you are going to get a \$1,000 tax credit instead of a \$500 tax credit. That is important. You are buying shoes and paying tuition, putting gas in the car to get kids back and forth to school and to practice and those types of things. That is important to an American family, an American family that punches a clock every day, an American family that brings a paycheck home every other week. Are we going to say that 9 years from now we are going to raid, we are going to do away with, we are going to take that \$4,000 deduction, that tax credit that that family gets? Is that fair? Does that make common sense? No.

We know that we have this limit because we have to deal with the other body. It is their rules, and they did not have 60 votes to change it. So we live with that. But we do not have to live with it forever. We do not have to tie the American people down to a now-you-see-it-and-now-you-don't promise.

What about the family that spent their whole life building a small business, not taking vacations so that you put a little extra money and capital into that business so you can build it up, and you want to pass it on to your kids and your grandkids? If you do it and that thing slides down, if you do it 9 years from now, you can pass that on to the next generation; but if it is 10 years from now, you will not be able to do it. The Federal Government will come in and confiscate 52 percent of that business.

Mr. Speaker, we are talking about common sense. If this tax break that we passed is good for the American people, it is good for families, it is good for small business, it is good for Amer-

ican farmers. If it is good today and good tomorrow and next year, it ought to be good 10 years from now. It is a promise. It is a commitment we made to the American people. We need to live up to that commitment. We will do that. Pass this legislation this afternoon.

Mr. KIND. Mr. Speaker, last year we passed a budget that boasted a ten-year unified surplus totaling \$5.6 trillion. The leadership claimed that an expensive tax cut plan and other costly initiatives were eminently affordable and would leave enough of the budget surplus to eliminate most or all of the national debt. Thus Congress passed a tax cut costing \$1.3 trillion. Unfortunately, since then, most of that surplus has disappeared, due to the war on terrorism, homeland security, the economic downturn in the economy, and most significantly, the large tax cut. The Congressional Budget Office (CBO) recently projected that the budget surplus decreased this year by \$4 trillion.

Now, the leadership wants to make the \$1.3 trillion tax cut, due to expire in 2010, permanent. This extension will cost over \$4 trillion and will severely undermine the Social Security and Medicare trust funds just as 77 million baby boomers begin to retire. In fact, it will spend the entire Medicare surplus and 93 percent of the Social Security surplus in the next five years. Given the current forecasts, it appears that permanent tax cuts mean permanent deficits.

Furthermore, the House passed legislation five times vowing that every single dollar of the Social Security and Medicare trust fund would be saved. And be put into a "lockbox". Now they are going back on their word, and spending the very money that people who are working now are counting on for their retirement security. Rather than shoring up Social Security and Medicare, the leadership intends to pay for this tax cut extension with the payroll taxes, which will raise interest rates and return us to deficit spending for the next ten years.

After decades of deficit spending, it is our responsibility to reduce the debt future generations will inherit. We must give them the capability and flexibility to meet whatever problems or needs they face. I cannot, in good faith, support legislation that will put our country further into deficit spending, with a tax cut that will benefit only the wealthiest one percent of taxpayers.

Tax relief, however, is a bipartisan issue. My colleagues on both sides of the aisle recognize the need for tax relief, but making the \$1.3 trillion tax cut permanent is not the result of bipartisanship. The tax cut passed last year has already derailed the opportunity we had to reduce our large national debt and prepare for our future obligations to our aging population and children's futures. Making the tax cut permanent will only further exasperate our nation's poor fiscal health.

Mr. Speaker, now is not the time for the House Leadership to pursue its own individual agenda to score political points in an election year. This is purely a symbolic vote timed as millions of Americans filed their income tax returns.

Mr. Speaker, I urge my colleagues to oppose this fiscally irresponsible tax cut. We must shore up Social Security and Medicare and reduce the national debt before passing

such an expensive tax cut that we cannot afford. I did not come to Congress to saddles my two boys with a debt burden they did not create.

Mr. ETHERIDGE. Mr. Speaker, I rise in strong opposition to H.R. 586, the so-called Tax Relief Guarantee Act.

Mr. Speaker, I have supported responsible, common sense tax relief for hardworking Americans in the past, and I will continue to do so. Unfortunately, this irresponsible legislation mortgages the fiscal future of America.

The House Republican Leadership is proposing to make permanent the parts of the 2001 tax cuts that most benefit the wealthiest Americans while leaving behind millions of middle-income families and putting the future of Social Security in jeopardy. The cost of the first two years of this legislation is nearly \$400 billion and the cost in the second ten years—when the baby boomers will be retiring and relying on their Social Security benefits—will exceed \$4 trillion. If the tax cut is made permanent, every single penny of the cost over the coming decade will come out of the Social Security and Medicare trust funds.

Mr. Speaker, the unfortunate reality of our situation is that we have witnessed—in just one year—the most dramatic fiscal reversal in the history of our nation. The projected surpluses are gone. Following eight straight years of fiscal responsibility, the Republican Leadership has decided to throw fiscal discipline out the window. Making the tax permanent will take our nation further down the road of fiscal denial.

Mr. Speaker, making the tax cut permanent will hurt my home state of North Carolina. In North Carolina, we are already facing a \$1 billion budget shortfall this year. If North Carolina adopts changes to make its tax law consistent with changes made by the Bush tax cut, it would cost the state \$258 million next year. That money will have to be replaced by higher taxes or reduced services. Mr. Speaker, states all across the nation are facing the same budget crunch. It is clear that we can ill-afford to make the tax cut permanent when all of our home states are hurting so badly.

Mr. Speaker, today's debate reminds me of a statement by my friend Gene Sperling, the former economic advisor to the President. Mr. Sperling said that the American Government these days reminds him of a family with 14-year old triplets who are all heading to Ivy League schools. The family will be fine for five or six years, but maybe in trouble down the road. But instead of saving their money for the future and paying down their debt, this family decides to buy a yacht and take a trip around the world. Making this tax cut permanent does the exact same thing with our nation's fiscal future. Mr. Speaker, let's not be the family that buys the yacht. Let's be the family that saves wisely to ensure our continued fiscal health. I urge my colleagues to join me in opposing H.R. 586.

Mr. BEREUTER. Mr. Speaker, as stated on the record many times, this Member continues his strong opposition to the total elimination of the estate tax on the super-rich. The reasons for this opposition to this terrible idea have been publicly explained on numerous occasions, including statements in the CONGRESSIONAL RECORD.

This Member has every expectation that this legislation in total is going nowhere in the other body. Furthermore, this Member has

every reasonable assurance, in this unpredictable place, that there will be a straight up-and-down vote specifically on the elimination of the inheritance tax. At that time, this Member will most assuredly vote "no" and do everything in his power to defeat the total repeal of the inheritance tax for the wealthiest Americans.

However, this Member is strongly in favor of substantially raising the estate tax exemption level and reducing the rate of taxation on all levels of taxable estates and introduced legislation, H.R. 42, to this effect. This Member believes that the only way to ensure that his Nebraska and all American small business, farm and ranch families benefit from estate tax reform is to dramatically and immediately increase the Federal inheritance tax exemption level, such as provided in H.R. 42.

This Member's bill (H.R. 42) would provide immediate, essential Federal estate tax relief by immediately increasing the Federal estate tax exclusion to \$10 million effective upon enactment. (With some estate planning, a married couple could double the value of this exclusion to \$20 million. As a comparison, under the current law for year 2001, the estate tax exclusion is only \$675,000.) In addition, H.R. 42 would adjust this \$10 million exclusion for inflation thereafter. The legislation would decrease the highest Federal estate tax rate from 55% to 39.6% effective upon enactment, as 39.6% is currently the highest Federal income tax rate. Under the bill, the value of an estate over \$10 million would be taxed at the 39.6% rate. Under current law, the 55% estate tax bracket begins for estates over \$3 million. Finally, H.R. 42 would continue to apply the stepped-up capital gains basis to the estate, which is provided in current law. In fact, this Member would be willing to raise the estate tax exclusion level to \$15 million.

Since this Member believes that H.R. 42 or similar legislation is the only way to provide true estate tax reduction for our nation's small business, farm and ranch families, this Member must use this opportunity to reiterate the following reasons for his opposition to the total elimination of the Federal estate tax. First, to totally eliminate the estate tax on billionaires and mega-millionaires would be very much contrary to the national interest. Second, the elimination of the estate tax also would have a very negative impact upon the continuance of very large charitable contributions for colleges and universities and other worthy institutions in our country. Finally, and fortunately, this Member believes it will never be eliminated in the year 2010.

At this point it should be noted that under the previously enacted estate tax legislation (e.g., the Economic Growth and Tax Relief Reconciliation Act), beginning in 2011, the "stepped-up basis" is eliminated (with two exceptions) such that the value of inherited assets would be "carried-over" from the deceased. Therefore, the Economic Growth and Tax Relief Reconciliation Act could result in unfortunate tax consequences for some heirs as the heirs would have to pay capital gains taxes on any increase in the value of the property from the time the asset was acquired by the deceased until it was sold by the heirs—resulting in a higher capital gain and larger tax liability for the heirs than under the current "stepped-up" basis law. Unfortunately, the bill before us today (H.R. 586) apparently would also make the stepped-up basis elimination permanent resulting in a continuation of the

problems just noted by this Member—higher capital gains and larger tax liability for heirs.

In closing, Mr. Speaker, while this Member is strongly supportive of provisions in this bill making most of the earlier tax cuts permanent, he cannot in good conscience support the total elimination of the inheritance tax.

Mr. CRENSHAW. Mr. Speaker, last year this Congress passed the Economic Growth and Tax Relief Reconciliation Act of 2001, which reduced tax rates on individuals, married couples and estates. When the House considered this legislation, it was our intent to permanently enact these cuts. In an effort to circumvent a Senate procedural roadblock, the House compromised with "the other body" and our conferees settled on the legislation with an expiration after 10 years. It is now time to revisit the intent of the peoples' House and make this relief permanent.

Unless these cuts are made permanent, the American people will face the largest single tax increase in history when the cuts expire on January 1, 2011. On that date, the Marriage penalty will return—penalizing millions of married couples who file their taxes jointly. The child tax credit will be cut in half. The Death Tax will be reinstated—undermining estate planning for family owned farms and small businesses. Estates that would have no tax liability on December 31, 2010 could experience a 55 percent tax liability on January 1, 2011. Furthermore without a permanent fix, Americans will experience a major shift in their ability to save for retirement. Contribution limits for IRA's will drop from \$5,000 to \$2,000. Contributions to 401k plans will be cut by one-third from \$15,000 to \$10,000 annually. Parents saving for college will only be able to set aside 40 percent of what they could save the day before in their children's education savings accounts.

Congress needs to finish the job we started of promoting long-term economic growth by making these cuts permanent. Without it, economic growth, job creation and individual taxpayers' ability to save will be thwarted.

I am proud to have supported legislation that is allowing Florida's First Coast families to keep more of their hard earned money. For many families, the advance payments that were sent out last year as part of the relief package arrived just in time to pay for school clothes and school supplies. Family expenses like these are not one-time-expenses however, Mr. Speaker. We need to look down the road to make sure that the family with a child currently in elementary school is not hit with an increased tax burden just as they are getting ready to pay that first tuition bill. Mr. Speaker, we need to let those planning their retirement know that they will be able to contribute to their retirement accounts at current or higher levels in the future without the fear of more of their income being diverted to pay for an increase in income tax rates instead of supporting them in their golden years.

We should never underestimate the good that can be accomplished when families are able to keep more of their money and make spending decisions based on their needs. Let's do what is right for the American economy and America's families and make the tax relief contained in the Economic Growth and Tax Relief Reconciliation Act of 2001 permanent.

Mr. STARK. Mr. Speaker, I rise in strong opposition to H.R. 586, an irresponsible bill to extend the Bush tax cuts beyond 2010. At a

time when Social Security is threatened, our seniors can't buy drugs, our children attend crumbling schools, and our environment is under attack, the Republicans can think of nothing better to do than extend their enormous tax cuts into perpetuity. This is a disgrace. And it's a sad day for America.

The bush tax cut that passed last year has already thrown our economic stability into disarray. Prior to enactment of the tax cut, our Nation enjoyed a record \$5.6 trillion surplus. With that money, we could have saved Social Security, provided a prescription drug benefit for our seniors, strengthened our children's education, and protected the environment. Now, \$4 trillion of that surplus is gone, and the rest is fading fast.

Who in their right mind would vote for this bill? The people in my district certainly wouldn't, and neither would most American families. If a family knows that one spouse is going to be laid off and that they will soon lose a substantial portion of their income, they don't go buy a Ferrari on credit! As we watch our Nation's resources disappear because of the current tax cut, why do the Republicans want to throw the rest away?

My greatest concern today is for the people who will needlessly suffer because of the carelessness and recklessness of this sorry bill. Our Nation made a promise to its citizens that we would not abandon them as they grew older. Making these tax cuts permanent would eliminate the money needed in 2010 and beyond to ensure that we keep this promise to our seniors—through the Social Security and Medicare programs—and fulfill our bipartisan promise to enact a Medicare prescription drug benefit.

The simple, unmistakable fact is that Republicans don't care about Social Security or Medicare. They never have and they never will. They care about their corporate contributors. And they care about the wealthy. The rest of America, however, gets nothing but the cold shoulder.

If the fact that this bill endangers our seniors wasn't bad enough, look at what it does to our children. The President and his Republican allies supported passage of the "No Child Left Behind Act" education bill last year. But this year, they have failed to provide funding to actually make those education reforms possible. As usual, the Republicans want to appear like they care about the important issues of working families, but they have no interest in actually funding them. This budget cuts last year's education bill by \$90 million and calls for termination of forty educational programs. This forces my constituents to ask a very logical question: why can Republicans find enough money for tax cuts, but can't find enough money for our kids?

Again, the budget surplus has shrunk by \$4 trillion in one year. Extending the tax cuts will cost \$400 billion over just two years, in 2011 and 2012. Analysts estimate that the 10 years after that, the tax cuts will cost more than \$4 trillion! The Center on Budget and Policy Priorities estimates that the size of the tax cut is more than twice as large as the Social Security financing gap. To make matters worse, these reckless tax cuts will go into effect when the baby boom generation starts to retire, Medicare faces a funding shortfall, and prescription drug prices undoubtedly will be higher than ever.

I urge my colleagues to stop and think about what an additional tax cut today will

mean for our families—especially our seniors and children.

Republicans cut taxes for sport, but this is no game. This bill affects the lives of every American, the very people who have elected us to look out for them and to represent their interests here. Today's bill does nothing to help America. I urge a No vote.

Ms. DELAURO. Mr. Speaker, when Congress considered the president's tax proposal last spring, we had budget surpluses as far as the eye could see. Back then the Republicans argued that we could have it all, that the surpluses were so large we could strengthen Social Security and Medicare, make necessary investments in education and health and still have enough left over to pass their tax cut, half of which benefited the wealthiest one-percent of Americans.

Well, to put it simply: they were wrong. Since that time, the economy has slowed to a halt, layoffs have soared and \$4 trillion of the surpluses have evaporated, the quickest turnaround in our history. The president's own numbers show that the tax cut is the main culprit, accounting for almost half of the disappearance of the surplus. And the Republican budget is already draining the Social Security Trust Fund.

So what is the Republicans' solution? They propose to make the tax cut permanent which will cost \$4 trillion in the decade after 2012. That is \$4 trillion gone at precisely the same time we will need the funds to shore up Social Security and preserve Medicare. At a time when we have serious budgetary challenges before us, we should be meeting the priorities of the American people, not giving away the farm. Making the tax cut permanent for the wealthiest 1 percent alone will total an amount one-and-a-half times the entire Department of Education budget. We should be investing in our kids, not giving away their future.

Mr. Speaker, it is not fair, it not responsible and it is terrible policy. I urge my colleagues to reject this bill and leave this money in the Social Security Trust Fund where it belongs.

Mr. CRANE. Mr. Speaker, I rise in strong support of H.R. 586, the Tax Relief Guarantee Act of 2002. While I support the bill in its entirety, I am particularly enthusiastic as regards to the chairman's amendment to this legislation.

Last year we passed historic tax reform legislation. I am proud to have supported it in the House and I am very pleased that, on June 7, 2001 President Bush signed the largest tax reduction in 20 years into law. The measure reduced the "marriage penalty," starting in 2005; it doubled the child tax credit by 2010; it repealed the death tax in 2010 after cutting the top rate from 55 percent to 45 percent; and it increased annual contribution limits on individual retirement accounts (IRAs) and other retirement accounts. The measure also temporarily increased the income limits exempting taxpayers from the alternative minimum tax. This provision is in effect for 2001 through 2003.

The President's tax relief plan was eminently fair. It cut taxes for every taxpayer. No one was targeted in and no one was targeted out. It provided enormous tax relief to lower-income taxpayers and will take millions off the tax rolls altogether. It left the tax system even more progressive than previous law. Unfortunately, as enacted, all of the measure's provisions will be repealed on December 31, 2010.

That's right, Mr. Speaker, January 1, 2011, the tax code will revert back to the provisions that were in effect before President Bush's tax relief legislation was signed into law. For example, beginning January 1, 2011, taxpayers in the lowest bracket (currently 10 percent) will see their tax burden increase by 50 percent when the lowest bracket reverts back to 15 percent. When that happens, we will have the single largest tax increase in the history of our country. This could result in one of the largest tax increases in American history, one that could also destabilize long-term economic growth. A family of four with an income of \$47,000 in 2002 would face a tax hike of \$1,928 in 2011—a 100 percent tax increase! Mr. Speaker, that is unacceptable.

So we are left in a situation whereby the marriage penalty tax, the death tax, and higher marginal rates will all rear their ugly heads come 2011 unless we take action to eliminate them permanently. In the words of Speaker HASTERT, "How can a family make plans to pass on the family farm or small business if there is no death tax on Dec. 31, 2010, and there is a death tax on Jan. 1, 2011?" How indeed, Mr. Speaker?

This legislation also includes a package of taxpayer rights provisions, which I support. The bill also moves up—from 2003 to 2002—the effective date of the special needs adoption tax credit provided in last year's legislation.

Mr. Speaker, this bill is not perfect. There is even more that we can do to ease the burdens placed on American taxpayers. For example, I believe we must eliminate the individual alternative minimum tax. This tax was never sound policy, but it is rapidly becoming an onerous and grossly inappropriate levy. Unfortunately, this legislation does extend exemptions to this individual alternative minimum tax that will expire in 2003. I would also like to see additional disincentives to charitable giving removed, such as is provided for in my bill to remove charitable contributions from those itemized deductions that are subject to an income cap.

Mr. Speaker, I will continue to fight for these and other tax reductions. In the meantime, I would like to commend Chairman THOMAS and the Rules Committee for crafting such a fine amendment. I urge my colleagues to vote in favor of the amendment, and in favor on final passage.

Mr. EVANS. Mr. Speaker, making last year's tax cut permanent endangers our ability to fund many of our shared priorities and is fiscally irresponsible.

I joined many of my fellow colleagues in opposing last year's tax cut because we knew it would cause a budget deficit and fleece Social Security. And we were right. Now we are being asked to make these extravagant tax cuts permanent. Many of my colleagues whom used to preach fiscal responsibility in this house, now blindly vote to bankrupt our government further and burden our children with a mountain of debt. These tax cuts were the wrong remedy for an ailing economy and now making them part of our fiscal sustenance is just bad medicine. We all know these tax cuts grossly benefit the rich. We had an opportunity to pass a Democratic alternative which would have greatly increased the tax relief for working families. Instead we chose to steal from our senior citizens by robbing from Social Security and dumping off more debt on our children. And today the Republican leadership

asks us to continue on this reckless fiscal path.

When I was first elected, I told my constituents I would fight for our common interests and priorities. I promised our seniors that I would protect Social Security and support a prescription drug benefit. I promised our veterans there would be money for their health care. I promised our soldiers and sailors a well deserved pay raise. And I promised our young people that I would expand their educational opportunities and not rack up more debt. I am still fighting for them, and making these tax cuts permanent makes it even harder to meet these priorities. While, the Republican Congress is running the government's budget on a credit card spending plan, I am explaining to my constituents why their government cannot pay the bills.

Mr. Speaker, I urge my colleagues to vote down making permanent these fiscally irresponsible tax cuts. Let us consider our children, our working families, and our senior citizens before increasing the national debt, raiding Social Security, and cutting the taxes of the very wealthy.

Mr. GILMAN. Mr. Speaker, I rise today in strong support of H.R. 586, the Tax Relief Guarantee Act of 2002. I urge my colleagues to support this important measure.

H.R. 586 was an important measure that made significant changes to the penalty and interest sections of the Internal Revenue Code and strengthened taxpayer protections against unfair IRS collection practices and procedures. The full House passed it by voice vote in May 2001, and was subsequently approved by the Senate.

When the other body attached an amendment to H.R. 586 to advance the effective date of the adoption credit provision by one year, it necessitated additional approval from the House. The Rules Committee then approved further amending the bill to make the tax cut provisions passed by Congress last year permanent.

In the landmark tax relief legislation passed last year, the various provisions were set to be phased in over the following 10 years. However, all of these various tax reduction provisions, including the repeal of the death tax, marriage penalty relief, the lowering of marginal rates, and the creation of the new 10 percent tax bracket, are set to sunset after 2010.

This legislation will repeal those sunset provisions, outlined in Title IX of H.R. 1836, making the important tax relief passed last year permanent. By doing this, H.R. 586 will demonstrate to the American people that Congress was serious about enacting tax cuts, and that last year's action was not a mere short-term phenomenon. The American people deserve to know that the tax relief they enjoyed last year, especially the extra money from the \$600 rebates, will be around for years to come, and will not arbitrarily disappear after 2010. This bill will accomplish this objective, and is deserving of our support.

Mr. SANDLIN. Mr. Speaker, it is time to honor the commitment we made to American families when we passed the tax cuts last year. It is time to help family farmers and family business owners plan for their retirement. It is time to pass legislation that makes those tax cuts permanent.

Since my election to Congress in 1996, I have consistently supported efforts to elimi-

nate the federal estate tax. Over the years, as I have visited with folks all over my district in northeast Texas, I have heard horror stories from families who were forced to sell all or part of their family business or farm just to pay the estate taxes—which reduced their inheritances by over 55 percent. I found that only about 30 percent of family businesses make it beyond one generation, and only 13 percent make it to the third generation. That simply isn't what America is about.

Farmers, especially, struggle every day to just get by. Farmers were left out in the cold during the economic boon of the late 1990's and suffered as others were acquiring riches. Eliminating the estate tax is one way to help farmers pass along their limited savings to their children, and their children's children. Not only does this punitive tax cause financial problems for families, some of whom are forced to sell property that has been in the family for generations or businesses built over a lifetime, but local economies are also hurt when jobs are lost and businesses close. Clearly, the social and economic costs of the estate tax far outweigh the revenue it provides for the federal government.

Last year, I supported efforts to eliminate the federal estate tax, voting for legislation that phased-out the estate tax over 10 years. Unfortunately, the final version of the tax bill would not fully eliminate the estate tax until 2010 and then would re-establish the estate tax in 2011. The tax cut needs to be made permanent now so that American families can make long-term plans when planning for retirement and planning to pass their assets on to their children.

The tax cut legislation also contained many other important provisions that together have helped mitigate the recession by pumping nearly \$40 billion into the economy. Among the other important provisions are the phase-out of the marriage tax penalty—which removed the disincentive to marriage contained in the U.S. tax code. Making the tax cuts permanent means that American couples can count on their taxes being lower—rather than facing a big increase in their taxes in 2011.

Like many of my colleagues, I am concerned about Social Security and making sure that it continues to provide our nation's seniors with income security. When I first voted for the tax cuts in 2001, I was assured that there was plenty of money to pay for the tax cuts without tapping into either the Social Security or Medicare trust funds. Since that time, the economic conditions in our country have changed. However, it appears that by 2011 and 2012, even under revised estimates, there should still be plenty of money to pay for extending the tax cuts.

I would have preferred that my Republican colleagues would have allowed a vote on an important amendment to this legislation that would have made the tax cuts permanent while ensuring that the Social Security and Medicare trust funds were protected. As I mentioned last year, when I supported the original tax cut legislation, I would have preferred that the tax cuts include a trigger allowing delay of the tax cuts in times of national emergencies.

This legislation also contains some important provisions, commonly referred to as the Taxpayers' Bill of Rights. These provisions make a number of changes to Internal Revenue Service (IRS) practices and procedures

including debt collection practices, penalties for overdue taxes, privacy of taxpayer information and IRS employee conduct. These are common sense provisions that will make the IRS work better for American taxpayers while balancing enforcement with customer service.

I believe that this legislation is both important and good policy. Today's vote simply changes tax law beginning in 2011. It does nothing to change taxes today. I urge my colleagues to support making the tax cuts permanent and to honor the commitment we made last year to America's families.

Mr. UDALL of Colorado. Mr. Speaker, I cannot support this proposition. I think everyone in the chamber knows what is going on today. We all know why the Republican leadership has brought this bill forward. They are more interested in trying to score some political points than in trying to work in a bipartisan way to address the budget and the economy. I do not think that the supporters of this proposal expect it to become law this year. So, it might be said that there is no reason not to vote for it. But that would not be the responsible thing to do. A vote for this would be a vote for the underlying tax legislation in the form that it passed the House last year. I voted against that bill because it was based on economic projections that were very doubtful then—and that now have been shown to have been wildly over-optimistic.

When that bill was passed, the economic weather seemed bright—we did not yet know that we already were in recession—and the sponsors of the bill claimed that we could rely on that to continue not just for a matter of months but for a full decade. Now, considering the dramatic change in economic conditions and the need for increased resources to fight terrorism and for homeland defense, it would seem reasonable to review the legislation to see if it needs adjusting. But instead, the supporters of the legislation are calling on us to say that nothing has changed and that we should permanently lock into place all of its provisions.

I am not opposed to cutting taxes. I have supported—and still support—a substantial reduction in income taxes and the elimination of the "marriage penalty." I have supported—and still support—increasing the child credit and making it refundable so that it will benefit more lower-income families. And I have supported—and still support—reforming, but not repealing, the estate tax. But the affordability of last year's tax bill depended on uncertain projections of continuing budget surpluses that now may inspire nostalgia but are otherwise meaningless. As I said last year, the tax bill was a riverboat gamble. It put at risk our economic stability, the future of Medicare and Social Security, and our ability to make needed investments in health and education. For me, the stakes were too high and the odds were too long, and I had to vote against it.

Those same considerations still apply. I agree with the Concord Coalition that we should not "compound the problem by making the entire package permanent," and so I cannot vote for this proposal.

Mr. ENGLISH. Mr. Speaker, we have the unique opportunity before us to help American families. In my district, the average working family of four makes about \$36,000 a year. Failing to make these tax cuts permanent, effectively is a vote for significantly increasing the taxes of working Americans.

By making the tax cuts passed by the House almost a year ago permanent, Americans will not face a \$2,000 increase in their taxes in 2011. If these tax cuts were allowed to sunset, we would again be taxing those saving for higher education—putting it out of reach for many middle-class Americans. It has always struck me as odd that the federal government taxes balances in prepaid tuition programs which in my mind defeats the whole purpose of these valuable programs. Failing to enact this legislation would reinstate taxes on this valuable tool used by middle-class Americans to pay for their children's higher education. And make no mistake—this is a tax on middle class Americans. In Pennsylvania, families with an annual income of less than \$35,000 purchased 62 percent of the prepaid tuition contracts sold in 1996. Refusing to make this tax cut permanent will also cost families up to \$20,000 a year as the contributions to education savings accounts shrink from \$2,000 to \$500 in 2011.

But beyond that college graduates—many of whom have substantial debt—would be restricted on claiming a tax deduction for their borrowing. They would again be limited to 60 months for deducting their student loan interest, but the expiration of this tax provision goes one step further. The income limits would regress to the 2001 limit meaning the \$100,000 caps for single taxpayers would drop to \$40,000 while \$150,000 for joint returns would drop to \$60,000. \$40,000 in 2002 barely pays for most college educations. I can only imagine what this equates to in 2011 dollars.

College is no longer simply for the wealthy. More and more parents and children realize college is a prerequisite for attaining their dreams. Make no mistake, the debt loads are prohibitive. Congress recognized this and took the appropriate steps to help these students achieve their goals. By not providing permanency to these tax cuts, Congress would deal a severe blow to those who recognize that an education is an investment in the future. We should not further punish struggling families and college grads by reinstating taxes, which are the tools they depend on to make college more affordable.

Mr. JEFF MILLER of Florida. Mr. Speaker, we are considering this legislation today because this is the right course for America and the right course for our economic future.

Mr. Speaker, my colleagues across the aisle will continue to use scare tactics to say that by voting for this bill you are voting to strip seniors of their Social Security. We all know that this is simply not true. The fact of the matter is that there will be no reduction in Social Security or Medicare benefits as a result of the tax cut. Those are promises made and promises that will be honored. We owe it to our seniors to be honest about how Social Security works, similar to a bank, who takes in a depositor's money, credits the amount to the depositor's account, and then loans it out. In effect, what they are saying is that we are taking Treasury bills out of the trust fund to hand out as tax cuts. This is a ridiculous assertion. Social Security reform is a worthy discussion, but it is one for another day.

At the same time, many will argue that we are burdening our children with huge debt by voting for this measure. I could not disagree more strongly. We constantly hear from our "tax and spend" friends that our tax cuts need to be at a level "that we can afford." That is

precisely the problem. Our government has become too large and is asking too much of the American people, to the point where it depresses economic growth. We must realize that our federal budget has gotten out of control and that Washington does not always know how best to spend the taxpayers' money.

Since the passage of last year's tax bill I have heard from many constituents that have benefited from the measure. The simple fact is that the federal government has long overcharged the American public, and now is the time to permanently change this disturbing trend. We cannot, and we should not, forgo this opportunity.

Mr. Speaker, my constituents sent me here to work for less taxes, less government and more personal freedom. For the sake of all hard-working Americans, let's make these tax cuts permanent. I rise in support of this important legislation.

Mr. BLUMENAUER. Mr. Speaker, one of the most disturbing trends for governance in America is the tendency to have short-term political expediency regarding budget, tax, and fiscal affairs trump responsible long-term policy. State and federal statutes and initiatives have been passed, which allow politicians and the public to feel good in the short term, give the illusion of solving problems, but setting up in the long term a fiscal train wreck.

We have seen in state after state where tax cuts in the 1990s were joined by formulas for education and corrections that basically put the services in a form of autopilot. Money went automatically to certain forms of education expenditure while corrections systems were mandated to incarcerate more people for longer periods of time. These "focus group" driven policy initiatives, many ratified by voters without a careful analysis of the consequences, effectively painted states and the federal government into a corner. Everybody appears or at least acts like they are powerless. In the short term, given a conflicting set of legislative and voter approved initiatives, a good argument can be made that they are. While policies and politics are sorted out, basic services suffer and public frustration grows.

On the federal level, we are in the midst of unraveling solid progress of the last decade to reign in federal spending and to impose some degree of fiscal discipline. While I didn't agree with all of the initiatives, and in fact voted against some as a Member of Congress, we were headed along a path that gave us choices to either restore draconian cuts or make other adjustments to help meet legitimate needs of our citizens.

One year ago, the projected 10-year budget surplus was \$5.6 trillion and elimination of the public debt was projected by 2010. Now, with record increases in Defense spending and the impacts of last year's recession well analyzed, the Republican leadership is attempting to make permanent tax cuts that will destroy any semblance of fiscal sanity. To fund a tax cut that delivers 44 percent of the benefits to the wealthiest 1 percent, the Republican budget invades the Social Security Trust Fund for a total of \$1.5 trillion over the next ten years and \$4.0 trillion in the following decade. The absurdity of the Republican leadership's fiscal policy would have a devastating effect on the federal government's ability to fulfill its commitments, such as Social Security and Medicare,

and respond to unexpected events, like war and recession, for decades to come.

The raid on Social Security and Medicare surpluses is not the only problem. The education of our children, the traffic congestion in our cities, and concerns about our drinking water and air quality are a few of the greatest challenges facing our communities. To put the size of the Republican leadership's tax cut and domestic priorities in perspective, when fully effective the tax cut will be—four times the budget for the entire Department of Education—more than three times as large as the Department of Transportation; and—twenty-four times the size of the Environmental Protection Agency.

This week's series of votes marks a culmination of the worst instincts of the political process on the federal level and the abrogation of our federal responsibilities. A year ago I voted against a tax cut that was based on faulty logic at a time when our economy was softening and when we had not kept commitments we said had priority. Our Medicare system is sadly out of date with modern medical realities and faces three serious threats: (1) It doesn't meet the needs of seniors today who rely on ever increasing amounts of expensive drug therapy; (2) It artificially reduces costs by squeezing providers with a reimbursement rate for doctors and hospitals that are dramatically below the actual cost of service; (3) The long term stability of the Medicare program is jeopardized, while costs of this jerry-rigged system are going to explode at precisely the time there will be more pressures for Social Security funding.

