

Dicks Jones (NC)
Dingell Jones (OH)
Doggett Kanjorski
Dooley Kaptur
Doolittle Kellar
Doyle Kelly
Dreier Kennedy (MN)
Duncan Kennedy (RI)
Dunn Kerns
Edwards Kildee
Ehlers Kind (WI)
Ehrlich King (NY)
Emerson Kingston
Engel Kirk
English Kleczka
Eshoo Knollenberg
Etheridge Kolbe
Evans Kucinich
Everett LaFalce
Fattah LaHood
Ferguson Lampson
Filner Langevin
Flake Lantos
Fletcher Largent
Foley Larsen (WA)
Forbes Larson (CT)
Ford Latham
Fossella LaTourette
Frank Leach
Frelinghuysen Lee
Frost Levin
Gallegly Lewis (CA)
Ganske Lewis (GA)
Gekas Lewis (KY)
Gephardt LoBiondo
Gibbons Lofgren
Gilchrest Lowey
Gillmor Lucas (KY)
Gilman Lucas (OK)
Gonzalez Luther
Goode Maloney (CT)
Goodlatte Maloney (NY)
Gordon Manzullo
Goss Markey
Graham Mascara
Granger Matheson
Graves Matsui
Green (TX) McCarthy (MO)
Green (WI) McCarthy (NY)
Greenwood McCollum
Grucci McCrery
Gutierrez McDermott
Gutknecht McGovern
Hall (OH) McHugh
Hall (TX) McLinnis
Hansen McIntyre
Harman McKeon
Hart McKinney
Hastert McNulty
Hastings (FL) Meehan
Hastings (WA) Meek (FL)
Hayes Meeks (NY)
Hayworth Menendez
Hefley Mica
Heger Millender-
Hill McDonald
Hilleary Miller (FL)
Hilliard Miller, Gary
Hinchesy Miller, George
Hinojosa Mink
Hobson Mollohan
Hoeffel Moore
Hoekstra Moran (KS)
Holden Moran (VA)
Holt Morella
Honda Murtha
Hooley Myrick
Horn Nadler
Hostettler Napolitano
Houghton Neal
Hoyer Nethercutt
Hulshof Ney
Hunter Northup
Hyde Norwood
Insole Nussle
Isakson Oberstar
Israel Obey
Issa Olver
Istook Ortiz
Jackson (IL) Osborne
Jackson-Lee Ose
(TX) Otter
Jefferson Owens
Jenkins Oxley
John Pallone
Johnson (CT) Pascrell
Johnson (IL) Pastor
Johnson, E. B. Paul
Johnson, Sam Payne

Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryban (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schaffer
Schakowsky
Schiff
Schrook
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey

Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh

Ballenger
Conyers
Davis (IL)

Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weller
Wexler

NOT VOTING—9

Farr
Kilpatrick
Linder
Lipinski
Saxton
Weldon (PA)

□ 1045

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. COOKSEY) (during the vote). The Chair has an announcement.

The Chair announces that the electronic system is temporarily inoperative. The vote will be held open until all Members are recorded. The Clerk will retrieve the names of all Members already recorded electronically from the board. The Chair will then combine these votes that have been recorded electronically with the tally cards being signed by the Members. Together this will constitute a valid vote. Members are encouraged to confirm their vote by filling out a ballot card.

The vote will proceed.

□ 1101

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). The Chair has a further announcement.

The current vote will remain open until Members return from the memorial service in order to confirm their votes.

□ 1412

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed without amendment a bill and concurrent resolution of the House of the following titles:

H.R. 2882. An act to provide for the expedited payment of certain benefits for a public safety officer who was killed or suffered a catastrophic injury as a direct and proximate result of a personal injury sustained in the line of duty in connection with the terrorist attacks of September 11, 2001.

H. Con. Res. 225. Concurrent Resolution expressing the sense of Congress that, as a symbol of solidarity following the terrorist attacks on the United States on September 11, 2001, every United States citizen is encouraged to display the flag of the United States.

