

attorney, with the cell phones and now the vast Internet, what is attempted by this bill is to keep up with the pace of the technology. But then it still falls back on the ancient, now ancient prospect of a court-reviewed request for a wiretap. So all of the safeguards, the greatest one of all, meaning the review by the court, is still in place; and yet we are now in a position if we pass this bill to expand the authority of the law enforcement community.

Mr. SCOTT. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Speaker, I rise to commend my colleague, the gentleman from Virginia (Mr. SCOTT), for taking on a very difficult issue. It is very easy for all of us to stand here and talk about how we will do anything to protect our children. We are parents and we are grandparents; and of course we are concerned about predators and placing our children at risk, and we know that the Internet opens up opportunities that we never dreamed of.

However, I am taking the floor today to say to my colleague that I appreciate the very difficult work of trying to focus us on the fact that there is a Constitution and that there are hard-won gains in civil rights and civil liberties that we must always be reminded of. This is very tough work, and we do not have all of the answers. But we do have some Members of this Congress who are courageous enough to talk about what it means to live in a free society and what it means to live in a police state where one is being wiretapped, where one is under surveillance, where one is being wiretapped and one is not even aware of it because we keep expanding and expanding and expanding the ability to be wiretapped and to have our citizens under surveillance.

Let me remind all of my colleagues, even though this bill is going to pass, and it is going to pass almost with every Member of Congress supporting it, because we wish to show that we want to protect our children, let us not forget that when those people came to the shores from Britain, they came because they wanted to get out from under tyranny. They wanted to get away from the fact that they could not speak and they could not be free from being under police watch all of the time.

So I thank the gentleman from Virginia (Mr. SCOTT) for his attempts to at least keep us focused.

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

Much of what is in the bill is already covered by present law. Obviously, conspiracy, kidnapping, and murder is already covered. There are some provisions that are helpful; there are also some that I think are very loosely drawn. For example, legal adult activity is covered as a predicate for wiretap. If one is calling into an area where prostitution is legal, that may be a crime, a Federal crime here in Wash-

ington, D.C., but not in Nevada. There is activity covered by this bill which was declared legal by the Supreme Court just this month as a predicate for a Federal wiretap. Consensual activities by young high school students is a predicate to a Federal wiretap.

This bill is not narrowly drawn; and, therefore, we should not suspend the rules and pass the bill.

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

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

Mr. Speaker, we have heard an impassioned plea about civil rights. This is about civil rights for children. It is about protecting minors who cannot protect themselves from the sexual exploitation over the Internet.

There are some in this House that do not believe that wiretaps are proper at any time. I respect that position, even though I disagree with it. But I think we ought to make it clear in the legislative history of this bill that under the law, law enforcement is authorized to use a wiretap to intercept wire or electronic communications that may provide evidence of a crime under 18 U.S.C. section 2516, and that no wiretap, regardless of the crime that is being investigated, can legally be done in this country without a court order.

So that provides the protection against unmitigated, unrestrained surveillance by wiretaps of citizens by law enforcement.

This is a good bill. It is a bill that has bipartisan support. It is a bill that plugs a loophole in our present laws, and it ought to become the law of the United States of America. The House can do so by suspending the rules in just a few minutes, and I urge my colleagues to support this motion.

Ms. KILPATRICK. Mr. Speaker, today, I voted against H.R. 1877, the Child Sex Wiretapping Act. Let me be clear in that I do support the goals of the bill which seek to provide law enforcement with the tools necessary to apprehend those who sexually exploit children. It is clear that persons who use the Internet or any other means for the sexual exploitation of children deserve to have the full force of the law brought against their activity. My concern, however, is that the measure before us sweeps too broadly and will unduly burden the legitimate rights of Americans.

There are provisions of the bill that allow wiretapping where consenting adults engage in activity that, although questionable, may in fact be legal. The protection of children is of paramount importance, but in protecting children, we should not impugn the potentially legitimate rights of many of our Nation's citizens.

We have already granted the Justice Department, the FBI and other police authorities unprecedented authority to wiretap in our efforts to combat the war on terrorism. I argue that wiretap authority already exists for child sexual exploitation. These same authorities also possess the power to intercept e-mail and other electronic communications. Furthermore, States already have the authority to wiretap for the crimes specified in the bill.

We are living in a trying time and we should take every precaution before granting any additional power to police authorities. I fear that Congress will give away many of the freedoms we cherish. As such, Mr. Speaker, I voted against this measure.

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

The SPEAKER pro tempore (Mr. ISAKSON). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 1877, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

EMBASSY EMPLOYEE COMPENSATION ACT

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3375) to provide compensation for the United States citizens who were victims of the bombings of United States embassies in East Africa on August 7, 1998, on the same basis as compensation is provided to victims of the terrorist-related aircraft crashes on September 11, 2001.

The Clerk read as follows:

H.R. 3375

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Embassy Employee Compensation Act".

SEC. 2. DEFINITIONS.

In this Act, the following definitions apply:

(1) CLAIMANT.—The term "claimant" means an individual filing a claim for compensation under section 5(a)(1).

