CONGRESSIONAL RECORD—HOUSE

APPOINTMENT OF HONORABLE FRANK R. WOLF TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS THROUGH APRIL 24, 2001

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

WASHINGTON, DC, April 4, 2001.

I hereby appoint the Honorable Frank R. Wolf to act as Speaker pro tempore to sign enrolled bills and joint resolutions through April 24, 2001.

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

The SPEAKER pro tempore. Without objection, the appointment is approved.

There was no objection.

MEMBERS OF THE HOUSE TO BE AVAILABLE TO SERVE ON INVESTIGATIVE SUBCOMMITTEES OF THE COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

The SPEAKER pro tempore. Without objection, and pursuant to clause 5(a)(4)(A) of rule X, the Chair announces that the Speaker named the following Members of the House to be available to serve on investigation subcommittees of the Committee on Standards of Official Conduct for the 107th Congress:

Mr. GEKAS of Pennsylvania;
Mr. CHABOT of Ohio;
Mr. LATOURrette of Ohio;
Mr. SHADEGG of Arizona;
Mr. WCKER of Mississippi;
Mr. MORAN of Kansas;
Mr. FOSSILLa of New York;
Mr. GREEN of Wisconsin; and
Mr. TERRY of Nebraska.

There was no objection.

NEWSPAPERS' RECOUNT SHOWS GEORGE W. BUSH WON ELECTION

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

Mr. KINGSTON. Mr. Speaker, there has been much said about the Florida election returns, and we hear over and over again from people that, well, Bush really did not win the election; that he stole it.

I would invite Members of the House to pick up a copy of the USA Today newspaper. It says, "Newspapers' Recount Shows Bush Prevailed in Florida Vote." (By Dennis Cauchon)

George W. Bush would have won a hand count of Florida's disputed ballots if the standard advocated by Al Gore had been used, the first full study of the ballot reveals.

My, my, my. Where are all the accus- ers, where are all the finger-pointers to say, well, gee whiz, I was wrong, it looks like Mr. Bush is the legitimate President of the United States?

Mr. Speaker, I am going to submit this full article for the RECORD because I am sure Members in their hurry to get out of town will not have time to read this paper; but out of my concern for these Members, I want this to be in the CONGRESSIONAL RECORD and maybe they could share it with some of their friends in academia and the unions and the other great liberal institutions throughout the land. [From USA Today, Apr. 4, 2001]

NEWSPAPERS' RECOUNT SHOWS BUSH PREVAILD IN FLORIDA VOTE

(By Dennis Cauchon)

George W. Bush would have won a hand count of Florida's disputed ballots if the standard advocated by Al Gore had been used, the first full study of the ballots reveals.

Bush would have won by 1,665 votes—more than triple his official 537-vote margin—if every dimple, hanging chad and mark on the ballots had been counted as votes, a USA TODAY/Miami Herald/Knight Ridder study shows.

The study is the first comprehensive review of the 61,185 "undervote" ballots that were at the center of Florida's disputed presidential election. The Florida Supreme Court ordered Dec. 8 that each of these ballots, which register no presidential vote when run through counting machines, be examined by hand to determine whether a voter's intent could be discerned. On Dec. 9, the U.S. Supreme Court stopped the hand count before it was completed. That gave Bush Florida's 25 electoral votes, one more than he needed to win the presidency.

USA TODAY and the Miami Herald and Knight Ridder newspapers hired the national accounting firm BDO Seidman to examine undervote ballots in Florida's 67 counties. The accountants supported what they found on each of the ballots.

The newspapers then applied the accounting firm's findings to four standards used in Florida and elsewhere to determine when an undervote becomes a legal vote. By three of the standards, Bush holds the lead. The fourth standard gives Gore a razor-thin win.

The results reveal a stunning irony. The way Gore wanted the ballots recounted helped Bush, and the standard that Gore felt offered him the least hope may have given him an extremely narrow victory. The vote totals vary depending on the standard used:

Lenient standard. This standard, which was advocated by Gore, would count any alteration in a chad—the small perforated box that is punched to cast a vote—as evidence of a voter's intent. The alteration can range from a mere dimple, or indentation, in a chad to its removal. Contrary to Gore's hopes, the USA TODAY study reveals that this standard favors Bush and gives the Republican his electoral prize.

