were killed. I had introduced an alternate version of the proposal, H.J. Res. 89. Members opposed to the concept—which is admittedly extremely controversial—refused to allow real hearings and debate, preferring instead to misrepresent the various proposals which were introduced and to mock the sponsors. Even though prospects for passage of such an amendment at the time were extremely slim, a substantial debate would have served to educate the Congress and the American people on the importance of these issues, and perhaps provided impetus in a search for alternatives.

Instead, the House passed, but the Senate subsequently killed, H.R. 2844, the ''Continuity of Representation Act'', which created an unrealistically fast, unfair, undemocratic and unworkable scheme to fill vacant House seats through a mandatory national 45–day special election period. This bill was referred principally to the House Administration Committee, where I was able to point out its many flaws.

Neither House passed simple legislation which would have corrected an oversight in the legislation creating the Department of Homeland Security in 2002, which failed to place the supposedly critical new Cabinet officer somewhere—anywhere—in the statutory line of succession to the Presidency.

Though hearings were held, neither House addressed significant issues of Presidential succession, such as the role of the Speaker and President pro tempore and lame duck Cabinet members in the succession lineup, and the ability of some officials to ''bump'' others serving as acting President under the current Federal statute.

The House is apparently planning to paper over its failure to effectively address congressional continuity by passing a blatantly unconstitutional new House rule when the 109th Congress convenes. It would pretend that a rump group of Members, acting with a ''provisional quorum,'' could exercise the full powers of the House even though a majority of the membership might still be alive but unable to reach the place the House was meeting in a timely manner.

The proposal pretends to address the problem of incapacitated Members by effectively ignoring it, and by allowing the Speaker to deprive them and other absent Members of their constitutional authority by adopting an unprecedented and radical procedure to declare a quorum present when it clearly isn't. The proposed rule would ignore the explicit constitutional prohibition against less than a majority of the Members of the House taking any action except to adjourn, or to compel the attendance of absent Members. It would also demolish the century-old precedent, based on the Constitution, that a quorum of the House consists of a majority of the membership chosen, sworn and living.

It is likely that this unconstitutional proposal will be shoehorned into House Resolution 5, the traditional opening-day resolution through which the House adopts its rules, to be considered on January 4, 2005. Parliamentary practices in effect at that time would allow only one hour of debate on the resolution, no matter how numerous or how controversial the rules changes contained within it might be. At a minimum, the House should debate the provisional quorum issue separately, following hearings by the Rules Committee through which Members could better inform themselves, I would hope, of the truly dangerous ramifications of this idea.

Mr. Speaker, I plan to urge further action on congressional continuity issues in the new year, to work with my colleagues on the Committee on House Administration to assert our own jurisdiction more effectively and to push the other relevant committees to do the same. We need both more effective action, and better internal cooperation, to accomplish these goals.

TRIBUTE TO RETIRING REPRESENTATIVE CAL DOOLEY

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 6, 2004

Mr. MOORE. Mr. Speaker, I am very pleased to have the opportunity tonight to join with my fellow members of the New Democrat Coalition in paying tribute to Representative CAL DOOLEY of California, who is retiring from Congress at the end of this year.

As the Almanac of American Politics 2004 edition described CAL: ''The congressman from the 20th District is CAL DOOLEY, a Democrat first elected in 1990. He is a farmer, growing cotton, alfalfa and walnuts, as his great-grandfather did before him. In 1987 he became a staffer for Tulare state Senator Rose Ann Vuich. In 1990, he ran for Congress in a more Republican-leaning district. Luck was with him: The incumbent had accepted contributions from S&L operator Charles Keating and interceded on his behalf with regulators. DOOLEY won with a solid 55%. . . . DOOLEY's endurance has been partly a testimonial to his moderate voting record, which is the most conservative of California Democrats. On the Agriculture and Resources committees, he tended to district interests. He was one of three committee Democrats to vote for RICHARD POMBOS' guest worker bill, and he supported lifting the ban on food sales to Cuba. He has co-chaired the Congressional Beef Caucus, the Western Water Caucus and the Biotechnology Caucus. He strongly backed PNTR with China and he worked closely with neighboring Congressman and Ways and Means Committee chairman BILL THOMAS to get Democratic votes for trade promotion authority in 2001 and 2002. . . . He sided with most Democrats in opposing the increased work requirements in the Republicans' welfare bill. DOOLEY is active on local issues, including flood control projects, increased dam capacity, and additional funds for farm workers. . . .''

Most importantly, CAL DOOLEY was one of the founders and original co-chairs of the House New Democrat Coalition, which Politics in America's 2004 edition described as ''a growing group of moderate, pro-business lawmakers who say they seek bipartisan solutions. . . . It is a measure of DOOLEY's reputation as a leader of centrist Democrats—he co-founded the New Democrat Coalition in 1997 along with Virginia's JAMES P. MORAN and former Indiana Rep. TIM ROEMER—that his name was floated, during the disputed 2000 presidential election, as a potential appointee to either a Bush or a Gore administration.''

Mr. Speaker, CAL DOOLEY has been a friend and mentor of mine during the past 6 years I have served in Congress. As a fellow member of Congress who has sought bipartisan solutions to the many difficult issues we have faced in this body, he has offered me wise counsel on many occasions and his leadership of the New Democrat Coalition in the House Democratic Caucus provided important leadership to all members of our Caucus. The people of CAL DOOLEY's California congressional district have been very well served by his 14 years of representing them in Congress and I know they join with me and his colleagues in this body in wishing him all the best as he pursues a new career in the private sector. He will be missed in the halls of Congress. But CAL DOOLEY will not be forgotten.

HONORING CONGRESSMAN AMO HOUGHTON AND CONGRESSMAN JACK QUINN

SPEECH OF

HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, November 19, 2004

Mr. WALSH. Mr. Speaker, I address the House tonight to extend my best wishes and a fond farewell to my good friends and colleagues in the New York Congressional Delegation, Congressmen JACK QUINN and AMO HOUGHTON.

Beyond the insight, experience and professionalism these gentlemen brought to this body, they represented the very essence of what it means to represent New York State in Congress. They were loyal to their constituencies, and their voters were in turn loyal to them. Their policy expertise transcended ideological lines, and they understood that, in our corner of the world, good people are good people, regardless of party affiliation. People voted for them year-in and year out on account of who they were as people, and how hard they worked for Buffalo, Rochester, Corning and the Southern Tier. JACK and AMO have nearly 30 years' worth of experience in Washington between them, and, though none of us like the fact that they are leaving us, we are all grateful to have been the beneficiaries of their good humor, wisdom, graciousness and friendship.

The U.S. Congress, New York State and our country are better off for having been represented by these two gentlemen. I've had the privilege of serving with JACK and AMO for a long time and feel fortunate to consider them good friends. It is my hope the other members of this body from New York and beyond recognize and applaud their service, friendship, and loyalty to those who have worked beside them along the way.

I know I will miss JACK QUINN and AMO HOUGHTON when the gavel falls to begin the 109th Congress; but I join my colleagues in wishing them the absolute best for whatever comes next. I take comfort, though in knowing that departure from this House will not signal the termination of their public service. Nor will it be the end of their involvement in the lives of the people they represented so well, for so many years.

So as we depart for the year and bring an end to the 108th Congress, I once again say good-bye and thank you to JACK and AMO while wishing them the very best for the future.