(2) COLLATERAL SOURCE.—The term "collateral source" means all collateral sources, including life insurance, pension funds, death benefit programs, and payments by Federal, State, or local governments related to the bombings of United States embassies in East Africa on August 7, 1998.

(3) ECONOMIC LOSS.—The term "economic loss" means any pecuniary loss resulting from harm (including the loss of earnings or other benefits related to employment, medical expense loss, replacement services loss, loss due to death, burial costs, and loss of business or employment opportunities) to the extent recovery for such loss is allowed under applicable State law.

(4) ELIGIBLE INDIVIDUAL.—The term "eligible individual" means an individual determined to be eligible for compensation under section 5(c).

(5) NONECONOMIC LOSSES.—The term "noneconomic losses" means losses for physical and emotional pain, suffering, inconvenience, physical impairment, mental anguish, disfigurement, loss of enjoyment of life, loss of society and companionship, loss of consortium (other than loss of domestic service),

hedonic damages, injury to reputation, and all other nonpecuniary losses of any kind or nature.

(6) SPECIAL MASTER.—The term “Special Master” means the Special Master appointed under section 404(a) of the September 11th Victim Compensation Fund of 2001 (title IV of the Air Transportation Safety and System Stabilization Act (Public Law 107-42; 115 Stat. ___)).

SEC. 3. PURPOSE.

It is the purpose of this Act to provide compensation to any individual (or relatives of a deceased individual) who was physically injured or killed as a result of the bombings of United States embassies in East Africa on August 7, 1998.

SEC. 4. ADMINISTRATION.

(a) IN GENERAL.—The Attorney General, acting through the Special Master, shall—

(1) administer the compensation program established under this Act;

(2) promulgate all procedural and substantive rules for the administration of this Act; and

(3) employ and supervise hearing officers and other administrative personnel to perform the duties of the Special Master under this Act.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to pay the administrative and support costs for the Special Master in carrying out this Act.

SEC. 5. DETERMINATION OF ELIGIBILITY FOR COMPENSATION.

(a) FILING OF CLAIM.—

(1) IN GENERAL.—A claimant may file a claim for compensation under this Act with the Special Master. The claim shall be on the form developed under paragraph (2) and shall state the factual basis for eligibility for compensation and the amount of compensation sought.

(2) CLAIM FORM.—

(A) IN GENERAL.—The Special Master shall develop a claim form that claimants shall use when submitting claims under paragraph (1). The Special Master shall ensure that such form can be filed electronically, if determined to be practicable.

(B) CONTENTS.—The form developed under subparagraph (A) shall request—

(i) information from the claimant concerning the physical harm that the claimant suffered, or in the case of a claim filed on behalf of a decedent information confirming the decedent's death, as a result of the bombings of United States embassies in East Africa on August 7, 1998;

(ii) information from the claimant concerning any possible economic and noneconomic losses that the claimant suffered as a result of such bombings; and

(iii) information regarding collateral sources of compensation the claimant has received or is entitled to receive as a result of such bombings.

(3) LIMITATION.—No claim may be filed under paragraph (1) after the date that is 2 years after the date on which regulations are promulgated under section 7.

(b) REVIEW AND DETERMINATION.—

(1) REVIEW.—The Special Master shall review a claim submitted under subsection (a) and determine—

(A) whether the claimant is an eligible individual under subsection (c);

(B) with respect to a claimant determined to be an eligible individual—

(i) the extent of the harm to the claimant, including any economic and noneconomic losses; and

(ii) the amount of compensation to which the claimant is entitled based on the harm to the claimant, the facts of the claim, and the individual circumstances of the claimant.

(2) NEGLIGENCE.—With respect to a claimant, the Special Master shall not consider negligence or any other theory of liability.

(3) DETERMINATION.—Not later than 120 days after that date on which a claim is filed under subsection (a), the Special Master shall complete a review, make a determination, and provide written notice to the claimant, with respect to the matters that were the subject of the claim under review. Such a determination shall be final and not subject to judicial review.

(4) RIGHTS OF CLAIMANT.—A claimant in a review under paragraph (1) shall have—

(A) the right to be represented by an attorney;

(B) the right to present evidence, including the presentation of witnesses and documents; and

(C) any other due process rights determined appropriate by the Special Master.

(5) NO PUNITIVE DAMAGES.—The Special Master may not include amounts for punitive damages in any compensation paid under a claim under this Act.

(6) COLLATERAL COMPENSATION.—The Special Master shall reduce the amount of compensation determined under paragraph (1)(B)(ii) by the amount of the collateral source compensation the claimant has received or is entitled to receive as a result of the bombings of United States embassies in East Africa on August 7, 1998.

(c) ELIGIBILITY.—

(1) IN GENERAL.—A claimant shall be determined to be an eligible individual for purposes of this subsection if the Special Master determines that such claimant—

(A) is an individual described in paragraph (2); and

(B) meets the requirements of paragraph (3).

