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No. 125

House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. PENCE).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
September 24, 2001.

I hereby appoint the Honorable MIKE PENCE to act as Speaker pro tempore on this day.

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

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2001, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member except the majority leader, the minority leader or the minority whip limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from Oregon (Mr. DEFAZIO) for 5 minutes.

AIRLINE SECURITY

Mr. DEFAZIO. Mr. Speaker, last Friday night, Congress rushed through a \$15 billion airline bailout, and I am not going to revisit all of the problems with that legislation here this morning, with one exception. That legislation failed to allocate one cent toward additional airline security or mandate an iota of change in a system that we know has failed.

Now, the failings of aviation security were well documented before the terrorist attack. I introduced my first bill

to enhance screening at airports and checking of baggage in 1987. Many other Members of Congress have introduced legislation in those intervening 15 years and even before that, but they were always opposed by the Air Transport Association acting on behalf of a number of their member airlines successfully and even in those few cases where we were able to mandate enhanced measures such as credentialing and standards for training and background checks for the screening companies.

The ATA and member airlines and the private security industry itself fought tooth and nail to delay the implementation of those regulations for 5 years. Amazingly, on the floor on Friday night, some of my colleagues on that side of the aisle said we need to privatize the system that failed us.

It took them so long to get out these regulations. It took so long because the private industry, the private security companies fought it. There was not one single airline passenger in there objecting to these regulations, raising concerns, threatening to sue and making comments, except favorable comments, on these improvements.

In 1996, Ms. Hallett, the head of the Air Transport Association, in testimony to the White House commission said it has been suggested by some that we must radically alter our Nation's air transportation system in order to make it secure from terrorism. Based upon our understanding of the threat presented, this is not the case. The measured and deliberate steps to enhance security which we have put forward are responsive to the need. They then began to fight the recommendations of that commission.

It has always been driven by costs. We had the best system of security you could get by pinching pennies and always, always hiring the lowest bidder to provide the screening at the airports.

A year and a half ago in a hearing I said, and this is what I think has prevailed among the American public for a long time, I have got to tell you, when I am flying, I doubt that I could ever find one person in the plane who would say, gee, I would be really upset if I had to pay one-half of 1 percent more for my ticket to know that the person who screened me was not convicted of various felonies and at high risk of allowing something to happen on this plane. It is just extraordinary to me that we would let this system continue in this way, the lowest bidder.

Tragically, we have. In fact, last week, amazingly, after the tragedy, the CEO of Alaska Airlines told me directly in response to my suggestion that we levy a \$3 surcharge on tickets for security, he said no one would ever fly again if I was successful in getting that \$3 security surcharge. He said there is only one thing people respond to, quote, "people do not respond to anything other than total price." I guess he probably flew out here on his own executive jet, and he was not too worried about security. That is how out of touch this industry is.

Then last week at Miami International, a Bureau of Alcohol, Tobacco and Firearms agent acting on his own, having notified authorities, attempted to smuggle at one time on his person three knives through security. He was successful. He even stopped and said to the people, is there anything wrong here, did something go off? And they said, oh, go, go, go. So he had given them an extra chance to ask him some questions.

Now, this same firm had been fined \$110,000 in fines and restitution for failing to do background checks on at least 22 employees and then lying about it to Federal regulators, sentenced to 2 years' probation, but they are still providing security at that airport; and their manager was sentenced to 5 years in Federal prison, and they

□ 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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are still providing security at MIA. This is the system we get with privatization.

Security at airports needs to be and is a legitimate function of the Federal Government of the United States, a security function, a law enforcement function. We should no longer resist that on some sort of ideological bias or an attempt to buy security on the cheap. The administration has convened a task force on kind of a slow timeline; they are proposing to come forward on October 1.

We know what we need to do. Let us not delay another day. I am amazed that this body rejected my motion last Friday night to begin the federalization process now to begin to put firms like this one in Miami International convicted of violating the law and leave them in charge. We need to take charge and make flying safer.

COMMENTING ON LETTERS FROM CONSTITUENTS AFTER THE EVENTS OF SEPTEMBER 11, 2001

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Florida (Mr. FOLEY) is recognized during morning hour debates for 5 minutes.

Mr. FOLEY. Mr. Speaker, I appreciate the Speaker's recognition. Certainly the people of Indiana are proud to see him in the chair, and we are delighted to be reconvening this Monday morning.

Let me just thank, as chairman of the Travel and Tourism Caucus, my colleagues for working quickly on Friday to bring about some financial stability to the airline industry. And of course today, as I speak, the market, the Dow Jones Industrial Average is up some 350 points, and so we hope we have turned the corner on pessimism; and I know there is still opportunity to review and reflect on what the gentleman from Oregon (Mr. DEFAZIO) just spoke of.

We can certainly be Monday-morning quarterbacks and look back and see what we could have done differently. I hope prospectively we now start reviewing all the safety measures affecting our traveling public. We have to ensure stability in the marketplace. We have to make certain that airlines, of course, work on safety precautions, but the Government has to be a partner.

On Friday, some of our colleagues on the other side of the aisle objected to any bailout, suggesting somehow that that was unfair to the industry. I can assure you today we would be seeing a lot more massive economic downturn and a lot more jobs lost had we not acted.

Today, I wanted to spend a moment on two things: one, a constituent of mine, Dino Laudati, wrote this the morning of the tragedy, and he calls it "Eternal Flame of America."

"As I watched in horror and grief as the towers of the World Trade Center burned, I cried in pain and disbelief. As

I wiped the tears from my eyes and removed my hands from my face, I had a vision.

"In front of me the burning towers turned into burning torches, torches of hope, torches of courage and strength, torches of unity and love, torches that will guide us into the darkness to seek and defeat our enemy. The same enemy that ignited that fire, believing he could bring us to our knees.

"Torches that will engulf our hearts with love and tenacity, torches that will always burn, for the freedom that America stands for and that every American will fight for and would rather die than succumb to defeat or submission.

"Torches that will always remind us that we are all equal no matter what religion, race or background and we stand together in peace, brotherhood and love. We believe that God is the only one who is above us. He enables us to carry within us the fire of the burning towers as torches of eternal light.

"To remind us that America is freedom and freedom is America. Our forefathers established it, our fathers believed in it, we will fight for it and our children will keep it forever.

"Dino Laudati, September 11, 2001."

Dianne Robbins from my district office sent this along. Her daughter sent it to her, Beth Horner.

"On Monday we e-mailed jokes.

On Tuesday we did not.

On Monday we thought that we were secure.

On Tuesday we learned better.

On Monday we were talking about heroes as being athletes.

On Tuesday we relearned who our heroes are.