The message also announced that the Senate has passed bills and joint resolutions of the following titles in which the concurrence of the House is requested:

S. 856. An act to reauthorize the Small Business Technology Transfer Program, and for other purposes.

S. 1424. An act to amend the Immigration and Nationality Act to provide permanent authority for the admission of "S" visa non-immigrants.

S.J. Res. 19. Joint resolution providing for the reappointment of Anne d'Harnoncourt as a citizen regent of the Board of Regents of the Smithsonian Institution.

S.J. Res. 20. Joint resolution providing for the appointment of Roger W. Sant as a citizen regent of the Board of Regents of the Smithsonian Institution.

S.J. Res. 23. Joint resolution to authorize the use of United States Armed Forces against those responsible for the recent attacks launched against the United States.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. OSE). The Chair will recognize Members for 1-minute speeches and 5-minute special orders by unanimous consent for approximately the next hour and without prejudice to the resumption of legislative business.

□ 1415

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. OSE). 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.

ACTING RESPONSIBLY AND WISELY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. SENSENBRENNER) is recognized for 5 minutes.

Mr. SENSENBRENNER. Mr. Speaker, as President Bush has said, Tuesday's attack on the World Trade Center and the Pentagon are nothing short of acts of war. No less than the Japanese attack on Pearl Harbor, they were a premeditated, secret, and carefully orchestrated assault on the American people and the great symbols of American power and influence in world affairs. These attacks will not go unanswered.

Since this dastardly attack, there has been a flurry of efforts in the House and Senate, proposed legislation, calls for hearings and oversight to find out what went wrong and what improvements can and should be made. While this is certainly understandable, any action by the Congress should not be taken in haste and should be coordinated, not piecemeal.

The timing of our action is most important for another reason. In a time of war, the executive branch, and in particular the President, must be allowed to focus solely on identifying, finding, and punishing those responsible. I therefore call on my colleagues, Members and committee chairmen in both the House and the Senate, to refrain from piecemeal legislation and oversight during this crisis and to support the President fully in addressing the challenges ahead.

As chairman of the House Committee on the Judiciary and entrusted with oversight responsibility for all Federal law enforcement, I am compelled to remind my colleagues the criminal investigation now being conducted is paramount. From that investigation, we will learn much about the identity of the perpetrators, the means by which these attacks were carried out, and even the most effective way to respond. This is not the time, however, to assess blame, to second guess, or to appear to do so. It is time to back the President, period.

I have therefore written the President to ask him to identify what law enforcement and investigative resources, including additional funding and legal authority, are needed to prosecute this effort. I have pledged to review those requests on an expedited basis.

I am also concerned about the multiple and duplicative briefings requested of law enforcement, which may have the unintended consequences of impeding, impairing, or distracting law enforcement from its core mission. At the same time, I recognize that Congress needs to be kept informed on the progress of the investigation.

I suggest, therefore, that there be organized, coordinated, and non-duplicative briefings that will allow law enforcement to carry on its critical mandate without undue interference from Congress. I intend to work with the Speaker, the Attorney General, and the FBI Director to provide regular law enforcement briefings to Members on the investigation.

These briefings will provide Members with the information they need to carry out their constitutional responsibilities without jeopardizing the criminal investigation. The investigation may very well provide insight into how the attackers evaded our intelligence and security networks. There will certainly be ample time for Congress to address those issues later. I have been informed that we may be assured that the Federal Government's law enforcement and intelligence officials are already taking steps to prevent future attacks.

I intend to work with the gentleman from Illinois (Speaker HASTERT) to discourage House committees from holding premature hearings in the middle of a Federal criminal investigation of these attacks. Such hearings are likely to distract Federal resources from the immediate needs of a full investigation.

Right now, it should be Congress' priority to support President Bush's efforts to make an appropriate response. Regular briefings and restraints will permit Congress to be fully informed about the developments, provide information for consideration at the appropriate time, but, most importantly, will allow the President the latitude he needs to prosecute the campaign against those who carried out these outrageous attacks on our country and its citizens.

This Congress must rise to the occasion and act responsibly and wisely. History will judge us favorably from our prudence.