(2) INDIVIDUALS.—A claimant is an individual described in this paragraph if the claimant is—

(A) a citizen of the United States who—

(i) was present at the United States Embassy in Nairobi, Kenya, or the United States Embassy in Dar es Salaam, Tanzania, at the time, or in the immediate aftermath, of the bombings of United States embassies in East Africa on August 7, 1998; and

(ii) suffered physical harm or death as a result of such a bombing; or

(B) in the case of a decedent who is an individual described in subparagraph (A), the personal representative of the decedent who files a claim on behalf of the decedent.

(3) REQUIREMENTS.—

(A) SINGLE CLAIM.—Not more than one claim may be submitted under this Act by an individual or on behalf of a deceased individual.

(B) LIMITATION ON CIVIL ACTION.—

(i) IN GENERAL.—Upon the submission of a claim under this Act, the claimant waives the right to file a civil action (or to be a party to an action) in any Federal or State court for damages sustained as a result of the bombings of United States embassies in East Africa on August 7, 1998. The preceding sentence does not apply to a civil action to recover collateral source obligations.

(ii) PENDING ACTIONS.—In the case of an individual who is a party to a civil action described in clause (i), such individual may not submit a claim under this Act unless such individual withdraws from such action by the date that is 90 days after the date on which regulations are promulgated under section 7.

SEC. 6. PAYMENTS TO ELIGIBLE INDIVIDUALS.

(a) IN GENERAL.—Not later than 20 days after the date on which a determination is made by the Special Master regarding the amount of compensation due a claimant under this Act, the Special Master shall au-

thorize payment to such claimant of the amount determined with respect to the claimant.

(b) PAYMENT AUTHORITY.—This Act constitutes budget authority in advance of appropriations Acts and represents the obligation of the Federal Government to provide for the payment of amounts for compensation under this Act.

(c) ADDITIONAL FUNDING.—

(1) IN GENERAL.—The Attorney General is authorized to accept such amounts as may be contributed by individuals, business concerns, or other entities to carry out this Act, under such terms and conditions as the Attorney General may impose.

(2) USE OF SEPARATE ACCOUNT.—In making payments under this section, amounts contained in any account containing funds provided under paragraph (1) shall be used prior to using appropriated amounts.

SEC. 7. REGULATIONS.

Not later than 90 days after the date of enactment of this Act, the Attorney General, in consultation with the Special Master, shall promulgate regulations to carry out this Act, including regulations with respect to—

(1) forms to be used in submitting claims under this Act;

(2) the information to be included in such forms;

(3) procedures for hearing and the presentation of evidence;

(4) procedures to assist an individual in filing and pursuing claims under this Act; and

(5) other matters determined appropriate by the Attorney General.

SEC. 8. RIGHT OF SUBROGATION.

The United States shall have the right of subrogation with respect to any claim paid by the United States under this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentlewoman from California (Ms. WATERS) each will control 20 minutes.

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

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3375, the bill currently under consideration.

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

There was no objection.

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

Mr. Speaker, H.R. 3375 would allow U.S. citizens who were victims of the bombings of United States embassies in East Africa on August 7, 1998, or their surviving family, to receive the same compensation as the victims of the September 11 terrorist attacks.

The September 11 Victim Compensation Fund Act of 2001 created a compensation program administered by the Attorney General, through a Special Master, for people killed or injured as a result of the September 11 terrorist attacks.

On August 7, 1998, agents of Osama bin Laden orchestrated near simultaneous vehicular bombings of the United States embassies in Nairobi, Kenya,

and Dar Es Salaam Tanzania. Twelve American Government employees and family members were killed and several others were injured as a result of these bombings.

Mr. Speaker, H.R. 3375, the Embassy Employee Compensation Act, directs the Attorney General to provide compensation for those American government employees and family members through the Special Master appointed to administer the September 11 Victim Compensation Fund of 2001. The bill would authorize payments under the same standards for payments that are applied to people receiving payment under the September 11 fund. In the case of a deceased individual, the bill would allow relatives of that individual to be compensated under the same standards as well.

Mr. Speaker, H.R. 3375 is a matter of fairness and equity. It allows victims of the bombings of the U.S. embassies access to the same compensation system available to those killed or injured during the September 11 attacks in the United States by agents of Osama bin Laden.

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

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

Mr. Speaker, I would like to thank both the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Missouri (Mr. BLUNT) for helping to rescue this legislation. There have been several unsuccessful attempts over the past 4 years to recognize and compensate the families of those who lost their loved ones.

Mr. Speaker, I rise as an original cosponsor in support of H.R. 3375, because this bill provides much-needed, but long-delayed, compensation for the victims of U.S. embassy bombings several years ago.

In 1998, two U.S. embassies were bombed in Africa, one in Kenya and one in Tanzania. Agents of Osama bin Laden orchestrated these bombings, costing the lives of over 220 persons, including 12 American citizens. These attacks represent attacks against America and need our attention.

As we all know, embassy personnel are often targeted because they represent the United States in a foreign country. The families of those victims have never been compensated. While foreign service officers assume a reasonable level of risk in accepting a foreign assignment, they should not have to bear the burden of murder at the hands of terrorists without compensation for their surviving families.