Palm Beach standard. Palm Beach County election officials considered dimples as votes only if dimples were found in other races on the same ballot and the voter would demonstrate similar voting patterns on the ballot. This standard—attacked by Republicans as arbitrary—also gives Bush a win by 884 votes, according to the USA TODAY review.

Two-corner standard. Most states with well-defined rules say that a chad with two or more corners removed is a legal vote. Under this standard, Bush wins by 563.

Strict standard. This "clean punch" standard would only count fully removed chads as legal votes. The USA TODAY study shows that Gore would have won Florida by 3 votes if this standard were applied to undervotes.

Because of the possibility of mistakes in the undercounts and a three-vote margin, it is too small to conclude that Gore might have prevailed in an official count using this standard. But the overall results show that both campaigns had a misperception of what the ballots would show. The prevailing view of both was that minority or less-educated Democratic voters were more likely to undervote because of confusion.

Gore's main strategy throughout the post-election dispute was to secure a recount of any kind in the hope of reversing the certification. Bush's strategy was the opposite: stop the recount while he was ahead. But his views on how recounts should be done, in the counties where they were underway, would have been potentially disastrous for him if used statewide.

Bush and Gore were informed Tuesday of the new study's results. Both declined comment. White House spokesman Ari Fleischer said, "The President believes, just as the American people do, that this election was settled months ago. The voters spoke, and George W. Bush won."

The newspapers' study took three months to complete and cost more than $500,000. It involved 27 accountants who examined and categorized ballots as they were held up by county election officials.

The study has limitations. There is variability in what different observers see on ballots. Election officials, who sorted the undervotes for examination and then handled them for the accountants' inspection, often did not provide exactly the same number of undervotes recorded on the original ballots.

Even so, the outcome shows a consistent and decisive pattern: the more lenient the standard, the better Bush does. Because Gore fought for the lenient standard, it may be more difficult now for Democrats to argue that the election was lost in the chambers of the U.S. Supreme Court rather than the voting booths of Florida.

The study helps answer the question: What would have happened if the U.S. Supreme Court had not stopped the hand count of undervotes?

However, it does not answer all the questions surrounding another set of Florida ballots: the 110,000 "overvotes," which machines recorded as having more than one presidential vote. These ballots were rejected by the machines and were considered invalid. Some Democrats say if all of Florida's overvotes ballots were examined by hand to learn voters' intent, Gore would have prevailed.

USA TODAY, The Miami Herald and Knight Ridder newspapers also are examining Florida's overvotes for a study to be published later this spring. Overvotes contain some valid votes, mostly instances when a voter marked the same candidate's name and then wrote in the name of the same candidate.

No candidate requested a hand count of overvotes, and no court—federal or state—ordered one. The U.S. Supreme Court cited the state court's failure to include the overvotes.
in its recount order as an example of arbitrariness.

Immediately after Gore, conceded the election to Bush, The Miami Herald began to evaluate what might have happened if the U.S. Supreme Court had not stopped the recount of undervotes.

Florida is one of the few states that permit members of the public to examine ballots after they've been cast. The Miami Herald and the BDO Seidman accounting firm began examining ballots on Dec. 18. USA TODAY joined the project in January. The last undervote examined March 13.

Florida law requires that political parties be notified of ballot inspections. The Republican and Democratic parties took different approaches to the three months of ballot inspections.

The Democrats took a hands-off approach. They rarely showed up at election offices during the evaluation. "We want to see what you find. It's not our role to be at the table with you." Tony Welch spokesman for the Florida Democratic Party, said during the newspaper's first visit in February, that Republicans are polling and that Republicans are spinning, people won't believe the result.

He said at the time that the party expected the outcome wouldn't show that Gore receive more votes than Bush.

By contrast, the Republicans attended every ballot inspection. They devoted hundreds of days of staff and volunteer time.