The consensus of people I meet in Oregon and around the country is that these policies are irresponsible. We ought to allow the majority in the House and Senate—both Republicans and Democrats—to work together to solve these problems. We ought not to have empty partisan maneuvering that is a calculated to further erode political trust and public confidence. This charade has only destructive results. It will further inflame partisan tensions, polarize people, and make it harder to do what responsible members of Congress and most of the public know needs to happen—put our fiscal house in order.

Were it to actually be enacted into law it would further tighten our fiscal straightjacket, making it harder to fulfill responsibilities and promises, while creating artificial crises that will haunt us for years to come. This isn't just shameless political posturing before an election. It is evidence of a political process that is rapidly losing its capacity to respond in a thoughtful, dignified, and public-spirited fashion.

Mr. DINGELL. Mr. Speaker, yet again I stand here perplexed by the actions of my Republican colleagues. Will they never cease to amaze me? Perhaps one day I will realize that there are no lengths my colleagues on the other side of the aisle won't go to in order to help their fat cat buddies.

I would note that the wealthiest one percent of the population will receive half of the benefits from this extension. The wealthiest one percent! I ask you, Mr. Speaker, do the wealthiest one percent of our population need our help? I think not.

Based on the most recent CBO estimates, permanently extending last year's ridiculous tax cuts will increase the deficit by another \$374 billion through 2012.

Mr. Speaker, just over a year ago, I stood in this very spot and urged my colleagues to vote against the Republicans' ill conceived tax scheme. Here we are, one year later and already back in deficit spending. Because of these absurd tax cuts and the Republican budget, we are taking \$1.5 trillion out of the Social Security Trust Fund over the next 10 years.

Mr. Speaker, the most simple laws of math dictate that we cannot carry out our priorities, Democratic or Republican, with this scheme. It is critical that we pass a Medicare prescription drug benefit and address the dramatically rising cost of Social Security as the baby boomers retire. Where will we get the money? How will we pay for homeland security and the President's war on terrorism? How does the President intend to fund his star wars program or increase the defense budget? How will the landmark education reform the President has advocated by carried out without any funding?

Making this tax cut permanent will raise the 10 year cost of last year's tax bill to \$2 trillion. Can we afford it? The answer, Mr. Speaker, is no.

George Santayana, whose writings and wisdom I have found to serve those in politics, said: Those who cannot remember the past are condemned to repeat it. It is clear, Mr. Speaker, that my Republican colleagues have a very short memory.

Not only do I strongly urge my colleagues to reject this bill, I would also ask that they join me in cosponsoring a bill introduced by my good friend from Massachusetts, Representative FRANK. His bill, H.R. 2935, would repeal the reduction in the top income tax rate. This would add about \$100 billion to federal revenue over the next 10 years. All of this money would go into the Social Security and Medicare Trust Funds, where it is needed.

Mr. PASTOR. Mr. Speaker, I rise today to oppose this legislation to extend last year's tax cut beyond 2010. Passage of this bill will only serve to further erode the Social Security Trust Fund and leave those who will be retiring in the next decade wondering if promises made will be kept.

Almost a year ago, we passed an unfair tax cut which gave the top one percent of income earners almost 40 percent of the tax benefits. It was not right then, it is not right now, and it will not be right in 2011, when this legislation takes effect.

The world changed on September 11. We are now fighting a war on terrorism which I strongly support. We now must provide additional funds for homeland security. I support this also.

But within the last ten months, since the \$1.35 trillion tax cut was passed, we have gone from a projected surplus of \$5.6 trillion to deficit spending. Forty percent of the disappearing surplus, the greatest chunk, is attributed to the tax cut. I supported a tax cut, but not this one which did nothing, in my view, to stimulate the economy. It only served to make the wealthier among us better off. In my view, it would be unwise to make it permanent.

Instead, I believe it would be more prudent to address the issues that many of my constituency are talking to me about every weekend when I am home in Arizona. Seniors are worried about where they will find the money to pay for their prescription drugs. Parents are trying to find the best schools for their chil-

dren; schools that are not overcrowded, and that are not in disrepair, and that have the most modern equipment and qualified teachers. Young adults are searching for ways to afford college and they need Pell Grants and other means of financial support. While it appears the economy is on its way to recovering, unemployment continues to rise and people want to know that there are training opportunities out there if they don't have a job or if they should lose the one they do have. With the tremendous growth in Arizona, people are worried about affordable housing.

These are the issues that are important to most Americans.

Mr. Speaker, we all support tax cuts. We all believe that Americans should keep more of their hard earned money. But we also know that there are many needs out there is our country.

I regret that I will not be able to support this extension of last year's tax cut. Nor will I be able to support any further tax cuts that are being considered. New tax cuts or the extension of this tax cut means we will continue to raid Social Security and further neglect the people who are not among the top income earners in this country.

I urge my colleagues to reject this unfair, unwise, and unjust legislation.

Mr. COYNE. Mr. Speaker, I rise in opposition to this misguided legislation.

Last year the House, against my opposition, passed a massive tax cut. That legislation will reduce federal revenues by more than a trillion dollars. If the additional interest costs of this tax cut are added in, the total change in the federal government's financial standing comes close to two trillion dollars. I should add that many of the provisions in last year's tax cut bill were phased in gradually, so that the total annual impact of the bill would not be felt for nearly a decade. The provisions in the legislation enacted last year would expire after ten years—but if we make those provisions permanent, as the bill currently under consideration would do, recent estimates indicate that in the decade after 2012, they will reduce federal resources by four trillion dollars.

As I said last year during House consideration, of the tax cut bill, "the revenue loss to the federal government will explode after the year 2001—just when millions of Baby Boomers retire, the cost of Social Security and Medicare will explode." Given the current challenges that face Social Security and Medicare, it seemed to me then—and it seems to me now—that we ought to spent the coming decade preparing for the anticipated increased future demands that will be placed on Social Security and Medicare by paying down some of our \$5 trillion national debt. Instead, Republicans in Congress cut taxes dramatically and produced budget deficits for the foreseeable future.

It is a shame that we squandered the opportunity last year to invest in our nation's future. It is a disgrace that today our Republican colleagues propose to dig the hole deeper. I urge my colleagues to do the sensible thing and pursue a conservative, fiscally responsible federal budget policy.

I will oppose this misguided legislation, and I urge my colleagues to do the same.

Mr. McDERMOTT. Mr. Speaker, here comes the train again. Last month, my Republican colleagues passed a fiscally irresponsible budget that called for spending hundreds of

billions of dollars from the Social Security Trust Fund on tax cuts for the wealthy.

Mr. Speaker, we gambled with tax cuts last year, we gambled again last month, and here we are today, rolling the dice one more time.

In 1999, 2000, and 2001, Republicans in this chamber voted seven times to fully protect the Social Security Trust Fund. George W. Bush echoed the theme on the campaign trail and during the Presidential debates—he wanted to put those reserves in a "lock-box" to prevent it from being used to pay for tax cuts or additional spending. Even the beloved Speaker of the House stated, "We are going to wall off the Social Security Trust Funds . . . We are not going to dip into that at all." Remember when you said that, Mr. Speaker?

Now it appears that the government will raid the Social Security surplus for as far as the eye can see. And extending the tax cuts permanently would only worsen the deteriorating fiscal outlook.

Mr. Speaker, this bill amounts to an intergenerational mugging. Our children will pay for the debt we incur today. The 75-year cost of making the tax cuts permanent would be more than twice as great as the entire shortfall projected in the Social Security Trust Fund.

Furthermore, this bill, and you won't hear the Republicans mention this during the debate, will also cost the U.S. Treasury \$4 trillion during the decade after 2012—just when the Baby Boomers are retiring in earnest and both the Social Security and Medicare systems are coming under mounting financial strain. If the congressional Republicans continue to sacrifice the safety of Social Security and Medicare, for the sake of tax cuts for the wealthy, America will be a country where the rich stay healthy and the sick stay poor. If we simply look at the budget forecast, it is clear that permanent tax cuts mean permanent deficits.

Mr. Speaker, these tax cuts are so heavily skewed to benefit the wealthy that the richest one-percent of taxpayers would receive tax breaks that equal one and one half times the entire budget of the Department of Education. If we completely repeal the estate tax, in particular, we'll be essentially creating intergenerational gated communities. Our capitalist friend, Adam Smith, said, "A power to dispose of estates for ever is manifestly absurd. The earth and the fullness of it belongs to every generation, and the preceding one can have no right to bind it up from posterity."

Mr. Speaker, this chamber sometimes seems like the House of Lords, because it attempts to do everything in its power to protect the pseudo-aristocracy. Mr. Speaker, we need this bill about as much as we need a runaway train. I urge my colleagues to oppose this campaign sop, disguised in the form of H.R. 586.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 390, the previous question is ordered.

The question is on the motion offered by the gentleman from California (Mr. THOMAS).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. HULSHOF. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 229, noes 198, not voting 8, as follows:

[Roll No. 103]

AYES—229

Aderholt	Goodlatte	Pence
Akin	Gordon	Peterson (PA)
Army	Goss	Petri
Bachus	Graham	Pickering
Baker	Granger	Pitts
Ballenger	Graves	Platts
Barcia	Green (WI)	Pombo
Barr	Greenwood	Portman
Bartlett	Grucci	Pryce (OH)
Barton	Gutknecht	Putnam
Bass	Hall (TX)	Quinn
Bereuter	Hansen	Radanovich
Biggart	Hart	Ramstad
Bilirakis	Hastert	Regula
Blunt	Hastings (WA)	Rehberg
Boehlert	Hayes	Reynolds
Boehner	Hayworth	Riley
Bonilla	Hefley	Roemer
Bono	Herger	Rogers (MI)
Boozman	Hilleary	Rohrabacher
Brady (TX)	Hobson	Ros-Lehtinen
Brown (SC)	Hoekstra	Royce
Bryant	Horn	Ryan (WI)
Burr	Hostettler	Ryun (KS)
Burton	Houghton	Sandlin
Buyer	Hulshof	Saxton
Callahan	Hunter	Schaffer
Calvert	Hyde	Schrock
Camp	Isakson	Sensenbrenner
Cannon	Issa	Sessions
Cantor	Istook	Shadegg
Capito	Jenkins	Shaw
Castle	Johnson (CT)	Shays
Chabot	Johnson (IL)	Sherwood
Chambliss	Johnson, Sam	Shimkus
Coble	Jones (NC)	Shuster
Collins	Keller	Simmons
Combest	Kelly	Simpson
Condit	Kennedy (MN)	Skeen
Cooksey	Kerns	Smith (MI)
Cox	King (NY)	Smith (NJ)
Cramer	Kingston	Smith (TX)
Crane	Kirk	Souder
Crenshaw	Knollenberg	Stearns
Cubin	Kolbe	Stump
Culberson	LaHood	Sullivan
Cunningham	Latham	Sununu
Davis, Jo Ann	LaTourette	Sweeney
Davis, Tom	Leach	Tancredo
Deal	Lewis (CA)	Tauzin
DeLay	Lewis (KY)	Taylor (NC)
DeMint	Linder	Terry
Diaz-Balart	LoBiondo	Thomas
Doolittle	Lucas (KY)	Thornberry
Dreier	Lucas (OK)	Thune
Duncan	Manzullo	Tiahrt
Dunn	McCrery	Tiberi
Ehlers	McHugh	Toomey
Ehrlich	McInnis	Upton
Emerson	McIntyre	Vitter
English	McKeon	Walden
Everett	Mica	Walsh
Ferguson	Miller, Dan	Wamp
Flake	Miller, Gary	Watkins (OK)
Fletcher	Miller, Jeff	Watts (OK)
Foley	Moran (KS)	Weldon (FL)
Forbes	Myrick	Weldon (PA)
Fossella	Nethercutt	Weller
Frelinghuysen	Ney	Whitfield
Gallely	Northup	Wicker
Ganske	Norwood	Wilson (NM)
Gekas	Nussle	Wilson (SC)
Gibbons	Osborne	Wolf
Gilchrest	Ose	Young (AK)
Gillmor	Otter	Young (FL)
Gilman	Oxley	
Goode	Paul	

NOES—198

Abercrombie	Berry	Capuano
Ackerman	Bishop	Cardin
Allen	Blagojevich	Carson (IN)
Andrews	Blumenauer	Carson (OK)
Baca	Bonior	Clay
Baird	Borski	Clayton
Baldacci	Boswell	Clyburn
Baldwin	Boucher	Conyers
Barrett	Boyd	Costello
Becerra	Brady (PA)	Coyne
Bentsen	Brown (FL)	Crowley
Berkley	Brown (OH)	Cummings
Berman	Capps	Davis (CA)

Davis (FL)	LaFalce	Pomeroy
Davis (IL)	Lampson	Price (NC)
DeFazio	Langevin	Rahall
DeGette	Lantos	Rangel
DeLauro	Larsen (WA)	Reyes
Deutsch	Larson (CT)	Rivers
Dicks	Lee	Rodriguez
Dingell	Levin	Ross
Doggett	Lewis (GA)	Rothman
Dooley	Lipinski	Roybal-Allard
Doyle	Lofgren	Rush
Edwards	Lowe	Sabo
Engel	Luther	Sanchez
Eshoo	Lynch	Sanders
Etheridge	Maloney (CT)	Sawyer
Evans	Maloney (NY)	Schakowsky
Farr	Markey	Schiff
Fattah	Mascara	Scott
Finer	Mateson	Serrano
Ford	Matsui	Sherman
Frank	McCarthy (MO)	Shows
Frost	McCarthy (NY)	Skelton
Gephardt	McCollum	Slaughter
Gonzalez	McDermott	Smith (WA)
Green (TX)	McGovern	Snyder
Gutierrez	McKinney	Solis
Hall (OH)	McNulty	Spratt
Harman	Meehan	Stark
Hill	Meek (FL)	Stenholm
Hilliard	Mees (NY)	Strickland
Horn	Menendez	Stupak
Hinchey	Millender-	Tanner
Hinojosa	McDonald	Tauscher
Hoeffel	Holden	Taylor (MS)
Holder	Mink	Thompson (CA)
Holt	Mollohan	Thompson (MS)
Honda	Moore	Thurman
Hoolley	Moran (VA)	Tierney
Hoyer	Morella	Towns
Insee	Murtha	Turner
Israel	Nadler	Udall (CO)
Jackson (IL)	Napolitano	Udall (NM)
Jackson-Lee	Neal	Velazquez
Neal	Obey	Visclosky
Jefferson	Oliver	Waters
John	Ortiz	Watson (CA)
Johnson, E. B.	Owens	Watt (NC)
Kanjorski	Pallone	Waxman
Kaptur	Pascrell	Weiner
Kennedy (RI)	Pastor	Wexler
Kildee	Payne	Woolsey
Kilpatrick	Pelosi	Wu
Kind (WI)	Peterson (MN)	Wynn
Kleczka	Phelps	
Kucinich		

NOT VOTING—8

Clement	Jones (OH)	Roukema
Delahunt	Oberstar	Traficant
Hastings (FL)	Rogers (KY)	

□ 1450

Ms. WOOLSEY, Mr. ACKERMAN, and Mr. OWENS changed their 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.

Stated against:

Mr. OBERSTAR. Mr. Speaker, this afternoon I greatly enjoyed the opportunity to visit with high school students from Becker, Minnesota who are participating in the Close-Up program. As a result of our visit, I was unable to record my vote during the consideration of the misguided tax legislation that will undermine Social Security.

Had I been present, I would have voted “no” on rollcall 103, for I strongly opposed last year’s irresponsible tax bill, and I certainly do not support making these tax law changes permanent. If enacted, this fiscally reckless plan would spend \$400 billion on tax cuts for the wealthy, every penny of which comes directly out of Social Security.

LEGISLATIVE PROGRAM

(Ms. PELOSI asked and was given permission to address the House for 1 minute.)

Ms. PELOSI. Mr. Speaker, I rise for the purpose of inquiring about the schedule of next week.

Mr. ARMEY. Mr. Speaker, will the gentlewoman yield?

Ms. PELOSI. I yield to the gentleman from Texas.

Mr. ARMEY. Mr. Speaker, I am pleased to announce that the House has completed recorded votes for the week.

The House will next meet for legislative business on Tuesday, April 23 at 12:30 p.m., that is for morning hour, and at 2 o’clock p.m. for legislative business. On Tuesday I will schedule a number of measures under suspension of the rules, a list of which will be distributed to Members’ offices tomorrow. The House will also take any recorded votes on motions to instruct conferees offered later today. On Tuesday, recorded votes will be postponed until 6:30 p.m.

For Wednesday and Thursday, I have scheduled H.R. 3763, the Corporate and Auditing Accountability, Responsibility, and Transparency Act of 2002, reported out of the Committee on Financial Services on Tuesday, and H.R. 3231, the Immigration Reform and Accountability Act of 2002, reported out of the Committee on the Judiciary last week.

Mr. Speaker, I thank the gentlewoman for yielding.

Ms. PELOSI. Mr. Speaker, reclaiming my time, I thank the gentleman for informing us of the days for the INS restructuring bill and the Committee on Financial Services accounting bill.

While I have the floor, Mr. Speaker, may I say to the distinguished majority leader, I wish to register a point of deep concern to our side of the aisle. There seems to be a recurring pattern this year where there are no substitutes or alternatives allowed on major, major bills. Today, the procedure did not even permit a motion to recommit to protect Social Security. Despite repeated promises to always guarantee the motion to Democrats, today it was denied on one of the most important votes in this Congress. I want to register objection and disappointment to this and ask the leader if he wishes to comment.

Mr. ARMEY. Again, Mr. Speaker, I thank the gentlewoman for her inquiry. I do appreciate the concerns expressed by the gentlewoman. The parliamentary rules between our two respective bodies on an exchange between the two bodies do not allow for motions to recommit on legislation action taken today. The action we took today, of course, was to advance the work that was sent to us by the other body with respect to adoption of the tax credit, a very important objective of all of the body, and we were able to in this way manage all three things.

But I want to appreciate again the gentlewoman’s concerns, her expression, and say that it is indeed something that we pay most concern and credibility to.

Ms. PELOSI. Mr. Speaker, there were those among us who would have tried

to, by procedure, hold up the proceedings of the House; but we wanted, such as it was, to have as much of a debate as we could on an issue of major concern to the American people. I think that we all recognize that we come to this floor with differences of opinion, or range of opinion, on issues. Sometimes we can act in a bipartisan way, and that is great for the American people. They expect and deserve us to try and seek a common ground.

Where we do not have it, though, we must stand our ground; and I do not see why we could not have an opportunity to have a fuller debate on the subject. I do not understand why the Republicans would be afraid of a motion to recommit to save Social Security; and I hope that this does not proceed, because I think it could be very damaging to our relationships in this House; and I know that we want to proceed in as much of a bipartisan fashion as possible.

I thank the gentleman for the information.

PERMISSION FOR COMMITTEE ON THE JUDICIARY TO HAVE UNTIL MIDNIGHT, MONDAY, APRIL 22, 2002, TO FILE REPORT ON H.R. 3231, THE BARBARA JORDAN IMMIGRATION REFORM AND ACCOUNTABILITY ACT OF 2002

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary have until midnight on Monday, April 22, to file a report to accompany H.R. 3231.

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

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Transportation and Infrastructure:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 17, 2002.

Hon. J. DENNIS HASTERT,
The Office of the Speaker, House of Representatives, Washington, DC.

DEAR DENNY: This is to notify you that effective today, April 17, I am resigning my seat on the House Transportation Committee.

Sincerely,

JOHN COOKSEY,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

ELECTION OF MEMBERS TO COMMITTEE ON EDUCATION AND THE WORKFORCE AND COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

Mr. ARMEY. Mr. Speaker, I offer a resolution (H. Res. 391), and I ask unan-

imous consent for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 391

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

Education and the Workforce: Mr. Wilson of South Carolina.

Transportation and Infrastructure: Mr. Sullivan of Oklahoma.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid upon the table.

ANNOUNCEMENT BY COMMITTEE ON RULES REGARDING AMENDMENTS TO H.R. 3763, THE CORPORATE AND AUDITING ACCOUNTABILITY, RESPONSIBILITY AND TRANSPARENCY ACT OF 2002, AND H.R. 3231, THE BARBARA JORDAN IMMIGRATION REFORM AND ACCOUNTABILITY ACT OF 2002

(Mr. DREIER asked and was given permission to address the House for 1 minute.)

Mr. DREIER. Mr. Speaker, today a "Dear Colleague" letter will be sent to all Members informing them that the Committee on Rules is planning to meet next week to grant a rule which may limit the amendment process for H.R. 3763, the Corporate and Auditing Accountability, Responsibility and Transparency Act of 2002.

Any Member who wishes to offer an amendment to this bill should submit 55 copies of the amendment, one copy of a brief explanation of the amendment by 2 p.m. on Tuesday, April 23, to the Committee on Rules up in H-312 here in the Capitol.

Amendments should be drafted to the text of the bill as reported by the Committee on Financial Services, which is expected to be filed on Monday, April 22. The text will be available on the Web sites of both the Committee on Financial Services and the Committee on Rules.

Members should use the Office of Legislative Counsel to ensure that their amendments are properly drafted and should check with the Office of the Parliamentarian to be certain that their amendments comply with the Rules of the House.

In addition, today a "Dear Colleague" will be sent to all Members informing them that the Committee on Rules is also planning to meet next week to grant a rule on H.R. 3231, the Barbara Jordan Immigration Reform and Accountability Act of 2002. The Committee on Rules may grant a rule which may limit the amendment process for H.R. 3231.

Any Member who wishes to offer an amendment to this bill should submit

55 copies of the amendment and one copy of a brief explanation of the amendment by 12 noon on Wednesday, April 24, to the Committee on Rules in H-312 in the Capitol.

Members should draft their amendments to the bill as reported by the Committee on the Judiciary, which will be available on the Web sites of both the Committee on the Judiciary and the Committee on Rules.

Once again, Mr. Speaker, Members should use the Office of Legislative Counsel to ensure that their amendments are properly drafted and should check with the Office of the Parliamentarian to be certain their amendments comply with the Rules of the House.

ADJOURNMENT TO MONDAY, APRIL 22, 2002

Mr. DREIER. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 2 p.m. on Monday next.

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

There was no objection.

HOOR OF MEETING ON TUESDAY, APRIL 23, 2002

Mr. DREIER. Mr. Speaker, I ask unanimous consent that when the House adjourns on Monday, April 22, 2002, it adjourn to meet at 12:30 p.m. on Tuesday, April 23, for morning hour debates.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. DREIER. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

MOTION TO INSTRUCT CONFEREES ON H.R. 2646, FARM SECURITY ACT OF 2001

Mr. DOOLEY of California. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. DOOLEY of California moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2646 (an Act to provide for the continuation of agricultural programs through fiscal year 2011) be instructed: to agree to the provisions contained in section 335 of the Senate amendment, relating to agricultural trade with Cuba.

□ 1500

The SPEAKER pro tempore (Mr. OTTER). Pursuant to the rule, the gentleman from California (Mr. DOOLEY) and the gentleman from Florida (Mr. DIAZ-BALART) each will be recognized for 30 minutes.

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

Mr. DOOLEY of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the motion that I am offering today is one which is advancing and continuing the policy of economic engagement that this country has embraced. It is a policy to ensure that we can provide economic opportunities for all sectors of our economy, whether it be the farmers in California, Missouri, or Washington, or wherever else in this country.

It ensures that we are going to be able to provide for the sale of goods to Cuba, and to make one minor modification to our existing law, which is to allow private financing of the sale of those goods. This is an important step forward if we truly are committed to trying to provide for additional markets for our farmers in this country.

It is also an important step forward because many of us believe by advancing a policy of economic engagement which is consistent with this motion, it will also do more than we could otherwise in terms of ensuring that we are going to see progress in the advancement of democracy, the advancement of personal freedoms in Cuba itself.

We have been able, I think, to have a case study in terms of what a policy of isolation has done in Cuba over the past 40 or 50 years, when we have seen very little progress in seeing the advancement of personal freedoms in Cuba. We have found in other areas of the world where we have reached out and we have engaged in trade, we have actually seen not only economic opportunities, but we have seen significant progress on the social front with the advancement of democracy, the advancement of human rights, the advancement of religious freedoms.

I am confident if this body instructs the conferees to adopt the Senate position, we will be providing benefits for U.S. citizens, but also we will be empowering the citizens of Cuba to be more successful in improving the quality of their lives.

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

Mr. DIAZ-BALART. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise to oppose the Dooley "sell them the rope" motion. The section in the compromise legislation of the year 2000 on this issue relating to financing specified that "United States persons" cannot finance sales to the Cuban dictatorship, and "United States persons" was defined as "the Federal Government, any State or local government, or any private person or entity."

The Senate provision strikes that entire section, including, thus, the prohibition on financing by "the Federal Government." So the Senate financing provision is not as limited as its supporters here allege. It will make available public financing to the Cuban dictatorship.

Last year, the dictatorship was forced to close over 12,000 hotel rooms in its all-important tourist industry. Its currency is worthless. The dictatorship defaulted on \$500 million in loans just in the year 2001. So what is the dictator betting everything on? U.S. tourism dollars and the agricultural lobby in the U.S. Congress.

Today we see the agricultural lobby at work here for the dictatorship, despite the current realities of the bankrupt Cuban dictatorship, despite the fact that the Cuban dictatorship continues to provide safe harbor to terrorists throughout the world, despite the fact that Castro serves as the world's primary money launderer for international terrorism, providing his so-called "revolutionary banks" not just for Puerto Rican FALN terrorists, like those who took their stolen millions from the U.S. to Cuba, but laundering money as well for drug dealers, international terrorists, and corrupt politicians.

A few months before 9/11, the Cuban dictator visited Syria, Iran, and Libya. In Iran, he declared "Together, Iran and Cuba will bring the United States to its knees."

In August, Irish IRA terrorists based in Cuba were arrested in Colombia helping the FARC terrorists there improve their urban bomb-making capabilities.

Basque ETA terrorists continue to be based and trained in Cuba to this day.

More than 90 U.S. felony fugitives wanted by the FBI for hijacking, murder, armed bank robbery, the sales of explosives to Libya, and kidnapping remain in Cuba and continue to receive protection by the dictatorship to this day.

The only one of the seven terrorist states that has had 17 spies arrested in the last 3 years, 17 spies arrested, awaiting trial or already convicted, agents spying for the Cuban regime in the United States, the only one of the seven terrorist states that has had those spies arrested and convicted is the Cuban regime.

On September 21, a senior analyst at the Defense Intelligence Agency was arrested for spying for the Cuban government. The FBI was forced to arrest her before they would have wanted to, because according to intelligence community sources, Castro shares intelligence with Middle Eastern enemies of the United States.

Last month, on March 19, the State Department's Office of Intelligence and Research declared that the Cuban dictatorship has "an offensive biological warfare research and development effort. Cuba has provided dual-use biotechnology to rogue states. We are con-

cerned that such technology could support biological weapons programs in those states."

And, as we speak, the U.S. administration is encouraging governments throughout the world to say no to pressure from totalitarian elements in their countries, and to vote in favor of the resolution criticizing the human rights situation in Cuba at the U.N. Human Rights Commission in Geneva.

Mr. Speaker, my high school teacher, Judd Davis, used to tell me that Lenin was fond of saying that "some capitalists will sell even the rope for us to hang them with." What we are seeing here today is that on that matter, Lenin was right: There are some capitalists who would sell even the rope with which they would be hung.

Cuba is in this hemisphere. It is the only country oppressed by tyranny in this hemisphere. In this hemisphere, democracy is required by international law. So while my heart goes out to the Chinese people, the use of the China analogy is hypocritical and it is wrong.

The signal that we need to be sending to Cuba is that there will be no normalization until all the political prisoners are freed and free elections are scheduled. That is President Bush's position, and that is what this Congress has stated repeatedly in the past.

This "sell them the rope" motion is as untimely as it is wrong. There will be a democratic transition in Cuba soon, and the people will do business with those who did not do business with their jailers. It is unfortunate that so many are working so hard to put themselves on the blacklist of those who a free and democratic Cuba will never do business with. For those interested in sales to Cuba, democratic Cuba will not do business tomorrow and forever with those who today worked to provide dollars to the totalitarian dictatorship.

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

Mr. DOOLEY of California. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. RANGEL), the ranking member on the Committee on Ways and Means.

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

Mr. RANGEL. Mr. Speaker, let me congratulate the gentleman from California (Mr. DOOLEY) and those who would direct that the conferees accept the Senate provisions to remove the restrictions on financing agricultural products to Cuba.

I am not known to be a hostage to the agricultural lobby, but certainly I do believe that trade is essential if we are going to attempt to persuade those people who have dictatorships that democracy is the way that they have to go.

I do not really believe we can just shut ourselves off from these people, and continue to have an embargo and deny them access to food and medicine, and at the same time expect that the

people are going to look at us as an example of what a better way of life is. I do not really think that we should be held hostage by the People's Republic of Miami in our foreign and our trade policy.

It seems to me that when we take a look at a billion people in China, we are taking a look at a dictatorship. When we take a look at the people in north Vietnam or North Korea, we are taking a look at dictatorships. As a matter of fact, Members do not have to be as old as I am to know that we have taken a look at dictatorships in the past, and even so today, without denying our ability to export to these countries.

So it just seems to me that after the hurricane in Cuba, Americans, for humanitarian reasons, decided that we would offer food and medicine to the people in Cuba. That led to some provisions being made that we could have limited exports to the people in Cuba.

Well, what is wrong, if the House has said and the Senate has said that American farmers should be allowed to export their products, why can we not assist them in making certain they get paid for their products?

So I know this is a very emotional issue, but we cannot allow ourselves to be blinded by emotion at a time when we are saying, look at democracy, look at our farmers, look at productivity, look at better products, look at lesser prices, and allow us to go into that market and compete with everyone else. Let our kids get over there, let them be ambassadors for good will, remove the restrictions in terms of the Cubans and Americans, and let us all work hard for a better understanding, and to bring democracy to Cuba.

Do not threaten those people who vote one way or the other that the new government in Cuba is going to punish those people who voted to relax the embargo. Nobody has designated who is going to lead the new Cuba. If we knew that, maybe we could take a different foreign policy. If some people know who is going to succeed Castro, maybe they should share it with us, because it could be worse than we might expect, than what we are getting today.

But we do not know these things. That is why we should not allow our food policy to be governed by our political policies. For 40 years, those people who said, no, no, no, no, no, have found out that this guy that runs Cuba has survived half-a-dozen Presidents.

Let us give freedom a chance, let us give trade a chance. I congratulate those who have put this motion together to instruct the conferees.

Mr. DIAZ-BALART. Mr. Speaker, I yield such time as she may consume to my distinguished colleague, the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. Mr. Speaker, I thank the gentleman for yielding time to me.

I am sure that the gentleman from New York (Mr. RANGEL) considers the

reference to my hometown as "the People's Republic of Miami" to be an example of his piquant wit. I find it to be personally offensive, and I would ask him to please refrain from such characterizations.

But it is a shameful day today. It is shameful today that as former Cuban political prisoners stand before the United Nations Commission on Human Rights in Geneva calling for the international condemnation of the Castro regime's systematic violations of human dignity, civil liberties, and fundamental freedoms, today in this Chamber, a vivid symbol and an instrument of democracy, we are discussing a measure that will provide the Castro dictatorship with the financial means to continue its oppression and its enslavement of the Cuban people.

It is shameful that, as the U.S. State Department Report on Human Rights Practices reports, the use of child labor and forced labor in Cuba's farming sector is mandated, yet this Congress is considering a measure which our assistant secretary of state for democracy, human rights, and labor underscored at a recent congressional hearing would serve to promote the use of child and slave labor by the Castro regime in the agricultural sector.

It is shameful that, as we approach the commemoration of our Memorial Day, when we pay homage to our courageous veterans, some would seek to provide funds to a regime which sent Cuban agents to torture American POWs at a camp in Vietnam called the Zoo.

It is shameful that, as a global war on terrorism intensifies, some in the Congress would be seeking to provide funds to the Castro dictatorship, a country which every recent administration, be it Republican or Democrat, has officially labeled as a State sponsor of terrorism.

It is shameful that, as Columbian President Pastrana, in visiting Capitol Hill this very week, just yesterday outlined, among other details, Cuba's role in supporting narco-terrorists, and its support and training, directly or through such entities as the IRA and the Basque terrorist group ETA, of terrorist operations in the Western Hemisphere, that this body today would consider providing funds to that Castro regime to further these terrorist efforts which undermine the stability of our region.

It is shameful that, as the Castro regime expands its biological weapons capabilities and builds even stronger cooperative agreements in this arena with Iran and Iraq, some would seek to facilitate these efforts, which directly threatens U.S. national security. In 1998, a Department of Defense report raised concerns about the potential of Cuba's biotechnology sector to be used for offensive purposes.