The fact that those families have, to date, received no compensation is even more alarming in light of the fact that the families of those killed in the accidental bombing of the Chinese embassy in Serbia in 1999 received \$1.5 million each. I agree with the United States decision to provide compensation for these families, but we must not neglect the families of Americans lost in Kenya and Tanzania.

Regrettably, in East Africa the State Department failed to comply with its own regulations to warn embassy personnel that intelligence information confirmed the existence of active terrorist activity in that area. The State Department also disregarded the repeated requests of the Kenya ambassador for greater security to protect the embassy and its personnel. It is a travesty that these disregards of policy may have contributed to a loss of American life. It is a shame that we have not acted sooner to compensate these families.

This bill will provide that the embassy bombing victims will receive compensation on the same basis as compensation is provided to victims of the September 11 terrorist attacks. They would go through the process administered by the Special Master that is used by all victims of the September 11 terrorist attacks.

Any person filing a claim under H.R. 3375 would waive all rights to civil suit in Federal or State court, except as to suits to collect collateral source obligations such as life insurance, pension funds, and death benefits. Any award received under the fund will be reduced by any other amount of compensation of the claim it has received or is entitled to receive as a result of the bombings.

Mr. Speaker, I urge my colleagues to support this bill. It provides a logical approach to this long-awaited compensation.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri (Mr. BLUNT), the distinguished deputy majority whip.

Mr. BLUNT. Mr. Speaker, I thank the chairman for yielding me this time and for bringing this bill to the floor today. I also want to thank the gentlewoman from California (Ms. WATERS), my good friend, for her comments about this bill and her support of this bill, and the gentleman from Maryland (Mr. WYNN), who, along with me, initiated this legislation. We were joined by over 40 of our colleagues as we look at one of the real forgotten results of the terrorism of Osama bin Laden.

This is the same group that attacked our citizens on September 11. It is led by the same person. They took credit for these embassy bombings. These embassies, as all embassies anywhere in the world, are considered U.S. territory, American soil. So Americans were killed on American soil. Al Qaeda and Osama bin Laden immediately came to the forefront and took credit for what happened in Kenya and what happened in Tanzania, what happened that ripped the lives of the families of these 12 individuals apart, just as what happened on September 11 ripped the lives of families apart in ways that can never be fully compensated.

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What we do in this legislation is respond in a way that is fair, respond in

a way that is equitable, respond in a way that I believe to be appropriate, as August 7, 1998, is exactly analogous to September 11, 2001. It did not affect Americans in the same way at the moment because it was not next door, it was halfway around the world; but it was halfway around the world on American soil. It was halfway around the world with cowardly terrorists who immediately stepped forward to say, We did this and we are proud of it. It was halfway around the world because our country and our citizens were targets.

From my district, Army Staff Sergeant Kenneth Hobson, the son of Kenneth and Bonnie Sue Hobson of Lamar, Missouri, was a victim of this attack.

One of my daughter Amy's law school classmates, Edith Bartley, lost her father and her brother in these bombings; and since a time shortly after the bombings many of us have talked with the victims' families about what we could do and what we could encourage the State Department to do.

Prior to September of last year, there was no formula in place for this exact same kind of incident. This is only fairness to include these 11 families, 12 victims from 11 families, and others who were injured in what happened, other Americans who were injured in what happened at these two embassies, to include them under the same compensation review that we created last September.

There is no reason for these families to have to go to court unless they choose to go to court. That is available to all the families from September 11, and it is available to these families, as well; but this gives families an opportunity to have some appropriate compensation without having to once again challenge their lives by needlessly going to court, having to prove that there is some damage by some institution when we know who the damage is from. The damage was from al Qaeda, and the damage was from Osama bin Laden.

This treats these 11 families and others of injured Americans exactly as we are treating the families that were affected by September 11. We did not do it as quickly, but hopefully we will do it as well.

Families who have a case in court today can say, if they choose to, I want to walk away from this case in court. I want to go to the Special Master. All we want is fairness and equity. We want to get on with our lives, but we also want to do that with a government that appreciates the lives of Americans representing their country overseas who gave their lives in a cowardly attack on Americans at work representing us on August 7, 1998.

I am, again, grateful to all those who have worked to get this to the floor today. I urge my colleagues to vote for it. I appreciate all my colleagues who have joined with me as cosponsors to try to bring equity and fairness to these families, and that will be the result of this debate today, I hope.

Ms. WATERS. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentlewoman for both her leadership and her persistence in the effort, along with the sponsors of the bill, the chairman and ranking member on this legislation.

Mr. Speaker, this legislation came through the Subcommittee on Immigration and Claims of the Committee on the Judiciary, on which I serve as ranking member; and I realize the journey it has had to travel. I want to applaud the persistence, as I said earlier, of the gentlewoman from California (Ms. WATERS), but particularly I want to emphasize that this is a question of equity and fairness. I saw the tears and the pain of the families who came before us, who had lost their loved ones in the tragic event, I guess sort of the indicator of what might come, the tragedy of the bombings of the embassies in Kenya and Tanzania.