On Monday we were irritated that our rebate checks had not arrived.

On Tuesday we gave money away to people we had never met.

On Monday there were people fighting against praying in schools.

On Tuesday you would have been hard pressed to find a school where someone was not praying.

On Monday people argued with their kids about picking up their room.

On Tuesday the same people could not get home fast enough to hug their kids.

On Monday people were upset that they had to wait 6 minutes in a fast food drive-through line.

On Tuesday people didn't care about waiting up to 6 hours to give blood for the dying.

On Monday we waved our flags signifying our cultural diversity.

On Tuesday we waved only the American flag.

On Monday there were people trying to separate each other by race, sex, color and creed.

On Tuesday they were all holding hands.

On Monday we were men or women, black or white, old or young, rich or poor, gay or straight, Christian or non-Christian.

On Tuesday we were all Americans.

On Monday politicians argued about budget surpluses.

On Tuesday, grief stricken, they sang 'God Bless America.'

On Monday the President was going to Florida to read to children.

On Tuesday he returned to Washington to protect our children.

On Monday we had families.

On Tuesday we had orphans.

On Monday people went to work as usual.

On Tuesday they died.

On Monday people were fighting the 10 Commandments on government property.

On Tuesday the same people all said 'God help us all' while thinking 'Thou shall not kill.'

It is sadly ironic how it takes horrific events to place things into perspective, but it has. The lessons learned this week, the things we have taken for granted, the things that have been forgotten or overlooked, hopefully will never be forgotten again.

These are messages from our community and our constituents. I am certain every Member in Congress probably has similar that they have received. The outpouring of support for our Commander in Chief, the President of the United States, has been wonderful.

In Palm Beach County, a county I come from, a typical blood bank volume is 500 pints a week. Last week when I visited Palm Beach County that same blood bank, and I will use the phrase used then by George Bush, the President, the President's father, a thousand points of light. Well, last week in Palm Beach County there were 7,000 pints of life supporting New York and Washington.

I commend my community. I commend this Congress. I am proud to be an American. I thank all who have witnessed and watched us work together on behalf of the American people.

GUAM STANDS READY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Guam (Mr. UNDERWOOD) is recognized during morning hour debates for 5 minutes.

Mr. UNDERWOOD. Mr. Speaker, it is in this time of national crisis and in this time of national need that I am proud to stand here in the House to reflect upon it and also to report that Guam stands ready to do its part. In fact, it is doing so as we speak and as we deliberate.

Guam's strategic location on the other side of the international date line, its very extensive military infrastructure, means that American resources and personnel, some of our strongest assets, are moving through Guam as we speak, through that part of America, on their way to South Asia and on their way to eventual victory.

The people of Guam have had a long experience with the military and, in fact, are very closely aligned with the military not only economically but socially and also politically. We have

over 2,000 people in uniform, on active duty, which amounts to about three times the national average. The people of Guam are in every branch and in every special operations unit and in every corner of the world today.

□ 1245

The people of Guam extend their condolences and their support to all of our fellow Americans, and have done so through resolution by the Guam legislature, Resolution Number 125, which I include for the RECORD.

RESOLUTION NO. 125 (LS)

Relative to expressing the shock, repugnance and horror of the People of Guam at the hijacking of American commercial passenger airliners, the terrorist attacks upon the World Trade Center and Pentagon, and extending the condolences, sympathy and prayers of the People of Guam to those injured and the families of those who did not survive these acts of cowardice and inhumanity.

Be it resolved by I LIHESLATURAN GUÅHAN:

Whereas, I Mina'Bente Sais Na Liheslaturan Guåhan (the Twenty-Sixth Guam Legislature) on behalf of the People of Guam, having experienced the horrors of war during the bombing of their island on December 8, 1941 and having experienced the horrors, cruelty and human suffering of war, understand, comprehend and relate to the frightening terror resulting from the murderous attacks upon the World Trade Center in New York City and the Pentagon in Washington, D.C.; and

Whereas, the People of Guam, though situated more than 10,000 miles from New York and Washington, D.C., through advances in modern communications technology, watched, in horror and disbelief, the events beginning with the first aircraft attack upon the World Trade Center, and have continuously followed all news reports on these tragedies; and

Whereas, the People of Guam, being extremely loyal and patriotic Americans, agree, and are in consonance, with the words of President George W. Bush that these acts have inflamed "a yielding anger" in all Americans; have created a firm resolve that America "will not rest until justice has been achieved"; that "there will be no differentiation between those who committed these acts of inhumanity and those who harbor them" and when identified and captured, justice will be served; and

Whereas, the People of Guam, staunch defenders of liberty, freedom and democracy, do and continue to support the United States of America's policy and philosophy of promoting principles of liberty, freedom and democracy throughout the World for all people; now therefore, be it

Resolved, That I Mina'Bente Sais Na Liheslaturan Guåhan does hereby, on behalf of the People of Guam, condemn the hijacking of American commercial passenger airliners by terrorist forces and the attack and bombing of the New York City World Trade Center Twin Towers and the Pentagon as cowardly acts of war perpetrated upon the United States of America and its People; and be it further

Resolved, That I Mina'Bente Sais Na Liheslaturan Guåhan does hereby, on behalf of the People of Guam, wholeheartedly and resolutely support the promise and determination of President George W. Bush to "hunt down and bring to justice" those who plan and perpetrate such acts of war against any freedom loving people and nation, as well as, identification and prosecution of

those who harbor or provide refuge to such perpetrators and mass murderers; and be it further

Resolved, That I Mina'Bente Sais Na Liheslaturan Guåhan does hereby, on behalf of the People of Guam, wholeheartedly support President George W. Bush's stern intent and resolve to capture, arrest and prosecute all involved in this breach of peace and violation of human rights, and his declaration of and resolution that the search, capture and prosecution of these mass murderers is a top priority of the United States government and its law enforcement agencies; and be it further

Resolved, That I Mina'Bente Sais Na Liheslaturan Guåhan does hereby, on behalf of the People of Guam, extend to the Honorable George Pataki, Governor of New York; the Honorable Rudolph Giuliani, Mayor of New York City; the People of New York City, especially the families of those who were injured or who perished as a result of the cowardly attacks upon the World Trade Center Twin Towers; the People of Washington, D.C., especially the families of those who were injured or who perished as a result of the cowardly attacks upon the Pentagon; and the crash of the hijacked plane in Somers County, Pennsylvania the sympathy, condolences and prayers of all the People of Guam; and be it further

Resolved, That the Speaker certify and Legislative Secretary attest to the adoption hereof and that copies of the same be transmitted to the Honorable George W. Bush, President of the United States of America; to the Honorable Richard B. Cheney, Vice President of the United States of America and President of the U.S. Senate; to the Honorable J. Dennis Hastert, Speaker of the U.S. House of Representatives; to the Honorable George Pataki, Governor of New York; to the Honorable Rudolph Giuliani, Mayor of New York City; to the Honorable Tom Ridge, Governor of Pennsylvania; to Mr. Jim Goodwin, President and Chief Executive Officer of United Airlines, Ltd.; to Mr. Donald J. Carty, President and Chief Executive Officer of American Airlines; to the Honorable Robert A. Underwood, Guam's Delegate to the U.S. House of Representatives; and to the Honorable Carl T. Gutierrez, I Maga'láhen Guåhan (Governor of Guam).