In October of 2001, Dr. Ken Alibek, the former head of Russia's biological weapons program, testified before the Committee on Government Reform on

the very real threat posed by Cuba's biotech sector.

□ 1515

In the October 2001 edition of the journal "Nature Biotechnology," Jose de la Fuente, the former director of research and development at the Center for Genetic Engineering and Biotechnology in Havana, disclosed that technology and agents for treatments of a number of diseases were sold by Cuba to Iran's terrorist regime, technology and lethal agents which can be used to produce anthrax bacteria or smallpox virus.

It is shameful that we would be considering a measure that would provide funds to a regime whose leader, Fidel Castro, joined Iran's Ayatollah in May of last year to underscore their commitment to "bring America to its knees." Those were Fidel Castro's own words just months ago, months before 9-11. Castro said, "Together, we can bring America to its knees."

It is shameful that we are going to support a tyranny whose so-called attorney general, Juan Escalona, and I say "so-called" because there is no real justice system in Cuba. It is a dictatorship, a totalitarian state with no respect for civil liberties and which pays none of its debt. So we will be actually subsidizing with our tax dollars all of these great sales that my colleagues would like to make to Fidel Castro.

Juan Escalona, when referring to the transfer of al Qaeda prisoners to Guantanamo Naval Base, was quoted in January of this year saying that he hoped that 15 or 20 of these anti-American terrorists would get out and kill Americans stationed at our base in Guantanamo.

These were the words of a high-ranking Cuban official. He wants the al Qaeda prisoners to kill our American servicemen and -women in Guantanamo base in Cuba and Castro says nothing. This is the attorney general.

It is shameful that as our FBI, CIA, and Defense Intelligence Agency work to repair the significant damage already done to U.S. national security by Cuban espionage in our country, we would be seeking to reward that Castro regime by providing it with access to financing to continue its terrorist and espionage activities against the United States.

It is shameful that we would allow a regime that has killed American citizens to continue to act with impunity by rewarding it with access to much needed funds, funds which will never reach the Cuban people. Do not fool yourselves. Do not try to fool the Congress. Funds which only help maintain Fidel Castro in power.

Mr. Speaker, the provision referenced in this motion to instruct conferees has nothing to do with helping the small farmers of America because these small farmers are the heart and soul of our country, the core of American values and principles, values which they would never seek to betray

in this manner. No. The provisions in this Senate farm bill that this motion refers to is to benefit agricultural giants who wish to make profit from trading with America's enemies.

If this was truly about helping America's farmers, then the Senate would have moved the Andean Trade Promotion Act, and it would have given the gentleman from California's (Mr. DOOLEY) farmers those free markets to sell to.

Mr. Speaker, yesterday marked the anniversary of a failed attempt to restore freedom and democracy to Cuba: the Bay of Pigs invasion. In a month we will commemorate the centennial anniversary of Cuban independence. So, Mr. Speaker, today I stand here and I ask my colleagues whom we wish to emulate: those who betrayed the Cuban freedom fighters in 1961 by not providing aerial support to those who landed at the Bay of Pigs, or do we wish to emulate those Rough Riders who, 100 years ago, stood side by side with the Cuban liberators and charged up San Juan Hill and helped Cuba gain its independence?

Do we wish to support the Cuban people in their struggle to free themselves from their bondage, or do we wish to help their oppressor to continue its subjugation of its people and continue threatening the U.S. and, indeed, the hemisphere and the free world?

If we are to stand for what is right and just, as we did with the Afghan people, we must vote "no" on this motion to instruct conferees and hold the House position on the farm bill.

I thank my colleague, the gentleman from Florida, for yielding me the time.

Mr. DOOLEY of California. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Speaker, I rise in support of the motion to instruct conferees offered by the gentleman from California (Mr. DOOLEY).

This motion would instruct conferees to recede to the Senate provision in the farm bill to lift current limitations on the financing of private sales of food and medicine to Cuba.

My reasons are very simple. It is good farm policy, it is good trade policy, and it simply is the right thing to do. It also is the position that reflects the will of the House.

On July 20, 2000, the House voted 301 to 116, 301 to 116, to lift all sanctions on the sale of food and medicine specifically to Cuba. Mr. Speaker, the House has spoken on this issue. It has spoken with a clear, strong, bipartisan voice.

Unfortunately, the will of the House, and I might add the will of the Senate, has been frustrated and undermined. Cumbersome restrictions remain on private financing for food and medicine sales to Cuba. Unlike farmers everywhere else in the world, American farmers cannot obtain credit from a U.S. entity to finance private sales to Cuba. Instead, our farm exporters must either arrange for credit through an

overseas bank or insist on cash in advance from Cuba.

The current restrictions on securing private financing are a competitive barrier for our farmers. They need to be eliminated. The Senate provision does so. The House should recede to the Senate and open up the markets between Cuba and our agricultural exporters.

Mr. Speaker, our farmers and banks are savvy enough to weigh the risks in doing trade with Cuba. I trust them. I ask my colleagues to trust them.

We hear a lot of talk about democracy. Well, we need a little democracy in the House of Representatives. Let us uphold the will of the majority. Let us uphold the mainstream opinion in this Congress and vote to support the Dooley motion to instruct the conferees.

Mr. DIAZ-BALART. Mr. Speaker, I yield 5½ minutes to the gentleman from Texas (Mr. DELAY), the distinguished whip, great friend of freedom and democracy for the Cuban people.

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

Mr. DELAY. Mr. Speaker, America has forces deployed all around the world as we root out the international terrorist networks. We have served notice to every Nation that there is no middle ground in the struggle to vindicate freedom.

President Bush divided the world into two camps with a very basic guiding principle: either you are with us or you are with the terrorists. Every country must choose between freedom and a culture of murder and destruction.

This misguided campaign to relax the embargo against Fidel Castro's evil regime is a retreat from a very bright line division between freedom and tyranny. We risk clouding our resolve against terror here in our own hemisphere. The supporters of this initiative may believe that by engaging Cuba their approach would bring constructive results, but nothing in Cuba takes place without Castro's blessing, and Castro profits by every business transaction in Cuba. Easing the embargo would only empower a tottering dictator.

For decades, Fidel Castro's Cuba has cultivated, trained, and harbored both individual terrorists and groups using murder to make political statements. Castro's Cuba is a temple to violence. Their handiwork cost American lives like the New Yorkers murdered and maimed by the Fraunces Tavern bombing carried out by Cuban-trained terrorists.

There is no denying that Cuba is a safe haven for terrorist fugitives. Castro shelters Basque ETA terrorists, Colombia FARC and ELN terrorists, and terrorist officials from the Irish Republican Army. Castro is intertwined in the axis of evil.

Just 1 year ago, Castro visited three other state sponsors of terrorism: Iran,

Syria, and Libya. In Tehran, Castro said: "Iran and Cuba, in cooperation with each other, can bring America to its knees. The U.S. regime is very weakened and we are witnessing this weakness from up close." That was Castro talking.

Castro sold advanced biotechnology to the Iranian government. The United States believes that Cuba has at least a limited offensive biological warfare capability. Castro is sharing dual-use biotechnology with rogue states.

Ken Alibek, the former Soviet Union's top chemical and biological warfare expert, told Congress that "Cuba has a perfectly developed system of engineering and is capable to develop genetic engineering agents. They've got the desire to develop genetically engineered biological weapons." That is what a former Communist in the Soviet Union said.

In other words, Castro is funneling resources to develop the world's most diabolical weapons, and he shares these evil exports with the world's most dangerous and unstable regimes.

We can be certain that any economic activity between the United States and Cuba will only serve to supply additional fuel to Castro's engine of repression. The proceeds of joint ventures and trade and terrorism do not empower the men and women of Cuba. They are bled into the Castro regime.

We also know that Castro is continuing his attempts to penetrate U.S. intelligence agencies and even our Armed Forces. Last month, last month, the Defense Intelligence Agency's top Cuba specialist pled guilty to spying for Castro over 16 years. There is little doubt that Castro's espionage is made available to our enemies. Perhaps it even makes its way to the al Qaeda.

There is no sign that September 11 did anything to shift Castro's reflexive hostility toward democracy and freedom. He smeared America's response to terrorism. Said Castro: "Their capacity to destroy," their being us, "capacity to destroy and kill is enormous, but their traits of equanimity, serenity, reflection and caution are, on the other hand, minimal."

We know with dead certainty that Castro systematically brutalizes and oppresses the Cuban people. He drags his people through hardship, servitude, and despair; and any fair appraisal of Cuba's long support for terrorist groups and Castro's current behavior leads to an unavoidable conclusion. Without a clear break from terrorist sponsorship and the adoption of fundamental human rights and democratic reforms, the embargo must be upheld.

Even if we set aside our deep reservations about empowering Castro through economic activity with the United States, there are other doubts that remain. What is the likelihood that any American farmer would actually be paid by Castro for the goods exported to Cuba?

Castro's track record is just abysmal. Two years ago, Cuba failed to pay

money owed to the French. Last year Castro also defaulted on over \$500 million in debt owed to Spain, South Africa and Chile. Castro is a bad credit risk. We should be seeking to open real markets with the actual capacity to pay for the products exported to them.

Members should reject this motion to instruct by standing with the President against state-sponsored terrorism and tyranny. Vote "no" on the motion to instruct.

[From the New York Times, Sept. 8, 1985]
F.B.I. AIDE TESTIFIES TO ESPIONAGE
CONFESSION

Less than an hour after his arrest last fall on espionage charges, Richard W. Miller confessed passing a secret document to a Soviet intelligence agent, the head of the Federal Bureau of Investigation office in Los Angeles testified Friday in Federal District Court here.

It was the fifth straight day the jury heard evidence that Mr. Miller, then an F.B.I. agent, had admitted passing classified documents to the K.G.B., the Soviet intelligence agency. The previous testimony focused on admissions Mr. Miller made in five days of interrogation before his arrest last Oct. 2.

But Richard T. Bretzing, the chief F.B.I. agent here, testified that after Mr. Miller was taken into custody he said he had given the secret 53-page "Reporting Guidance: Foreign Intelligence Information" to his lover, Svetlana Ogorodnikov, a Russian emigre, Mr. Bretzing said Mr. Miller made the admission while he was being taken from his home in Bonsall, Calif., to the bureau's San Diego office.

Arrested on espionage charges the same day as Mr. Miller, who is 48 years old, were Mrs. Ogorodnikov, 35, and her husband, Nikolay, 52. Both pleaded guilty at their trial earlier this summer and were sentenced to prison.

EARLIER TESTIMONY SUPPORTED

The Government contends that Mr. Miller was involved in a sexual liaison with Mrs. Ogorodnikov and agreed to provide Soviet intelligence agents with classified material through the Ogorodnikovs in return for \$65,000.

The defense, which will open its case next week, contends that Mr. Miller cultivated a relationship with Mrs. Ogorodnikov as part of a one-man mission to infiltrate the K.G.B. and rescue his 20-year career as an F.B.I. agent.

Earlier this week a Portland, Ore., woman testified that hours before his arrest Mr. Miller telephoned her and told her he was in trouble. The woman, Marta York, testified that Mr. Miller had said he had "only passed one" classified document to Soviet agents.

Mr. Miller's attorneys, who characterized the woman's testimony as "very damaging," were surprised Friday when the prosecution presented a witness to buttress her testimony.

The witness, Gary Allan, an Oregon social worker, testified that he was in Mrs. York's home last Oct. 2 when she received a phone call from a "close friend" named "Richard" who was in the F.B.I.

After the call Mr. Allan said Mrs. York was "agitated" and "excited," and talked about it. "She said she had learned he had gotten into trouble as a result of his relationship with a woman who she identified as a Soviet agent," Mr. Allan testified. Information Termed Secret "Did she tell you that Richard's relationship with the Russian woman was an intimate relationship?" asked Russell Hayman, an Assistant United States Attorney.

Mr. Allan responded, "It's fair to say that, yes." He then said Mrs. York had told him that her F.B.I. friend "had shared information with the Russian agent."

Mr. Hayman asked, "What type of information?" Mr. Allan replied, "She described the information as secret."

Mr. Bretzing testified Friday that, in the five days before Mr. Miller's arrest, he urged the agent to "unburden" himself.

The defense contends that Mr. Miller was so overcome by Mr. Bretzing's spiritual appeal that he began confessing. Mr. Miller was excommunicated from the Mormon Church early last year for adultery. Mr. Bretzing is a Bishop in the church.

But Mr. Bretzing rebuffed defense suggestions that he exploited Mr. Miller's ties to the Mormon Church to elicit a false confession.

"I believed that he had done things he knew to be unlawful and a betrayal of the country," Mr. Bretzing said, referring to Mr. Miller. "I believed from his teachings in the F.B.I. and as a youngster in the Mormon Church, he had every reason to feel guilt."

Stanley Greenberg, a defense attorney, asked "And you tried to appeal to that guilt?"

Mr. DOOLEY of California. Mr. Speaker, I yield 2 minutes to the gentlewoman from Missouri (Mrs. EMERSON).

Mrs. EMERSON. Mr. Speaker, I represent a district whose mainstay is agriculture, and for the last 4 years and now going into our fifth year our farmers are in very, very bad straits.

As a matter of fact, I would agree with the gentlewoman from Florida when she says that our farmers are the heart and soul of America. They are the heart and soul of our American values, but they are hurting; and our farmers overwhelmingly want to sell their commodities to Cuba. As a matter of fact, they have sold \$73 million of commodities to Cuba in the last 6 months. Those have been cash sales, and Cuba has paid up front for those purchases.

Up until we imposed the embargo on Cuba 40-plus years ago, my farmers sold the bulk of their rice to Cuba. They lost that market when the embargo was imposed, and they have really never gotten those markets back again from any other country.

□ 1530

Mr. Speaker, the other day, the Friday before last, I helped to load 250,000 bushels of my farmers' rice onto the barges in Carthersville, Missouri. It was my farmers' rice, not a company's rice, my farmer's rice. And I am absolutely shocked and saddened when I hear my colleague from Florida say that any firm or farmers who sell their commodities to Cuba will be blacklisted by the Democratic government that may take over when Castro leaves office, dies or is elected. That is shameful, as my other colleague from Florida said.

Let me talk a little bit about a couple of other things. The administration has recently revoked the visas of several Cuban officials who represent their trading company, Alimport. Those officials were coming to Michigan, to

North Dakota, to Missouri and other States to purchase commodities for future sales; and, unfortunately, our administration said it was not their policy to encourage agricultural sales to Cuba.

If our farmers are hurting, if our American economy is hurting and we want to have an open trade policy, it is pretty hypocritical not to allow people who want to purchase our commodities to come and do so.

When we are talking about private financing, we are talking about a company entering into a private financial agreement with the country of Cuba. It is a private company. If they want to take the risk, they should be allowed to take the risk because this is, I thought, a democracy where we were free to make those decisions on our own.

Mr. Speaker, our policy towards Cuba should not be one that is based on a family feud, but rather it should be a policy based on helping the American economy and the American farmer.

Mr. DIAZ-BALART. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I do not know what the family feud is about, but I do know that the shameful attitude is one of standing with the dictatorship; and it is normal and I think to be expected that people, once they are free, do not want to do business with those who collaborated with a dictatorship.

Mr. Speaker, I yield 3½ minutes to the gentleman from New Jersey (Mr. MENENDEZ).

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

Mr. MENENDEZ. Mr. Speaker, let me say at the start that I admire my friend from California with whom I have worked so closely on so many issues. This is one issue where we disagree, and disagree strongly.

While I would like nothing more than to see democracy and free market trade with Cuba, and while my family in Cuba would like nothing more than to see democracy and free markets and greater access to food, subsidizing trade with a regime on the U.S. terrorist list that has threatened us in the past, that is one of the world's worst human rights abusers, that gives its citizens none of the religious or political freedoms we Americans hold dear, is not helping the Cuban people, it is only helping the dictatorship.

I have taken that constant position, whether it be in China or any other totalitarian place in the world. I wish so many of my colleagues who take that position in those countries would take that position here. Cuba can get food from almost anywhere else in the world. But the fact is the Cuban regime and its failed economic models ration the food that eventually gets to the ordinary people; and rationing food is a control mechanism over the populous.

My family in Cuba gets a ration card, and no matter how much food comes

into Cuba, they ultimately can only purchase that amount that they are controlled by the government to have access to. When a government rations food, they obviously control the people because they are waiting in long lines, not thinking about a democracy or overturning a dictatorship, but waiting in long lines to get a mere subsistence.

This is a regime that goes so far as to prohibit their own citizens from privately producing its own agricultural food. It is failed economics that does not give them the hard currency to purchase food. Financing Castro, whether it is food sales or any other kinds of sales, supports the very system that actually prevents the Cuban people from getting freedoms, rights, and, yes, even food without government control.

Some of us look at the motion which I understand my colleague is doing to help farmers in his district and throughout the country, but we look at it and say ultimately it finances oppression, totalitarianism, and I do not think that we can count on the regime to honor its debt. This is not about the private sector simply taking risks on their own because maybe we can make an argument for that, that if the private sector wants to take the risk, they should have the opportunity. If they lose, they lose.

But under this instruction and the Senate's provisions, in fact, the Federal Government's different programs of financing can finance the food sales. Therefore, it is not the private sector making their market decision, it is the taxpayers of this country ultimately who will lose when Castro, who has a long history of not paying debt, ultimately does not pay. That is, I think, a poor statement for American taxpayers to be subsidizing a regime, a dictatorial regime, that ultimately controls its people by rationing its food.

Mr. Speaker, I think what we need to do is deal with the Freedom to Farm Act which was a catastrophe for the farmers. Let us not foot the bill for oppression and dictatorship, and let us not allow the Cuban people to be controlled by food rationing. Let us stand with them against dictatorship and against the motion.

Mr. DOOLEY of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, to provide some clarification, the motion and the Senate language retains section 908(a) which has the prohibition that does not allow for any public financing or assistance in the sale of products. So when Members are making contentions that this is going to result in a subsidization of trade and allow for public financing, this amendment does nothing of the sort because it retains the language in section 908(a).

Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. ROEMER).

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

Mr. ROEMER. Mr. Speaker, I want to first of all state my admiration for the sponsor of this motion. This motion is a promotion of democracy. It is for free trade and it is to replace a 40-year-old failed policy with a new idea on foreign policy.

As a new Democrat, as a member of the Cuban Working Group which is a bipartisan group of Members of Congress, I rise in strong support of this motion.

Mr. Speaker, unilateral sanctions on humanitarian products such as food and medicine have been ineffective, totally ineffective, in trying to influence and change the Cuban Castro regime for the past 40 years.

This motion is not even a motion to remove the embargo, which 85 percent of Americans would probably support, this motion simply lets the private sector move forward without restrictions for our agricultural community to do trade with Cuba. This is modest. This is a small step forward for freer trade and replacing a failed policy.

Unilateral sanctions have failed, and they have hurt our farmers across the board. It is not a way to implement American foreign policy. This embargo is hurting Indiana farmers. If we somehow were to get this embargo replaced, the impact on agricultural products, fisheries, and forest products to Cuba from Indiana alone would reach an annual export rate of \$29 million, and create 791 new jobs in our State. That is a good policy for Indiana and for farmers and for our economy.

Mr. Speaker, let me close with this. We now trade with Vietnam, whom we fought a war with. We trade with China with 1.2 billion people; why can we not trade with Cuba? Eleven million people, a small island to the south of Florida, do not let it be held hostage to presidential electoral politics.

Mr. DIAZ-BALART. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. SMITH), a fighter for human rights.

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

Mr. SMITH of New Jersey. Mr. Speaker, I rise in strong opposition to the Dooley motion to lift current human rights limitations on the financing of private agricultural sales to Cuba. While the motion in support of section 335 of the Senate version of the farm bill purports to assist American commercial interests, it is absolutely clear that the prime beneficiary would be the Castro dictatorship.

Amazingly, it seems to escape the notice and concern of certain Members of Congress that the Cuban dictator not only tortures thousands of people in Cuba, but he is also a terrorist. Cuba continues to share the dubious distinction of being named a terrorist state by the U.S. State Department, joining countries like Iran, Iraq, Libya, North Korean, Sudan and Syria, great company, and we want to trade more with these individuals?

Last year as the gentleman from Florida (Mr. DIAZ-BALART) pointed out earlier, when Castro was in Iran, and this was in the Agence France Presse, he said after meeting with the Iranians, "The U.S. regime is weak, and we are witnessing this weakness close up." He also said that Iran and Cuba, tightly together, in cooperation with each other, can bring America to its knees.

Mr. Speaker, "bring America to its knees," and we want to reward this terrorist, Castro, by trading more with him? The mention was just made that in China and Vietnam, we trade with them, why not Cuba. There has been no amelioration of human rights abuses in those countries.

I would ask my colleague, the author of this motion, has the gentleman read the country reports on human rights practices with regard to Cuba? Has the gentleman read it? No.

Mr. Speaker, I ask the gentleman and every Member who wants to lift this part of the sanction to read this. It reads like an indictment of the Cuban dictatorship.

This report points out over and over again in this 21-page, single space country report, out of the State Department, that harassment, murder, killing, beatings—if one steps out of line in Cuba, bang, they come at you and beat you with their fists. And we want to reward this dictatorship?

The gentleman from California mentioned China. China has gotten worse in its human rights. Read that report. It is over 60 pages put out by the U.S. Department of State. We cannot aid and abet dictatorship. He is a terrorist. He is a mass violator of human rights, and he would be the prime beneficiary of the gentleman's motion and the Senate language. I urge a "no" vote on this. This is wrong. It makes us, however unwittingly, accomplices in crimes against humanity.

The Government's human rights record remained poor. The Government continued to violate systematically the fundamental civil and political rights of its citizens. Citizens do not have the right to change their government peacefully. Prisoners died in jail due to lack of medical care. Members of the security forces and prison officials continued to beat and otherwise abuse detainees and prisoners, including human rights activists. The Government failed to prosecute or sanction adequately members of the security forces and prison guards who committed abuses. Prison conditions remained harsh and life threatening. The authorities routinely continued to harass, threaten, arbitrarily arrest, detain, imprison, and defame human rights advocates and members of independent professional associations, including journalists, economists, doctors, and lawyers, often with the goal of coercing them into leaving the country. The Government used internal and external exile against such persons, and it offered political prisoners the choice of exile or continued imprisonment. The Government denied political dissidents and human rights advocates due process and subjected them to unfair trials. The Government infringed on citizens' privacy rights. The Government denied citizens the freedoms of speech, press, assembly, and association. It limited the distribution of foreign

publications and news, reserving them for selected faithful party members, and maintained strict censorship of news and information to the public. The Government restricted some religious activities but permitted others. The Government limited the entry of religious workers to the country. The Government maintained tight restrictions on freedom of movement, including foreign travel and did not allow some citizens to leave the country. The Government was sharply and publicly antagonistic to all criticism of its human rights practices and discouraged foreign contacts with human rights activists. Violence against women, especially domestic violence, and child prostitution were problems. Racial discrimination was a problem. The Government severely restricted worker rights, including the right to form independent unions. The Government prohibits forced and bonded labor by children; however, it required children to do farm work without compensation.

Mr. DOOLEY of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this motion is not about condoning any of the human rights abuses or any of the infringements upon personal freedoms in Cuba.

Those of us who are advancing this policy and this motion believe very strongly that a policy of engagement is one that is going to do more to improve the situation in Cuba, just as many of us believed when we were advancing a policy of economic engagement with China, it was a policy that was going to result in improvement in religious freedoms and human rights that are so important to the citizens there.

Mr. Speaker, many of us would take exception to the characterization that in our offering of this motion, we are actually working to the detriment of the interest of people in Cuba and elsewhere.

□ 1545

Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. FARR).

Mr. FARR of California. Mr. Speaker, I thank the gentleman for yielding me this time. I rise in favor of the motion to instruct conferees. I rise because I represent a lot of farmers in California, farmers who traveled with me to Cuba a month ago, people who want to sell what they grow to the Cuban Government, to the Cuban people. The irony is that it is not the Cuban Government that will not let them sell it to them, it is our government.

That is why they are asking us to instruct these conferees to lift what they consider just un-American restrictions on their ability as businesspeople in this country who grow food for people, regardless of their political affiliation, and see that that food can be sold to Cuba. In fact, the rice farmers from California and the wine grape growers from California that were with us indicated that they had sold, the rice growers had sold rice to Cuba, were very pleased with the sale, had gotten paid in a timely fashion and President Castro asked them right across the table, "I'll buy a billion dollars more of

American product if you will get your licenses to sell."

So that is what this is about. It is about getting the ability for American farmers to sell their crops. What does it mean to a place like California? We looked at what we could trade in Cuba. It comes out to about \$98 million in lost trade of the products that we produce in California that we could be selling to Cuba. About \$280 million would be to agricultural-related industries. Cuba is a market for rice, feed, grains, oilseeds, beans, wheat flour, animal products fertilizers, forest products, herbicides, pesticides and farm machinery. Many of these products are big business in California.

Currently with restrictions, the U.S. has had \$35 million in sales to Cuba in the last 3 months. So the interchange is happening, but it is a very difficult one. I would just ask, and there is a lot of emotion in here, but I cannot understand why people would care if President Castro gets credit for feeding hungry children. My God, our country can rise above that and start helping 11 million people eat.

Mr. DIAZ-BALART. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana (Mr. BURTON), who knows that Castro has never been elected to anything, much less that he deserves to be called Mr. President like the prior speaker called him in an embarrassing, shameful way.

Mr. BURTON of Indiana. Mr. Speaker, let me just say to my colleagues, Fidel Castro can buy products from the United States today, and he has been. But he has to pay cash. And what we want to do with this, what you want to do with this motion is you want to allow him to get credit.

Let me just tell you what credit he has honored in the past. He owes \$120 million to Spain. No payments. They are trying to restructure the loan. He owes \$170 million to France. He defaulted on \$10.5 million. They are trying to restructure that loan. He owes \$20 million to Chile. No payments on that. \$400 million to Mexico; past due, but they are trying to restructure the loan. If he wants to pay cash, he can buy it. But the reason he wants to get credit is because he knows long term that he is going to be able to get out of the debt. And ultimately, I think my colleagues who have made this point in the past are accurate; it will be borne by the taxpayers of America. The money will be borrowed and eventually when it gets up to such a level, the financial institutions that lend it are going to be complaining to high heaven and the government will bail them out. And so henceforth the taxpayers of the United States will be paying for the food that Castro gets.

Let us look at what Castro is. He is still a terrorist. He is working with the FARC guerrillas in Colombia. They are selling heroin and cocaine by the carload to American youth. And they are terrorists. They are kidnapping and killing Americans down there, and

they are holding them hostage and he works with them. They even wear Che Guevara hats, berets, because they support Castro. They go back and forth to Cuba on a regular basis. He is not for democracy. He is not for human rights. He supports terrorism, and now he wants credit from the United States.

The fact of the matter is, my colleagues, we should not be giving it to him. I have businesspeople in my district that have come to me and say, "We want to do business with Fidel Castro." My answer to them is, when Fidel Castro starts allowing democracy in Cuba, when he starts allowing human rights, when he starts taking steps in the directions that we believe ought to be taken, then we will consider those things. But so far Fidel Castro has done none of these things. He goes around the world condemning the United States, saying he is going to bring us to our knees and we want to kiss him on both cheeks. I think that is a mistake. Until we see a manifest change in Castro's behavior, we should not be giving him credit. If he wants to buy American products, let him pay cash. Let him pay cash. And when he starts showing some changes in human rights and moving toward democracy, we will start looking at credit.

Mr. DOOLEY of California. Mr. Speaker, I yield myself such time as I may consume just to make a couple of observations. I find it remarkable that some of my Republican colleagues have so little confidence in our private financial institutions that they do not think and trust that they will do the due diligence in terms of making a determination on the ability of an entity within Cuba to make good on the loans that they might offer in order to finance a sale of U.S. products into Cuba.

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

Mr. MEEKS of New York. Mr. Speaker, I rise in support of my good friend's, the gentleman from California, motion to instruct our conferees to agree to the Senate provisions repealing the existing restrictions against the use of American private sector financing of our agricultural exports to Cuba.

It is high time that we bring our trade policy with Cuba, a market with solid potential for a number of job-creating export industries, in line with the fundamental principles and objectives which govern our trade policy with the rest of the world. I for one as a matter of principle have never been a supporter of unilateral sanctions as an effective instrument of United States foreign policy. Such actions also often cost us shares in foreign markets. Other colleagues have also raised morally principled concerns on the inclusion of food in any sanctions policy. I am proud that this body has already moved in a bipartisan manner to exclude agricultural products from our embargo against Cuba. It was a step in the right direction to bring an outdated 20th century policy into the 21st

century, a policy which has obviously not achieved the desired results and is ridiculed by our friends and allies across the world.

However, that small step was followed by a step backwards, when we excluded our own financial community from being able to provide financing to our own private sector. Our embargo has already cost our businesses and consumers billions of dollars. Do we really want to send American businesses who want to export American-made goods to banks in other nations?

Mr. Speaker, at a time when our economy is struggling to recover, when our farmers are facing difficult conditions, and when we seemingly find ways to take one step backward every time we take a step forward in reclaiming our global leadership and international trade, it is indeed high time we stop preventing our financial sector from financing legal exports to a \$100 million market only 90 miles away from our shores.

I thank the gentleman from California for this motion, and I urge our conferees to follow the bipartisan leadership demonstrated by the other body; and let us end these sanctions on U.S. banking and financial institutions.

The SPEAKER pro tempore (Mr. OTTER). The Chair would advise that the gentleman from Florida (Mr. DIAZ-BALART) has 1¼ minutes remaining and the gentleman from California (Mr. DOOLEY) has 12 minutes remaining. The gentleman from California being the maker of the motion has the right to close.

Mr. DIAZ-BALART. I would ask the gentleman how many speakers he has.

Mr. DOOLEY of California. We have at least three.

Mr. DIAZ-BALART. Mr. Speaker, I reserve the balance of my time.

Mr. DOOLEY of California. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I rise in support of the Dooley motion to instruct conferees to the farm bill. It reveals existing restrictions against private financing of agricultural sales to Cuba. It is an opportunity to help innocent people suffering under repressive regimes and truly help our farmers who are facing record low prices.

Our foreign policy must be to help, not punish, people who suffer under repressive regimes. Unilateral agricultural sanctions end up hurting the most vulnerable in a target nation, eroding their confidence in the United States as a supplier of food and as a supplier of hope. Human Rights Watch reports that the U.S. embargo has not only failed to bring about human rights improvements in Cuba, it has actually, and I quote, "become counterproductive to achieving this goal."

We are not defending the Cuban Government or its poor human rights record. We must always speak strongly against the abuse of human rights in this world. But current U.S. policy to-

wards Cuba hurts 11 million innocent Cuban men, women, and children; and it denies our farmers a vital export market. This policy has cost America important export markets. The USDA estimates that trade sanctions reduce U.S. agricultural exports by over \$500 million per year. U.S. wheat farmers have been shut out of 10 percent of the world wheat market. Soybean farmers could capture as much as 60 percent of the demand for soybeans. We need to help American farmers, but we need to help the innocent people of Cuba. We are talking about food.

I urge my colleagues to please support the Dooley motion. It makes sense. It is humanitarian and maybe in a change in policy we can help to bring about a change in a regime that, yes, in fact has abused human rights. Let us help to see if we can get this back on track.

Mr. DOOLEY of California. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. KIND).

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

Mr. KIND. I thank my friend for yielding me this time.

Mr. Speaker, I want to thank the gentleman from California (Mr. DOOLEY) for showing the leadership on this important issue. I rise in support of the motion to instruct to adopt the Senate language to lift the embargo that has existed against Cuba all of these years. A sensible and fair trade policy is an essential feature of economic growth in this country, but the 40-year trade embargo against Cuba has not only been unfair, it has been a failure. Castro is still there. Yet it is our American farmers that are hurt the most by the inability to export to a country just 70 miles off from our coast.

It is time to try engagement. At a time as we live in today when we are importing oil from such regimes as Saudi Arabia and Yemen, even Venezuela and even Iraq, to claim that we should not be trading with Cuba is the height of hypocrisy. Yet what is funny about this whole debate is the American people have been way out ahead of policymakers in this country, especially Presidential candidates as they go down to Florida and to the opposition to this very motion. In fact, in a recent poll conducted on this very issue, over 85 percent of the American people think that the United States should end all restrictions on the sale of food and medicine to the island of Cuba. And a majority of Members now are on record on repeated occasions of supporting lifting the embargo. The most recent vote in the House came down to a 301 to 116 opinion to lift the embargo. The most recent vote in the Senate passed 70 to 28. These votes indicate that there are veto-proof majorities in both the House and the Senate to deal with this issue. Yet it for too long has been tied up in Presidential electoral politics in the State

of Florida. A majority of both the House and the Senate agriculture committee members favor lifting these restrictions. And even a majority of the conferees existing on the farm bill today favor lifting the restrictions. It is time to end this unfair trade policy. It is time to try engagement and let the sunshine in and also help the American farmers in the process. I thank my friend for his leadership.