We were somewhat unfamiliar with this kind of assault on American lives, and I believe this legislation, H.R. 3375, says two things: first, that there is no unequal American under the sun; and as our hearts go out to the victims of September 11, we could do no less in providing a master procedure for these families, some of whom or one particular young lady who lost a father and a brother. I will never forget Edith Bartley, a constant fighter helping to bring justice to these families. She constantly came to present her case, not only for her family, but on behalf of the families of all of the victims.

We know that the notice, if you will, the information did not descend to the ambassadors of those particular embassies to realize that there was some indication of an attack. We now know that Osama bin Laden has his hand everywhere. Whether he lives or not, he lives to do terrible, horrific, and deadly crimes. Because he lives to do that, we must stand with those who have suffered.

So I ask my colleagues to support this out of fairness. I do want to note that the monies given to those who lost their lives in the accidental bombing of the Chinese embassy got \$1.5 million. We can do no less for these particular Americans.

I want to again applaud those whose initiative kept this legislation in the forefront of the legislative agenda. I ask my colleagues to unanimously support H.R. 3375.

Mr. Speaker, I rise to support H.R. 3375. This legislation would make whole the victims of the bombings at the U.S. Embassy in Nairobi, Kenya, and of the U.S. Embassy in Dar es Salaam, Tanzania, on August 7, 1998. The legislation is a form of equity for more than 260 persons killed in these bombings. The measure would apply the same system to pay for the Africa bombing victims as the methods used to compensate families of victims of the September 11 suicide attacks.

Since the September 11 attacks, victims of the Africa bombing victims have noted the dis-

crepancies between their compensation and that given to families of September 11 victims and themselves. Under the legislation, the Africa bombing victims and families—who have not received Federal compensation to date—could receive money determined by a special master who would figure the amounts. In turn, families would forego their rights to sue for punitive damages.

Let us pass this bill and provide the aid that we should have done earlier.

Ms. WATERS. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Virginia (Mr. SCOTT).

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

Mr. Speaker, I rise in strong support of H.R. 3375, the Embassy Employee Compensation Act. The acts of terrorism against United States citizens and other innocent persons unfortunately did not begin on September 11. In 1998, the U.S. embassies in Kenya and Tanzania were bombed and destroyed by terrorists associated with al Qaeda and Osama bin Laden. U.S. citizens and many Kenyan and Tanzanian residents were killed in these bombings. This bill would allow those victims to be treated the same way as other victims of the same terrorist organization on September 11.

This bill goes a long way to try to close a sad incident in our history; but this bill would not have become a reality without the work of Edith Bartley, and I would like to take a moment to recognize her efforts.

In 1998, Ms. Bartley's father, Julian Bartley, Sr., was a counsel general in the Kenyan embassy. Her younger brother, Julian Bartley, Jr., was interning in the Kenyan embassy that summer. Both were killed during that bombing.

In the memory of all of the victims of those bombings, Edith Bartley started a campaign to remember and pay tribute to them. She was the driving force behind the bill we are considering today, which would treat the victims of the two embassy bombings in East Africa and their families the same way as our other more recent victims of the same terrorist organization.

I would like to commend and recognize the gentlewoman from California (Ms. WATERS) for her hard work on this bill, and also the chairman of the Committee, the gentleman from Wisconsin (Mr. SENSENBRENNER), for his efforts in passing the bill. There are many others who are associated with the bill that we would also like to thank.

But on this day, when we remember all of the victims of the embassy bombings, we reaffirm our commitment to treating all of our victims of terrorism and their families equally. I urge my colleagues to support the bill.

Ms. WATERS. Mr. Speaker, I am pleased to yield 4 minutes to the gentleman from Florida (Mr. BOYD), a gentleman who has worked very hard and has several constituents that were lost in that bombing.

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

want to thank the gentleman from Wisconsin (Mr. SENSENBRENNER), along with the gentlewoman from California (Ms. WATERS), for their efforts to get us to this point today, and also thanks to the gentleman from Missouri (Mr. BLUNT) and the gentleman from Maryland (Mr. WYNN) for their efforts on behalf of this legislation.

As an original cosponsor of this legislation, I am honored to speak in support of H.R. 3375. We have heard a lot about why we have the legislation and what it does, so what I want to do is I would like to focus my comments on telling Members a little bit about two of the 12 Americans that gave their lives on behalf of our country on that day, on August 7, 1998. Both of these service people, these servants, American servants, were killed in Nairobi, Kenya.

Air Force Master Sergeant Sherry Lynn Olds of Panama City has often been described by friends and family as very independent, industrious, caring, and thoughtful. She joined the Air Force after graduating from junior college, followed in the footsteps of her father, who is a retired civil servant.