But at the same time that we stand in solidarity with the rest of America, my home island is also facing the greatest economic challenge that it has faced since World War II when Guam was devastated as the only American territory occupied by an enemy during the entire 20th Century.

Guam's economy is fueled primarily by tourism, most of it from Japan. Even prior to this attack, Guam was experiencing a 15 percent unemployment rate, because our economy is tied so much to Japan's, which was three times the national average. Guam was experiencing a \$40 million shortfall in revenues for the Government of Guam, roughly 10 percent of its entire budget, and for months my office, along with other political leaders on Guam and business leaders, have since tried to figure out various economic strategies of recovery.

But since the attack, the results have even been worse. The economic picture that we face is even worse. Because of international uncertainty and safety concerns, and perhaps a little bit out of deference to a Nation in mourning, many international tourists

have canceled their plans to come to Guam. This is devastating to my home island.

Continental Micronesia, which is the major airline of Guam, has laid off hundreds of workers. Hotels, restaurants and shops are empty; hundreds have been sent home or had their hours cut back dramatically. The ripple effect on ancillary economic activity and on Government of Guam revenues is immediate and dramatic. 25,000 Japanese tourists have canceled their plans to visit Guam this month, and it estimated that there will be a 25 to 30 percent decline in the coming months in the number of tourists from Japan.

The people of Guam are no strangers to tough economic times. Time and time again, the people of Guam have weathered the storm and persevered during economic hardship. Whether it was rebuilding the economy after a Supertyphoon, like Omar in 1992 and Paka in 1997, or an earthquake, like the 8.1 on the Richter scale we experienced in 1993, or following World War II, or the Gulf War, the people of Guam have always fought back, remained patient but determined, and eventually overcame the economic difficulty.

Recovery from the Asian financial crisis, the downsizing of the military following the Cold War, and now the recent terrorist attacks, presents an enormous challenge, in this hour of national crisis, Guam will do its part, as it has done in the past. We support the national effort and lend our assistance and support to all military activities in Guam.

Economic recovery is perhaps the best way to show that this Nation is back to normal. Economic assistance for communities and workers suffering from the decimation of entire industries is one of the best ways, although not the best way, to demonstrate that this Nation's political leadership understands the meaning of the attack nearly 2 weeks ago.

In the coming days and weeks, I will vigorously pursue an economic stimulus plan for Guam and the insular areas. There has been some progress on this, but much work needs to be done. I ask that the U.S. territories not be forgotten as we contemplate economic relief proposals for the entire Nation in the coming weeks and the coming months.

RECESS

The SPEAKER pro tempore (Mr. PENCE). Pursuant to clause 12 of rule I, the Chair declares the House in recess until 2 p.m.

Accordingly (at 12 o'clock and 49 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro

tempore (Mr. MILLER of Florida) at 2 p.m.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer: Lord God of time and eternity, our national story is rooted in faith in You. Motivated by religious sentiments, the chapters of our history turn on pages of prayerful trust during times of crisis.

Be with us at this present hour, during our evolving crisis.

We are on the way, O Lord. Our flag flies at full mast as our planes once again reach for the sky and our ships cross the mighty shoulders of the seas.

From memorial services, America struggles from her knees and comes to full stature again, poised for the next move.

Be with us, Lord, in our next step.

The distant display of military on the horizon and the powerful workforce engaged by Monday's routine are united here on the floor of Congress and motivate us to pray.

Be with all of us, Lord, about our daily tasks as Americans.

Ready to defend what we love, alert to alarms and setbacks, yet compassionate to all human limitation and suffering, we are on our way, Lord, to confront the evils of our time. With clear vision and good judgment, inspire in us only just desires.

Be with us, Lord, now and forever.

Amen.

THE JOURNAL

The SPEAKER pro tempore. 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.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from California (Ms. SOLIS) come forward and lead the House in the Pledge of Allegiance.

Ms. SOLIS 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.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 24, 2001.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of

the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 21, 2001 at 11:30 p.m.

That the Senate passed without amendment H.R. 2926.

With best wishes, I am
Sincerely,

JEFF TRANDAHL,
Clerk of the House.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the Speaker signed the following enrolled bill on Friday, September 21, 2001:

H.R. 2926, to preserve the continued viability of the United States air transportation system.

A SALUTE TO THE MEMBERS OF THE NEVADA AIR NATIONAL GUARD

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

Mr. GIBBONS. Mr. Speaker, I rise today to salute members of the Nevada Air National Guard in the State of Nevada who have been authorized and called to active duty in support of Operation Infinite Justice.

Eighty-three brave and dedicated personnel from the 152nd Intelligence Squadron, based in Reno, Nevada, are ready and eager to support this Nation against the war on terrorism.

All across this country, reservists and guardsmen are rearranging their lives to answer the call to duty. Many families in Nevada, and indeed throughout America, will require the military's assistance in many ways. Everything from child care to changes in family benefits will be required to see that we can provide the most adequate care and peace of mind that our fighting men and women deserve.

Mr. Speaker, as we prepare to fight this war against terrorism, let us speak in one voice, a unified voice, in support of our military men and women.

Let us not forget that while we send our brave men and women off to defend freedom itself, that we, here at home, must lend support to their families throughout their time of need.

I know that these men and women will make America proud. I know that they will bring justice to America.

PUTTING THE FEDERAL GOVERNMENT IN CHARGE OF AIRPORT SECURITY

(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, last Friday, the House of Representatives passed a \$15 billion airline bailout bill with not one penny in that bill for enhanced aviation security; no mandate for a change in aviation security. The

administration tells us we will have to wait till October 1 to get their recommendations.

It has been 14 years since I introduced my first bill to enhance screening at airports and checking of baggage. Many other Members introduced bills before I did, but for years, we have been thwarted by the Air Transport Association and member airlines, and they gave us the system we have today, a mish-mash of private security firms, some of whom are on probation for violating the rules, one whose manager is in jail, still providing security at our airports, lowest bidding firms for screening, uncoordinated local, State or Port Authority police on the airside.