Mr. DOOLEY of California. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. RODRIGUEZ).

Mr. RODRIGUEZ. Mr. Speaker, I rise in support of the Dooley motion. Let me just say that I rise in support of what is best for America. As Americans, we have been negligent. We have allowed for this policy to be hijacked. It is now up to us to really look in terms of what is happening and begin to do the right thing. Nothing brought this to light any better than the situation with Elian, the young man who, when we saw that situation, it brought to light the fact that we need to begin to do the right thing. The right thing is to begin to trade.

When we look at American support as indicated earlier, there is support there for the sale of food and medicine to Cuba. An October 2000 public opinion poll found that over 85 percent of Americans support that. And so it is about time that we begin to do the right thing. The majority of the Members of this Congress have repeatedly voted in favor of that measure. But it continues to be hijacked. A majority of both the House and the Senate agriculture committees support unrestricted food and medicine sales to Cuba. The embargo prevents U.S. businesses from doing good business, and it does not make any sense. When we look at it and say we expect them to have an electoral process and vote, I believe that strongly. But if you hold that to every single country that has a dictator or has other forms of government that do not elect their officials, we would not be having too much trade throughout this world, and it does not make any sense.

□ 1600

The other most important thing we need to remember is that when it comes to our national security, I have always said we should act unilaterally and act as quickly as possible. But when it is not in our interests in terms of national security, and I sit on the Committee on Armed Services, and I have never been given information in terms of the threats that are out there. Our major threats come from other countries.

So when we look at that, we ought to act in a multilateral perspective and reach out to Latin America. All of Latin America has always questioned why do we have this policy that is irrational and blinded.

Mr. DIAZ-BALART. Mr. Speaker, I yield myself the balance of my time.

The SPEAKER pro tempore (Mr. OTTER). The gentleman from Florida is recognized for 1¼ minutes.

Mr. DIAZ-BALART. Mr. Speaker, with regard to a couple of points made by the colleague who just spoke, he said that he has heard, and he is on the Committee on Armed Services, of no threats by the Cuban regime. Obviously he has not heard the debate that has gone on for one hour, because my understanding was that 17 spies were convicted or arrested in the last couple of years. No other terrorist state has had anywhere near that many spies arrested, in some instances, for spying on U.S. military installations, which is something that goes counter to national security. The highest ranking spy in the Defense Intelligence Agency, my understanding, is that spy was arrested for spying for the Cuban terrorist state, and that would be contrary to national security. My colleague said he never heard of anything along those lines, so I am glad we had this opportunity to inform him.

Our law is clear. Normalization requires freedom for political prisoners, legalization of unions, the press and political parties, and the scheduling of free elections. Now, if you ask the American people a question, do you support those three conditions for normalization, do you support in this hemisphere that all people should have the right to free elections and to no political prisoners and to freedom for political parties and labor unions and the press, I know what the answer to that question would be. It would be overwhelmingly supported. So it all depends on how you ask the question.

This Congress has always stood in favor of free elections and freedom for the political prisoners and freedom of political activity and free speech in effect for the Cuban people. Cuba, as has been said before, is in this hemisphere. The international law and inter-American law requires democracy in this hemisphere. It states that representative democracy is the only form of government in this hemisphere.

Cuba remains in this hemisphere, despite what some would like on the other side of this debate. It remains in this hemisphere, and the Cuban people deserve our continued solidarity, and not financing for the terrorist regime, which is what in effect this amendment would make possible. So vote down the Dooley amendment.

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

Mr. Speaker, I respect the sincerity and passion of the gentleman's opposition to this amendment, but I think at times the rhetoric has probably gone beyond the issues that are at hand here.

This amendment, what we are talking about really relates solely to the sale of food and medicine from the United States to Cuba. Currently we allow for the sale of food and medicine to Cuba, but we require that it be paid for in cash, or the U.S. interest that is selling the food and medicine to Cuba would have to secure financing from a

third party country. All this amendment does is says that a sale of U.S. food and medicine to Cuba can now be financed by a private institution in the United States.

That is what this debate is all about. It is about how we can facilitate the sale of U.S. agricultural products that are important to provide the sustenance to a lot of families in Cuba. It is about how can we facilitate the sale of U.S. drugs to a lot of the families in Cuba by providing an element of private financing.

I just want to clarify an issue that was brought up at times saying this will allow for the public financing of goods to Cuba. This bill does not do that. In fact, it retains the language that I wanted to read into the record, which is section 908(a). It says, "In general, notwithstanding any other provision of law, no United States government assistance, including United States foreign assistance, United States export assistance, and any United States credit or guarantees shall be available for exports to Cuba or for commercial exports to Iran, Libya, North Korea, or Sudan."

My colleagues need to fully understand that, again, what we are talking about here is simply a measure that will provide for the ability to provide for private financing of food and medicine.

There was also some contention made, well, why do we need to be providing for the U.S. be able to provide food and medicines to Cuba? They can get those from other countries. But what is clear is if the United States wants to have the most influence into Cuba, is that we need to enhance and expand upon our interaction and our engagement. That is what this measure will do.

I ask my colleagues to support this measure. It is a step forward in terms of providing greater economic opportunities in many sectors of our economy, and also is a step forward in ensuring that we will have a positive form of economic engagement which can make a difference in the quality of life of the residents and citizens of Cuba.

Mr. FARR of California. Mr. Speaker, I rise today to support my good friend from California and his motion to instruct the conferees on the Farm Security Act, which would repeal the existing restrictions against private financing of agricultural sales to Cuba.

Mr. Speaker, at issue here is whether we want to help American farmers, or leave in place restrictions that are costing them millions of dollars each year. Given that the national farm economy is depressed, it is important that we do what we can to help American farmers and their families. With one simple adjustment in our policy, we can help them recover billions of dollars in lost trade. According to a recent study, U.S. farmers are losing close to \$1.26 billion in agricultural exports and about \$3.6 billion in exports related to agriculture because of these restrictions.

The U.S. Senate has taken the first step in easing agricultural trade restrictions, and the House of Representatives should follow. The

Senate position has garnered wide support from a broad array of agricultural interests. The National Farm Bureau, the USA Rice Federation, the dairy industry, wine sellers, all support lifting the restrictions. The California Farm Bureau supports lifting restrictions because it knows that California agriculture stands to reap great benefits from trade with Cuba. Up to \$98 million in agricultural products, and \$287 million in related sales could be generated, simply by lifting the restriction on private financing.

The Cubans are ready, willing, and able to purchase our goods. They have stated publicly that they would buy over a billion dollars' worth of agricultural goods if we would only lift restrictions, and help expedite licenses to allow them access to the same lending terms to which other countries have access. Let's help the American farmers. Let's trust them manage their own business and their own risks. Lifting the restrictions would give them this freedom.

This is a simple vote, will we agree to instruct the House conferees to agree with the Senate—which has already realized the necessity of this change in policy—or do we continue with a failed policy, which helps no one and hurts American farmers? I urge my colleagues to support this move, and vote "yes" on the Dooley motion to instruction the conferees.

Mr. PALLONE. Mr. Speaker, I rise today in opposition to the H.R. 2646, the motion to instruct conferees on the Farm Security Act to repeal restrictions against private financing of agricultural sales to Cuba.

Doing business with Cuba means doing business with Castro, it is that simple. So long as Cuba's dictator maintains his stranglehold on every aspect of Cuban life, lifting any aspect of the embargo would mean subsidizing Castro. The truth is that Cuba can get food from almost anywhere in the world. However the Cuban Government chooses to ration the food that it does receive and even goes as far as to prohibit its citizens from producing their own. Under Castro, every aspect of the economy is controlled by the Cuban Government. In Cuba there is no such thing as free enterprise. By sending our products into Cuba, we are only giving Castro the symbolic victory and propoganda he craves. By sending our agriculture products into Cuba, we are only providing assistance to a dictator and a terrorist.

The Cuban Government is characterized by its systematic trampling of civil rights and political freedom, the killing of civilians, the subhuman conditions of its prisons and by a legal system that perpetuates the violation of human rights. According to Amnesty International, no other country of Cuba's size has held so many political prisoners for so long under such inhuman circumstances of atrocity and terror. These atrocities are not some far off history of a generation ago. They are happening today, in jails closer to Miami than we are to my home in New Jersey.

By lifting these sanctions with nothing in exchange from the Cuban Government—no free elections, no commitments on human rights, no civil liberties—we are betraying the very people that this embargo was designed to help. Mr. Speaker, I urge my colleagues to oppose H.R. 2646 and to remain steadfast in their support for the Cuban people.

The SPEAKER pro tempore. All time has expired.

Without objection, the previous question is ordered on the motion.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from California (Mr. DOOLEY).

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. DOOLEY. 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.

MOTION TO INSTRUCT CONFEREES ON H.R. 2646, FARM SECURITY ACT OF 2001

Mr. BACA. Mr. Speaker, I offer a motion to instruct conferees.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. BACA moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill, H.R. 2646, an Act to provide for continuation of agricultural programs through fiscal year 2011, be instructed to agree to provisions contained in section 452 of the Senate amendment, relating to restoration of benefits to children, legal immigrants who work, refugees, and the disabled.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. BACA) is recognized for 30 minutes.

GENERAL LEAVE

Mr. BACA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on my motion to instruct on H.R. 2646.

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

There was no objection.

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

Mr. Speaker, let me begin by thanking the Congressional Hispanic caucus, the gentleman from Texas (Mr. STENHOLM), the gentlewoman from North Carolina (Mrs. CLAYTON) and a bipartisan group of colleagues for working so hard within the conference committee to restore food stamp benefits to working, taxpaying legal residents, and I state, to taxpaying legal residents.

We all agree that the time has come for Congress to ensure that all legal residents are eligible for food stamps. America provides aid to hungry people all over the world, yet we do not take care of everyone who needs it right here at home.

Children of legal immigrants to our Nation are starving. It is as simple as that. With the passage of welfare reform in 1996, almost all legal immigrants lost food stamp eligibility. In 1998, Congress realized it had gone too far. But it only restored food stamps to

benefit kids and elderly who arrived in our country before 1996. Thousands of immigrants who arrived here in the last 5 years will never receive any help from us for their nutritional needs.

The current law does nothing to help them feed their children, many of whom are United States citizens. Let me say that again, many who are United States citizens. Kids who are United States citizens are starving under the current law. This must stop. It can stop with us.

This motion instructs the 2002 Farm Security Act conference to restore much-needed food stamp benefit to legal, permanent residents. I state, to legal, permanent residents. It would allow legal residents who have been in the United States for 5 years to apply for food stamps if they are low income. This is what the President has proposed. I state, this is what the President has proposed.

It would allow children to be eligible for food stamps, regardless of when they entered the United States. This provision is also contained in the farm bill that the Senate brought to the conference committee. It would reduce the current requirement that an immigrant accrue 10 years of working history to qualify for food stamps to 4 years of work to qualify.

Why should all of us support this motion? Because it makes sense, both fiscally and morally, and because strong bipartisan support already exists for restoring food stamps to legal immigrants.

Support for restoring benefits crosses ideological and partisan lines. President Bush's 2002 budget includes a proposal to restore food stamps to legal immigrants, and I state, to legal immigrants, who have lived in the United States for 5 years. Newt Gingrich even stated that the restrictions on legal immigrants' eligibility for food stamps were one of the provisions in the welfare law that went too far; that went too far. Members from both sides of this aisle in both Chambers support restoration.

Also the children's restoration is very inexpensive. It is already built into the \$6.4 billion allotment for the nutrition title. The cost is \$200 million. That is a small price when compared to the entire \$150 billion farm bill.

Restoration of the food stamps to immigrants with significant work history costs nothing. CBO scored the enhancement at zero. It will simplify the process and help people at no cost to the taxpayers, at no cost to the taxpayers.

Immigrant children need food stamps. Children, more than any other group, need access to healthy diets. I state, children, more than any other group, need access to healthy diet.

Research indicates that children who do not receive adequate nutrition have poor health development. We talk about imposing performance standards on kids in school, but how can kids perform when they go to school with an empty stomach? It is very difficult to perform if you have an empty stomach.

Section 452 of the Senate farm bill and the alternative of the gentleman from Virginia (Mr. GOODLATTE) include this provision for children.

Immigrant children are twice as likely to live in homes where parents pay more than 50 percent of their income in rent. We will make sure that poor kids receive the nutrition they need to one day lift themselves out of poverty, and I state, to lift themselves out of poverty.

Restoring benefits to immigrant children will help with this effort to reach citizen children. Over 85 percent of immigrant families have mixed status, households that include at least one citizen child. Confusion about eligibility and fear about their immigrant status has caused these hard working parents to stay away from the program, even when these kids are eligible, and yet it affects their daily lives as they are going to school.

Our current anti-immigrant food stamp program causes that fear. These are American citizens, American children we are talking about, yet they do not have access at the same time that kids who are born citizens. According to USDA from 1994 to 1998, 1 million citizens of immigrant parents left the food stamp program, representing a 74 percent decline for this group. It is time that we helped these American children.

Working immigrants need food stamps. Low-wage working immigrants should be granted access to food stamp as work support. Legal immigrants are just as likely as natives to work, but they are two times as likely to be poor. Forty-three percent work in jobs paying less than \$7.50 an hour, and wages have risen more slowly for immigrants than natives over the last decade.

This motion builds on principles already established under the current law. Currently legal immigrants, individuals or couples that can show a combined work history of 10 years, are exempt from food stamp restrictions on legal immigrants. The notion behind this exemption was that no family with a demonstrated work history should be prohibited access to critical work support.

The Senate bill builds upon the principles of fairness, and so should we. I state, the Senate bill builds upon the principles of fairness, and so should we. It would allow low-income individuals or married couples that can demonstrate, and I state, that can demonstrate, a combined workforce history of 4 years, to begin food stamp eligibility. Four years of work is measured by earning 16 quarters of earnings under the Social Security system.

It is time that all hard-working, tax paying, and I state, hard-working, tax paying residents of this country, are eligible for the same benefits in times of difficulty. Many of our veterans who served are legal permanent residents. This would allow them also to be eligible as well. When tax day rolls around,

it just is not for us to ask people, are you a citizen or not?

□ 1615

We should not. When deciding whether to help and feed our children, we should apply the same law, not just when we need it for taxes, but at the same time, when applying the law to feed our children.

We need the President to pick up the phone and say, get it done. We need his leadership now. This is about fairness; this is about our children.

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

Mr. GOODLATTE. Mr. Speaker, I claim the time in opposition, and I yield myself such time as I may consume.

As the chairman of the Subcommittee on Department Operations Oversight, Nutrition, and Forestry of the House Committee on Agriculture, I have been charged with the responsibility for attempting to work out this very difficult issue, and I commend the gentleman for his interest in the issue and for his efforts on behalf of people who are in need. However, I must strongly oppose the motion to accept the Senate language here, because to do so would be irresponsible.

The fact of the matter is that while there are certainly people here who are in need of assistance, it is definitely not the case that everybody that the Senate language would cover would fit into that category, and it is also not the case that the people that would be covered are as described by the gentleman.

For example, he refers to tax-paying legal residents. Well, it is not a requirement under the Senate language that the individual have ever paid a penny in taxes in order to receive these benefits. It only requires that they have been in this country as a lawful, permanent resident for 5 years. The fact of the matter is that some people who have been here for 5 years and may have been taxpaying, contributing members of our society and who, as a result of some misfortune, have fallen on hard times and need to receive food stamps, a good case could be made, as has been made by the President of the United States, that some individuals who have been here 5 years should receive them.

But the problem with the Senate language is that it has no definition of that. It does not say you have to have been a taxpayer; it does not say that you had to have been employed for a certain period of time.

Many people are not aware, but the fact of the matter is that a number of noncitizens receive food stamps right now. Children, the disabled, refugees, permanent residents who have been in the United States for more than 10 years and have 40 quarters of work history are just some of the categories for which people can receive these benefits right now.

The President has said that he would like to see that expanded. However, in making that expansion, we have to do it responsibly. We cannot just open the door and not say that there is no standard to be met, no criteria, such as having been a taxpayer, having had a work history, particularly for people who are able-bodied and are between the ages of 18 and 60, for example. Or we need to look at how long this should be allowed to be provided, because, for example, somebody who has been a lawful, permanent resident of the United States after they have been here for 5 years in that status are eligible to apply for United States citizenship; and when they do so, they then can receive the same benefits as any other American citizen.

There is a problem with that, however. The Immigration Service does not work very well. Sometimes it takes a long time for an individual who has qualified, met this 5-year criteria, that everybody has specified, the Republican conferees, the Democratic conferees, the President, have all talked about 5 years of lawful residence. But once you get to that point and you wanted to apply for citizenship to be treated exactly the same as any other American citizen, you cannot always get that done quickly. So we put forward a proposal that said that if you were to reach that point, that you would be entitled to 2 years of food stamps if you had a work history to support that.

The fact of the matter is that in 2 years' time, the vast majority of people who apply for citizenship would be processed and become citizens. We do not require you to become a citizen. If you do not wish to do so, then you had the opportunity to receive those benefits for 2 years anyway.

The point is that all of these things are in negotiation between the House conferees, the Senate conferees, and the White House to do the responsible thing, to do what recognizes the needs where they exist and provide them as the offer that the House conferees made, which included something the Senate conferees did not include in their most recent offer to us, which is for children, for disabled individuals, and for refugees to receive food stamps. Those are certainly areas that should be covered. But it should not be a blanket coverage where anybody gets it whether they have ever contributed anything or whether they have simply come to this country, stayed here for a period of time, and now want to receive government assistance.

So I would urge my colleagues to restrain themselves from saying that just because the Senate has put something out there that we should naturally rush to it. No, we should discuss this with the Senate, we should discuss this with the White House, we should work out a responsible plan, and that is what we are in the process of doing, and this motion to instruct the conferees, which is nonbinding, but none-

theless is an attempt to, I think, make a political statement is not helpful to that process; and I would urge my colleagues to defeat it.

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

Mr. BACA. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. Mr. Speaker, I thank the gentleman from California for yielding me this time. I commend him for his leadership and the leadership of the Hispanic Caucus in this conference in bringing up this important motion to instruct.

Mr. Speaker, as a new cochair of the Democratic Coalition, I am pleased to rise today in strong support of the Baca motion. This motion works to ensure that those who are here legally in the United States receive basic food stamp benefits. After the implementation of the 1996 welfare reform legislation, most legal immigrants lost their access to all welfare benefits, including food stamps. Although legal immigrants represent only about 6 percent of those on public aid, they took the brunt of the cuts made by the welfare law.

Many of those who lost benefits were people who could not support themselves. They were too disabled, too old, or too frail to work. Further, research has shown that since this legislation was passed, many immigrant children have experienced increased difficulty in obtaining the resources to purchase nutritionally-adequate food. The motion before the House today would restore food stamp benefits to legal immigrants.

Support for restoring this benefit crosses ideological and partisan lines. A report issued by the bipartisan U.S. Commission on Immigration Reform, subsequent to the welfare law's enactment, recommended against denying benefits to legal immigrants solely because they were noncitizens. In fact, President Bush's 2003 budget includes a proposal to restore food stamps to legal immigrants who have lived in the United States for 5 years; but now, that is being blocked by the Republican majority in Congress during this conference meeting.

As a New Democrat, I believe it is essential to support our legal immigrants. Our welfare reform law broke the long-standing agreement between future citizens and their adopted homeland. Legal immigrants share the same responsibility as citizens. They pay taxes; they serve in the military. Many, if not all, are working hard to become full-fledged citizens. The United States has always embraced legal immigrants who enrich our culture and work hard to make our Nation stronger; but just like anyone else, immigrants can sometimes fall on hard times. We now have an opportunity to do the right thing and reestablish the contract between legal immigrants and American society. I urge my colleagues to support this motion.

Mr. GOODLATTE. Mr. Speaker, I yield myself 30 seconds.

The gentleman from Wisconsin has accurately stated that the President has put forward a proposal providing food stamps for noncitizens beyond those who already have them now. The gentleman from California, in his earlier remarks, said that the proposal that he is asking us to adopt here was the proposal that the President supported, and that is not the case. He has put forward a different proposal.

At another point in his remarks he also made reference to the fact that this would be at no cost to the taxpayers. I did not follow that at all. This is a \$2.485 billion cost to the taxpayers of this country, and I think people need to be aware of that.

Mr. Speaker, it is my pleasure to yield 5 minutes to the gentleman from Colorado (Mr. TANCREDO).

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

Mr. Speaker, in 1996 we had much of a similar debate on an issue of this nature. We debated the whole concept of welfare and determined that some change had to be undertaken. After several attempts by this body, by this Congress, to pass legislation, in fact, they did; the previous President had vetoed it a couple of times and eventually he got on board with it and decided that, in fact, it was a good thing. It has proven to be a very good thing. It has proven to be even more successful than many of the folks who had originally supported it could hope for.

The numbers of people, as we all know, on welfare have gone down dramatically. Percentages in some States have gone down so dramatically that it boggles the imagination. Somewhere around 70 and 80 percent the caseload has been reduced subsequent to the 1996 act. A lot of people say it has everything to do with the economy being better. But historically we can look at it and find out that over the past century, as a matter of fact, and at least for the past 6 years when we have had a much more intensive welfare program in the United States operating, that the number of people on welfare continued to go up. Regardless of the economic conditions in the country, whether we were in a recession or whether we were in good times, it did not matter; the number of people went up, the number of people on welfare went up. So we cannot draw a conclusion to this phenomenon based upon simply a good economy.

Now, we now know that that plan worked and the plan was to get people off of welfare. It was to do everything we could to get people off of welfare. That is a good idea. We undertook it, and it worked. Here we have a proposal to reverse that, to put more people back on welfare; and frankly, I would be opposing it if it was for a non-immigrant family, a native American family or anybody else. It is not a good idea basically; it is not a good idea to

expand the opportunities and expand the number of people eligible for food stamps or welfare in this country.

The fact is that the proposal from the Senate side goes much farther than even the expressed intent as described earlier on. One part of it actually eliminates a part of the law, or at least a concept that has been in practice in the United States for well over 100 years, and that is making someone responsible. If someone is applying for immigration into the United States, a document has to be filled out. This is it. It is an affidavit of the U.S. Department of Justice Immigration and Naturalization Service. The fourth item on this is, and this is called, by the way, an affidavit of support. It says that "This affidavit is made by me for the purpose of assuring the United States Government that the person or persons named in item 3," the person coming into the country, "would not become a public charge in the United States." Number 5, that "I am willing to be able to receive, maintain and support the persons named in item 3. I am willing to deposit a bond, if necessary, to guarantee such persons will not become a public charge to the United States."

Now, there is again a reason for this to be in the law, and a part of the law, by the way, that has been there for well over 100 years. And of course it is to not make the welfare system in any way, shape or form a magnet for immigration. I think everybody would agree that that should not happen.

Now, it is true that even under the present change that is being proposed, someone would still had to have been here 5 years; but they actually wipe out this part of the law of the Senate amendment. It says for this purpose, for food stamps for this purpose, this affidavit would not be required.

Now, I am not going to suggest here that we have been very judicious in our approach of enforcing this particular provision of the law. I do not know the last person that was actually forced to do it.

□ 1630

It is nonetheless a good idea. I have a letter from the gentleman from Wisconsin (Chairman SENSENBRENNER) to the Attorney General asking him essentially why there has not been that kind of enforcement, and what we were going to do in order to try and begin the process of enforcing this particular provision. I hope, of course, that we will.

But we should certainly not eliminate it. We should not, and whether or not we forcefully employ it is one thing, but to actually strike it out of the law and say that we would not hold anybody responsible, if one comes here with a sponsorship, no one would be responsible for the financial well-being of the person coming into the country, as, of course, has been the case, at least in the law if not in practice; de jure, if not de facto, it is irresponsible of us to move ahead to accept the Senate

amendments. It is especially irresponsible to abolish this part of the law.

Mr. BACA. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. REYES), the Congressional Hispanic Caucus chair.

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

I was sitting there listening to my colleague speaking on the other side of the aisle, talking about the Welfare Reform Act that has proven to be a good thing.

I would ask him, since when is hunger a good thing? Since when is the fact that there are children going to bed hungry and going to school hungry a good thing for this country? It goes contrary to everything that we stand for.

In regard to the affidavit of support, the answer to that is that if we file an affidavit for support and someone is intending to go on welfare, then the immigrant visa will not be issued. I know about that because I spent 26½ years working in the immigration service.

But today, Mr. Speaker, I rise in strong support of the Baca motion that instructs conferees on the Farm Security Act. The House has passed the Farm Security Act without any protection in the nutrition title for vulnerable populations, and any farm bill reauthorization would be incomplete without a well-founded nutrition title that includes a clean and simple restoration of the food stamp eligibility for legal residents; again, legal residents.

I am pleased that we have united in a very bipartisan manner in an effort to restore food stamp benefits to legal residents. I believe that my colleagues on the other side of the aisle as a whole are not committed to continuing an anti-immigrant, anti-Latino, anti-family pro-hunger campaign that we have come to equate with some of those on the other side of the aisle.

However, regrettably, the House Republican conferees have been relentless in their efforts to undermine a clean and simple restoration of food stamp benefits. It is unconscionable and regrettable that some Members in this House would use this issue and the issue of hunger that is faced by the most vulnerable of our population as a political ploy and a political tool. There is no compassion in withholding food from families and from children.

I welcome the administration's proposal to extend eligibility to legal residents who have lived in the United States for 5 years. The proposal is simple and straightforward, and every Member in this House ought to support it. I agree with the Baca amendment, and I hope my colleagues vote to support it.

Mr. GOODLATTE. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I would respond to the gentleman, who has absolutely misrepresented the position of the House conferees, the Republican conferees, on the farm bill.

The gentleman asks how welfare reform is good if children are going hungry. The fact of the matter is, the proposal that we put forward in the conference on the farm bill provides food stamp benefits for children from day one, from the first day they enter the country. The proposal that the Senate had put forward made them wait 5 years. That is a long time to be hungry, 5 years, before they qualified for food stamps.

So to say that this is something that the House Republicans are trying to drive a wedge through is absolutely wrong, absolutely wrong, and it is the kind of partisan statement that does not promote working out a serious and complicated problem. But we have provided for children, the disabled, and refugees from the day they arrive in this country.

Mr. BACA. Mr. Speaker, I yield 2 minutes to the gentlewoman from North Carolina (Mrs. CLAYTON).

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

Mr. Speaker, I want to support the gentleman's amendment for the House. I serve as a ranking member of the committee on which the gentleman from Virginia (Mr. GOODLATTE) serves as a chair.

There is a fundamental disagreement over this issue. The issue is, indeed, to restore to legal residents or legal immigrants the right to food stamps. In 1996, we denied that. We took them off, for whatever reason, and perhaps, as one of our speakers have said, it was to reduce the incidence of welfare. We have re-examined that on many issues. We re-examined that on children, on senior citizens, and found it unacceptable and inconsistent with our moral values and the values of America.

Now, the Senate bill has certainly a more generous provision than the President's, but we must say, the President went a great step, and I support what the President has done. He said that legal residents who have been here 5 years indeed should have the right, the full right to be restored for food stamps. It also, in the Senate bill, the Senate bill said it would be only 4 years, so there is some room between what the President said and the Senate said.

But the core of this amendment is to say that every right should be given to legal residents. They serve us well in our employment. We do not complain about that. They serve us well in our military. We do not complain about that. It would seem inconsistent with our own stated views that we would not have consistency through that.

We indeed should support this amendment. I think it is very basic. In particular, the one that the President has offered is very basic: In 5 years you are legal and you have the right. It does not say that you would try to make differentials between ages of children. It does not try to make it more complex. Becoming a citizen is

complex enough. We should not make having the right to food tied to citizenship. It is unacceptable to our moral values.

Mr. GOODLATTE. Mr. Speaker, I yield myself 2 minutes to respond to my good friend and colleague from the committee.

The fact of the matter is, the President's proposal is simple, but it leaves out children who have been here less than 5 years. They do not receive anything under that proposal. We are trying, in cooperation with the White House, and we very much respect the President's efforts in this area to work that out with the President and with the Senate conferees and the House Democratic conferees. But the fact of the matter is that it is not so simple as to say, you do it for 5 years and that is it.

Now, the other thing that is critically important to recognize here is that the proposal that the gentleman from California (Mr. BACA) is asking the conference to support, the Senate proposal, does not impose any standard whatsoever on an able-bodied working adult, whether or not they have children. If they have no children, they are between the ages of 18 and 60, they have absolutely no contribution. They do not have to have worked a day since they have entered the United States. As long as they have been a permanent, lawful resident of this country for 5 years, they are able to receive food stamps. Even if they have been in the country unlawfully, they are able to get food stamps.

There is absolutely no basis for giving food stamps to people who have made no contribution to the society. So all we are asking is, impose some guidelines and we can work this out.

Mrs. CLAYTON. Mr. Speaker, will the gentleman yield?

Mr. GOODLATTE. I yield to the gentlewoman from North Carolina.

Mrs. CLAYTON. Mr. Speaker, I was about to ask the gentleman if he is suggesting that he would be willing to restate it, all the legal immigrants, plus your provision, if they had some standard? Is that a 5-year standard, a 4-year standard?

Mr. GOODLATTE. I would tell the gentlewoman, we offered a standard. The Senate did not accept that. We have been continuing to negotiate with the Senate, with the White House, on what that standard would be. Yes, we have been talking about how long an individual has to have been working, if they are an able-bodied individual.

Mrs. CLAYTON. Would the gentleman put a time limit on what a legal immigrant would have?

Mr. GOODLATTE. Absolutely. We put a time limit on it, as well.

Mr. BACA. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. RODRIGUEZ).

Mr. RODRIGUEZ. Mr. Speaker, I rise today in support of the motion to instruct conferees of the gentleman from California (Mr. BACA) to include Senate

provisions on restoring the food stamp benefits for legal immigrants.

Food stamps are a critical part of the safety net, and they are woven into helping individuals and families in time of need. This should hold true for immigrants who are legal immigrants and play by the rules and pay taxes. We are not asking for special treatment, we are asking that they be treated the same. To do otherwise would be discriminatory.

We are simply asking that legal immigrants, and we are not talking about illegals, we are talking about legal immigrants, be treated in a fair manner. Despite the calls by President Bush to provide legal, permanent residents access to Federal nutrition programs, House Republicans, conferees on the farm bill, have refused to budge.

I cannot understand the lingering biases against these immigrants. The President would allow legal permanent residents who have been in this country for 5 years to be able to get access. Why would not the conferees do that? We are talking about individuals that might be disabled, we are talking about people that might have lost their jobs, we are talking about possible children that are in need.

In too many cases, immigrant children suffer from hunger right here in our own back yards. Their parents work hard, they pay their taxes, and they play by the rules, but they are in need and require assistance. Nutrition is just the first step to a host of health and social problems.

Let us not play any more games with immigrant children. Let us treat them as we would treat anyone else. When we ask them to join us and fight in our wars, in fact, I want to share with the Members that we have over 62,000 immigrants serving in our military right now. Twenty percent of the Medal of Honor recipients are immigrants. In addition to that, of those, 19,928 are permanent residents that are still not citizens but serving our country. By the way, as we do not pay them enough, a lot of those military people qualify for food stamps, but not these particular ones.

Mr. GOODLATTE. Mr. Speaker, I yield myself 15 seconds.

Mr. Speaker, the gentleman has it exactly backwards. The proposal that we have put forward provides food stamps for children, the disabled, and refugees. The proposal that the gentleman refers to, section 452, only refers to citizens who have been in the country for more than 5 years. So if you are a child who has been here less than 5 years, you are not covered by the proposal of the gentleman from California (Mr. BACA).

Mr. Speaker, I am pleased to yield 4 minutes to the gentleman from Colorado (Mr. TANCREDO).

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

This legislation, or this proposal, I suppose, and the opposition to this motion has been characterized as anti-

Latino and anti-family. Well, in a way I would suggest that it is an insult to suggest to anyone that in fact if you are doing something here to reform welfare, that the only people who would benefit by overexposure to welfare, give out more welfare, are Latinos. That, of course, I think is an insult to Latinos.

In fact, I believe everything we do to try to stop the expansion of welfare, especially, in this case, food stamps, we are doing as a pro-family activity. I will tell the Members why I believe that.

The welfare law, the reform law of 1996 to which I referred earlier, replaced AFDC with a brand new program, Temporary Assistance for Needy Families, often referred to around here as TANF. This reform has been widely acknowledged, once again I say, widely acknowledged by both opponents of it originally and its supporters as a tremendous success leading to a dramatic drop in dependence and child poverty.