According to her mother, Sergeant Olds had at least two ambitions: she wanted to see the world, and she wanted to finish her education. Sergeant Olds did both, eventually receiving a degree from the University of South Carolina. She had been assigned to the embassy in Kenya for 1 year, and had just returned to Nairobi in June, 1998, after spending 2 months attending the NCO school in Alabama. This course would make Sergeant Olds eligible for an eventual promotion to achieve Master Sergeant.

At the time of her death, she was assigned to the Air Force Security Element at the embassy in Kenya, and was 40 years old. Sergeant Olds is survived by her parents, Delbert and Mary Olds of Panama City.

Marine Sergeant Jesse N. Aliganga of Tallahassee was born in Oakland, California, and grew up in Pensacola, Florida. He was an energetic and ambitious young man who liked drawing, reading, Greek mythology, playing the saxophone in his high school band, and collecting comic books.

Sergeant Aliganga had wanted to make sergeant in his first tour of duty in the Marine Corps, and he accomplished that goal in July of 1998. He had recently signed a 30-month extension in the service to become an embassy guard.

After postings in Okinawa, Japan, and Camp Pendleton, California, Sergeant Aliganga completed the security guard school in Quantico, Virginia, and was sent to Nairobi. At the time of his death, he was assigned to the Marine Security Unit at the embassy in Kenya and was 21 years old. Sergeant Aliganga is survived by his mother, Clara, and his sister, Leah Colston, both of Tallahassee.

In light of the attacks of September 11, Mr. Speaker, this is obviously a

very painful and difficult time for many of these families that were affected by past terrorist attacks. Several of us in Congress have been trying for the past 3 years to enact a just-compensation system for the families of the embassy bombings.

I am grateful, again, to the gentleman from Wisconsin (Mr. SENSENBRENNER), the gentlewoman from California (Ms. WATERS), and the gentleman from Missouri (Mr. BLUNT), and my other colleagues here today for coming together and devising a system that will simply use the process that is in place for the victims of the attacks on the World Trade Center and the Pentagon.

It is only fair, given that the evidence for responsibility of these horrible events points to Osama bin Laden and the al Qaeda network, that the victims of the attacks on our embassies and the victims from New York, Pennsylvania, and Virginia are treated equally.

Therefore, I urge my colleagues to vote for H.R. 3375.

Ms. WATERS. Mr. Speaker, I am pleased to yield 2½ minutes to the gentleman from Maryland (Mr. WYNN), another gentleman who has worked very hard.

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

Mr. Speaker, let me begin by also thanking her for her leadership in this very important effort. I would also like to thank the gentleman from Wisconsin (Mr. SENSENBRENNER) for his outstanding work, but I would particularly like to note the work of the gentleman from Missouri (Mr. BLUNT) in making this legislation possible and in getting it to the floor today.

Mr. Speaker, as we compensate the many families who have suffered and lost loved ones on September 11, we must never forget the American families who lost loved ones in the African embassy bombings.

On August 7, 1998, two truck bombs exploded minutes apart, killing 224 people at the U.S. embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania. The victims of the embassy bombings were killed by a madman under the same cold-blooded direction that resulted in the deaths of thousands of people on September 11: Osama bin Laden and his terrorist network.

I strongly support H.R. 3375, the Embassy Employee Compensation Act, which would allow the American family members of the African embassy victims to receive compensation under the same procedure provided for the families of the victims from the September 11 attacks.

The September 11 Victims Relief Fund was authorized under the aviation bailout bill enacted in September. Under that bill, the victims or the families of those killed may apply for tax-free relief from the Federal Victims Compensation Fund.

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Like the September 11 Victims Compensation Fund, the African Embassy Victims Compensation Act would authorize a special master established by the current victims' funds to consider appropriate compensation for the families of embassy victims under the same process as the families of the victims of September 11.

Three embassy bombing victims with strong ties to Maryland lost their lives in the horrific bombing in Nairobi, Kenya. Jean Dalizu, age 60, was an executive assistant in the U.S. Liaison's Office killed in the embassy. She is survived by her son, Lawrence Hicks, a resident of Capital Heights, Maryland, in my district. Two victims from Bowie, Maryland, Consul General Julian Bartley, 55, and his son, Jay Bartley, 20, were killed in the embassy as well. Mr. Bartley had 3 decades of government service in several countries and his son was working in the embassy during the summer. Mr. Bartley had also worked as a congressional fellow on Capitol Hill which is where I met him.

I urge my colleagues to vote in favor of H.R. 3375. We must do everything to assist the families of the African embassy bombings. While monetary compensation will not bring back the lives of loved ones, it will help families move forward. This is a case of fairness, equitable compensation but, most importantly, it is a case of compassion.

Ms. WATERS. Mr. Speaker, how much time is remaining?

The SPEAKER pro tempore (Mr. LINDER). The gentlewoman from California (Ms. WATERS) has 6 minutes remaining.

Ms. WATERS. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. LEE) who has worked hard on this issue.

Ms. LEE. Mr. Speaker, I rise in strong support of H.R. 3375.

Mr. Speaker, it has been 4 years since the Kenyan and Tanzanian embassy bombings and it is long past the time that the United States compensates the individuals or the families of those who were injured or killed in the bombings. This is way overdue and I thank the gentlewoman from California (Ms. WATERS) for her leadership.