It is time to put the Federal Government in charge of airport security.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The Speaker pro tempore. Pursuant to clause 8 of rule XX, the Chair announces that he will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Any record votes on motions to suspend the rules ordered prior to 6 p.m. will be taken today. RECORD votes on remaining motions to suspend the rules will be taken tomorrow.

EXPRESSING SENSE OF CONGRESS REGARDING ESTABLISHMENT OF NATIONAL CHARACTER COUNTS WEEK

Mr. FLETCHER. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 204) expressing the sense of Congress regarding the establishment of National Character Counts Week.

The Clerk read as follows:

H. CON. RES. 204

Whereas the well-being of the Nation requires that the young people of the United States become an involved, caring citizenry with good character;

Whereas the character education of children has become more urgent as violence by and against youth increasingly threatens the physical and psychological well-being of the people of the United States;

Whereas more than ever, children need strong and constructive guidance from their families and their communities, including schools, youth organizations, religious institutions, and civic groups;

Whereas the character of a nation is only as strong as the character of its individual citizens;

Whereas the public good is advanced when young people are taught the importance of good character and the positive effects that good character can have in personal relationships, in school, and in the workplace;

Whereas scholars and educators agree that people do not automatically develop good character and that, therefore, conscientious efforts must be made by institutions and individuals that influence youth to help young people develop the essential traits and characteristics that comprise good character;

Whereas, although character development is, first and foremost, an obligation of families, the efforts of faith communities, schools, and youth, civic, and human service organizations also play an important role in fostering and promoting good character;

Whereas Congress encourages students, teachers, parents, youth, and community leaders to recognize the importance of character education in preparing young people to play their role in determining the future of the Nation;

Whereas effective character education is based on core ethical values which form the foundation of democratic society;

Whereas examples of character are trustworthiness, respect, responsibility, fairness, caring, citizenship, and honesty;

Whereas elements of character transcend cultural, religious, and socioeconomic differences;

Whereas the character and conduct of our youth reflect the character and conduct of society; therefore, every adult has the responsibility to teach and model ethical values and every social institution has the responsibility to promote the development of good character;

Whereas Congress encourages individuals and organizations, especially those who have an interest in the education and training of the young people of the United States, to adopt the elements of character as intrinsic to the well-being of individuals, communities, and society;

Whereas many schools in the United States recognize the need, and have taken steps, to integrate the values of their communities into their teaching activities;

Whereas the establishment of National Character Counts Week, during which individuals, families, schools, youth organizations, religious institutions, civic groups, and other organizations would focus on character education, would be of great benefit to the Nation; and

Whereas the week beginning October 15, 2001, and the week beginning October 14, 2002, are appropriate weeks to establish as National Character Counts Week: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that—

(1) a National Character Counts Week should be established to promote character education; and

(2) the President should issue a proclamation calling upon the people of the United States to—

(A) embrace the elements of character identified by their local schools and communities, such as trustworthiness, respect, responsibility, fairness, caring, citizenship, and honesty; and

(B) observe such a week with appropriate ceremonies, programs, and activities.

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

The Chair recognizes the gentleman from Kentucky (Mr. FLETCHER).

GENERAL LEAVE

Mr. FLETCHER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the concurrent resolution now under consideration, H. Con. Res. 204.

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

There was no objection.

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

Mr. Speaker, I rise in support of House Concurrent Resolution 204, expressing the sense of Congress regarding the establishment of National Character Counts Week and would like to thank the gentleman from Texas (Mr. SMITH) and the gentleman from Virginia (Mr. SCOTT) for introducing this resolution and in their efforts regarding character education.

With the growing concern for the safety of students and teachers, many have looked to character education in the schools as a solution. Making appropriate and good choices in life relies upon strong character, yet some children do not get much guidance or support for character development. Supporting the ethical, social and emotional development of children will help to create better schools and a more compassionate and responsible society.

In the past, those who have helped parents reinforce the values of their children, neighbors, coaches, teachers, guidance counselors, and many others would not necessarily have recognized their role as a character educator. It was just something that friends and family did to foster a sense of community among its youngest members. Unfortunately, in an increasingly transient society, where both parents often work, this traditional model has been abandoned. As a result, it now seems that some children lack the basic values that would not only help them avoid such things as unwanted pregnancies, drugs, school violence, and alcohol problems, but also teach them the importance of being respectful and honest.

Today, every teacher and every student can articulate the consequences of this neglect. The recent rash of school shootings is one example, but so is the low voter turnout among young people and their lack of involvement in community organizations. As a result, many Americans are looking to character education as one possible solution to the problems that plague our classrooms and our communities.

Research indicates that character education can help improve behavior as well as academic achievement.

A University of Illinois study of four schools using the "Positive Action" character development program found that the average number of incidents requiring disciplinary referral dropped by 74 percent after one year, and achievement scores improved by an average of 28 percentage points.

Standardized test scores of students exposed to the "Responsive Classroom" program, which emphasizes good character, increased 22 percent on average, versus just three percent for students not participating in the program.

A 1997 study demonstrated that students trained in "Second Step," a character-based violence prevention program, used less physical aggression and engaged in more pro-social interactions than peers who were not exposed to the character curriculum.

I applaud the efforts of President Bush to improve the academic achievement of our Nation's youth and his plan or improving our students' character. As Governor Bush noted in 1999, yes, we want our children to be smart and successful, but even more, we want them to be good and kind and decent. Yes, our children must learn how to make a living, but even more, they must learn how to live and what to love. "Intelligence is not enough," said Martin Luther King, Jr. "Intelligence plus character, that is a true goal of education."

To continue the President's focus on character education, this resolution expresses the sense of Congress regarding the establishment of National Character Counts Week. This resolution is simple and straightforward. It expresses the sense of Congress that a National Character Counts Week should be established to promote character education; and, two, the President should issue a proclamation calling upon the people of the United States to embrace the elements of character identified by their local schools and communities, such as trustworthiness, respect, responsibility, fairness, caring, citizenship, and honesty; and observe such a week with appropriate ceremonies, programs, and activities.

I urge all my colleagues to support House Concurrent Resolution 204.

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

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

Mr. Speaker, I am pleased to join the gentleman from Texas (Mr. SMITH) and the many other bipartisan cosponsors of House Concurrent Resolution 204 in urging our Members to support this important resolution today.

Character education can play a vital role in shaping the lives and values of our children. However, character education is not a substitute for good parenting or meant to take the place of good parenting. It is simply another tool our communities and schools can use to facilitate the development of a young person's moral character.