Hear that: The TANF is an improvement, a reform of the system; something that had work requirements ingrained in it, something that had a number of other activities that were required before a recipient could get help. That improvement had a dramatic drop in dependence, a dramatic drop in child poverty, increases in employment, and it slowed down the growth of out-of-wedlock childbearing.

Critics of the original program said it would throw millions of children into poverty, and in fact, the opposite has occurred. Poverty rates of black children and children in single-parent families are now at the lowest point in our Nation's history. TANF requires people to work as a condition of receiving aid.

Food stamps continue to provide a long-term one-way handout. Work requirements are virtually nonexistent, and they are nonexistent in the proposal put forward by the Senate, the one this motion is designed to have our conferees accept.

So which of us is in fact here pro-family, which of us is in fact pro-Latino, if they continually reference that as part of this debate? Is it those who would suggest that welfare, especially the handout that does not have any work requirement tied to it, is not the best thing that we can do to the people of this country?

By all accounts, by empirical evidence, it is no longer theory, we now have 6 years of evidence to show that work requirements and a different kind of philosophy with regard to welfare is better. It does reduce poverty rates. It does do better things for families.

□ 1645

So I certainly take it as a personal affront when someone suggests that I would promote something that is anti-family, anti-Latino or any of the other anti-arguments that were thrown against it. I suggest to my colleagues that it is exactly the opposite.

Creating another system of welfare without the kind of requirements that

TANF has intrinsically brought to bear in this discussion is anti-family. That is what we can do to screw up families; to increase poverty is to expand this program of food stamps. My opposition to this plan is not designed to be anti-family. It is just the opposite.

Mr. BACA. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. SOLIS).

Ms. SOLIS. Mr. Speaker, what an interesting debate to talk about welfare when I know we are really trying to talk about hunger and poverty and children and the fact that legal immigrant children should not be treated differently just because maybe they speak a different language. Maybe they have parents from another country. Maybe they even have parents who are serving this country in the military. Some of those very parents represent children in my district. They are serving us right now proudly in Afghanistan and my colleagues are telling them that they cannot have food on the table, that they are not going to get a meal even though their dad or mom is probably out there serving our country on a 24-hour watch.

That is what we are talking about. The face of these children is not someone who just came over the border, and let me further say that some of these immigrant families, a majority happen to be children. They are not all on welfare. Many of them just lost their jobs. Believe it or not, there is a recession that is going on; and in our districts where unemployment is up to 9 and 10 percent, there are people who are very hungry.

They are not looking necessarily for a free handout. They are going to have to be here for 4 years and work. They are going to have to be here to prove themselves worthy of this kind of assistance that our great country should make available.

I think immigrants come to this country because they know there is a better life here for them; but most come with the thought that they are going to be working hard, and we should justly support this motion to instruct the conferees to reinstate those benefits and allow for children as well as seniors and as well as families, working families who are in this situation now, where recession is hitting them hard, they do not have enough food to provide three meals a day.

Some are lucky enough at school, our children, that they get maybe a snack there; and my colleagues are telling them that they cannot have the opportunity to have a full stomach for tonight. I think that is a bad message to send.

Mr. GOODLATTE. Mr. Speaker, I yield myself 1 minute.

I would say to the gentlewoman that I agree with a couple of the points she made, but the problem is she has not read the section that the gentleman from California (Mr. BACA) has cited of the Senate bill that he wants us to support because that section provides

nothing for children who have been here for less than 5 years.

The proposal that we put forward covers children, refugees and disabled individuals who have been here less than that time, but she also said something else that is very important.

She said people would have to have been here and to have worked in order to receive these benefits, but the proposal that the gentleman from California asks us to support has absolutely no work-history requirement in it whatsoever, whereas the proposal we have put forward has a work-history requirement.

That is what we are asking for. Do not do this blindly. Let us help the people who truly need the help, but let us not give a blank check to people who have not contributed to our society.

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

Mr. BACA. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore (Mr. FERGUSON). The gentleman has 12 minutes remaining.

Mr. BACA. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, it is great to be on the floor with a distinguished colleague like the gentleman from California (Mr. BACA), and I thank him so very much for his leadership on this issue along with my colleagues.

It is equally interesting to be on the floor with my distinguished colleague from the Committee on the Judiciary, and let me frame the argument that I believe has limited merit. I do not even know why we are here arguing a point that is obvious.

It is interesting, when we were looking and debating the H-1B visas, giving benefit to individuals who would come in and give businesses opportunities for enhanced talent from other countries, we had no opposition from the other side. In fact, it was a midnight train that they passed the H-1B visas because those individuals were of a certain economic level, and no one had any anti-immigrant conversation at that time. In fact, they were rolling across those of who were talking about jobs and the opportunity for Americans to be trained in high technology.

Interestingly enough, when we talk about feeding people and making sure that families have the opportunity to apply, that is the distinction here. These are not handouts. The provisions that the gentleman from California (Mr. BACA) is supporting is simply saying that people have an opportunity to, as a legal resident, to apply if they are in need. That is a legal resident who has worked. That is a legal resident who has children. That is a legal resident who is disabled. It is a legal resident who is fighting in the United States military right now, putting

themselves on the line and offering themselves so that we might live free.

When it is good for the goose, and high profile, expensive businesses, roll over the folks over here on the other side of the aisle. Vote on it when we are in airplanes, gone in the dark of night or in the late of day; but when it comes to dealing with people who are in need and they are making a point, suggesting that we are throwing food stamps all over the world, we are not. It is an application process, based upon a criteria of need; and if someone does not need it, they will not get it.

This is a sham and a shame. I think we should support the gentleman from California's (Mr. BACA) motion to instruct, and we have got to realize that legal residents are serving this country and fighting for Americans and deserve fairness and equality.

Mr. BACA. Mr. Speaker, I yield 2½ minutes to the gentleman from California (Mr. BECERRA).

Mr. BECERRA. Mr. Speaker, I thank the gentleman for yielding me the time, and I hope that the debate is not as confusing to folks who are watching this as to those of us who are sitting here and listening.

I want to first commend the gentleman from Virginia for his effort to try to deal with this issue. I do not believe he goes far enough, but I do want to recognize that my friend and colleague from Virginia has made some efforts; and he has always, I know, in committee made efforts to try to be reasonable, and quite honestly I believe is someone who has his heart in the right place. So I want to make sure I mention that.

The issue for many of us is that the proposal that I believe the gentleman from Virginia is bringing up that conferees from the Republican side of the aisle brought to the conference for discussion while it did do a good job when it came to children, it did not do a good job for the parents of those children; and as a result, many of the conferees on the Democratic side had to oppose the proposal by the gentleman.

If the gentleman would be willing to put forth his proposal with regard to his children and the disabled and with refugees and then we work out the disagreement with regard to adults, I think we could go somewhere because I think all of us want to take care of kids. None of us want to see a child go to school malnourished, because we know from our own experience, forget about the research. From our own experience as parents, what happens if a child goes to school hungry?

So we can get somewhere, and I believe there is a fix here; but I would hope that we would not undermine the ability to help families who are working. We are not talking about families on welfare, families who are working to make sure they sustain their families at the basic level.

We are not talking about giving these folks a chance to go buy the lollipops and the Popsicle and all the

extra stuff. We are talking about basic food stuffs. Remember that the people we are talking about are for the most part working American families that have not yet become citizens, but have been here for quite some time; and the study shows most of them work longer hours than do most native-born Americans.

Unfortunately, because they work in jobs for the most part that pay \$7.50 an hour or less, about 42 percent of those work in those kind of jobs, they have a hard time. They are working. They do not get benefits. They have no health care. They are the people that are mowing our lawns, caring for our seniors, for our grandparents. They are the people who are caring for our kids; and because those are professions, those are occupations which we have not yet in this country come to recognize as valuable, believe it or not, caring for our kids, the people who care for our kids we pay them less than \$7.50 an hour, they suffer especially during recessions.

All we are saying, let us not do it to folks who are trying to do it the right way, not by applying for welfare: working, working long hours, working two jobs. Let us help them make sure that their kids are fed decently. Let us make sure we do not make them have to miss a rent payment to feed their kids, and we could do that without causing others to suffer.

I believe this is something we can work out. We should support this motion to recommit by the gentleman from California (Mr. BACA).

Mr. GOODLATTE. Mr. Speaker, I yield myself 1 minute.

I thank the gentleman from California (Mr. BECERRA) for his kind words, and we are trying to work this out. I would say to him, however, that this motion to instruct conferees is not well geared toward accomplishing that because it only deals with the section of the Senate bill that covers the 5 years and above. It does not take care of children, refugees, and disabled individuals who have been here a shorter period of time; and so that, I think, is why this is counterproductive.

The President has also shown considerable leadership on this issue. He would like to provide assistance for noncitizens who have been here for 5 years or more as lawful, permanent residents of the United States; but the fact of the matter is that when we do that we have got to have some guidelines. We have got to have some standards of what kind of work history they need to have shown before they get it and how long these benefits are going to be available to them.

That is all we ask is to work that out, but supporting this motion to instruct the conferees moves us in the opposite direction, does not move us toward that.

Mr. BACA. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. PELOSI), the minority whip.

Ms. PELOSI. Mr. Speaker, I thank the gentleman from California (Mr.

BACA) for yielding me the time and for his leadership on this very, very important issue to this Congress and to this country.

Mr. Speaker, every day our country is blessed by the coming to our great country of many, many immigrants. We are constantly, as a society, reinvigorated by their courage, by their determination, by their family values, by their commitment to community and to a brighter future in America.

Every day from the day they arrive and throughout the contributions they make to our country it is a blessing to us. Indeed, I think just about every person in this House and in this room certainly at this time is a product of those aspirations and dreams.

Then it is sad to see how those immigrants to our country before they become citizens, but while they are legal immigrants, are not valued by our country. Many of them work, and I have good news for our colleague. The gentleman from California's (Mr. BACA) motion to instruct does allow children to be eligible for food stamps regardless of when they enter the country.

So the concern that the gentleman raised that the gentleman from California's (Mr. BACA) motion does not address children and their needs is incorrect, and I know that that will be good news to him; and his amendment and his motion to instruct does address work and does have a worker requirement in it, and it does allow refugees to be eligible for food stamps without a time limit. So the concerns that he raised, saying that his motion did not address it, I am happy to inform my colleague that he does because he is asking us to agree to the Senate language.

This is really unfortunate because it is the third incident in less than 2 months where the Republicans have brought to the floor amendments or motions which are unfriendly to newcomers to our country. We saw this first during the campaign finance reform bill where one Republican Member even referred to legal permanent residents in the United States who were not citizens as potential enemies of the State.

We saw it in the debate on 245(i), which is a very important correction in our immigration bill where we only won that vote by one vote, and some Republicans did vote for it, but many voted against it and voted with the Republicans who wanted to squelch that important initiative to the immigrant community.

What we are talking about today is really about fairness, fairness to our newcomers as our ancestors had anticipated and hoped for fairness when they came here.

□ 1700

We talk about family values. Nowhere are those family values stronger than the immigrant community. We talk about living the American dream and aspiring for a better life. Those

people bring courage to our country. They are a constant source of invigoration to our society, and I hope that my colleagues will support the amendment of the gentleman from California (Mr. BACA). A family of four with two wage earners making the minimum wage are still eligible for Food Stamps because the minimum wage is so low.

Mr. BACA. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. INSLEE).

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

Mr. INSLEE. Mr. Speaker, I thank the gentleman for bringing this motion which I support. I would just suggest that there are two things that are pretty much universal in our country that ought to support this motion. One thing that is universal is the presence of hunger in all parts of the country. The reason that I have come to the floor to share the story that I represent, in a sense, a very upscale area. There are a lot of software millionaires in my district. I represent Microsoft Corporation. But even at the height of the economic boom in the year 2000, the food banks in my area of Washington were experiencing an increase of people coming into the food bank from anywhere from 12 to 50 percent depending on what time of the year.

I think that story is an untold story across America. Even in the midst of great prosperity, we have had individuals, because we have a wage structure in this country that does not sufficiently honor work for a lot of folks, that they are still hungry.

The second thing that I think is universal in this country, or ought to be, is respect for everyone that works at every wage level. I represent a lot of people who work in software countries, many of whom are legal immigrants, who are fairly well compensated, and their work is absolutely fundamental to the American economy. But I hope Members will agree with me that people who are working in our nursing homes caring for our parents, the people who are cooking our food in our restaurants, the people who are working in the hospitals helping clean the ER rooms after surgery of our relatives, those people deserve the same level of dignity and the same level of respect and legal protection as other folks who are here legally in this country working over 5 years.

Mr. Speaker, I would submit those two universalities of this country, which are pockets of hunger, and respect for all levels of dignity of work, ought to merit that we pass this motion and do it proudly, and turn our back to the sad statement that some people have been making lately in this Chamber that legal residents somehow are unAmerican.

Mr. GOODLATTE. Mr. Speaker, I yield myself 2½ minutes.

Mr. Speaker, I agree with much of what the gentleman from Washington

(Mr. INSLEE) said, but the problem is when he refers to lawful citizens working over 5 years, what the gentleman is asking us to support has no such work requirement in it. I think it is certainly negotiable within the conference, within the House and Senate Committees on Agriculture that are meeting to work this out, that we could come up with a work history requirement that would be acceptable for both sides. But the gentleman from California (Mr. BACA) does not have that in the language that he refers to in the Senate bill. For that reason, I have to oppose this motion.

Mrs. CLAYTON. Mr. Speaker, will the gentleman yield?

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

Mrs. CLAYTON. Mr. Speaker, I thought there was a work requirement of 16 quarters?

Mr. GOODLATTE. Mr. Speaker, it is an either/or work requirement. Someone can be here 5 years and never work a day, or be here for 16 quarters of work and qualify, not both. That is the crux of the matter. There has got to be a work history requirement for an able-bodied adult, and there is no such requirement in the motion.

Mrs. CLAYTON. Mr. Speaker, will the gentleman yield?

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

Mrs. CLAYTON. Mr. Speaker, is the gentleman in favor of the 5 years if the 16-quarter requirement is there?

Mr. GOODLATTE. We certainly could work that out. The proposal we put forward was 20 quarters.

Mrs. CLAYTON. But there was also a time line? It was only for 3.5 years?

Mr. GOODLATTE. Mr. Speaker, we limit it to 2 years, I believe, in the offer.

Mrs. CLAYTON. Mr. Speaker, if the gentleman would continue to yield, would the gentleman be willing to remove the time lines and give legal residents the same right?

Mr. GOODLATTE. No, because an individual, after they have been here for 5 years is a lawful, permanent resident, and they are entitled to apply for United States citizenship. And if there is a need to have benefits extended for a longer period of time, they have that option.

Mrs. CLAYTON. Mr. Speaker, the gentleman and I both know it takes a long time and is very expensive for people to become legal citizens, and tying food and hunger to citizenship is very difficult.

Mr. GOODLATTE. Mr. Speaker, that is why we allowed 2 years. That is a very long time to apply for citizenship. Almost all of the people who apply get their citizenship within 2 years.

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

Mr. BACA. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri (Mr. GEPHARDT), the minority leader.

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

Mr. GEPHARDT. Mr. Speaker, I urge Members to vote "yes" on this motion. There have been some intimation here that this is a political debate. This is not a political debate. It is about people putting food on their table for their family and their children.

Last week in conference, House Republicans blocked a proposal to restore Food Stamps to legal immigrants. It is a proposal that has the support of House Democrats, the Senate, and the Bush administration. It benefits over 350,000 people. It helps keep people from starving until they can put food on their table on their own, and it provides a safety net for those less fortunate and need assistance.

House Republicans sought to block it, and block it they did. This is a responsible proposal, and it is simply the right thing to do. Legal immigrants who work hard, live by the rules, pay taxes, even serve in our Armed Forces deserve access to Food Stamps. Equal treatment, fair treatment, we should be promoting these values. But instead of supporting policies that embody these values, Republican House leaders prefer to dole out subsidies to corporate farms.

In this debate, that is their priority. In this debate, this is what they decided to do. It is bad policy and it is wrong to send people a message that responsibility is a value that we are going to ignore. Legal immigrants have not had access to Food Stamps in the past 5 years. In the past 5 years, children have gone hungry as a result. This Congress should not end until we have taken action to restore Food Stamps to legal immigrants. We should reward the value of hard work. We should reward immigrant families who strengthen our economy and our cultural life. Let us restore Food Stamps. Let us get the job done this year. Vote "yes" on the Baca motion.

Mr. GOODLATTE. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, in response to the gentleman from Missouri, what has transpired in the conference regarding the farm bill has been inaccurately portrayed. The Senate tendered to the House a proposal that had nothing in it for the children, the refugees, and the disabled individuals that the minority leader referred to.

We tendered an offer which provided Food Stamps for noncitizens who have been here from day 1 if they are disabled, they are children or if they are refugees.

The difference of opinion between the House and the Senate conferees in terms of our proposals are that for those people who are adults, they are able-bodied, they are able to work and between the ages of 18 and 60, they ought to have some work history and be able to show that they were contributing, tax-paying members of our society; but they do not require that in the proposal that the gentleman from California (Mr. BACA) has set forth. That is why I am opposed to this motion to instruct conferees.

Mr. Speaker, I yield 2½ minutes to the gentleman from Colorado (Mr. TANCREDO).

Mr. TANCREDO. Mr. Speaker, the gentlewoman from California earlier suggested that if we did not pass this motion, that this would be a signal to people coming into the country that we were denying them the American dream.

We have gone from suggesting that some help may be needed for families here who are not employed sufficiently, to saying that essentially welfare is the American dream. That this is what we should hold out, this is the carrot that we should hold out to people, because part of the American dream is access to welfare.

We have heard continual references to the degradation that would be the result of nonpassage of this motion and continuing the process of restricting Food Stamps to people who are not citizens for a period of time. But listen to what degradation, in fact, occurs. This is all documented. The reports from which I quote are reports that are available to anyone in this body. Again, they are empirical information. It is not something that we just make up or theorize about with regard to the effects of especially Food Stamps.

“The traditional welfare system comprised of programs such as AFDC, Food Stamps and public housing dramatically undermined work ethic, reduced employment and generated long-term dependence. For example, the Seattle-Denver Income Maintenance Experiment, a massive controlled experiment on effects of welfare conducted in the early 1980s, showed that for each additional dollar of welfare aid led, on average, to a reduction of employment and earnings of 80 cents. These anti-employment effects should apply to cash as well as noncash aid.”

Mr. Speaker, this is what we are trying to avoid. I suggest, and I must say that I would go further than the gentleman from California, I do not believe that Food Stamps are an improvement on one's condition. I do not think it is a good thing. I would be opposing an expansion for any group; but I guarantee, it is not a good thing for the people that we are identifying here. As all empirical evidence suggests, welfare, especially the old AFDC program and Food Stamps, are degrading.

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

Mr. Speaker, first I commend the gentleman from Colorado (Mr. TANCREDO) for his contribution, standing up for welfare reform. This was a tremendous triumph, a bipartisan triumph, a law signed into effect by President Clinton, that was pushed by the Republican Congress, supported by a great many Democrats, and he is simply, and I agree with him, trying to avoid unnecessary erosion of an important principle, and that is we should be giving people a hand up rather than a hand out.

Mr. Speaker, with regard to the motion to instruct conferees, the Repub-

lican offer in the conference is to give people a hand up and to help those people who are most in need: Children, the disabled and refugees. We also make Food Stamps available for others if they have a work history, and we make it available to them for a limited period of time.

What the gentleman from California is asking the House to accept in terms of what the Senate put forward does absolutely nothing for children who have been in this country for less than 5 years.

□ 1715

Secondly, it does not impose a work requirement that is not independent of the 5-year standard. In other words, what he is asking us to say is you can either have worked or been here 5 years, one or the other. You do not have to have both. That is not the position of the President of the United States, that is not the position of the House conferees, and it should not be what this House adopts as we take these negotiations forward.

I urge my colleagues to oppose this motion to instruct conferees and let the negotiations go forward in a good-faith way to come up with something that is fair to those people who are truly in need but does not give a blank check to people who have not contributed to our society and, therefore, have no work history to justify receiving these benefits.

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

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

First of all, I thank the gentleman from Virginia in reference to the debate, but I think he has not really read the bill and does not have his facts together. The bill itself and the instructions do have a work requirement. Apparently he opposes the President's proposal that actually states this, and it does have a work requirement. And no individual is eligible unless they have demonstrated that they have worked. So a lot of false statements have been made here. And these people have contributed to our society. They have. These are legal, permanent individuals who have contributed to our society, who have worked, are working citizens, are taxpayers who have contributed. These are individuals who are veterans and children who deserve assistance.

This is about meeting our needs. This is about allowing legal immigrants who are in the United States for 5 years or more to have the opportunity to apply for food stamps if they are low income. This is the President's proposal. It allows children eligible for food stamps regardless of when they enter the United States. So we talk about not offering to children, yes, we are offering to children. Yes, we are providing assistance to them.

And then it does cover the work requirement, too, as well. This restores the disabled opportunities to apply for

food stamps, regardless of the date that they entered. I believe that we have the responsibility to all of us in America to provide assistance for many of our children. We want to make sure that our children are not starving and that our children have an opportunity to go to school on a full stomach. This is the right course. We should support the restoration of the 5-year plan, the plan submitted by the Senate that basically tells us what we should be doing in complying, in helping and assisting many individuals throughout our country.

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise in strong support of the Baca Motion to Instruct the Farm Bill Conferees to adopt the Senate provisions that provide eligibility for food stamps to lawfully present, hard-working immigrant families in their time of need.

Legal immigrants are individuals who have played by the rules. They work hard and pay taxes that support the food-stamp program to which they may be denied access if Mr. BACA's motion does not pass.

The fact is that many legal permanent residents lose their jobs because they work in industries hit hardest in times of economic downturn and as a result, lack the finances to buy food for their families.

When you consider that more than one in five low income children belong to legal immigrant families, it is even more unconscionable that in their time of need, they will be denied the most basic of safety-net programs.

As the world's wealthiest nation, it is inexcusable that a high rate of hunger exists among low-income legal permanent resident families living in this country.

We must not allow this tragic situation to continue. No one in this country, especially innocent children, should go hungry.

Therefore, Congress should follow the President's lead and expand access to the food stamp program for these hard-working, legal residents and their children.

Support the Motion to Instruct.

Mr. HINOJOSA. Mr. Speaker, I rise in support of the motion by the gentleman from California, Mr. BACA. Each day in this country, thousands of children go hungry because their families are ineligible for food stamps. Many of these children are American citizens and many are legal permanent residents.

No matter their status, or the status of their parents, there is no excuse for denying children access to food.

No doubt many Members on the other side of the aisle will oppose this motion. They want to make it impossible for hard working, tax-paying U.S. residents to feed their families just because they are not yet full citizens. We are not talking about people who have come to this country illegally or people who refuse to work.

Legal permanent residents, like our parents and grandparents, have followed the rules and come to America to work for a better life for their families. They serve in our military and in their communities and continue to make this country a vibrant, diverse nation that is the envy of the world.

Despite support by the Administration for benefit restoration, House Republicans continue to stall the Farm Bill conference by opposing help for minorities and the poorest among us. This is wrong, it is unfair and it is

not in keeping with the spirit and ideals this nation was founded upon.

I urge my colleagues to support this motion and yield back the balance of my time.

The SPEAKER pro tempore (Mr. ROGERS of Michigan). All time has expired.

Without objection, the previous question is ordered on the motion.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from California (Mr. BACA).

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. BACA. 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, further proceedings on this motion will be postponed.

APPOINTMENT OF MEMBER TO JOINT ECONOMIC COMMITTEE

The SPEAKER pro tempore. Without objection, and pursuant to 15 United States Code 1024(a), the Chair announces the Speaker's appointment of the following Member of the House to the Joint Economic Committee:

Mr. HILL of Indiana.

There was no objection.

GENERAL LEAVE

Mr. TANCREDO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the House amendment to the Senate amendment to H.R. 586 agreed to earlier today.

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

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES of North Carolina 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 Florida (Mr. WELDON) is recognized for 5 minutes.

(Mr. WELDON of Florida 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 Ohio (Mr. BROWN) is recognized for 5 minutes.

(Mr. BROWN of Ohio addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

IN MEMORY OF SCOTT BILLINGSLEY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado (Mr. TANCREDO) is recognized for 5 minutes.

Mr. TANCREDO. Mr. Speaker, I rise today to deliver a tribute to M. Scott Billingsley, legislative director for Colorado's Sixth Congressional District from December 15, 2001, to March 25, the day of his death.

First and foremost, I am honored today to share with you Scott's dedication to his career, his fellow man and his country. Mr. Speaker, my staff and I were given the great privilege of working with Scott for the last few months of his life. When Scott became my legislative director this past December, he instantly gained my respect and, more importantly, generated a sense of enthusiasm in his office which empowered my staff to reach their personal best and to strive to work toward perfection. Scott's infectious personality and poise drew people close to him. We instantly enjoyed getting to know him and were eager to learn from him.

Scott possessed a rare gift that allowed him to do his job thoroughly, in a way that nurtured the work ethic of his peers while at the same time enabled him to act as a mentor.

Mr. Speaker, we were blessed to have Scott in our lives. Scott will always be remembered as a person who lived life to the fullest, with a passion for knowledge and a sincere desire to make a difference in the lives of those around him and the people of Colorado's Sixth Congressional District.

The news of his sudden death saddened all of us beyond words. His presence is irreplaceable, his character exceptional.

Mr. Speaker, I would like to submit Scott's eulogy delivered by both his father and fiancée for the CONGRESSIONAL RECORD.

It is important to let history know that Mr. Billingsley was a man who dedicated his life to improve the livelihood of his fellow citizens and America.

In closing, Mr. Speaker, I would like to quote a verse from the Bible. In the short time we were blessed with Scott in our lives, we believe he would say these words to help ease the hearts of all those who knew and loved him. The scripture is from Numbers 6:24-26:

"The Lord bless thee and keep thee. The Lord make his face to shine down upon thee and be gracious unto thee. The Lord lift up his countenance upon thee and give thee peace."

While losing Scott was tragic, his spirit remains with all of us.

EULOGY BY SCOTT'S FATHER, DR. MICHAEL L. BILLINGSLEY

(MARCH 30, 2002, GRACE EPISCOPAL CHURCH, COLORADO SPRINGS)

To the Family and Friends of Michael Scott Billingsley:

This is the most difficult thing that a father ever has to do, but I must say a few words about our son. Most of you have known and loved Scott for some or all of his 32 years, and I know you are devastated by this loss. His mother and I, his sister, and our family are crushed beyond words, and I don't know if we will ever completely recover from this. Scott and Rebecca have always been our life and our joy. I have no words to express the pain his passing has caused.

We are comforted, however, by our firm belief, that only Scott's physical presence is gone. His spirit is everlasting, and is bound up in that mysterious force, that binds us all together, the Holy Spirit of God.

I will let others recount Scott's accomplishments and attributes. We all know that he achieved much in his short time with us. He was a gifted and talented young man, and contributed a great deal to the lives of all who knew him well.

I would like to focus for a moment on his spirit, the enduring essence of his being. Scott's spirit is fiercely independent. From the beginning, he asserted his uniquely individual style, never egotistical, but always assertive, and firm in his convictions. From his earliest use of words and phrases, Scott was an able debater and advocate. When Rebecca was only 2 years old, and Scott 5, she refused to talk, though able, because she had only to point at something she wanted, and Scott would instantly become her legal counsel, explaining in full sentences what Rebecca really meant to say. I don't remember a time, when he was at a loss for words. Blessed with a keen intellect, and once convinced of the merits of his position, he was a formidable partisan for his issue. His assertiveness was, more often than not, balanced with sincere sense of fairness, and respect for his opponent. His friends will tell you that he was always up to a debate on nearly any issue, and was even occasionally willing to consider other reasonable and well thought out points of view; that is, if he couldn't readily destroy their argument.

Scott's is a loyal spirit. His bonding to kindred souls, regardless of differences of opinion, was remarkable. Some of his best friends were often his polar opposites on world and political views. His spirit was able to transcend those differences and inspire comradeship in many of the "loyal opposition," as he might describe them. Finding and bonding with the essential goodness in others was one of his great strengths. Often through humor and wit, Scott could bridge strong differences in opinion and diffuse anger and confrontation. Scott's sense of humor was treasured by our family. He was always able to bring laughter to even the most contentious family matters. As many of you know, he could incite hysterical laughter in his sister with a mere gesture or an off-hand remark.

The real center of Scott's spirit is love. A great deal of this attribute certainly came from the unending love and nurturing of his mother, his wonderful relationship with his sister, his grandparents, his aunts and uncles, and his cousins. He was fortunate to have many long-lasting close friendships from high school, college, law school, and from his work experiences in Washington. My personal relationship with him was almost perfect. We agreed on almost every philosophical principal. Our last game, a week ago, was a tie. We didn't even have a

playoff. All of these life experiences helped develop in Scott a strong sense of compassion and justice. There is more, however, that came from Scott himself. In the past few years, he has developed a closer relationship with God, and had been at last, able to make many life shaping decisions. The most important decision was to marry Katie, his soul-mate, to whom he had dedicated his life. She brought him great joy, laughter, and fulfillment. His mother and I know that since meeting Katie, he had more direction and contentment than ever before. After a recent reunion with Scott, Rebecca remarked that she had never seen so much happiness and joy in her brother's life. Our hearts weep for you Katie, God bless you.

Something that I had not been able to verbalize before, has occurred to me over the past few days. It is the realization that Scott is a rare and very special person, who has the gift of connecting to people in a way that most of us can only wonder at and admire. Scott is one of the glue people that hold us together, who can transcend our differences and make us feel part of the same whole. I have known a few other extraordinary people like this, whose presence remains with me, and we all have these feelings for members of our families. But Scott had a special ability to connect with even those of short acquaintance, to build and maintain special ties. I believe that God was and is doing his work, through Scott, and continues to use his spirit to connect us. His mother, sister, Katie, and I have certainly felt his continuing presence, as I am sure many of you have also. Let Scott's life, and continuing presence, help us all understand this binding of our spirits, the inescapable conclusion that we are not alone, now and forever.

We will miss your person so much, Scott, but we will always be comforted knowing that your spirit lives. This is not the end, but only the beginning. We know that you will always be with us, by the grace of God, the Father, the Son, and the Holy Spirit.

“SCOTT'S FAITH” BY KATIE MCNERNEY
(MARCH 30, 2002, GRACE EPISCOPAL CHURCH,
COLORADO SPRINGS)

I look out today to a group of people, most of whom have known Scott far longer than me. During the last 10 years in DC, he was physically quite far away, although I know he did a great job of staying in touch by phone and e-mail and occasional visits. I thought it would be helpful to take some time to share with you some of the more recent aspects of Scott's life. After 3½ years of spending nearly every day with him, I was blessed to witness the increasing growth of this remarkable man I called my fiancé, best friend and soul mate. I'd like to start talking about Scott by focusing on an area of his life that not many people knew about. His faith. When we first met, Scott and I were at about the same place in our spiritual lives. Scott's parents, grandparents, and other family and friends clearly influenced his strong value system and his faith. Similarly I was raised in a conservative Christian family, but neither of us felt very comfortable using Jesus' name in conversation and we were often wary of those who did. However, in the last few years, Scott and I together shared a number of experiences that introduced us to a new faith and began a relationship with Jesus that strengthened over time.

One of those experiences involved a routine surgery two years ago. After an adverse reaction to anesthesia, Scott's heart stopped and he had to be resuscitated, three times. When the doctor came into the waiting room and told me the news, my shock and fear quickly turned to relief and gratitude because Scott was going to be okay. And he was going to be

okay. Scott left the ICU with a new perspective on life. And it's not like what you see in the movies when people all of the sudden start giving away their worldly possessions or vow to find the cure for cancer. Instead, Scott started focusing internally on how he could become a better person. And as you already know he was starting from an excellent foundation. But he knew there was something missing in his life.

We began to pray together, sometimes in thanksgiving for having found each other, our soul mates, and sometimes out of pain for friends who we lost or family tragedies or even challenges at work. Scott started joining me for church regularly and began to like the weekly practice. Of course, the hours after mass were the times when Scott really loved to debate the sermon with me. And, of course, he'd always win. But I could hear the passion in his voice and see the changes he was making in his life. Over time, this was one of the many ways that Scott and I fell in love. We were putting Christ at the center of our relationship and, if you can imagine a triangle with Jesus at the top, and Scott and me at the other angles, the closer we each moved to Jesus, the closer we moved to each other. Scott loved that image, and he became increasingly committed to making sure he was growing spiritually individually and together with me. Last fall, Scott began meeting with a good friend on Capitol Hill for regular Bible studies. Scott and I also enrolled in the Alpha Course, a course on Christianity many churches offer for new Christians or ones that need some brushing up. For those of you who knew Scott, he mastered the art of arriving fashionably late to most things, but to the Alpha Course he was on time, every week. Even in the midst of some of the busiest months at his job, he would leave work right at 6:30, pick me up, and we would drive over to the Falls Church together.