These individuals and families will forever suffer. This is the least that we should do. As we seek to compensate the embassy employees, the United States must not forget over 4,000 Tanzanian and Kenyan nationals who were also injured in the embassy bombings. These foreign nationals were a productive part of their countries' labor force. Now many of them also have been injured so severely that they are physically unable to contribute to their communities or provide for their own livelihood.

I am introducing legislation that would provide relief for those individuals and urge my colleagues to join us also in supporting the African nationals who have been equally affected by the embassy bombings. Once again, I

thank my colleague from California for her persistence and steadfastness in working in a bipartisan way. I thank the gentleman from Wisconsin (Mr. SENSENBRENNER) for working together to make sure that this legislation came to the floor.

Ms. WATERS. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. OWENS).

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

Mr. OWENS. Mr. Speaker, I rise in strong support of this act and hope that it will be administered very much in the same way that the Victims Compensation Act that already exists is administered.

I think the Victims Compensation Act that we passed several months ago was a great landmark for America, a great landmark in terms of celebrating the spirit of the Great Angels. I think I have said before that there is a schizophrenic personality in our Nation, the Great Angels and the Giant Scrooges. The Giant Scrooges' spirit is expressed in the fact that we sometimes demonize welfare mothers and children and we refuse to pass a minimum wage bill. On the other hand, we do have great generous acts that are unparalleled in history, and throughout the world you will find people no more generous than Americans and America as a nation. I think the Victims Compensation Act that was passed in connection with the September 11 tragedy was an example of that generosity.

The formulas that were worked out by the master for that should stand for all time, and it should be the pattern. There are people who have some difficulties with certain aspects of it but they are working it through.

And, finally, I hope we will have a pattern that we can use in the future and we will not have a situation where the victims of the embassy bombings in Kenya and Tanzania have had to wait for 4 years to get a hearing on the floor of Congress, and even now it is not certain what the procedure will be.

Let us let the Great Angels spirit that prevails in the case of September 11 victims stand for all time as an example of how generous our Nation can be, recognizing that all Americans are in this together. And when we make sacrifices, we are willing to take care of those who are left behind.

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

The SPEAKER pro tempore. The gentlewoman from California (Ms. WATERS) is recognized for 2½ minutes.

Ms. WATERS. Mr. Speaker, I have no other speakers and I would just like to say in closing that this is one of our finer moments. We have a lot of problems in our society and there are many of us who are oftentimes criticizing this body and even some of our colleagues; but it is moments like this that help you to understand that no matter how long it takes, no matter

how difficult it is, that if we are persistent we can indeed do the right thing.

I would like to thank one young lady who is not a Member of this House, who happens to be the daughter of and the sister of two of the victims, Miss Edith Bartley. She worked so very hard. She never gave up. She went from Member to Member to Member, telling the story over and over again. And whenever we had a failed attempt in some committee, she never despaired. She came back and she would start all over again.

So I am delighted, Mr. Speaker, that on this day on the floor of this House we have the opportunity to pass this legislation that will take care of those bombings that took place in Africa 4 years ago. That was the tip of the iceberg for the work of Osama bin Laden and al Qaeda. And I guess if we had been wise enough, if we had been visionary enough to be able to follow what was happening and to connect the dots, perhaps things would have been a little bit different here in the United States. But let me just say today we kind of make up for the long wait for the families of those victims. And in saying that, again, I would like to thank the gentleman from Wisconsin (Mr. SENSENBRENNER) for his leadership. He did not have to take this bill up. He did. And he provided assistance to all of us. I would like to thank my colleague, the gentleman from Missouri (Mr. BLUNT) and all of the other Members who are original co-sponsors and who have worked so hard to make sure there is some justice for these families.

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

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

Mr. Speaker, this bill is a matter of simple equity. That is to give the United States citizens who are the victims of the al Qaeda strike in East Africa in 1998 the same rights to get funds from the special master as those who are the victims of the al Qaeda strikes on September 11 in New York City and at the Pentagon.

Now, perhaps the al Qaeda strikes in East Africa went under the radar screen with most Americans as well as many Members of Congress. But those two embassy properties, one in Nairobi, Kenya, and the other in Dar es Salaam, Tanzania, are just as much the sovereign territory of the United States of America as the land on which the World Trade Center rested and the land on which the Pentagon rests today. So passing this bill will mean that we do not have different strokes for different folks depending upon whether the people were killed by al Qaeda in East Africa or whether they were in New York City or in Northern Virginia. So, as a matter of equity, as a matter of fairness, and as a matter of preventing different strokes from happening for different folks, I would urge the passage of this bill.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 3375.

The question was taken.

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

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

The yeas and nays were ordered.

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

ENCOURAGING WORK AND SUPPORTING MARRIAGE ACT OF 2002

Mr. WELLER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4626) to amend the Internal Revenue Code of 1986 to accelerate the marriage penalty relief in the standard deduction and to modify the work opportunity credit and the welfare-to-work credit, as amended.