The party delayed cutting its post-election staff off field directors from 12 to 6 so it could staff the ballot inspections. Some Republicans took meticulous notes on the contents of the ballots. Others just watched. The Republican Party of Florida published a daily internal memo called "Reality Check," which critiqued the media efforts to examine ballots.

In an interview before the results were released, Mark Wallace, a Republican lawyer assigned to critique the media inspections, said, "The media appear ready to offer unprecedented liberal standards for judging what is a vote. The appropriate legal standard is whether or not a vote is on Election Day. Cleanly punched cards only."

Before this election, almost nothing was known by the public and by political parties about the methods and the contents of the ballots cast. Other states used optical-scan ballots, punch-card ballots, manual paper ballots.

The study shows that these errors were disproportionately common among Democratic counties. For example, in Orange County, home of Orlando, Gore edged Bush 50%-48% in the election. But Gore won the undervotes by 64%-35%, giving him a net gain of 137 votes. That accounted for half of the 261 votes Gore gained in optical-scan counties, which Bush won overall by 53%-44%.

The study found that optical-scan counties are the only places where Gore actually picked up more votes than Bush: 1,036 to 775 for Bush.

In the punch-card counties, where Gore had placed his hopes, his chances of winning a hand count were washed away. On dimples alone, Bush gained 1,188 votes. When all the punch-card counties, including Miami-Dade, clean punches—Bush outdid Gore by 3,302 to 6,559.

USA TODAY's analysis is based on acceptances and rejections by BDO Seidman. They provide hand counts completed in Broward and Volusia counties before the U.S. Supreme Court intervened.

The newspaper also accepted hand counts completed in Palm Beach, Manatee, Escambia, Hamilton and Madison counties, plus 139 precincts.

These hand counts, which were never certified, reduced Bush's lead to 188—the starting point for USA TODAY's analysis.

The newspaper excluded these counties from its analysis. However, BDO Seidman collected data in these counties, and they are available on USA TODAY.com.

In the end, Florida's presidential election remains remarkably close by any standard: 2,912,790 to 2,912,253 in the official count.

In an election this close, the winner often depends on the narrow way they are enforced.

BATAAN IS SYNONYMOUS FOR BRAVERY

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

Mr. FILNER. Mr. Speaker, I rise today close to the 58th anniversary of Bataan Day, April 9, 1942, to recognize the brave soldiers who were captured on this day and forced into the infamous Bataan Death March.

I was honored to travel to the Philippines a few years ago to commemorate this day with then-President Ramos.

The fall of Bataan in World War II involved the surrender of 70,000 soldiers, 12,000 of whom were Americans and 58,000 Filipinos. Many died on the death march, and those who survived were imprisoned under inhumane conditions where countless more died.

These soldiers and their comrades foiled plans for a quick takeover of the region and allowed the United States the time needed to prepare for victory in the Pacific. We can recognize their courage and bravery by passing H.R. 491, the Filipino Veterans Equity Act, which would recognize the great courage and bravery of the Filipino veterans in World War II and specifically on Bataan Day April 9, 1942.

WE MUST MAKE SURE THAT THE FUTURE IS ONE IN WHICH ALL THE PEOPLE OF THE WORLD CAN SURVIVE

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

Mr. KUCINICH. Mr. Speaker, recently the administration made the decision to set aside years of work of people from all over the world to deal with the problem of global climate change. All countries of the United States have seen the evidence of change in a global climate. We have seen conditions of excessive heat in the South. We have seen tornados occur where they never occurred before. We have seen floods occur, 100-year floods occurring, every few decades and even more frequent than anyone could ever imagine.

We need to come together as a Nation and as a world to address the issue of global climate change. Man-made activities are forming and affecting our global climate, and we owe it to ourselves and to our children and to future generations to start now to do something about bringing down CO2 levels and to do something about addressing global climate change.

It is a reality. We have to start preparing for the future, and we must make sure that the future is one in which all the people of the world can survive. America has a responsibility to the world to begin the work of cleaning up our environment.