Last Thursday, Scott asked me to meet him for lunch, something we didn't often have a chance to do during the work week. He wanted to attend a forum by the Faith and Politics Institute. Heather Mercer, the young woman who was held in captivity by the Taliban for 90 days last fall, was there to address a small group of Congressmen and aides. I got the invitation at 12 noon and by 12:30, Scott and I were in the Longworth Building listening in awe as Heather recounted the story of her heroic and faith-filled mission. At one point, when Heather was describing that she loved the Lord so much that she was willing to give her life, Scott reached out and took my hand in his. His eyes welled with tears, as did mine, and I knew then that Scott had truly accepted Jesus as his savior. I was blessed to have witnessed Scott's spiritual growth and his family and I are at peace knowing that he is now with his everlasting father in heaven.

On Tuesday night, more than 40 people back in DC gathered to pay tribute to Scott and shared remarkable stories. A recruiting theme was Scott's unwavering passion for everything he did. At work, his love for sports, and his love for his family and friends. Scott approached his work with more passion than anyone I knew. From the moment he arrived to work until he left at night, oftentimes late into the night, he was committed to making sure his government was doing the right thing. Scott never questioned the value of his work or contributions. As a lawyer, you'd think this conviction would have made him want to be a prosecutor. But Scott also had a deep passion for policy. Just last week, Scott spent days working on the new immigration legislation for his congressman. After just spending a day on the Hill watching the legislation being made, I asked Scott about his day. Of

course, he quoted Bismarck that you should never watch two things being made “sausage and legislation”. Despite his exhaustion, for the next three hours, he explained to me all the intricate details of immigration reform and why Congressman Tancredo was so right. For “fun”, we spent the next Saturday morning watching a video on INS reform.

Prior to joining Congressman Tancredo's office, Scott took on one of his most important professional responsibilities, to bring justice to the former Presidential Administration's irresponsible handling of the pardons for the House Government Reform Committee. The Final report, released just weeks ago, is a clear reflection of Scott's diligence, consistent commitment to the pursuit of justice, and his dedication to his job and his co-workers. The report is one of those tangible reminders that we have of Scott's intelligence and his love of public policy. The Committee often required long hours of wading through document after document and typing up pages upon pages of footnotes. Scott never complained and once, when a co-worker was staying late with the team, despite it being her boyfriend's birthday, Scott called her later to apologize. It wasn't anyone's fault. It was their job, but Scott felt compassion for his friend. Scott was a wonderful teacher and always shared what he knew about issues with people. I work in a mostly Democrat office, so as the lone Republican, I relied on Scott for material. He would often get e-mails from me two and three times a day saying “okay, how would you debate this issue and give me some facts to back it up” just so I could go back to my office mates with all my vast knowledge. No matter what he was doing or how busy he was, he would send two or three articles within two minutes, and he would add a line at the bottom of the e-mail saying “Go get'em, sweetie.”

Scott also loved to travel and learn about geography, languages, different cultures, and new people. There were few times, if any, where you didn't walk away from the conversation with Scott and not have learned something. The one book on his dresser that never collected dust was Scott's atlas. He loved looking something up and reading about places all over the world, places he hoped we would visit someday. This Christmas, Scott bought me an atlas, so he could have an extra copy at my place too! He would point out places he had visited like Brazil, where he lived in Germany, and where he visited in Italy for work in Dec. 2000. We joked with him that the trip to Italy was a boondoggle, but Scott genuinely felt that the trip's mission, to combat organized crime, was of critical importance. He also had fun stories when he returned, of being in the real town of Corleone. Isn't it ironic, he told me, that they stamped out crime in most of Sicily? In a weird way, Scott was saddened by this. The Godfather was his favorite movie.

Scott was so full of love, for his parents, Diane and Mike, whom he adored and whom he could not wait to return to Colorado to be near, for his sister Rebecca whom he so admired for her intelligence, strength of character, and sense of humor. Last night, I spent a few hours talking with Scott's high school friends. Of course, they were recounting stories that I had heard from Scott a hundred times before. I am in awe of the friendships that Scott created—life long friendships that Scott cultivated with great care. Steve, Joe, Mark and Mike were just a few of his closest high school friends. He had many others from college and law school, Andy, Rob, Vinnie, Adam, and Dan. His friends from Colorado and DC, Eric and Jen. If I've forgotten anyone, please forgive me. You know how much Scott loved you all, and he is honored here by your presence.

Of all the things that Scott gave me, the one thing I think will most sustain me is his sense of humor. We laughed hard. He had an array of talents in impersonations. He perfectly imitated the President's "I'm the governor of Texas" line. With his jokes, Scott could bring tears to my eyes. Mike Myers was one of his favorite comedians, and Scott did the best impression of Fat Bastard (Can I say that in church?) Please forgive me. He loved South Park, the Jerky Boys, and did a mean impression of James Brown.

Now, people pass away every minute of every day, but I find it especially fitting, that we are gathered here on Holy Saturday, the day the Christian faith weeps over the loss of our Lord's only son. We weep with God, but like Jesus, Scott is not sad. We are the ones that are sad. You see, Scott is already with God. The moment his last breath left his body on Monday, March 25th, was the moment that Jesus took his hand and brought him home to a beautiful place, to a place where Scott could be with his grandfather, uncle, Farfie, and Fritz and, as his friend Vin pointed out, all the philosophers and political theorists. In fact, he might not even be listening to us now because he's too busy telling off Rousseau.

Scott, we feel your presence with us, and we will love you and keep you in our hearts forever.

EQUAL PAY FOR WOMEN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

Ms. NORTON. Mr. Speaker, Tuesday was Equal Pay Day. That is the day when women rise to say they are not being equally paid. A year and 4 months into the next year is how long women had to wait this year in order to earn what the average man earned. I feel Equal Pay Day, I suppose, stronger than most. I feel like I have been working for equal pay for women at least half of my life. I am a former Chair of the Equal Employment Opportunity Commission, where I administered the Equal Pay Act. It is amazing to see that this act has not been touched in 40 years. It was the first of the great civil rights acts to be passed. It obviously needs to be revised because it is a very different world with a very different economy from the 1963 economy.

There is a bill here pending, the Paycheck Fairness Act, that would modestly revise this bill. Did we know, for example, that if women and men discuss their wages against the wishes of the employer in the workplace, he can sanction them? The Paycheck Fairness Act would bar that. And did we realize that class actions under the Equal Pay Act are much harder to obtain because the act was passed so early? So it is an unequal civil rights law.

Actually there are two kinds of equal pay. One kind was violated right under our nose. A couple of months ago I went to the Ford Building to see the women who clean the House receive their checks from a class action they won against the Congress of the United States because women who clean our

offices were paid a dollar less than men who clean our offices. And they won. This was the first class action brought under the Congressional Accountability Act. All I can say is the women who clean this House and this Senate held us accountable. But then there is another kind of equal pay, and that is the kind that affects the average woman. Senator TOM HARKIN and I have a bill to go at that pay. It goes at jobs that are underpaid because they are stereotyped as female jobs.

Women work in only three sectors: factory, service, and clerical. Those jobs are often paid according to the gender and not the sex. The Fair Pay Act would allow women to sue when the job she is doing is equal in responsibility and in content to the job a man is doing even though that job is not the very same job. It is interesting when you poll, you find that equal pay is among the top one or two issues for the American public. Why is that? Because equal pay is no longer a woman's issue. Equal pay has become one of the great family issues of our time. If there is a working woman in your family, you lose \$4,000 annually because one of the breadwinners, or in some cases the only breadwinner, is a woman.

It is time we fixed the Equal Pay Act. It was a great breakthrough in 1963. Almost 40 years later it needs the kind of repair that you would need if you were 40 years old and had not seen a doctor since you were born. The EPA has not seen a doctor. It has not had us tend to it for 40 years. The Paycheck Fairness Act is certainly the place to begin; 194 Democrats have signed on. I am sure many Republicans also agree that this is the year to tell America that we understand that women and men work, that they are in the same families, that when they have been doing the same jobs, similar jobs or comparable jobs, they should be paid equally.

If we did not learn anything else on Equal Pay Day, I hope that is the message we sent. I certainly hope that before this session is out, this Congress will do more than rhetorically recognize the notion of equal pay. Let us pass the Paycheck Fairness Act.

PROTECTING AMERICAN INDIAN AND ALASKA NATIVE SACRED LANDS

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, as a member of the congressional Native American Caucus, I rise today in strong support of H.R. 2085, the Valley of Chiefs Native American Sacred Site Preservation Act, which would safeguard an area very sacred to a number of Indian tribes, and ask that my colleagues support this bill as well. In addition, I want to comment on the need to protect other threatened American Indian and Alaska Native (AI/AN) sacred lands.

Our many democratic forums establish an opportunity for discussions to take place to

better understand the social, economic, legal and political complexity of AI/AN realities, before related legislation is brought to the House Floor for a vote. As Congressional history demonstrates, the decisions we make as Representatives can either positively or negatively impact AI/AN people, and their nations, tribes, bands, villages and communities.

For example, between 1887 and 1934, the U.S. Government took over 90 million acres of land from American Indians without compensation—including sacred lands. More recently, between 1945 and 1968, Congress decided that federal recognition and assistance to more than 100 tribes should be terminated. This termination policy created economic disaster for many American Indians, and their nations, resulting in millions of acres of valuable natural resource land being lost through tax forfeiture sales. This is a primary reason why AI/AN families have the highest poverty level of any group in the country, at a rate of 31 percent on some Indian reservations.

By holding hearings on the impact of legislation related to American Indians and Alaska Natives, Congress moved to rectify its prior decisions by passing self-determination and self-governance policies. As a result of such policies, AI/AN nations and villages have greater control over their lands and resources. They have made great strides toward reversing the economic blight that resulted from previous federal policies, and have revived their unique cultures and nations.

Congress must withstand pressure from those individuals and groups that call for backtracking to old AI/AN policies, such as termination and reduction of AI/AN sovereign rights. We must acknowledge and learn from our mistakes, and not repeat them in the future because AI/AN nations and people are relying upon our commitments.

The United States Constitution recognizes that American Indian Nations are sovereign governments. Hundreds of treaties, the Supreme Court, the President and the Congress have repeatedly affirmed that Indian Nations retain their inherent powers of self-government. In addition, the United States Government is committed to a trustee relationship with the Indian Nations. This trust relationship requires the federal government to exercise the highest degree of care with tribal and Indian lands and resources.

Sacred lands, and ceremonies associated with those lands, are a necessary expression of AI/AN spirituality, and often are key to individual and collective wellness. This necessity is situated deep in the ancient history of these Indian nations and maintains a prominent place in the fact-based stories handed down from one generation to another. Since the coming of the Europeans to these shores in the late 14th Century, these sacred lands have been subject to intrusions and disturbance as settlers laid claim to lands of the AI/AN peoples.

In 1978, Congress passed the American Indian Religious Freedom Act, recognizing the necessity of upholding the protection of AI/AN spirituality within the ambit of the religious freedom guaranteed by the First Amendment to the United States Constitution. Unfortunately, litigation in the courts since then to safeguard sacred lands, and the ceremonies associated with those lands, has, for the most part been unsuccessful.

Rather than safeguard sacred lands, these cases have upheld multiple intrusions upon

them and maintained a history of subordination of AI/AN spirituality to the interests of dominating groups. Federal government representatives, leaders of historic religions and judiciary members must develop more tolerance and expand their definitions of what constitutes a proper sacred place.

Culture and legal scholar, Davis Mayberry-Lewis, writes: "American Indian religions consider the earth as sacred, whereas the secular culture that surrounds them considers the earth to be real estate. It is hard for the strong to give up their ingrained habit of overpowering the weak, but it is essential if we are to make multiethnic societies like our own work with a minimum of civility."

Anthropologist Elizabeth Brandt states: "The free practice of many Indian religions requires privacy and undisturbed access to culturally and religiously significant sites and their resources. It is irrevocably tied to specific places in the world which derive their power and sacred character from their natural undisturbed state."

Ultimately, how free are we, really, if the first religions of our great country cannot be protected? Therefore I strongly support H.R. 2085, the Valley of Chiefs Native American Sacred Site Preservation Act, which would safeguard an area very sacred to a number of Indian tribes, and ask that my colleagues support this bill as well.

I also call for additional Sacred Land legislation to be developed in consultation with the majority of AI/AN nations in the United States. Furthermore, the establishment of a government-wide, effective, and comprehensive procedure that safeguards the loss of further AI/AN sacred lands must be enacted. We must move swiftly in conjunction with AI/AN nations before more sacred lands, such as Mt. Shasta and Medicine Lake of California, Devil's Tower and Black Hills of South Dakota, to name a few, are further desecrated and damaged.

I ask you, what if, despite your objections to the contrary, your spiritual place was being bulldozed for economic activity or spiked for scaling purposes? How would you feel, what would you think and what would you do? I ask you to support H.R. 2085 and the initiatives I have discussed related to safeguarding the loss of further AI/AN sacred lands.

IN MEMORY OF SCOTT BILLINGSLEY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

Mr. BURTON of Indiana. Mr. Speaker, I come to the floor to pay tribute to Scott Billingsley. Scott died suddenly and unexpectedly on March 25, 2002. He was only 31 years old.

Scott had served ably as Counsel to the Committee on Government Reform for two years before recently leaving to become Legislative Director for Congressman TANCREDO. In his time with the Committee, Scott displayed the best characteristics of a Capitol Hill professional: idealism, honesty, dependability, and selfless devotion to his work. His endearing spirit and infectious good cheer were a blessing to his co-workers with whom he spent countless long hours and late nights. Everyone who knew Scott liked him, and those who knew him best will love and remember him

forever. Scott wanted to make a difference in the world, and he did—not just professionally but personally as well. Others can speak more eloquently about Scott's unique personality, and they have done so in the eulogies that Mr. TANCREDO will place into the RECORD. I want to take this opportunity, however, to say a few words about Scott Billingsley's work for the Committee.

Scott's deeply held belief in the importance of integrity and accountability in government led him to become a Counsel for the Committee on Government Reform. In that position, he played a vital role in our oversight investigations in recent years. Most recently Scott was responsible for drafting the largest and most important section of the Committee's report on abuses of the Presidential pardon power—a chapter on the pardons of Marc Rich and Pincus Green. Scott's work on this chapter represented a substantial share of the final product and formed the solid foundation on which others built. Even though Scott left the Committee before the report was complete, he generously returned to our offices on many occasions to assist the staff in completing what he had begun. He did this under no obligation and on his own time, which says a lot about the kind of person he was. Now, we know how precious little time Scott had left, and we are honored that he chose to spend some of it at the Committee.

Scott's parents—and his fiance, Katie—should be proud of his professional accomplishments. Scott was an excellent lawyer who chose to defend the principles he held dear. He gladly sacrificed the lure of private sector salaries in favor of public service, working tirelessly to promote what he believed in so passionately. Scott's work reflected his strong conviction that public corruption should be opposed vigorously. His commitment to honesty and integrity in government deserves to be remembered and honored, as does his drive and determination to work toward those goals. Therefore, as a token of our appreciation for his service to the Committee, I will be presenting to Scott's family a special copy of the pardon report on which he worked so diligently—dedicated to the memory of an extraordinary professional: Scott Billingsley.

May he rest in peace.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nevada (Ms. BERKLEY) is recognized for 5 minutes.

(Ms. BERKLEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from 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 Mississippi (Mr. SHOWS) is recognized for 5 minutes.

(Mr. SHOWS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

PAYING TRIBUTE TO U.S. ARMY
STAFF SGT. BRIAN THOMAS CRAIG

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GREEN) is recognized for 5 minutes.

Mr. GREEN of Texas. Mr. Speaker, I rise today with a heavy heart. While serving his country in Afghanistan, U.S. Army Staff Sgt. Brian Thomas Craig, from my hometown of Houston, was killed on Monday, April 15, 2002, in a field near the former compound of the Taliban leader.

I ask my colleagues to join me in paying tribute to the life of a truly brave American.

Brian Craig was twenty-seven years old and had spent the majority of his adult life in service to our nation. He joined the Army in 1993, shortly after graduating from Klein Forest High School, where he was an excellent student.

Yesterday, the Houston Chronicle reported on Brian's truly patriotic life. I would like to share the following excerpt:

A straight-A student with college potential, Craig wanted to join the Army first. A high school social studies teacher, Scott Boyer, who recently died, instilled a sense of patriotism in Craig as they studied the Gulf War. "We knew from his junior year that he would enlist after graduation," said Joe Georgiana, a retired marketing teacher from Craig's high school. "It was always his objective. He never wavered."

Brian is survived by his parents, Pastor Arthur and Barbara Craig, a brother, Kevin Craig and a sister, Elaine Hurtado.

The United States Army goes out every day to make a difference and Brian Thomas Craig certainly did—some days in a small way, some days in a big way, and on April 15, 2002, at the cost of his life. One cannot ask more from our brave military personnel.

The loss of any life is a tragic event. The Book of John, Chapter 15, verse 13 states: "Greater love has no man than this, that a man lay down his life for his friends."

I believe this message has a special meaning today and forever. As a father, I cannot begin to understand the pain and heartache felt by the Craig family. I can only say that his death was not in vain, and we all join together to pray for them.

Staff Sgt. Brian Thomas Craig's dedication and devotion to the citizens of our nation serves as a model for those who have dedicated their lives to defending our country and the ideals we hold dear.

It has been said that the ultimate measure of a person's life is the extent to which they made the world a better place. If this is the measure of worth in life, a grateful nation can attest to the success of the life that Staff Sgt. Brian Thomas Craig led.

Brian will be buried at Arlington National Cemetery, a fitting tribute, and a memorial service is planned for Friday at 2:00 p.m. at the First Baptist Church in Houston.

I ask my colleagues in the House of Representatives to join me in expressing our condolences to the Brian Craig family. Our thoughts and prayers are with you.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. KIND) is recognized for 5 minutes.

(Mr. KIND 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 gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

(Ms. JACKSON-LEE of Texas addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

CONTRADICTIONS IN NATIONAL SOCIAL PROGRAMS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from New York (Mr. OWENS) is recognized for 60 minutes as the designee of the minority leader.

Mr. OWENS. Mr. Speaker, our last debate today was very instructive when you combine the last debate of the day, which was a debate about whether or not our great Nation will feed legal immigrants by allowing them into the food stamps program, and you combine that debate with the debate we had earlier about making permanent a tax cut which will provide for the richest people of the Nation further tax relief. The tax cut is equal to four times the size of the budget of the entire Department of Education. It is more than three times as large as the Department of Veterans Affairs or the Department of Transportation.

When you look at that combined with the fact that next week we are going to be discussing the reauthorization of the Temporary Assistance to Needy Families Act, that replacement of the old Aid to Families With Dependent Children, we are looking in America at sort of contradictions. Let us add to that the fact that earlier today we debated the placement of a cap on the farm subsidies act, the farm bill.

□ 1730

The farm subsidies were created in the same spirit that the Aid to Families with Dependent Children was created. It was created in the same spirit as food stamps were created. They were created on the assumption that there are certain Americans who need help. We need a safety net for them. The safety net is there for people who need food, and food stamps were a way to administer and process our assistance to people who need food.

Sometimes there are desperately poor people, most of them are desperately poor, and sometimes they are not so poor, but people who are caught in a temporary situation, where their income falls short and they are unemployed. Even some middle income people unemployed have taken advantage of the food stamp program. If they happen to be legal immigrants, however, we cut them off. In a Nation with plenty, we do not want to give food to legal immigrants.

At the same time, the farm subsidy program is overly generous and has been greatly abused, and the vote we took today was a vote to put a cap on

farm subsidies for farmers. Let us forget about the complications of farm corporations, the fact that the agriculture business is not a business of small farmers anymore, but there are often many large corporations benefiting from the farm subsidies.

But it was not supposed to be a program to benefit anybody except those who were at risk of falling through the safety net, so earlier today we prided ourselves on voting to put a cap, to instruct the conferees who are considering the bill now to put a cap on the farm subsidies at \$175,000. That is per year, my colleagues. \$175,000 per year. That would be the cap. Right now there is no cap, so some get much more than that.

As I progress with this statement tonight, I am going to read some of the examples of the kind of benefits that are being received by America's farmers, who are, after all, not working. They do not have to put in any special volunteer work to do this, to do anything, in order to qualify for the safety net program for farmers. The farm subsidy program is a safety net program for farmers. The food stamp program is a safety net program for hungry Americans.

Legal immigrants, by the way, as one of the speakers pointed out, legal immigrants are allowed to fight in our Armed Forces, and a large number are out there in the Armed Forces right now, and more are being encouraged to enter our Armed Forces. In fact, the recruiting process of our military is such that they are making a special effort to reach immigrant communities. They have set up a large recruitment center just one block from my office in the 11th Congressional District in Brooklyn. They have set up a recruitment center at a place which is a transportation hub for immigrants. Large numbers of people who are immigrants, mostly immigrants from the Caribbean, come through this hub, and they have made an effort to reach them, in particular to get them to sign up for the military. They will reach their quotas faster, because a large percentage ever the people who are now signing up for our military are immigrants.

These people can know go off and fight for America, they can go off to meet our military needs, and yet they are not able to qualify for food stamps. I think one of the speakers previously pointed out that they could not, even if they are soldiers. Some of our soldiers are paid so low that they do qualify, their families do qualify for food stamps, but not if they are legal immigrants. They are soldiers. They can fight and die, but they cannot receive food stamps.

Those are contradictions which I do not think we ought to be content to live with. The American spirit ought to try to wrestle with greater fervor against some of these contradictions. We have, on the one hand, a very generous spirit, which leads us to send food throughout the world. We are

feeding people all over the world with surplus American food.

Certainly, long before we were able to bring the Taliban down in Afghanistan, we were delivering food to Afghanistan, and we sometimes dropped food from airplanes. We understand the need for food, the power of food, and yet the contradiction here is we are not willing to feed legal immigrants within our own borders.

That contradiction will be further highlighted next week when we debate the Temporary Assistance for Families in Need bill. We approach families in need in this country with great contempt, and yet those people who are in need are certainly worthy of some help, worthy of being caught up in the safety net. They are falling in the safety net that is designed for them as much as for anybody else. I will talk a little bit about that.

If we have to talk in military terms, we will talk in military terms. We are all concerned about the fight against terrorism. We are all concerned. The first line of defense is, of course, to deal with the people who have attacked us and to confront them head on and to hit them where their bases are and to break up their whole conglomeration of evil and terror, and I applaud the President for moving in that manner.

I do not consider myself a hawk. I would generally be called a dove. But I think when we moved against bin Laden and the stronghold bin Laden had in Afghanistan, it was the right move. But in order to do that, we move with human beings, and many of those human beings are people who are the sons and daughters of folks that we hold in contempt back in America when we do the Temporary Assistance to Families in Need.

In other words, I am saying that a large number of the people who go off to fight our wars are poor people, and for us to take a position that we have contempt for them and we want to harass them and drive them off the welfare rolls and force them to go to work for less than minimum wage through "workfare" programs, what we are doing is attacking the people who are providing the foot soldiers, the foot soldiers to keep America great, to keep America free, to fight our battles.

I am going to talk a little later about the fact I have done an analysis of who dies in the wars, who died in World War I, who died in World War II, and who our casualties in Vietnam were. They were mostly poor, from the urban centers and from the rural areas. They were mostly poor soldiers, our foot soldier class.

We do not like to think of classes in America. We say there is no class warfare in America. That is an accurate statement. There is no class warfare, because the poor do not have any advocates. They do not have anybody to fight for them, so it is not warfare. There is no warfare. The rich are in control thoroughly, and the tax bill that we passed today is just one more

indication of how thoroughly they control our American democracy.

Yes, you can have a democracy where the people vote against their own interests, or you can have a democracy where people act against their own interests, because those who do not vote are acting against their own interests. We know even in presidential elections, something close to 49 percent of the people do not go out to vote. If in our presidential elections, our most important elections, you only have 51 percent of the people voting, you can imagine how that falls down as you go down to the Senate, the House, local State and elected officials.

Those who do not vote have nobody to blame in the final analysis but themselves in a democracy, but their actions are part of a process by which the majority interests are not served in a democracy. A democracy allows a minority to usurp their prerogatives and to act in their interests. The tax bill that was passed today is an example of that.

The tax cuts represent the worst kind of priorities. What we do here in Washington and in the House is always an important thing involving priorities, how you set priorities, how you make use of available resources.

When I get back to my district, like during the period where we had a long work period, in my district I am constantly confronted by people that have special questions about what are you doing down there that makes any difference to me? Why are you not doing something to relieve my particular problems here?

Senior citizens are upset by the fact that in New York City now the Department for the Aging is cutting Meals-on-Wheels. They are proposing to close down some services for senior citizens, to make them pay a greater share for their lunches. They want to know what are you doing in Washington for me?

Well, the problem in New York is probably partially a problem of deep budget cuts because of a great loss of revenue caused by the fact that the World Trade Center was the heart of our financial districts and the financial district was a great generator of tax money, of revenue. So the folks in New York, senior citizens, are suffering from the budget cuts because of the fact that bin Laden and the al Qaeda terrorist network chose as a target a piece of America that happened to be in New York City.

He was not attacking New York City or senior citizens in the communities of Brooklyn. He does not care about the senior citizens in Brownsville and in East New York or Flatbush. He does not care about the people of New York. The terrorists and the people who attacked the World Trade Center were attacking the United States of America, but the suffering is disproportionately being borne by the people of New York City at this point.

Yes, we are getting a large amount of money to rebuild the Trade Center.

The President has promised more than \$20 billion to rebuild and take care of the reconstruction and the removal of the wreckage and to help the businesses in the financial area. But there is no program that seeks to deal with the loss of revenue. There is no program offering New York City any assistance for the great loss of revenue which leads to the cuts in senior citizens programs or the loss of revenue which leads to the cuts in education, the school budget.

Now, that is not a phenomenon unique to New York. All over the country we are having problems with our school budgets. We have documented that in our Committee on Education and Workforce, that the majority of the States are cutting school budgets, cutting their aid to education, and localities are finding the necessity to cut aid to education.

So, what does it have to do with us here in Washington? We could, instead of giving a huge tax cut to the richest people in America, we could give more aid to education. I just said before that the tax cut that we voted, that the majority of the House voted, I certainly voted against it, along with most of the members of the Democratic Party, we voted against it, but we are outnumbered here, so the House voted for a tax cut which is four times as large as the budget for the entire Department of Education.

That is significant, that at a time when we are forced to make cuts in our school budgets, we get no more aid from the Federal Government than we get during prosperous times. One would say, well, there is the old adage about education being the responsibility of the States, the responsibility of localities, so why do you keep bringing up education as a Federal responsibility?

Well, education is our number one national security issue. We are a high-tech society. Our military is high-tech. Our ability to defend ourselves and to bring down the terrorist network in Afghanistan or anywhere else depends on high technology.

Even in small matters, and I do not want to invade the territory of the military experts, but even in small matters, which are not so small, I guess, even in matters which are detailed in terms of our performance on the battlefield, we are losing more men and women, more of our combatants on the battlefield, through human error in this war than we have as a result of enemy engagements.

We just lost the lives of four Canadians because of human error. One of our planes fired into a Canadian group just yesterday, and, if you hear all the different explanations for it, it was really human error. The pilot was not given an order to fire, because they were checking out the area. The information his headquarters had was greater than the information he had, and he panicked and fired, and human error cost four more lives.

We have lost a number of other lives as a result of human errors. It is not

grounds for a detailed analysis of the war, but it is just one more indication of the fact that a high-tech army, high-tech military, will require more and more well-educated people in order to minimize human error. So even in the matter of combat, education becomes very important.

□ 1745

But the infrastructure which produces the weapons and the whole system that keeps our economy strong and allows us to afford a first-rate military is all dependent on education. So here we are at a time when education is suffering, and we are extending the tax cut to the richest people in America; and that is a part of the great contradiction. We have what I referred to in an earlier rap poem that I read a few weeks ago; we have great angels in America who understand our particular point, our pivotal point in history at this point. They understand that we are the key to civilization, which we are. Whether civilization goes forward and realizes its full potential or rolls backward and is caught up in the jaws of people like bin Laden who say that all the folks who want to roll back history, take away freedoms, oppress women, have no use for democracy and votes.

Mr. Speaker, the world is governed by more governments that are not democratic than are democratic. The world has leaders in power who have contempt for women, who have contempt for minorities. We are not in such good shape if we look over the entire Earth and we look at what is happening in terms of the leadership and the governments and those in control. We are at a pivotal point; and we are leading the charge for a more civilized world, a world where everybody has a right to life, liberty, and the pursuit of happiness, where we are in favor of equal rights for all. As I said in my poem, "Let's Roll, America" a few weeks ago, we can sing the high hallelujah note, because all of our races and women can vote. We can celebrate that.

In every language of the Earth, to the country of all nations, we have proudly given birth. All of the languages of the earth, those immigrants that some people want to deny food stamps for, they are part of what we have created. We have created a nation where all languages are spoken. We have created a nation where all of the people of the Earth aspire to get here and be a part of it.

I do not subscribe at all and do not have any patience for the notion that Americans are the objects of great anger, that people despise us. That is ridiculous. Throughout the world, most people, ordinary people, the vast majority of people, they envy us perhaps, and they admire us more so than despise us. There is a leadership out there that feels that it is on the spot. They do not produce for their people. They use the resources of their nations to

make the rich richer. They do a lot of things that lead them to want to see America removed from the scene because we are examples of how a government and a nation can work for all of the people, all of the people.

We are an example of how you create a consumer market by being just, by having fair wage laws, by having working conditions, benefits, pension plans, all of which work and really do not swindle the people and that works. There is a lot of business leaderships and military leaders and government leaders across the world who hate that because they like to see those kinds of components of a government and of a civilization not displayed because they do not want to offer it to their own people.

So we are not hated in the world. The majority of the people, the ordinary people very much admire Americans because we are what I call "great angels." I said in the same poem, "Let's Roll, America" was the name of the rap poem that I did a few weeks ago, and I said at that time that the Olympics are forever. We will win all the races. We are great angels of tomorrow, with magic mongrel faces. We are a mixture of people but, most of all, the spirit of the great angels is there. The spirit of the great angels is there in competition with the spirit of what I call the giant Scrooges.

The giant Scrooges are always on stage here. The giant Scrooges are in command here in the House of Representatives. They have the majority. They can pass a tax bill which makes it impossible for Social Security to be secure over the next 25 to 50 years. They are the ones who combined, in a bipartisan move, to lock the box and make certain that Social Security would not be threatened. But what this tax cut does is threatens Social Security.

Those seniors back in my district who are worried about food stamps, who are worried about their centers being closed and the lunches that they have at the senior citizen centers, the rate that they pay will be going up, and they are worried about the Meals-on-Wheels programs being shut down. They have bigger worries if the Republicans continue to insist on a pattern of tax cuts that make it impossible to balance our budget, that drive us into deficit. All of this has to be looked at together. The same Republicans who would terrorize and harass welfare mothers, the mothers of the foot soldiers who go off to fight our wars, those same people insist on creating bigger and bigger tax cuts for the rich. They are jeopardizing in the process, they are jeopardizing Social Security, something that every senior considers to be most basic.

The last thing that they will tolerate from me is a statement which tells them that I am a Democrat, I cannot do anything about the forward march toward threatening Social Security, or privatizing Social Security. They do not want to hear from any elected offi-

cial who says they cannot protect Social Security. And we must understand that there would be a revolution here in this Nation if we continue to threaten Social Security.

The kind of incremental threats that are woven into the Republican tax cuts are hard to get people, it is hard to get people to understand. But in just 1 year, the surplus projections for the next decade have declined by \$4 trillion as a result of the Republican tax plan. They have broken the lockboxes by spending trillions of Social Security and Medicare trust funds on other things. The Republicans shamelessly will try to escape blame by pretending that the war on terrorism has caused a \$4 trillion loss. Simple arithmetic will tell us that it has not been the case. According to the Congressional Budget Office, the war on terrorism costs \$10.2 billion this year. That is a tiny fraction of the unprecedented deterioration and the position of the budget in terms of the surplus.

Where did all the money go? The bulk went to fulfilling Republican campaign promises to pass tax breaks for wealthy contributors to the Republican Party. According to the Citizens for Tax Justice, 37.6 percent of the benefits of the final tax bill will go to the top 1 percent of the income earners in this Nation. Mr. Speaker, 37.6 percent of the benefits of the tax bill will go to the top 1 percent of income earners. These are the giant Scrooges who want to more and more enrich the rich.

We now know that the money for these tax breaks comes from payroll tax contributions that every worker makes to Social Security and Medicare. In the final analysis, that is where the money is. Willy Sutton used to say when he was asked, why do you rob banks, and he would say, that is where the money is. Where do you get the money to balance the budget if you are going to give huge tax cuts? You get it from Social Security and Medicare, because that is where the money is.