The Clerk read as follows:

H.R. 4626

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Encouraging Work and Supporting Marriage Act of 2002".

TITLE I—ACCELERATION OF MARRIAGE PENALTY RELIEF

SEC. 101. ACCELERATION OF INCREASE IN STANDARD DEDUCTION FOR JOINT RETURNS.

(a) IN GENERAL.—Paragraph (7) of section 63(c) of the Internal Revenue Code of 1986, as amended by section 301 of the Economic Growth and Tax Relief Reconciliation Act of 2001, is amended to read as follows:

“(7) APPLICABLE PERCENTAGE.—For purposes of paragraph (2), the applicable percentage shall be determined in accordance with the following table:

“For taxable years beginning in calendar year—	The applicable percentage is—
2003 or 2004	170
2005	174
2006	184
2007	187
2008	190
2009 and thereafter	200.”.

(b) CONFORMING AMENDMENT.—Subsection (d) of section 301 of the Economic Growth and Tax Relief Reconciliation Act of 2001 is amended by striking “December 31, 2004” and inserting “December 31, 2002”.

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

TITLE II—MODIFICATIONS TO WORK OPPORTUNITY CREDIT AND WELFARE-TO-WORK CREDIT

SEC. 201. MODIFICATIONS TO WORK OPPORTUNITY CREDIT AND WELFARE-TO-WORK CREDIT.

(a) ELIGIBILITY OF EX-FELONS DETERMINED WITHOUT REGARD TO FAMILY INCOME.—Paragraph (4) of section 51(d) of the Internal Revenue Code of 1986 is amended by adding “and” at the end of subparagraph (A), by striking “, and” at the end of subparagraph (B) and inserting a period, and by striking all that follows subparagraph (B).

(b) INCREASE IN MAXIMUM AGE FOR ELIGIBILITY OF FOOD STAMP RECIPIENTS.—Clause (i) of section 51(d)(8)(A) of such Code is amended by striking “25” and inserting “30”.

(c) CLARIFICATION OF TREATMENT OF INDIVIDUALS UNDER INDIVIDUAL WORK PLANS.—Subparagraph (B) of section 51(d)(6) of such Code (relating to vocational rehabilitation referral) is amended by striking “or” at the end of clause (i), by striking the period at the end of clause (ii) and inserting “, or”, and by adding at the end the following new clause:

“(iii) an individual work plan developed and implemented by an employment network pursuant to subsection (g) of section 1148 of the Social Security Act with respect to which the requirements of such subsection are met.”

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to individuals who begin work for the employer after December 31, 2002.

SEC. 202. CONSOLIDATION OF WORK OPPORTUNITY CREDIT WITH WELFARE-TO-WORK CREDIT.

(a) IN GENERAL.—Paragraph (1) of section 51(d) of the Internal Revenue Code of 1986 is amended by striking “or” at the end of subparagraph (G), by striking the period at the end of subparagraph (H) and inserting “, or”, and by adding at the end the following new subparagraph:

“(I) a long-term family assistance recipient.”

(b) LONG-TERM FAMILY ASSISTANCE RECIPIENT.—Subsection (d) of section 51 of such Code is amended by redesignating paragraphs (10) through (12) as paragraphs (11) through (13), respectively, and by inserting after paragraph (9) the following new paragraph:

“(10) LONG-TERM FAMILY ASSISTANCE RECIPIENT.—The term ‘long-term family assistance recipient’ means any individual who is certified by the designated local agency—

“(A) as being a member of a family receiving assistance under a IV-A program (as defined in paragraph (2)(B)) for at least the 18-month period ending on the hiring date,

“(B)(i) as being a member of a family receiving such assistance for 18 months beginning after August 5, 1997, and

“(ii) as having a hiring date which is not more than 2 years after the end of the earliest such 18-month period, or

“(C)(i) as being a member of a family which ceased to be eligible for such assistance by reason of any limitation imposed by Federal or State law on the maximum period such assistance is payable to a family, and

“(ii) as having a hiring date which is not more than 2 years after the date of such cessation.”

(c) INCREASED CREDIT FOR EMPLOYMENT OF LONG-TERM FAMILY ASSISTANCE RECIPIENTS.—Section 51 of such Code is amended by inserting after subsection (d) the following new subsection:

“(e) CREDIT FOR SECOND-YEAR WAGES FOR EMPLOYMENT OF LONG-TERM FAMILY ASSISTANCE RECIPIENTS.—

“(1) IN GENERAL.—With respect to the employment of a long-term family assistance recipient—

“(A) the amount of the work opportunity credit determined under this section for the taxable year shall include 40 percent of the qualified second-year wages for such year, and

“(B) in lieu of applying subsection (b)(3), the amount of the qualified first-year wages, and the amount of qualified second-year wages, which may be taken into account with respect to such a recipient shall not exceed \$10,000 per year.

“(2) QUALIFIED SECOND-YEAR WAGES.—For purposes of this subsection, the term ‘qualified second-year wages’ means qualified wages—