Mr. Speaker, I insert in the RECORD a letter written by myself; Senator LEAHY, the chairman of the Judiciary Committee; and the ranking members, the gentleman from Michigan (Mr. CONYERS) and Senator HATCH, to the President of the United States.

U.S. CONGRESS,

Washington, DC, September 13, 2001.

Hon. GEORGE W. BUSH,
President of the United States, The White House, Washington, DC.

DEAR MR. PRESIDENT: We write regarding the investigation of the horrific terrorist attacks that occurred on September 11, 2001. This tragedy has resulted in a massive worldwide investigation that is without question the most important ever undertaken by the Federal Government. The Department of Justice has mobilized thousands of federal and state personnel and is coordinating myriad federal and state agencies, a task that will utilize tremendous resources. We commend the efforts of all the men and women of the Department of Justice and all Federal and state agencies investigating this horrific event.

We wish to make sure that the Department of Justice, the FBI, and all Federal law enforcement agencies involved in this investigation have all the resources and authority needed to investigate these incidents and would like to know whether additional resources or legal authorities are needed to complete this mission successfully. The House and Senate Judiciary Committees stand ready to review expeditiously any requests made by the Administration in this regard and to provide all appropriate resources.

Sincerely,

F. JAMES SENSENBRENNER,
Jr.,
Chairman, House Committee on the Judiciary.

JOHN CONYERS, Jr.,
Ranking Member, Minority
Member, House Committee on the Judiciary.

PATRICK LEAHY,
Chairman, Senate
Committee on the Judiciary.

ORRIN HATCH,
Ranking Member, Minority
Member, Senate
Committee on the Judiciary.

AUTHORIZING USE OF MILITARY FORCE IN RESPONSE TO TERRORIST ATTACKS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Speaker, the senseless human tragedy caused by the craven terrorist acts of September 11, 2001, weigh heavily on our minds and will do so for many days, months, and years to come.

Many have said our Nation will never be the same. I agree. Our Nation is stronger, more united, and prouder than possibly at any time in our history. The outpouring of grief and offers

of assistance, both here and abroad, have been comforting. The terrorists may have collapsed our buildings; but in response, we are building a stronger America.

Our thoughts are with those who have lost loved ones and with those whose loved ones are still missing. Our thoughts are with those who have undertaken the difficult, dangerous, and heroic task of rescuing and treating the wounded and recovering the bodies of those who were killed.

As the gravity of the situation sinks in, our thoughts have also turned to those responsible for these atrocities. Our Nation must take action against those responsible, including those who provide safe havens and financial support for terrorists. U.S. actions to exact justice must be deliberate, decisive, and effective.

However, the United States must be careful not to indiscriminately attack civilian populations in other nations, which will only further the cause of the terrorists and perpetuate a cycle of violence.

Decisions on war and peace are the most profound decisions Members of Congress can ever be required to make. This is the second time in my career I have been confronted by such a decision, something I hoped would never come.

In our desire to show support for the President, we must be careful not to cede our constitutional duties now or set a precedent for doing so in the future.

Article I section 8 of the Constitution grants Congress the authority "to declare war." This right was recognized by the earliest leaders of our Nation. In 1793, President Washington, when considering how to protect inhabitants of the American frontier, instructed his administration that "no offensive expedition of importance can be undertaken until after Congress have deliberated upon the subject, and authorized such a measure."

In 1801, President Thomas Jefferson sent a small squadron of frigates to the Mediterranean to protect against possible attacks by the Barbary pirates. He told Congress that he was "unauthorized by the Constitution, without the sanction of Congress, to go beyond the line of defense." It further noted that it was up to Congress to authorize "measures of offense also."

I believe maintaining this solemn congressional prerogative to send our young men and women into battle is critical to protecting the delicate balance of power between the legislative and executive branches. This balance of power was carefully crafted by our founders in Philadelphia more than 2 centuries ago and has allowed the United States to remain one of the most stable and enduring democracies in the world.

There was a time when such a power was threatened. Congress enacted the War Powers Resolution of 1973 in response to the military activities of successive Presidents while waging war in