Many schools in the Los Angeles County area have recently taken up the cause of character education. Schools in my district are placing new emphasis on teaching young people about respect, responsibility, caring, citizenship and honesty.

Recent incidents remind us about the need for character education among our young people. Unfortunately, in the last few weeks, in my own community, in the City of San Gabriel, a shopkeeper who had been a store owner there for over 20 years and a pillar of the community was shot to death at 3 p.m. in the afternoon by some young individuals.

People have attacked and harassed individuals who look to be different or speak a different language or share a different religion. Young women in my district attending a local community

college were recently harassed because they attended college wearing a Muslim scarf of over their head.

And even before the tragedies of September 11, the City of Azusa, also in my congressional district, has been home to many hate crimes, Latinos and African American youth attacking each other.

This has gone on for too long. I hope that further emphasis on responsibility, good citizenship, tolerance, and understanding will help to stem the tide of hate crimes in this country.

House Concurrent Resolution 204 expresses the sense of Congress that a National Character Counts Week should be established and that the President should issue a proclamation on the topic of character education. The establishment of a National Character Counts Week will provide families, parents, children, students, community-based organizations, and civic groups the ability to focus on character education and its many benefits.

In closing, I want to thank the gentleman from Texas (Mr. SMITH) for his leadership on this issue and urge the Members to support this resolution.

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

Mr. FLETCHER. Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. SMITH).

Mr. SMITH of Texas. First, Mr. Speaker, I want to thank the gentleman from Kentucky (Mr. FLETCHER) for yielding me this time, and I also want to thank him for his help in passing this resolution, which I introduced last July.

Mr. Speaker, a good definition of character is summed up in the old saying "Character is what you do when no one is looking."

□ 1415

Men and women of character are guided by standards of right and wrong. They do not look to others for approval or bend to peer pressure.

National polls indicate that moral concerns and family decline are some of the most important problems facing the country today. Too many of our children grow up in a culture that acknowledges no right or wrong.

Americans are concerned about the quality of their children's education. They are also troubled about the decline in our Nation's values and its effect on our children. Although parents should be the primary developers of character, educators play an increasingly important role. Communities across the Nation recognize that character education is an integral part of a well-rounded curriculum.

Our Nation's teachers are aware that character education can establish standards for behavior.

President Bush has made character education an important component of his education reform bill. By allocating funds to character education, States, local education agencies, parents, and students will have an opportunity to

promote character and values. This resolution will encourage schools to embrace character education. It designates the third week of October of this year and 2002 as "National Character Counts Week."

I hope children across the Nation will participate in character-building activities in their schools. It is imperative that we teach our children the values that strengthen their character and make our country strong. To reap the rewards of a virtuous society, we must first sow the seeds of character when we educate our children.

Ms. SOLIS. Mr. Speaker, I would like to just reiterate that this is a good bill and ask my colleagues to support it.

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

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

Mr. Speaker, let me just close before I yield back the remainder of my time.

In light of the recent events, it seems even more appropriate to quote Dr. Martin Luther King. Let me read his quote. "The function of education, therefore, is to teach one to think intensively and to think critically. But education which stops with efficiency may prove the greatest menace to society. The most dangerous criminal may be the man gifted with reason and no morals. We must remember that intelligence is not enough. Intelligence plus character, that is the goal of true education."

Mr. BUYER. Mr. Speaker, I rise in support of this Resolution, House Concurrent Resolution 204, legislation establishing a national "Character Counts Week" sponsored by my friend from Texas, Mr. LAMAR SMITH.

Today, the vast majority of Americans share a respect for fundamental traits of character, honesty, compassion, justice, courage, and perseverance. Yet, in today's world, all children face great uncertainties in a complex and sometimes troubled society.

Positive character traits are not always readily apparent and easy for them to grasp or learn. When children are young, it can be difficult to decipher between what is right and what is wrong. Therefore, our challenge is to provide youths with the self-esteem, stamina, and support they need to survive, be successful, and develop into strong, competent, caring, and responsible citizens.

This resolution encourages the establishment of a "Character Counts" week, geared towards educators, students and communities to become more involved in the development of positive character traits.

Life consists of a series of choices. Every choice you make helps to define the kind of person you choose to be. Good character requires doing the right thing even when it is costly, risky, or when no one is looking. With all the pressures youths face today, how can we, as lawmakers, encourage our children to do the right thing, while so many elements in our culture say the complete opposite?

That is why it is so important for Congress to pass this resolution. Character education is about celebrating what is right with young people while encouraging and enabling them to develop knowledge and life skills for enhancing ethical and responsible behavior. I urge

my colleagues to join with me in support of this measure.

Ms. CARSON of Indiana. Mr. Speaker, "character."

Webster's New World Dictionary, Third college Edition defines "character" as "moral strength, self-discipline, fortitude."

The pillars which guide ethical decision-making, which make up character are: Trustworthiness, respect, responsibility, fairness, caring, citizenship.

Trustworthiness includes morality, honesty, truthfulness, sincerity, candor, loyalty and integrity.

Respect includes civility, courtesy and decency.

Being responsible means being in charge of our choices and, thus, our lives. It means being accountable for what we do and who we are.

Fairness involves issues of equality, impartiality, proportionality and openness.

Caring is ultimately about our responsibilities toward other people. A person who really cares feels an emotional response to both the pain and pleasure of others.

The concept of citizenship includes civic virtues and duties that prescribe how we ought to behave as part of a community. The good citizen gives more than he or she takes.

As leaders of this great nation, especially at this time, we must be examples of strong, moral unblemished character and encourage the young people of this nation to replicate these attributes in all their ways and conduct.

Mr. FLETCHER. Mr. Speaker, I have no further requests for time, and I yield back the remainder of my time.

The SPEAKER pro tempore (Mr. MILLER of Florida). The question is on the motion offered by the gentleman from Kentucky (Mr. FLETCHER) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 204.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

SMALL BUSINESS TECHNOLOGY TRANSFER PROGRAM REAUTHORIZATION ACT OF 2001

Mr. MANZULLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1860) to reauthorize the Small Business Technology Transfer Program, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1860

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 "Small Business Technology Transfer Program Reauthorization Act of 2001".

SEC. 2. EXTENSION OF PROGRAM AND EXPENDITURE AMOUNTS.

(a) IN GENERAL.—Section 9(n)(1) of the Small Business Act (15 U.S.C. 638(n)(1)) is amended to read as follows:

“(1) REQUIRED EXPENDITURE AMOUNTS.—

“(A) IN GENERAL.—With respect to each fiscal year through fiscal year 2009, each Federal agency that has an extramural budget for research, or research and development, in excess of \$1,000,000,000 for that fiscal year, shall expend with small business concerns not less than the percentage of that extramural budget specified in subparagraph (B), specifically in connection with STTR programs that meet the requirements of this section and any policy directives and regulations issued under this section.