Our Leader GEPHARDT has called for a bipartisan summit to work out a blueprint for how America will get itself out of this mess. As it stands, the extending of the tax cut will further raid the Social Security and Medicare trust funds which the Republicans claim not to touch. We need a bipartisan truth commission to tell the truth about what the real threat to Social Security is and how the tax cut becomes a threat to Social Security, and a tax cut becomes the problem behind the problems that the people in my district are complaining about. You cannot have some relief on education expenditures coming from the Federal Government if the relief that might have been there is being poured into a tax cut.

The Federal Government, at a point in history like this, when we not only have great budget cuts in education in New York City, but across the whole country, we should have some relief for the States and for the local govern-

ments, and that relief has been proposed in our education legislation. We propose that the Federal Government take on the full responsibility for special education. If we took on the full responsibility for, not full responsibility, but that we live up to the original legislation on special education which said that the Federal Government would pay 40 percent of the cost, and right now we are paying something like 10 or 11 percent of the cost of special education. If we were just to assume the 40 percent costs for special education instead of pouring our money into tax cuts, take a portion of that, a relatively small portion and put it into special education, we would free up funds at the local level to be spent on education in some other way.

Forty percent of the cost, instead of 11 percent of the cost, means that local education agency would be able to take that money and fill in some of these budget cuts that are resulting, not only in New York, which has suffered probably more than most big cities because of the 9-11 attack which took away our taxes, our revenue to pay for education, but across the country. One gesture like that would be beneficial to education right across the board.

In addition to that, the President should go ahead and fund title I. They promised to begin the process by, increase title I by adding to the title I fund in each year until within 5 years we would have twice as much funding in title I as we presently have. But right away, despite that promise, the President backed away in his budget that was sent to Congress. Two items live up to our promise to fund special education by going all the way to the 40 percent and increase the funding for title I, and we would bring a great deal of relief already to the education budgets out there that are suffering right now.

So it all relates, Mr. Speaker. I hope that I am not confusing any of our colleagues. We have had a discussion about the tax cut and what the impact of that is. We have had a discussion about the farm bill and setting a cap, putting a cap on farm subsidies. We are going to have a discussion next week, and preliminary discussions are taking place right now, and all of the committees, the committees of jurisdiction, the Committee on Ways and Means and the Committee on Education and the Workforce are discussing the temporary assistance to families in need. We had a discussion, of course, earlier here today on food stamps for immigrants. It all relates.

I think that the challenge of leadership in America nowadays is not a challenge of knowing the facts; it is a challenge of how we put it all together once we get the facts. Probably the challenge of leadership anywhere in the world is understanding the complexities of the world and understanding how one thing relates to another, and being able to provide some leadership which will make use of the

existing resources so that everybody benefits.

The great angels of tomorrow we are. As Americans, one side of our personality says we are great angels and we want to do the right thing for everybody, including the people in this country, and then beyond that, to provide help for other people throughout the world. That is one part of our spirit. The other part of our spirit is demonic. It is giant Scrooges. People who want to take food stamps away from legal immigrants; people who want to give welfare recipients, a family of three, I think in Wisconsin they get less than \$300 a month for a family of three. That is considered a successful program for welfare recipients, aid to families in need.

□ 1800

All of these things are related. Setting priorities and determining how does our great wealth get utilized to push civilization forward is a great question. It is there in all of these issues. They do relate very much.

I want to make certain that I make it clear that the class problem is at the heart of the way we make decisions in America. We do not have class warfare, we hate to bring up the whole issue of class, but class is very much a problem.

There is among the giant Scrooges, there is also contempt for the poor. The giant Scrooges are people who have contempt for poor people, just as Scrooge did in Charles Dickens' novel. They have great contempt for poor people.

The giant Scrooges of America have a lot of racism also woven into that. The harshness with which we treat people on welfare, the way the law is formulated, is partially due to the perception that this is thought that this is a program mostly for minorities. If we treated farmers in the same manner, we could say, well, it is people who want to make certain that the taxpayers get their money's worth; people who are frugal, who have respect for the taxpayers and want to make certain that we spend money wisely. If that was the case, then why do we not apply the same standards to farmers or to the farm subsidy program that we apply to welfare recipients?

We will be reauthorizing the temporary assistance to families in need, and in that bill we say nobody, no matter how needy, they can only have assistance from the Federal Government for 5 years. The 5-career limit has been imposed. We say it has been very successful. It has made people more conscious of the fact that they need to go to work and get off welfare.

There may be some truth to that. Why do we not impose a 5-year limit on the farm subsidy program? Why did we not impose a 5-year limit on the farm subsidy program a long time ago? Why do we have unlimited amounts of money being paid out in the case of the farm subsidy program when we have very paltry amounts being paid to fam-

ilies who are in need under the TANF, the Temporary Assistance for Needy Families, Act?

If we are considering frugality and the best use of taxpayers' money, what motivates us to pay \$20 to \$22 billion out to the farm community when less than 2 percent of the people of America are farmers? What is going on as we set our priorities?

And why do we pay 40 percent of the farm subsidy money, why do we pay most of the farm subsidy money to 40 percent of the farmers, so that 60 percent of the farmers get nothing? Family farms who are really poor in that 60 percent get zero, while 40 percent of the agricultural businesses, I will not call them farms, in America are receiving most of the money.

If we are only concerned about the best use of our taxpayers' money, why do we let the farm program continue to rob us blind? In addition to the subsidies, there are also farm home loans, special loans for farmers, disaster loans for farmers. Less than 2 percent of the population walks away with a great part of the budget. What is going on in terms of our priority-setting?

If we are great angels of tomorrow, as I think some of us are, the great angels would want to make certain that we use our resources across-the-board to help the greatest number of people. Why can we not have a prescription drug benefit for senior citizens, and save some of the money from the abuses in the farm subsidy program in order to finance a program for prescription drug benefits? What is going on here? Why do we let the Scrooges prevail?

Evidently, the same Scrooges, giant Scrooges who are in charge of our tax cut program, are also funneling money to a small percentage of the farming businesses. I might not object to the farm subsidy program if we could guarantee that it went to the poor farmers, but we admit that it is going to farmers who are getting large amounts of money.

In fact, we consider it a victory today that we voted for a motion to instruct the conferees that was prepared by the gentleman from Michigan (Mr. SMITH). The gentleman's motion was to instruct the conferees who are considering the farm bill now to put a cap on the program, accept the Senate proposal for a cap; that is, an amount, a limit on the amount of money that farmers can get. We, I think, voted for a cap of \$175,000 per year, \$175,000 per year. That would be the cap. We consider that a victory. How wonderful it is that we have put a cap of \$175,000 on a subsidy that farmers can get.

It is a safety net program. It is a handout, if we want to get into the slang that is used by the Scrooges when they are considering giving \$300 to a family of three on welfare; it is a handout. They hand it out with great contempt, and they complain about it, and they look for ways to push a person off the welfare rolls who is maybe

getting \$300 a month. We can see how much that adds up for a year.

The gentleman from Michigan (Mr. SMITH) wrote a letter to all his colleagues. If we want to talk about bipartisan cooperation, the gentleman from Michigan (Mr. SMITH) is a Republican.

"Dear Colleague: You have received letters from many Members supporting limitations on farm subsidy payments. Some farms now receive millions of dollars. On Wednesday, I will offer a motion to instruct House conferees on the farm bill, H.R. 2646. It will direct them to accept the farm subsidy caps added to the legislation in the Senate. The caps will limit farmers to \$225,000 in subsidies per year; if they have a spouse, \$275,000 per year.

"The purpose of subsidies since the beginning has been to protect family farmers. Unfortunately, about 82 percent of all subsidies now go to just 17 percent of the farmers. By providing unlimited subsidies, we have encouraged huge corporate farm operations to get bigger and bigger, squeezing out family farmers.

"You may have heard from some farm and commodity groups in opposition to this idea, but make no mistake about it, they do not speak for the majority of farmers and ranchers. Last year, 27 of the Nation's land grant colleges from all the Nation's regions came together to poll farmers and ranchers on their opinions of the farm bill.

"On the issue of farm payment caps, there was enormous consensus: Nationwide, 81 percent of farmers and ranchers agreed that farm income support payments should be targeted to small farms. Limiting subsidies to any particular farmer will help traditional-sized family farms.

"Please consider supporting the motion to instruct on Wednesday," et cetera, et cetera, by the gentleman from Michigan (Mr. SMITH), Member of Congress.

Mr. Speaker, I include for the RECORD this letter from the gentleman from Michigan (Mr. SMITH) to his colleagues.

The letter referred to is as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 15, 2002.

PROTECT FAMILY FARMS!

CAP FARM SUBSIDIES!

DEAR COLLEAGUE: You have received letters from many members supporting limitations on farm subsidy payments. Some farms now receive millions of dollars.

On Wednesday, I will offer a motion to instruct House conferees on the farm bill (H.R. 2646). It will direct them to accept the farm subsidy caps added to the legislation in the Senate. The caps will limit farmers to \$225,000 in subsidies per year (\$275,000 with spouse).

The purpose of subsidies, since the beginning, has been to protect family farmers. Unfortunately, about 82% of all subsidies now go to just 17% of the farms. By providing unlimited subsidies, we've encouraged huge, corporate farm operations to get bigger and bigger, squeezing out family farmers.

You may have heard from some farm and commodity groups in opposition to this idea,

but make no mistake about it—THEY DO NOT SPEAK FOR THE MAJORITY OF FARMERS AND RANCHERS!

Last year, 27 of the nation's land grant colleges from all the nation's regions came together to poll farmers and ranchers on their opinions of the farm bill. On the issue of farm payment caps, there was enormous consensus. Nationwide 81 percent of farmers and ranchers agreed that farm income support payments should be targeted to small farms.

Limiting subsidies to any particular farmer will help traditional-size family farms. Please consider supporting the motion to instruct on Wednesday. For additional information, please contact me or Dan Byers on my staff at 5-5064.

Sincerely,

NICK SMITH,
Member of Congress.

Mr. Speaker, I want my constituents at home to understand that the great angels who care about fairness, who want to see our resources spread to all the people, do not come necessarily in just certain parties. I have criticized the Republicans for their actions, but the gentleman from Michigan (Mr. SMITH) is a Republican.

A large number of people are offended by the fact that the giant Scrooges take over, and they are shameless in the way they use the taxpayers' money. If there is ever a program which shows us what the giant Scrooges are doing in the mismanagement of America's resources, it is the farm subsidy program.

I have indicated, I think, before on this floor that there is a special group called the Environmental Working Group, and they have done us all a great service to let Members really see how outrageous the farm subsidy program is.

Again, the farm subsidy program is supposed to be a safety net program for small farmers, for the poor. All of our safety net programs are designed to help people who cannot help themselves. After all, this is a capitalistic economy. Farming is a business. Do we want to have socialistic supports for the agribusiness when we do not have socialistic supports for any other business? Farming is a business.

It is okay, it is part of our credo, to take care of those who are in danger in some way of falling through the safety net. We wanted to support family farms and keep our farmers, family farms, out there, not have them all migrate to the cities and turn over the whole agricultural production to great corporations, big corporations. That is an objective that I certainly concur with. It is in the spirit of the great angels of America.

But the Scrooges have taken over, and long ago, for years now, it has been totally out of hand. I am talking to rural Congressmen, I am talking to big city Congressmen. We all deserve to be able to tell our constituents a better story than "This is necessary to keep the food prices cheap in our supermarkets."

It actually keeps the prices higher, Mr. Speaker. It keeps us in a situation where we are paying more than we

would pay if capitalism were to go to work in our farm, in the agricultural business.

But in addition to not violating the tenets of capitalism, which I do not take exception to. I think we have a capitalistic economy. There are a lot of socialistic elements in it. When we apply those socialistic elements, I do not complain. I do not think we should be stuck in a rut, that capitalism is so great that it cannot learn from some other forms of economic production.

We have capitalism in the banking industry that helped bail out the savings and loan associations. That socialism in the banking industry recently came to the aid of some of our big investing groups, so we have across the world capitalist economies like Korea and others who have taken steps to have the government intervene to prop up businesses.

Those are socialistic elements of economic dealings that make sense, they are pragmatic. We bailed out Mexico when they were about to go under by intervening with \$20 billion in loans. So it is not automatically an evil to have socialistic actions being taken in the economy. But if we do that, at least we ought to have an end game which produces fairness.

This Environmental Working Group, they created a website on the Internet, so Members can go and see every person, family, or business in America that gets farm subsidies. Members can find out who they are, where they are located, and exactly how much they are getting, or how much they were getting in the year 2000. It is <http://www.ewg.org/farm/>. Members can look in the CONGRESSIONAL RECORD and get the website address, and go to the website and find out exactly what farmers are getting State by State, county by county.

What Members will find is that whereas the State of Wisconsin, and I am going to take Wisconsin as an example because next week we are going to hear a lot about Wisconsin. When we start discussing the reauthorization of the Temporary Assistance to Needy Families Act, we are going to talk about Governor Thompson, who had the model program, it has been cited as a model program, in Wisconsin. Governor Thompson did such a great job until President Bush asked Governor Thompson to come to Washington and head the Health and Human Services Agency, because he has a model program.

Well, in Wisconsin, their program might have been a few degrees better than the New York City program under Mayor Rudy Giuliani. Rudy Giuliani, who performed so magnificently during the crisis precipitated by the attack on the World Trade Center, has more contempt for poor people probably than any leader in America. The workfare program in New York City was one of the worst. But I think the present administration admires the Giuliani program even more than it admired Governor Thompson's program.

Governor Thompson's Wisconsin program, the model program, is a program that provided less than \$300 a month for a family of three, less than \$300 a month. The Governor of Wisconsin, Mr. Thompson, who is now Secretary of Health and Human Services, saved money by pushing people off the welfare rolls. The caseload went down. He saved money.

He did not put that money back into the program to provide more money for education or transportation, or in some way benefit the recipients who needed help in getting more training, more education, in order to get jobs.

□ 1815

He used the money instead for other kinds of activity. He did what we call supplanting. He supplanted money meant for the poor. He moved it about in the budget until he could free up money so he could use it for other State projects. That is what we are saluting in Washington right now as a model program. He took money from the poor and used it for other State projects and that is supposed to be wonderful.

He has minimum programs to allow people to get education. Vocational education is permitted under the TANF program; higher education is not. If someone wants to go to junior college, community college, become a hygienist or a technician of some kind, the kinds of jobs that are available that pay decent salary, that have a future, they cannot do that under the program that Governor Thompson put forth and has now become the model for Federal programs. Cannot do that.

The same Governor Thompson in the State of Wisconsin, according to the record, has never raised his voice against farm subsidies. If Governor Thompson is a hero because he pushed those terrible people off the welfare roll, and sent them out to get a job, he wants to make the best use of the taxpayers money, then I ask him to tell us, tell us, Secretary Thompson, why do you not deal with the farm subsidy abuses in Wisconsin?

I have a list of the top 100 farm subsidy recipients in Wisconsin. Again, like Wisconsin, like every other place, the poorest farmers are not getting the money. It is the top 40 percent who get all of the money, just about.

The first 100 recipients, according to amounts, the first top recipient Dane County Growers. That is a corporation in Edgerton, Wisconsin. They get \$457,646 per year, the annual amount they received in year 2000.

Let us go down to some individuals and skip over what looks like corporations. Jeffrey M. Hahn, Cambria, Wisconsin, \$268,998.57. This man, of course, would be against the cap that we just passed because the cap that is being proposed by the Senate is \$225,000. He is getting \$268,998.

What do these people have to do to get the taxpayers' money? Do they have to do volunteer service? This Congress, under the leadership of the Republicans a few years ago, voted to

make people in public housing do 8 hours of service per month because they are recipients of subsidized housing. The law now says, as a result of an amendment passed on this floor when the Republican majority votes, that a person has got to do 8 hours of public service if they are in a publicly subsidized housing development, public housing. Do we make any of these recipients of these large amounts of

money do public service? What is it that we are getting in exchange for this? It is supposed to be a program for people who need it very badly; but if someone is getting year after year \$400,000, \$200,000, are they needy, really?

When we go down the list all the way, there are people getting \$170,394 per year. Again, the welfare recipient in Wisconsin will get \$300 a month times 12 months. That is \$3,600 for a

family of three; but in Wisconsin, the man whose 100th on this list, down at the very bottom in terms of the first 100 recipients, Mr. Thomas P. Sayre, Jr., Edgerton, Wisconsin, is getting \$157,227. What is the criteria in America for giving somebody \$157,227 of tax payers money versus giving a family of three \$3,600?

The list that I am referring to is as follows:

EWG FARM SUBSIDY DATABASE—TOP 100 RECIPIENTS OF FARM SUBSIDIES IN 2001 WISCONSIN

Rank	Name	Location	Farm Subsidy Total 2001
1	Dane County Growers Ptnr	Edgerton, WI 53534	\$457,646.10
2	Metcalf Farms	Janesville, WI 53546	454,011.85
3	Hamp Haven Farms	Reedsville, WI 54230	453,442.97
4	Wilks Brothers	Union Grove, WI 53182	398,193.39
5	Weeks Farms	Sharon, WI 53585	395,499.43
6	Kippley Farms	Wauwaukee, WI 53597	351,146.14
7	Bolton Farms	Burlington, WI 53105	336,608.86
8	Roger Rebout & Sons Farm	Janesville, WI 53545	324,424.02
9	Noble Grain Farms	Burlington, WI 53105	323,642.02
10	John E Walsh and Sons	Mauston, WI 53948	307,842.42
11	Kuiper Family Farms	Union Grove, WI 53182	302,465.26
12	Steinacker Farms Inc	Hortonville, WI 54944	293,647.02
13	Horizon Farms	Janesville, WI 53545	292,665.30
14	Oneida Nation Farms	Seymour, WI 54165	276,977.24
15	Jeffrey M Hahn	Cambria, WI 53923	268,998.57
16	Falkers Farms	Viroqua, WI 54665	267,386.17
17	Rossi Grain Farms	Bristol, WI 53104	266,540.81
18	Gunderson Grain Farms	Waterford, WI 53185	259,442.55
19	Hawkins Farms Inc	Bristol, WI 53104	254,481.46
20	Riley Brothers	Mauston, WI 53948	253,606.67
21	Hartung Farms	Arena, WI 53503	247,256.02
22	Keske And Keske	East Troy, WI 53120	245,384.58
23	Twin City Farms	Beloit, WI 53511	244,416.83
24	Mullikin Farms Partnership	Janesville, WI 53546	234,826.38
25	Emmert & Sons	Baldwin, WI 54002	232,827.87
26	Bach Farms Llc	Dorchester, WI 54425	228,155.79
27	Furseth Bros Real Estate Partners	Stoughton, WI 53589	225,066.67
28	Gorton Farms	Racine, WI 53406	223,020.94
29	Huntsinger Farms	Eau Claire, WI 54702	220,761.30
30	Riesterer Farms	Milton, WI 53563	219,778.57
31	Dempsey Farms Partnership	Eagle, WI 53119	212,660.50
32	Timothy Robert Leidig	Prairie Du Sac, WI 53578	211,268.76
33	J-r Farms	Wauwaukee, WI 53597	210,231.22
34	Schroeder Farms Partnership	De Forest, WI 53532	206,742.08
35	Luanne M Prochnow	Menomonie, WI 54751	203,117.53
36	Ronnie Prochnow	Menomonie, WI 54571	203,117.50
37	West Bros	Rice Lake, WI 54868	202,831.88
38	Paul Olsen	Wautoma, WI 54982	202,808.29
39	Reichling Farms	Darlington, WI 53530	202,426.82
40	D & S Farms	Shullsburg, WI 53586	201,940.38
41	David Olsen	Berlin, WI 54923	201,673.25
42	Wysocki Produce Farms Inc	Bancroft, WI 54921	200,647.60
43	Larry C Sahn	Chippewa Falls, WI 54729	199,963.03
44	Tab J Wiegel	Darlington, WI 53530	199,955.71
45	Runyard Grain	Oconomowoc, WI 53066	198,840.88
46	Borzynski Brothers Properties	Franksville, WI 53126	198,396.38
47	Brenengen Family Farms	Trempealeau, WI 54661	197,598.17
48	Randall S Shottliff	Evansville, WI 53536	195,306.68
49	Jerome J Laufenberg Inc	Alma Center, WI 54611	194,668.65
50	Thunder Branch Acres Inc	Darlington, WI 53530	193,454.39
51	Henderson And Erickson	New Richmond, WI 54017	191,719.41
52	Kevin L Klahn	Brooklyn, WI 53521	188,835.33
53	Robert J Miller Jr	Oconomowoc, WI 53066	188,290.95
54	Halleen Farms	Woodbury, MN 55125	187,491.67
55	Heartland Farms Inc	Hancock, WI 54943	187,243.77
56	Jay R Sorensen	Pleasant Prairie, WI 53158	187,096.48
57	Kenneth L Russell	Barron, WI 54812	184,458.18
58	Trelay Farms Inc	Livingston, WI 53554	184,218.80
59	Mike Berget	Darlington, WI 53530	183,920.50
60	Kelly Farms	Sun Prairie, WI 53590	183,810.75
61	Blue Star Dairy Farms Ptnr	De Forest, WI 53532	182,942.62
62	Lentz Farms Inc	Ridgeland, WI 54763	182,440.04
63	Meyer Dairy Grain Frm Inc	Chilton, WI 53014	180,882.47
64	Triple K Farm	Hartland, WI 53029	179,927.34
65	Vasby Farms Inc	Cambridge, WI 53523	177,594.63
66	Kau Farms	Eagle, WI 53119	177,005.21
67	Elmer Weis	Kenosha, WI 53142	175,011.91
68	James G Reu	Fort Atkinson, WI 53538	174,322.56
69	Henry Thomas	Menomonie, WI 54751	174,294.01
70	Triple S Farms	Monroe, WI 53566	173,911.97
71	Douglas Farms Inc	Janesville, WI 53545	173,090.12
72	S&I Farms	Hammond, WI 54015	172,376.00
73	Charles Pearce Farms, Llc	Walworth, WI 53184	172,008.24
74	Michael J Zimmerman	Beaver Dam, WI 53916	171,708.55
75	Patrick J Place	South Wayne, WI 53587	170,394.80
76	Howard & Floyd Wileman Farms Inc	Edgerton, WI 53534	170,108.57
77	Fenrich Farms Inc	Evansville, WI 53536	169,859.30
78	David Bieck	Elkhorn, WI 53121	169,537.06
79	ShaferOs Acres	Rosendale, WI 54974	168,963.26
80	Thomas P Sayre	Edgerton, WI 53534	168,386.57
81	Debra L Zimmerman	Beaver Dam, WI 53916	167,410.55
82	Jack Sauer	Darlington, WI 53530	166,905.83
83	S&S Grain Farms	Rio, WI 53960	166,884.62
84	Gary A Larson	Elk Mound, WI 54739	166,488.26
85	D&D Partnership %dan Dumke	Markesan, WI 53946	166,482.98
86	B Frms Inc	Marshall, WI 53559	164,882.07
87	Steven J Voda	Janesville, WI 53546	164,003.13
88	J G & L Reynolds	Genoa City, WI 53128	162,913.35
89	Malchine Farms Inc	Waterford, WI 53185	162,760.42
90	William Overbeck	Sturgeon Bay, WI 54235	162,235.49
91	Stephen Schwartz	Shullsburg, WI 53586	160,392.01
92	Custer Farm Inc	Chippewa Falls, WI 54729	160,265.59

EWG FARM SUBSIDY DATABASE—TOP 100 RECIPIENTS OF FARM SUBSIDIES IN 2001 WISCONSIN—Continued

Rank	name	Location	Farm Subsidy Total 2001
93	Walter Farms, Inc	Elkhorn, WI 53121	160,200.95
94	New Age Custom Farming Llc	Prairie Du Sac, WI 53578	159,963.83
95	Robert C Traiser	Osceola, WI 54020	159,280.25
96	Edward H Montsma	Fond Du Lac, WI 54937	159,213.90
97	Larry V Pravecchek	Luxemburg, WI 54217	158,312.30
98	David R Faschingbauer	Bloomer, WI 54724	157,905.30
99	David A Sayre	Edgerton, WI 53534	157,227.54
100	Thomas P Sayre Jr	Edgerton, WI 53534	157,227.17

Source: USDA. Compiled by EWG.

I would ask Governor Thompson to give us the answer. If he is a great advocate for the best use of the taxpayers money, why has he never spoken out against the farm subsidies that are clearly being abused in Wisconsin, and I cited Wisconsin only because Governor Thompson is from Wisconsin and he happens to be the man who is pushing now for an even more regressive and even more punitive bill than we have presently, a law that will give no room to breathe for people on welfare in terms of they must get a job but we do not want to give them an education, a chance to get an education.

The present law will not allow anybody to go for a single day to an institution of higher learning. Vocational education is all they can do. Once we had in New York City, and the Federal Government did not prohibit it, a program which allowed people to go to junior college, 2 years of junior college while they were on welfare in order to get their education, complete it to the point where they could become a tax payer.

Study after study has shown that once people get even a degree from a junior college or from a senior college, once they get into that realm, they pay back far more to the tax rolls than they ever received as welfare recipients. It is common sense and yet the Federal law now forbids any State to allow people to go in an institution of higher learning. They have to be vocational education only; and yet the jobs that are needed are the nursing job, the dental hygienist job, the jobs in information technology. They are all in an area which requires about 2 years of college.

If we want to give a person a chance to get off welfare, to not receive a safety net subsidy, then let them go all the way to the point where they can get a decent job. That is not allowed under current law.

So I am trying to make it understood to my constituents, to the constituency of others; and I think that when we have our debate next week on temporary assistance to families in need we will find out, needy families, we will find out whether there are any advocates for the poor.

Are the Democrats going to advocate for that group out there that has nobody here to speak for them? They are far more than 2 percent of the population.

Farmers are very well organized. The farmers have great, giant scrooges among them who did their homework

years ago. The Department of Agriculture is the second largest agency in the Federal Government. Why at this time in America, when the population producing agricultural product is less than 2 percent of the population, why is the Department of Agriculture still the second largest agency in the Federal Government?

Somebody has done their homework very well. Those Scrooges know how to organize. Those Scrooges know how to take from those in need and make certain that they always have subsidies greater than they should be getting, farmers home loans, disaster for farmers, et cetera.

If there are Members of Congress listening who represent poor people, as I do, I am sure they are telling them what I tell them, that in America, people have the same opportunity. People have got to organize. People have got to come out and vote. Forty-nine percent of the American people who are not voting are the answer to all these problems.

The great angels of America need them. Those people have the spirit of wanting to spread our wealth and our know-how and our system of government throughout the world. They want to combat terrorism. They want to make certain that civilization is not subject to all these dark and negative forces that are seeking to pull us down, the al Qaeda network and the people who think women ought to be treated like cattle and the people who have great contempt for democracy and do not want everybody to have a vote, the people who are stealing their countries blind, all of the resources of the country going to the hands of a few.

There are forces out there which are in numbers greater than we are, and the only way we are going to conquer those forces is to have our own forces released. The great angels of America have to overcome the giant Scrooges. The giant Scrooges are always pressing to give our resources to the smallest number of people, and that is no way to keep America great.

A nice way to defend our interests. Our interests have to be defended because we are generous. We are willing to use our know-how and our constitutional civilization to the advantage of every American, willing to use our constitutional civilization to the advantage of people all over the world.

“Let’s roll, America. Set the tracks of destiny straight. Don’t look back but close the gate, toast the past but change the cast. In every language of

the earth to the country of all Nations we have proudly given birth. At the Olympics of forever we will win all the races; we are Great Angels of tomorrow with magic mongrel faces.

“Let kindergartners take a poll, full baby bellies is our favorite goal, usher in the age of soul.”

“America, let’s roll.”

CORRECTION TO THE CONGRESSIONAL RECORD OF APRIL 17, 2002

The following general leave statement by Mr. BERUTER was inadvertently placed under the motion to recommit offered by Ms. JACKSON-LEE of Texas. It should have been placed under the motion to instruct conferees offered by Mr. SMITH of Michigan for H.R. 2646, on page H1382.

Mr. BERUTER. Madam Speaker, this Member rises in strong support of the motion to instruct conferees on the issue of payment limitations which the distinguished gentleman from Michigan (Mr. SMITH) has offered.

It is clear that strong payment limitation language would improve the integrity of the farm program payments and help to retain public support for these programs essential to rural areas. Making this change will also help prevent the overwhelming consolidation of farms that has resulted in a decrease in small- and medium-sized family farm operations. The savings achieved from this provision could then be directed to other worthwhile agricultural programs.

A survey conducted by 27 land grant universities found that 81 percent of the agricultural producers across the country supported placing limits on support payments thereby directing dollars to where they are actually intended. Furthermore, a 2001 General Accounting Office report found that in recent years, more than 80 percent of farm payments were made to large- and medium-size farms. In 1999, for instance, 7 percent of the nation’s farms—those with gross agricultural sales of \$250,000 or more—received about 45 percent of the payments. With Congress facing so many spending priorities, we must demonstrate to our constituents that we are using taxpayers’ money more efficiently.

It is important to note that this motion to instruct expresses support for redirecting these funds to agricultural research and conservation. Our choice is clear—we can continue to funnel millions of dollars to some of the wealthiest farms or we can make an investment in the future of agriculture which will benefit all producers and all Americans.

Mr. Speaker, this Member strongly supports the motion to instruct and encourages his colleagues to vote for it.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. ROUKEMA (at the request of Mr. ARMEY) for today after 2 p.m. on account of 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. OWENS) to revise and extend their remarks and include extraneous material:)

Ms. NORTON, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Ms. BERKLEY, for 5 minutes, today.

Mr. SHOWS, for 5 minutes, today.

Mr. GREEN of Texas, for 5 minutes, today.

Mr. KIND, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

(The following Members (at the request of Mr. TANCREDO) to revise and extend their remarks and include extraneous material:)

Mr. TANCREDO, for 5 minutes, today.

Mr. BURTON of Indiana, for 5 minutes, today.

Mr. FOLEY, for 5 minutes, today.

ADJOURNMENT

Mr. OWENS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 27 minutes p.m.), under its previous order, the House adjourned until Monday, April 22, 2002, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

6242. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revocation of Certain Obsolete Tolerance Exemptions [OPP-2002-0010; FRL-6833-3] (RIN: 2070-AB78) received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6243. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Foramsulfuron; Exemption from the Requirement of a Tolerance [OPP-301227; FRL-6829-8] (RIN: 2070-AB78) received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6244. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Furilazole; Pesticide Tolerance [OPP-301223; FRL-6828-4] (RIN: 2070-AB78) received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6245. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Propiconazole; Extension of Tolerance for Emergency Exemptions [OPP-301221; FRL-6828-3] (RIN: 2070-AB78) received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6246. A letter from the Secretary, Department of Energy, transmitting the annual report of the National Institutes of Health Loan Repayment Program for Research Generally for FY 2001, pursuant to 42 U.S.C. 8262g(d); to the Committee on Energy and Commerce.

6247. A letter from the Secretary, Department of Health and Human Services, transmitting the annual report for FY 2001 of the National Institutes of Health Clinical Research Loan Repayment Program for Individuals from Disadvantaged Backgrounds (CR-LRP) and the Extramural Clinical Research Loan Repayment Program for Individuals from Disadvantaged Backgrounds (ECR-LRP), pursuant to 42 U.S.C. 2541-1(i); to the Committee on Energy and Commerce.

6248. A letter from the Secretary, Department of Health and Human Services, transmitting the Annual Report of the National Institute of Child Health and Human Development (NICHD) Contraception and Fertility Research Loan Repayment Program (CIR-LRP) for FY 2001, pursuant to 42 U.S.C. 2541-1(i); to the Committee on Energy and Commerce.

6249. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, South Coast Air Quality Management District [CA 210-0306a; FRL-7165-2] received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6250. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District [CA 071-0335; FRL-7164-6] received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6251. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, Monterey Bay Unified Air Pollution Control District [CA 251-0326a; FRL-7160-8] received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6252. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Interim Final Determination that the State of California Has Conditionally Corrected Deficiencies and Stay of Sanctions, San Joaquin Valley Unified Air Pollution Control District [CA 255-0320b; FRL-7164-7] received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6253. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Interim Final Determination that the State of California Has Corrected Deficiencies and Stay of Sanctions, South Coast Air Quality Management District [CA 259-0332c; FRL-7158-9] received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6254. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Nevada [NV 021-0049a; FRL-7167-3] received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6255. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval of Section 112(I)

Authority for Hazardous Air Pollutants; State of West Virginia; Department of Environment Protection [WV001-1000a; FRL-7166-6] received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6256. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans Commonwealth of Kentucky: Approval of Revisions to the 1-Hour Ozone Maintenance State Implementation Plan for the Edmonson County and the Owensboro-Daviess County Area; Correction [KY-200215; FRL-7168-6] received April 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6257. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles to India [Transmittal No. DTC 174-01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

6258. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles to India [Transmittal No. DTC 173-01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

6259. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold under a contract to Japan, France, and Canada [Transmittal No. DTC 015-02], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

6260. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold under a contract to Japan [Transmittal No. DTC 028-02], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

6261. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold under a contract to Japan [Transmittal No. DTC 17-02], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

6262. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold under a contract to Japan [Transmittal No. DTC 170-01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

6263. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold under a contract to Japan [Transmittal No. DTC 011-02], pursuant to 22 U.S.C. 2776(c) and 22 U.S.C. 2776(d); to the Committee on International Relations.