“(B) EXPENDITURE AMOUNTS.—The percentage of the extramural budget required to be expended by an agency in accordance with subparagraph (A) shall be—

“(i) 0.15 percent for each fiscal year through fiscal year 2003; and

“(ii) 0.3 percent for fiscal year 2004 and each fiscal year thereafter.”

(b) CONFORMING AMENDMENT.—Section 9 of the Small Business Act (15 U.S.C. 638) is amended in subsections (b)(4) and (e)(6), by striking “pilot” each place it appears.

SEC. 3. INCREASE IN AUTHORIZED PHASE II AWARDS.

(a) IN GENERAL.—Section 9(p)(2)(B)(ix) of the Small Business Act (15 U.S.C. 638(p)(2)(B)(ix)) is amended—

(1) by striking “\$500,000” and inserting “\$750,000”; and

(2) by inserting before the semicolon at the end the following: “, and shorter or longer periods of time to be approved at the discretion of the awarding agency where appropriate for a particular project”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall be effective beginning in fiscal year 2004.

SEC. 4. AGENCY OUTREACH.

Section 9(o) of the Small Business Act (15 U.S.C. 638(o)) is amended—

(1) in paragraph (12), by striking “and” at the end;

(2) in paragraph (13), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(14) implement an outreach program to research institutions and small business concerns for the purpose of enhancing its STTR program, in conjunction with any such outreach done for purposes of the SBIR program; and”.

SEC. 5. POLICY DIRECTIVE MODIFICATIONS.

Section 9(p) of the Small Business Act (15 U.S.C. 638(p)) is amended by adding at the end the following:

“(3) MODIFICATIONS.—Not later than 120 days after the date of enactment of this paragraph, the Administrator shall modify the policy directive issued pursuant to this subsection to clarify that the rights provided for under paragraph (2)(B)(v) apply to all Federal funding awards under this section, including the first phase (as described in subsection (e)(6)(A)), the second phase (as described in subsection (e)(6)(B)), and the third phase (as described in subsection (e)(6)(C)).”.

SEC. 6. STTR PROGRAM DATA COLLECTION.

(a) IN GENERAL.—Section 9(o) of the Small Business Act (15 U.S.C. 638(o)), as amended by this Act, is amended by adding at the end the following:

“(15) collect, and maintain in a common format in accordance with subsection (v), such information from awardees as is necessary to assess the STTR program, including information necessary to maintain the database described in subsection (k).”.

(b) DATABASE.—Section 9(k) of the Small Business Act (15 U.S.C. 638(k)) is amended—

(1) in paragraph (1)—

(A) by inserting “or STTR” after “SBIR” each place it appears;

(B) in subparagraph (C), by striking “and” at the end;

(C) in subparagraph (D), by striking the period at the end and inserting “; and”; and

(D) by adding at the end the following:

“(E) with respect to assistance under the STTR program only—

“(i) whether the small business concern or the research institution initiated their collaboration on each assisted STTR project;

“(ii) whether the small business concern or the research institution originated any technology relating to the assisted STTR project;

“(iii) the length of time it took to negotiate any licensing agreement between the small business concern and the research institution under each assisted STTR project; and

“(iv) how the proceeds from commercialization, marketing, or sale of technology resulting from each assisted STTR project were allocated (by percentage) between the small business concern and the research institution.”; and

(2) in paragraph (2)—

(A) by inserting “or an STTR program pursuant to subsection (n)(1)” after “(f)(1)”; and

(B) by striking “solely for SBIR” and inserting “exclusively for SBIR and STTR”; and

(C) in subparagraph (A)(iii), by inserting “and STTR” after “SBIR”; and

(D) in subparagraph (D), by inserting “or STTR” after “SBIR”.

(c) SIMPLIFIED REPORTING REQUIREMENTS.—Section 9(v) of the Small Business Act (15 U.S.C. 638(v)) is amended by inserting “or STTR” after “SBIR” each place it appears.

(d) REPORTS TO CONGRESS.—Section 9(b)(7) of the Small Business Act (15 U.S.C. 638(b)(7)) is amended by striking “and (o)(9),” and inserting “, (o)(9), and (o)(15), the number of proposals received from, and the number and total amount of awards to, HUBZone small business concerns under each of the SBIR and STTR programs.”.

SEC. 7. STTR PROGRAM-WIDE MODEL AGREEMENT FOR INTELLECTUAL PROPERTY RIGHTS.

(a) DEVELOPMENT OF MODEL AGREEMENT.—Section 9 of the Small Business Act (15 U.S.C. 638) is amended by adding at the end the following:

“(w) STTR MODEL AGREEMENT FOR INTELLECTUAL PROPERTY RIGHTS.—

“(1) IN GENERAL.—The Administrator shall promulgate regulations establishing a single model agreement for use in the STTR program that allocates between small business concerns and research institutions intellectual property rights and rights, if any, to carry out follow-on research, development, or commercialization.

“(2) OPPORTUNITY FOR COMMENT.—In promulgating regulations under paragraph (1), the Administrator shall provide to affected agencies, small business concerns, research institutions, and other interested parties the opportunity to submit written comments.”.

(b) ADOPTION OF MODEL AGREEMENT BY FEDERAL AGENCIES.—Section 9(o)(11) of the Small Business Act (15 U.S.C. 638(o)(11)) is amended by striking “develop a model agreement not later than July 31, 1993, to be approved by the Administration,” and inserting “adopt the agreement developed by the Administrator under subsection (w) as the agency’s model agreement”.

SEC. 8. FAST PROGRAM ASSISTANCE TO WOMEN-OWNED AND MINORITY-OWNED SMALL BUSINESS CONCERNS AND CONCERNS LOCATED IN AREAS NOT PARTICIPATING IN SBIR AND STTR.

(a) SELECTION CONSIDERATION.—Section 34(c)(2)(B) of the Small Business Act (15 U.S.C. 657d(c)(2)(B)) is amended—

(1) in clause (iv), by striking “and” at the end;

(2) in clause (v), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new clause:

“(vi) whether the proposal addresses the needs of small business concerns—

“(I) owned and controlled by women;

“(II) owned and controlled by minorities; and

“(III) located in areas that have historically not participated in the SBIR and STTR programs.”.

(b) REGULATIONS.—Section 34(c)(4) of the Small Business Act (15 U.S.C. 657d(c)(4)) is amended by adding at the end the following: “The Administrator shall promulgate regulations establishing standards for the consideration of proposals under paragraph (2), including standards regarding each of the considerations identified in paragraph (2)(B).”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. MANZULLO) and the gentleman from Texas (Mr. GONZALEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois (Mr. MANZULLO).

GENERAL LEAVE

Mr. MANZULLO. 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 this legislation.

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

There was no objection.

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

The purpose of H.R. 1860 is to amend the Small Business Act to extend the Small Business Technology Transfer Program, more familiarly known as the STTR Program, through the end of September 2009.

Under present law, the STTR program will terminate on September 30, 2001. The STTR program requires a cooperative venture between a for-profit small business and a researcher from a university, federal lab, or a nonprofit research institute for the purpose of meeting particular needs or developing commercially viable products from ideas spawned in a laboratory environment.

This program builds on the well-established reputation that small businesses have for innovation and job creation to the benefit of the economy, generally, and specifically those who participate in the program. It also benefits the vast wealth of scientific knowledge that is available in this Nation’s research institutions that employ approximately one-fourth of the scientists and engineers in the country.

Together small business concerns and the research community have proved a successful vehicle for moving ideas from academic environments to the practical, useful commercial world to the benefit of U.S. economy and workers. For a Federal agency to participate in the program, it must have a contracted-out research and development budget that exceeds \$1 billion in

any fiscal year. Currently there are five Federal agencies that meet the funding requirement: the Department of Defense, the Department of Energy, the Department of Health and Human Services, NASA, and the National Science Foundation.

No new funding is required to reauthorize this program since the program is funded as a percentage of the contracted-out research and development funds annually appropriated by Congress to those federal agencies meeting the funding threshold.

Beginning in fiscal year 2004, the percentage of the R&D budget required to be spent for small high tech firms by agencies participating in the program increases from .15 percent to .3 percent.

Beginning in fiscal year 2004, the amount that a small business can receive for Phase II award is increased from 500,000 to 750,000 in line with Phase II awards made under the SBIR program.

Participating agencies are directed in this bill to implement an outreach program to research institutions and small business concerns for the purpose of enhancing the STTR program in conjunction with any such outreach done for purposes of SBIR program.

The bill is important to foster the development of small high technology firms. I commend my Committee on Science colleagues, the gentleman from Michigan (Mr. EHLERS) and the gentleman from Michigan (Mr. BARCHIA), in bringing this bill to the floor.

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

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

Mr. Speaker, today we stand and take the final step toward reauthorizing the Small Business Technology Transfer Program and upgrading it from its current pilot program status.

We began this initiative in 1992 with a unique goal, to help the small business and research communities work together to bring innovative new technologies to the marketplace. It is impossible to overstate the impact that technological innovation has had on the economy and on our lives. Computer and telecommunications innovation, biotechnology and chemical engineering have fueled a boom and profoundly changed the way we work and live. Some technologies were exotic or even unheard of just 10 years ago. Today, they have become commonplace.

Mr. Speaker, the Small Business Technology Transfer Program has helped to spur some of this remarkable creativity and growth. Between 1994 and 1998 alone, STTR awarded 864 Federal grants for research through 5 Federal departments and agencies. STTR has led to inventions emerging in highly evolved technologies, including advances in vaccine applications and biotechnology research.

With the passage of today's legislation, we will continue to support small technology firms across this country

by extending the life of STTR through the year 2009, while expanding the program from its previous pilot program status.

In particular, we will expand the program's reach by increasing the percentage of Federal research grants reserved for small businesses from 0.15 to 0.30 percent, doubling the amount of research dollars going to small businesses. This will go a long way towards increasing the role small firms play in developing new technology.

In addition to increasing the number of opportunities for new enterprises, we are increasing the amount of Phase II grants from \$500,000 to \$750,000 so that those already successful small businesses will have an even better chance of product commercialization.

We are also directing the SBA to develop a streamlined model agreement so that small businesses can spend more time developing technology and less time on bureaucratic paperwork.

But that is not enough. The Committee on Small Business recognizes that technology can be the great equalizer in underserved communities and has positioned STTR to play a far larger role. For example, of the 864 contracts awarded, only 1.5 percent of those went to women-owned small businesses, and only 2.8 percent were awarded to minority businesses. This defeats one of the core missions of STTR, to help small businesses that otherwise do not have access to the tools and advice they need to take their ideas from the laboratory drawing board to the marketplace.

The committee has also directed the Small Business Administration to begin tracking awards to low-income communities. This will give a measurement of the level of support that STTR is providing to these areas.

Finally, we are redirecting the Federal and State Technological Partnership to further emphasize the importance of outreach to low-income communities in spreading and increasing the benefits of technological innovation. We created this program last year to encourage technology development in areas that had limited growth and success in the past.

An important component of this was supposed to be outreach to low-income communities. Unfortunately, the implementing regulation failed to focus on low-income communities. In consultation with the Senate, the committee changed the statutory language specifically to increase STTR and Small Business Innovation Research awards to low-income communities.

With this bill, we expanded the language to focus awards on businesses owned by women and socially and economically disadvantaged individuals within each State, as well as small businesses in regions that have been previously overlooked by STTR and SBIR awards.

I want to make it absolutely clear that outreach is a critical component to technology development. The en-

hancements included in this bill will begin to open access to technology for businesses located in low-income communities and other underserved regions, and we will measure the success of this outreach by tracking the number of those awards in those particular communities.

During the past decade, we saw enormous growth in small business and technological innovation. The benefits are many, but the gap between communities who benefit from the economic strength of technological entrepreneurs and those who are left behind is too wide. STTR is instrumental in helping more researchers and small businesses build the next new thing while at the same time bridging the digital divide.

Mr. Speaker, I urge my colleagues to support this measure.

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

Mr. MANZULLO. Mr. Speaker, I yield 8 minutes to the gentleman from Michigan (Mr. EHLERS), the primary sponsor of this legislation.

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

Mr. Speaker, I rise in support of H.R. 1860, the Small Business Technology Transfer Program Reauthorization Act of 2001. I thank the gentleman from Illinois (Mr. MANZULLO) and the gentleman from Texas (Mr. GONZALEZ) for their supportive comments on this bill.

Approximately 5 years ago, I was chartered by then-Speaker Gingrich and the gentleman from Wisconsin (Mr. SENSENBRENNER), the chairman of the Committee on Science and Technology, to prepare a report on updating the science policy of our Nation and outline where we should be heading. That report came out of the Committee on Science and Technology, was approved by the House of Representatives, and became popular enough that it is now in paperback.

In that report, we made a major statement on several issues; one of which was to bridge the so-called valley of death between basic research and applied research so that we could have more ideas flowing out of basic research into applied research and eventually into product development.