6264. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—Exemptions for U.S. Institutions of Higher Learning—received March 18, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

6265. A letter from the Chief Administrative Officer, transmitting the quarterly report of receipts and expenditures of appropriations and other funds for the period January 1, 2002 through March 31, 2002 as compiled by the Chief Administrative Officer, pursuant to 2 U.S.C. 104a; (H. Doc. No. 107-201); to the Committee on House Administration and ordered to be printed.

6266. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Atlantic Deep-Sea Red Crab Fishery; Closure [Docket No. 010413094-1094-01; I.D. 010902A] received April 9, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6267. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Department's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish by Vessels Using Non-pelagic Trawl Gear in the Red King Crab Savings Subarea [Docket No. 011218304-1304-01; I.D. 020402F] received April 9, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6268. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; North Pacific Halibut and Sablefish IFQ Cost Recovery Program [Docket No. 991207325-0063-02; I.D. 100699A] received March 20, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6269. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Highly Migratory Species; Pelagic Longline Fishery; Sea Turtle Protection Measures [Docket No. 010710169-1169-01; I.D. 060401B] (RIN: 0648-AP31) received March 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6270. A letter from the Program Manager, Department of the Treasury, transmitting the Department's final rule—Identification of Transferee [ATF Rul. 2001-5] received March 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

6271. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300 B2 and A300 B4 Series Airplanes; Model A300 F4-605R Airplanes; Model A300 B4-600 and A300 B4-600R Series Airplanes; and Model A310 Series Airplanes [Docket No. 2001-NM-205-AD; Amendment 39-12662; AD 2002-04-05] (RIN: 2120-AA64) received March 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6272. A letter from the FMCSA Regulations Officer, Department of Transportation, transmitting the Department's final rule—Safety Monitoring System and Compliance Initiative for Mexico-Domiciled Motor Carriers Operating in the United States [Docket No. FMCSA-98-3299] (RIN: 2126-AA35) received March 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6273. A letter from the Chairman, Surface Transportation Board, Department of Transportation, transmitting the Department's final rule—Consolidated Reporting By Commonly Controlled Railroads [STB Ex Parte No. 634] received March 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6274. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Flightcrew Compartment Access and Door Designs [Docket No. FAA-2001-10770; SFAR 92-4] (RIN: 2120-AH55) received March 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. YOUNG of Alaska (for himself, Mr. MICA, and Mr. DUNCAN):

H.R. 4481. A bill to amend title 49, United States Code, relating to airport project streamlining, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. GEPHARDT:

H.R. 4482. A bill to amend the Internal Revenue Code of 1986 to provide for Universal Retirement Savings Accounts in lieu of the various individual retirement plans; to the Committee on Ways and Means.

By Mr. ARMEY (for himself and Mr. ENGEL):

H.R. 4483. A bill to halt Syrian support for terrorism, end its occupation of Lebanon, stop its development of weapons of mass destruction, cease its illegal importation of Iraqi oil, and by so doing hold Syria accountable for the serious international security problems it has caused in the Middle East, and for other purposes; to the Committee on International Relations.

By Mrs. BIGGERT:

H.R. 4484. A bill to suspend temporarily the duty on 2,4-Dichlorophenoxyacetic acid, its salts and esters; to the Committee on Ways and Means.

By Mrs. BIGGERT:

H.R. 4485. A bill to suspend temporarily the duty on 2-Methyl-4-chlorophenoxyacetic acid, its salts and esters; to the Committee on Ways and Means.

By Mr. BOOZMAN (for himself, Mr. BERRY, Mr. SNYDER, and Mr. ROSS):

H.R. 4486. A bill to designate the facility of the United States Postal Service located at 1590 East Joyce Boulevard in Fayetteville, Arkansas, as the "Clarence B. Craft Post Office Building"; to the Committee on Government Reform.

By Mr. BRYANT (for himself and Mr. HILLEARY):

H.R. 4487. A bill to amend the Internal Revenue Code of 1986 to allow residents of States with no income tax a deduction for State and local sales taxes; to the Committee on Ways and Means.

By Mr. CAMP:

H.R. 4488. A bill to amend the unrelated business taxable income provisions of the Internal Revenue Code of 1986; to the Committee on Ways and Means.

By Mr. CASTLE:

H.R. 4489. A bill to suspend temporarily the duty on Black Alc Powder; to the Committee on Ways and Means.

By Mr. CASTLE:

H.R. 4490. A bill to suspend temporarily the duty on Black 263 Stage; to the Committee on Ways and Means.

By Mr. CASTLE:

H.R. 4491. A bill to suspend temporarily the duty on Magenta 364 Stage; to the Committee on Ways and Means.

By Mr. CASTLE:

H.R. 4492. A bill to suspend temporarily the duty on Magenta 364 Liquid Feed; to the Committee on Ways and Means.

By Mr. CASTLE:

H.R. 4493. A bill to reduce temporarily the duty on Thiamethoxam Technical; to the Committee on Ways and Means.

By Mr. CASTLE:

H.R. 4494. A bill to suspend temporarily the duty on Cyan 485 Stage; to the Committee on Ways and Means.

By Mr. CASTLE:

H.R. 4495. A bill to suspend temporarily the duty on Cyan 1 Press Paste; to the Committee on Ways and Means.

By Mr. CASTLE:

H.R. 4496. A bill to reduce temporarily the duty on NMSBA; to the Committee on Ways and Means.

By Mr. CASTLE:

H.R. 4497. A bill to suspend temporarily the duty on Fast Cyan 2 Stage; to the Committee on Ways and Means.

By Mr. CASTLE:

H.R. 4498. A bill to reduce temporarily the duty on R18118 Salt; to the Committee on Ways and Means.

By Mr. CASTLE:

H.R. 4499. A bill to suspend temporarily the duty on Fast Magenta 2 Stage; to the Committee on Ways and Means.

By Mr. CASTLE:

H.R. 4500. A bill to suspend temporarily the duty on Fast Black 286 Stage; to the Committee on Ways and Means.

By Mr. CASTLE:

H.R. 4501. A bill to suspend temporarily the duty on mixtures of Fluazinam; to the Committee on Ways and Means.

By Mr. CASTLE:

H.R. 4502. A bill to reduce temporarily the duty on Prodiamine Technical; to the Committee on Ways and Means.

By Mr. ENGEL:

H.R. 4503. A bill to amend the Immigration and Nationality Act in regard to Caribbean-born immigrants; to the Committee on the Judiciary.

By Mr. FALEOMAVAEGA:

H.R. 4504. A bill to amend title 38, United States Code, to extend the eligibility for housing loans guaranteed by the Secretary of Veterans Affairs under the Native American Housing Loan Pilot Program to veterans who are married to Native Americans; to the Committee on Veterans' Affairs.

By Mr. FRANK (for himself and Mr. LAFALCE):

H.R. 4505. A bill to repeal subtitle B of title III of the Gramm-Leach-Bliley Act; to the Committee on Financial Services.

By Mr. JENKINS:

H.R. 4506. A bill to suspend temporarily the duty on T-Butyl Acrylate; to the Committee on Ways and Means.

By Mr. JENKINS:

H.R. 4507. A bill to suspend temporarily the duty on 2,4-Xylidine; to the Committee on Ways and Means.

By Mr. JENKINS:

H.R. 4508. A bill to suspend temporarily the duty on Tetrakis ((2,4-di-tert-butylphenyl)4,4-biphenylenediphosphonite); to the Committee on Ways and Means.

By Mr. JENKINS:

H.R. 4509. A bill to suspend temporarily the duty on palmitic acid; to the Committee on Ways and Means.

By Mr. KANJORSKI:

H.R. 4510. A bill to amend chapter 171 of title 28, United States Code, with respect to the liability of the United States for claims of military personnel for damages for certain injuries; to the Committee on the Judiciary.

By Mr. KOLBE:

H.R. 4511. A bill to suspend temporarily the duty on certain carbon dioxide cartridges; to the Committee on Ways and Means.

By Mr. LANGEVIN:

H.R. 4512. A bill to amend the Internal Revenue Code of 1986 to encourage the use of safety devices in firearms; to the Committee on Ways and Means.

By Mr. MARKEY:

H.R. 4513. A bill to strengthen the authority of the Federal Government to protect individuals from certain acts and practices in the sale and purchase of Social Security numbers and Social Security account numbers, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined

by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MORAN of Kansas (for himself and Mr. FILNER):

H.R. 4514. A bill to authorize the Secretary of Veterans Affairs to carry out construction projects for the purpose of improving, renovating, and updating patient care facilities at Department of Veterans Affairs medical centers, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MORAN of Kansas (for himself, Mr. TURNER, Mr. THUNE, Mr. PICKERING, Mr. WALDEN of Oregon, Mr. MCINTYRE, Mr. BERRY, Mr. SANDLIN, Mr. LUCAS of Kentucky, Mr. PHELPS, Mr. CARSON of Oklahoma, Mr. PAUL, Mr. BEREUTER, Mr. SHOWS, Mr. SHIMKUS, Mr. KIND, Mr. OTTER, Mr. WATKINS, Mr. YOUNG of Alaska, Mr. BARRETT, Mr. BOUCHER, and Mr. LATHAM):

H.R. 4515. A bill to amend title XVIII of the Social Security Act to provide for improvements in access to services in rural hospitals and critical access hospitals; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MYRICK:

H.R. 4516. A bill to suspend temporarily the duty on 12-Hydroxyoctadecanoic acid, reaction product with N,N-dimethyl, 1,3-propanediamine, dimethyl sulfite, quaternized; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4517. A bill to suspend temporarily the duty on 40% Polymer acid salt/polymer amide, 60% Butyl acetate; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4518. A bill to suspend temporarily the duty on 12-Hydroxyoctadecanoic acid, reaction product with N,N-dimethyl, 1,3-propanediamine, dimethyl sulfite, quaternized, 60 percent solution in toluene; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4519. A bill to suspend temporarily the duty on Polymer acid salt/polymer amide; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4520. A bill to suspend temporarily the duty on 50% Amine neutralized phosphated polyester polymer, 50% Solvesso 100; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4521. A bill to suspend temporarily the duty on 1-Octadecanaminium, N,N-di-methyl-N-octadecyl-, (Sp-4-2)-@29H,31H-phthalocyanine-2-sulfonato(3-).kappa.N29,.kappa.N30,.kappa.N31,.kappa.N32@cuprate(1-); to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4522. A bill to suspend temporarily the duty on Chromate(1-),bis{1-(5-chloro-2-hydroxyphenyl)azo}-2-naphthal enolato(2-)-hydrogen; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4523. A bill to suspend temporarily the duty on Aryl substituted copper phthalocyanine; to the Committee on Ways and Means.

By Mr. SMITH of New Jersey (for himself, Mr. LAFALCE, Mr. BACHUS, Mr. FRANK, Mr. LEACH, Ms. WATERS, and Mr. KUCINICH):

H.R. 4524. A bill to ensure that the Enhanced Highly Indebted Poor Countries Initiative achieves the objective of substantially increasing resources available for

human development and poverty reduction in heavily indebted poor countries, and for other purposes; to the Committee on International Relations, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TAUZIN:

H.R. 4525. A bill to suspend temporarily the duty on Phytol; to the Committee on Ways and Means.

By Mr. TAUZIN:

H.R. 4526. A bill to suspend temporarily the duty on kresoxim-methyl; to the Committee on Ways and Means.

By Mr. TAUZIN:

H.R. 4527. A bill to suspend temporarily the duty on Chloridazon; to the Committee on Ways and Means.

By Mr. TAUZIN:

H.R. 4528. A bill to suspend temporarily the duty on diethyl ketone; to the Committee on Ways and Means.

By Mr. TAUZIN:

H.R. 4529. A bill to suspend temporarily the duty on PDC; to the Committee on Ways and Means.

By Mr. TAYLOR of North Carolina (for himself, Mr. BALLENGER, and Mr. BURR of North Carolina):

H.R. 4530. A bill to direct the Secretary of the Interior to conduct a study of the suitability and feasibility of establishing the Blue Ridge Heritage and Cultural Partnership Study Area in North Carolina, and for other purposes; to the Committee on Resources.

By Ms. WATSON:

H.R. 4531. A bill to award a congressional gold medal to Dr. Dorothy Height in recognition of her many contributions to the Nation; to the Committee on Financial Services.

By Mr. WATT of North Carolina:

H.R. 4532. A bill to suspend temporarily the duty on Disperse Orange 30, Disperse Blue 79:1, Disperse Red 167:1, Disperse Yellow 64, Disperse Red 60, Disperse Blue 60, Disperse Blue 77, Disperse Yellow 42, Disperse Red 86, and Disperse Red 86:1; to the Committee on Ways and Means.

By Mr. WATT of North Carolina:

H.R. 4533. A bill to suspend temporarily the duty on Disperse Blue 321; to the Committee on Ways and Means.

By Mr. WATT of North Carolina:

H.R. 4534. A bill to suspend temporarily the duty on Direct Black 175; to the Committee on Ways and Means.

By Mr. WATT of North Carolina:

H.R. 4535. A bill to suspend temporarily the duty on Disperse Red 73 and Disperse Blue 56; to the Committee on Ways and Means.

By Mr. WATT of North Carolina:

H.R. 4536. A bill to suspend temporarily the duty on Acid Black 132 and Acid Black 172; to the Committee on Ways and Means.

By Mr. WATT of North Carolina:

H.R. 4537. A bill to suspend temporarily the duty on Acid Black 107; to the Committee on Ways and Means.

By Mr. WATT of North Carolina:

H.R. 4538. A bill to suspend temporarily the duty on Acid Yellow 219, Acid Orange 152, Acid Red 278, Acid Orange 116, Acid Orange 156, and Acid Blue 113; to the Committee on Ways and Means.

By Mrs. WILSON of New Mexico:

H.R. 4539. A bill to amend the Child Care and Development Block Grant Act of 1990 to provide market rate payments for child care services provided under such Act; to the Committee on Education and the Workforce.

By Mr. BRADY of Texas:

H. Con. Res. 381. Concurrent resolution expressing the sense of the Congress with re-

spect to pulmonary hypertension; to the Committee on Energy and Commerce.

By Ms. LEE (for herself, Mrs. MEEK of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MEEKS of New York, Mrs. CLAYTON, Mr. PAYNE, Mr. CONYERS, Mr. CUMMINGS, Ms. BROWN of Florida, Mr. OWENS, Ms. JACKSON-LEE of Texas, Mr. HASTINGS of Florida, Mr. JEFFERSON, Mr. HILLIARD, Mr. CLAY, Ms. CARSON of Indiana, Mrs. CHRISTENSEN, Mr. DAVIS of Illinois, Ms. MCKINNEY, Mr. TOWNS, Ms. WATSON, Mr. BISHOP, Mr. RUSH, Mrs. JONES of Ohio, Ms. KILPATRICK, Mr. FATTAH, Ms. WATERS, Mr. FORD, Mr. SCOTT, Mr. WYNN, Mr. THOMPSON of Mississippi, Mr. JACKSON of Illinois, Mr. RANGEL, Ms. MILLENDER-MCDONALD, Mr. CLYBURN, Ms. NORTON, Mr. LEWIS of Georgia, and Mr. WATT of North Carolina):

H. Con. Res. 382. Concurrent resolution urging the President to end any embargo against Haiti and to no longer require, as a condition of providing humanitarian and development assistance to Haiti, the resolution of the political impasse in Haiti, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on International Relations, 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. RIVERS:

H. Con. Res. 383. Concurrent resolution commending the NephCure Foundation for its sponsorship of National Kidney Cure Week and encouraging the Secretary of Health and Human Services to make more information available to the public concerning kidney diseases; to the Committee on Energy and Commerce.

By Mr. VITTER (for himself and Mr. MCCRERY):

H. Con. Res. 384. Concurrent resolution recognizing the United States Air Force B-52 Stratofortress bomber on the occasion of its 50th anniversary and honoring the pilots and crew members who have served aboard that aircraft; to the Committee on Armed Services.

By Mr. ARMEY:

H. Res. 391. A resolution designating majority membership on certain standing committees of the House; considered and agreed to.

By Mr. DELAY (for himself, Mr. LANTOS, Mr. ACKERMAN, Mr. GILMAN, Mr. FROST, Mr. BLUNT, Mr. CROWLEY, Mr. REYNOLDS, Mrs. LOWEY, Mr. CANTOR, Mr. WAXMAN, Mr. BERMAN, Mr. WEXLER, Mr. ENGEL, Mr. CARDIN, Ms. BERKLEY, Mr. SCHIFF, Mr. DEUTSCH, Mr. NADLER, and Ms. SCHAKOWSKY):

H. Res. 392. A resolution expressing solidarity with Israel in its fight against terrorism; to the Committee on International Relations.

By Mr. CROWLEY (for himself, Mr. HASTINGS of Florida, Mr. TOM DAVIS of Virginia, Mr. LANTOS, Mrs. MCCARTHY of New York, Mr. ENGEL, Mr. ACKERMAN, Mrs. MALONEY of New York, Mr. KENNEDY of Rhode Island, Mr. NADLER, Mr. HINCHEY, Mr. WEINER, Mr. ROHRBACHER, Mr. BERMAN, Mr. ISRAEL, Mr. FERGUSON, Mr. HILLIARD, Mr. SCHIFF, Mr. RODRIGUEZ, Mr. HOLT, Ms. ESHOO, Ms. BERKLEY, Mr. LANGEVIN, Mr. WAXMAN, Ms. SCHAKOWSKY, Mr. CAPUANO, Mr. KING, Mr. MEEHAN, Mr. LARSON of Connecticut, Mr. SANDERS, Mr. DEUTSCH, Mrs. LOWEY, Mr. McNULTY, Mr. FROST, and Mr. BLUMENAUER):

H. Res. 393. A resolution concerning the rise in anti-Semitism in Europe; to the Committee on International Relations.

By Mr. DEFAZIO (for himself, Mr. HINCHEY, Mr. STARK, Mr. RAHALL, Mr. FARR of California, Mr. DINGELL, Mr. KUCINICH, Mr. ISSA, Mr. SNYDER, Ms. LEE, Ms. WOOLSEY, and Mr. MEEKS of New York):

H. Res. 394. A resolution expressing grave concern about the continuing escalation in violence between Israel and the Palestinians; to the Committee on International Relations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. FRELINGHUYSEN:

H.R. 4540. A bill to provide for the liquidation or reliquidation of certain entries of pasta; to the Committee on Ways and Means.

By Mr. LINDER:

H.R. 4541. A bill to provide for reliquidation of entries prematurely liquidated by the United States Customs Service; to the Committee on Ways and Means.

By Mr. MALONEY of Connecticut:

H.R. 4542. A bill to provide for the reliquidation of certain entries of vanadium carbides and vanadium carbonitride; to the Committee on Ways and Means.

By Mr. WICKER:

H.R. 4543. A bill for the relief of Richi James Lesley; 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. 292: Ms. CARSON of Indiana.
 H.R. 425: Ms. SANCHEZ and Ms. RIVERS.
 H.R. 536: Mr. BLUMENAUER.
 H.R. 537: Mr. SCHIFF.
 H.R. 774: Mr. CLEMENT.
 H.R. 826: Mr. FORBES and Mr. RILEY.
 H.R. 840: Ms. BROWN of Florida.
 H.R. 854: Mr. WATT of North Carolina, Mr. HAYES, Mr. GOODE, and Mrs. CLAYTON.
 H.R. 877: Mr. DIAZ-BALART.
 H.R. 914: Mr. FORBES.
 H.R. 937: Mr. JONES of North Carolina and Mrs. CUBIN.
 H.R. 951: Mr. CHAMBLISS.
 H.R. 1089: Mr. GRAHAM.
 H.R. 1090: Mr. GEKAS and Mr. COOKSEY.
 H.R. 1177: Mr. ISRAEL.
 H.R. 1232: Mr. FOLEY and Mr. PETERSON of Minnesota.
 H.R. 1305: Mr. STUPAK, Mr. DREIER, Mr. FLAKE, and Mr. JOHNSON of Illinois.
 H.R. 1322: Ms. DEGETTE.
 H.R. 1331: Mr. ROHRBACHER.
 H.R. 1356: Ms. DELAURO.
 H.R. 1377: Mr. PHELPS.
 H.R. 1462: Mr. FALOMAVAEGA.
 H.R. 1475: Mr. ROGERS of Michigan.
 H.R. 1517: Mr. COMBEST.
 H.R. 1532: Mr. GEKAS.
 H.R. 1556: Mr. KLECZKA and Mr. RILEY.
 H.R. 1581: Mr. KINGSTON, Mr. PETRI, and Mr. BOYD.
 H.R. 1642: Mr. HOFFEL.
 H.R. 1723: Mr. WALSH.
 H.R. 1789: Ms. JACKSON-LEE of Texas.
 H.R. 1798: Ms. CARSON of Indiana.
 H.R. 1808: Mr. BISHOP.
 H.R. 1841: Mrs. BIGGERT, Mr. HASTINGS of Florida, Mr. PASCRELL, Ms. SANCHEZ, Mr.

SANDLIN, Mr. CUMMINGS, Ms. WATERS, Mrs. DAVIS of California, Mr. SWEENEY, Ms. LOFGREN, Mr. PLATTS, Mr. SERRANO, Mr. KING, Mr. ALLEN, Mr. SCHIFF, and Mr. BISHOP.

H.R. 1908: Mr. KINGSTON, Mr. SOUDER, and Mr. BURTON of Indiana.

H.R. 1911: Mrs. LOWEY and Mr. AKIN.

H.R. 1917: Mr. MCNULTY.

H.R. 2009: Mr. STENHOLM.

H.R. 2014: Mr. SENSENBRENNER.

H.R. 2027: Mr. GEKAS.

H.R. 2068: Mr. CONYERS.

H.R. 2073: Mr. AKIN.

H.R. 2117: Mr. STUMP, Mr. BENTSEN, Mr. SWENEY, Mr. SHOWS, Mr. BRYANT, Mr. RODRIGUEZ, Mr. TOWNS, Mr. DEFAZIO, Ms. WATSON, Mr. STUPAK, Mr. GILMAN and Mr. LARSEN of Washington.

H.R. 2125: Mr. KENNEDY of Rhode Island and Ms. BERKLEY.

H.R. 2154: Mr. GONZALEZ.

H.R. 2207: Mr. LARSEN of Washington.

H.R. 2211: Mr. SHAYS.

H.R. 2222: Mr. CARSON of Indiana.

H.R. 2347: Mr. LAHOOD.

H.R. 2348: Mr. BERMAN and Ms. SOLIS.

H.R. 2466: Mr. BOEHRER, Mr. BARTON of Texas, Mr. CRANE, Mr. GANSKE, Mr. SPRATT, Mr. GRAHAM, Mr. PASTER, Mr. BISHOP, Mr. BURR of North Carolina, Mr. DEAL of Georgia, Mr. VITTE, Mr. LINDER, Mr. MANZULLO, Mr. JOHNSON of Illinois, Mr. GOODLATTE, Mr. GOODE, Mr. MCINTYRE, Mr. CHAMBLISS, Mr. JONES of North Carolina, Mr. FLETCHER, Mr. KELLER, and Mr. POMEROY.

H.R. 2521: Mr. HEFLEY and Mr. GEKAS.

H.R. 2570: Mr. DAVIS of Illinois and Mr. BONIOR.
 H.R. 2576: Mrs. JO ANN DAVIS of Virginia.
 H.R. 2629: Mr. JENKINS and Mrs. KELLY.
 H.R. 2637: Mr. THOMPSON of Mississippi.
 H.R. 2638: Ms. PELOSI.
 H.R. 2692: Mr. SWEENEY.
 H.R. 2695: Mr. INSLEE.
 H.R. 2706: Mr. YOUNG of Alaska and Ms. WOOLSEY.

H.R. 2714: Mr. PUTNAM, Mr. DAN MILLER of Florida, Mr. STUMP, Mr. WICKER, Mr. BACHUS, Mr. BONILLA, Mr. BOOZMAN, Mr. COBLE, Mr. COLLINS, Mr. CUNNINGHAM, Ms. GRANGER, Mr. HORN, Mr. HYDE, Mr. MCINNIS, Mr. NETHERCUTT, Mr. NEY, Mr. NUSSLE, Mr. ROHRBACHER, Mr. SHADEGG, Mr. SMITH of New Jersey, and Mr. WATTS of Oklahoma.
 H.R. 2763: Mr. LUCAS of Kentucky.
 H.R. 2820: Mr. LUTHER, Mr. BAIRD, Mr. BLUNT, Mr. RUSH, Mr. WYNN, Mr. DEFAZIO, Mr. LANTOS, Mr. BLAGOJEVICH, Mr. PAYNE, and Mr. RANGEL.
 H.R. 2874: Mrs. MINK of Hawaii and Ms. DELAURO.

H.R. 2878: Mr. KUCINICH.
 H.R. 2908: Ms. DEGETTE.
 H.R. 2953: Mrs. MALONEY of New York.
 H.R. 3094: Mr. QUINN and Mr. LEACH.
 H.R. 3113: Mr. FATTAH.
 H.R. 3185: Mr. LAMPSON and Mr. MALONEY of Connecticut.
 H.R. 3231: Mr. FRANK.
 H.R. 3244: Mr. FORBES.
 H.R. 3320: Mr. BOHNER.
 H.R. 3321: Mr. BISHOP.
 H.R. 3363: Mr. OLVER.
 H.R. 3375: Mr. BURTON of Indiana.
 H.R. 3414: Mr. CLEMENT, Mr. LYNCH, and Mr. BERMAN.

H.R. 3424: Mr. NEAL of Massachusetts.
 H.R. 3450: Mr. DOYLE, Mr. SCHIFF, Mr. DEFAZIO, and Mr. FATTAH.
 H.R. 3476: Mrs. NAPOLITANO.
 H.R. 3478: Mr. HILLEARY, Mr. REYES, Mr. ORTIZ, and Mr. RYUN of Kansas.
 H.R. 3479: Mr. SIMPSON, Mr. LATHAM, and Mr. MORAN of Kansas.
 H.R. 3482: Mr. SCHIFF.
 H.R. 3509: Mr. OWENS, Mr. FROST, and Mr. DAVIS of Illinois.

H.R. 3512: Ms. ROS-LEHTINEN, Mr. KENNEDY of Minnesota, Mr. CARSON of Oklahoma, Mr. LUCAS of Oklahoma, and Mr. SOUDER.
 H.R. 3545: Mr. SIMMONS, Mr. ROSS, and Mr. BALDACCI.
 H.R. 3561: Mr. SHUSTER and Mr. KINGSTON.
 H.R. 3567: Mrs. JO ANN DAVIS of Virginia.
 H.R. 3585: Ms. LEE and Ms. WOOLSEY.
 H.R. 3605: Mr. NORWOOD.
 H.R. 3625: Mr. COYNE, Mr. FATTAH, Mr. PRICE of North Carolina, and Mr. WEXLER.
 H.R. 3634: Mrs. CLAYTON, Mr. PAYNE, and Ms. LEE.
 H.R. 3659: Ms. MCCOLLUM, Mr. HOFFEL, Mr. BLUNT, Ms. MCKINNEY, Mr. KILDEE, Ms. DELAURO, Mr. CLEMENT, Mr. BARCIA, Mr. CONYERS.

H.R. 3681: Mr. SANDLIN, Mr. BARR OF GEORGIA, Mr. WU, Mr. ABERCROMBIE, Mr. STENHOLM, and Ms. BALDWIN.
 H.R. 3686: Mr. PETERSON of Minnesota.
 H.R. 3705: Mr. OTTER.
 H.R. 3706: Mr. OTTER.
 H.R. 3717: Mr. CRAMER.
 H.R. 3770: Mr. MEEKS OF NEW YORK.
 H.R. 3794: Mr. LARSEN of Washington, Mr. UDALL of Colorado, and Mr. MCHUGH.
 H.R. 3802: Mrs. CUBIN.
 H.R. 3805: Mr. HILLEARY, Mr. HERGER, Mr. GRAHAM, and Mrs. JO ANN DAVIS of Virginia.
 H.R. 3808: Mr. BARR OF GEORGIA, Mr. OTTER, and Ms. GREEN of Wisconsin.
 H.R. 3826: Mrs. CHRISTENSEN, Mr. BISHOP, Mr. KILDEE, Mr. LYNCH, Mr. FROST, Mr. FRANK, and Mr. HOSTETTLER.
 H.R. 3831: Mr. JENKINS.
 H.R. 3894: Mr. HINCHEY.
 H.R. 3895: Mr. ROGERS of Kentucky.
 H.R. 3899: Mr. HINCHEY and Ms. MCKINNEY.
 H.R. 3915: Ms. MCCARTHY of Missouri.
 H.R. 3916: Mr. WAXMAN, Mr. BENTSEN, Mr. THOMPSON of California, Ms. MCCOLLUM, Mr. ENGEL, and Ms. SCHAKOWSKY.
 H.R. 3972: Mr. TAYLOR of Mississippi.
 H.R. 3973: Mr. SAM JOHNSON of Texas and Mr. TAYLOR of Mississippi.
 H.R. 3989: Mr. LANTOS.
 H.R. 3990: Mr. UNDERWOOD.
 H.R. 4001: Mr. PAUL.
 H.R. 4002: Mr. MEEKS of new York.
 H.R. 4011: Mr. FRANK.
 H.R. 4013: Ms. SLAUGHTER, Mr. MCDERMOTT, and Ms. WOOLSEY.
 H.R. 4014: Ms. SLAUGHTER, Mr. MCDERMOTT, Ms. WOOLSEY, and Mr. PLATTS.
 H.R. 4018: Mr. FATTAH, Mr. DEFAZIO, and Mr. LANGEVIN.
 H.R. 4019: Mrs. CUBIN and Mr. UDALL of Colorado.
 H.R. 4047: Mr. RAMSTAD and Mr. SAM JOHNSON of Texas.
 H.R. 4066: Ms. SLAUGHTER and Mr. FATTAH.
 H.R. 4071: Mr. STARK.
 H.R. 4112: Mr. LEWIS of Kentucky, Mr. POMEROY, and Mr. LATHAM.
 H.R. 4119: Mr. FROST, Mr. BISHOP, and Mr. DUNCAN.
 H.R. 4122: Mr. PICKERING, Mr. PITTS, and Mr. WHITFIELD.
 H.R. 4152: Mr. SKEEN.
 H.R. 4169: Mr. CALVERT and Mr. TOOMEY.
 H.R. 4197: Mr. NEAL of Massachusetts.
 H.R. 4198: Mr. NEAL of Massachusetts.
 H.R. 4209: Ms. SLAUGHTER, Mrs. CLAYTON, Mr. DOOLEY of California, Mr. BAIRD, Mr. GEORGE MILLER of California, Mr. KILDEE, Mr. SHAYS, Mr. HOLT, Ms. LOFGREN, Mr. EDWARDS, Mr. BENTSEN, Mrs. THURMAN, Mrs. TAUSCHER, Mr. INSLEE, Mr. KUCINICH, and Mr. MICA.
 H.R. 4235: Mr. BOUCHER.
 H.J. Res. 41: Mr. AKIN and Mr. FORBES.
 H. Con. Res. 180: Mr. HASTINGS of Florida.
 H. Con. Res. 188: Mr. ROGERS of Kentucky.
 H. Con. Res. 260: Ms. MCCOLLUM.
 H. Con. Res. 269: Ms. SOLIS.
 H. Con. Res. 315: Mr. OTTER, Mr. DEMINT, Mr. HERGER, Mr. RILEY, and Mr. TIAHRT.

April 18, 2002

CONGRESSIONAL RECORD—HOUSE

H1485

H. Con. Res. 345: Mr. MCINTYRE.
H. Con. Res. 346: Ms. SLAUGHTER.
H. Con. Res. 371: Mr. MCHUGH, Mr. BLUNT,
Ms. SOLIS, Mr. SAXTON, Mr. ROGERS of Michi-
gan, Mr. DOOLITTLE, Mr. BERMAN, Mr. SAM
JOHNSON of Texas, Ms. ROYBAL-ALLARD, and
Mr. SIMMONS.
H. Res. 98: Mr. MALONEY of Connecticut.

H. Res. 133: Mr. HASTINGS of Florida, Mr.
ALLEN, and Mr. SOUDER.
H. Res. 387: Mr. SMITH of Washington.