The program we are talking about here today is a program which can help bridge that valley. We are recommending, based on the success of this program, that it be reauthorized and, in fact, improved.

Investment in technology, research, and development and this scientific enterprise is a key component of sustaining the economic growth of the past decade, much of which is based on developments in science and technology.

As growth slows, Congress must seek ways to bolster its investment and renew strong economic performance. I am pleased to rise in support of this legislation because it will bring research out of the labs and into the

marketplace to help our economic engine roar back to life.

□ 1430

The Federal Government funds a wide range of basic research efforts which are carried out by our Nation's research institutions, such as universities, Federal laboratories, and nonprofit research centers. Bringing the successes of these efforts into the marketplace can be difficult for a research institution. They are simply not geared up for this. At the same time, small businesses have a well-earned reputation for introducing new ideas to the marketplace but often lack the resources and the personnel to carry out extensive research and development. The Small Business Technology Transfer program, better known as STTR, helps bridge this gap.

This program, which is the subject of this bill, stimulates technology transfer from research institutions to small businesses by awarding grants for collaborative efforts between small businesses and nonprofit research institutions. This award process has three phases. Phase one is a testing stage to determine the scientific, technical, and commercial merit and feasibility of a proposed collaboration effort. Grants are limited to \$100,000 during this stage. Projects that successfully complete phase one may be further developed in phase two, with additional funding up to \$500,000. Phase three is designed for final R&D efforts and for commercialization of the idea. However, no Federal STTR funding is allowed for this stage. At that point it becomes the responsibility of the company.

This program is currently funded through a set-aside of 0.15 percent of Federal R&D budgets that exceed the threshold of \$1 billion. Currently, five agencies participate in STTR: Department of Defense; National Aeronautics and Space Administration; Department of Health and Human Services, primarily through the National Institutes of Health; the Department of Energy; and the National Science Foundation.

The General Accounting Office evaluated STTR in 2000-2001 and found that companies receiving phase one grants felt that both the company and research counterpart contributed significantly to the expertise and implementation of the project. They reported a variety of outcomes, ranging from product sales to project discontinuation. And 99 percent of the grant recipient companies surveyed believed the STTR program should continue.

In addition to that, they did a survey of the companies involved to see what the effects were, and they discovered that there is a substantial return on investment. Just the six most successful projects alone accounted for sales of \$132 million. That almost covers the cost of the entire STTR program during the first few years.

In addition, the top two projects had \$115 million of sales. Now, recognize,

these sales go on and on for years. These are just the sales for the first year or two. So it clearly is a program that works. It is successful and does improve our economy.

This current bill, which I am offering, H.R. 1860, does several things to improve the program. First, the legislation reauthorizes the program through fiscal year 2009 and raises the set-aside percentage from 0.15 percent to 0.3 percent, which will increase the annual awards by approximately \$60 million overall. Second, it increases the ceiling on the phase two award from \$500,000 to \$750,000. This simply reflects the rising costs of doing business since the program's inception in 1992.

Finally, H.R. 1860 will, among other things, strengthen the data collection and reporting requirements of the agencies and small businesses participating in STTR and standardize intellectual property rights agreements between the agencies and their partners. That last aspect is very important, because the participants reported a significant amount of their time, money, and effort had gone into developing the property rights agreements between the agencies and the business partners. This bill standardizes that process and will save a considerable amount of time and money, particularly in attorneys' fees and the time of the participants.

This bill is a cooperative effort between the House Committee on Science, the House Committee on Small Business and the Senate Small Business Committee. The three committees have worked in a bipartisan, bicameral effort to ensure this important program is reauthorized. In fact, the manager's amendment reflects that cooperation by inserting the text of Senate bill 856, which is almost identical to our bill, as the manager's amendment.

I would like to thank the leadership of these committees, Chairman BOEHLERT, ranking member HALL, Chairman MANZULLO and ranking member VELÁZQUEZ, for their efforts in bringing this bill to the floor. This is a good bill that will improve upon an already successful small business program. It will strengthen R&D partnerships between research institutions and small businesses. It will help America's economy by encouraging new small business ventures, which are a key component of fueling further economic growth. And it will demonstrate the importance of funding Federal research efforts by bringing technology developed in research institutions into the marketplace and creating jobs.

Mr. Speaker, I urge Members to support the bill.

Mr. GONZALEZ. Mr. Speaker, I yield such time as he may consume to the gentleman from New Mexico (Mr. UDALL).

Mr. UDALL of New Mexico. Mr. Speaker, the small business technology transfer program has been a valuable tool to promote useful technological

innovation since it was first authorized in 1992. Today, we take the final step toward extending and expanding STTR for the future. I hope that, if we see the same kind of development in the next 10 years as we have seen in the past decade, many more wonders will follow to change our lives and bolster our economy, which clearly needs it at this time.

The Subcommittee on Rural Enterprises, Agriculture, and Technology, on which I serve, held a hearing on this program on June 20, 2001. The STTR program is designed to address the lack of capital that small business research and development firms experience when getting started. Another unique aspect of the program is that small businesses can partner for research projects with research institutions, federally funded research and development centers, or nonprofit organizations.

By supporting this legislation, we are taking a big step to strengthen and improve the STTR program and its delivery program to women-owned, minority-owned and those companies located in low-income communities. This program is a valuable tool to assist small business owners who focus on research and development initiatives.

We have expanded the STTR in a number of ways. We raised the percentage of Federal agencies' research budgets reserved for STTR from 1.5 percent to 3 percent. We also increased the amount of phase two awards from \$500,000 to \$750,000 to help more innovations get to market. To help small businesses and institutions deal with a blizzard of different standardized agreements, we are asking the Small Business Administration to develop a single, standardized model agreement. And we are asking SBA to make a concerted effort to reach out to underserved areas of the country with grants for those communities. We will see how well the agency does by tracking where and to whom STTR and SBIR grants are awarded. Technology can be the great economic equalizer, but the digital divide must be bridged first.

In my district in New Mexico, I have a large rural area. Issues of the digital divide are profound. In fact, one young student recently won a computer in a school contest but did not have a telephone line to hook up the computer. We need an aggressive effort at digital inclusion. The small business technology transfer program will help bridge this gap through a grant program.

I would like to thank all my colleagues on the Committee on Small Business for their support and hard work on this bill, which has been 9 years in the making and is needed now more than ever. I would also like to thank the gentleman from Illinois (Mr. MANZULLO). I know that he brings to this committee a bipartisan approach. We have been very successful at working together. I congratulate him for all his hard work and leadership on this bill.

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

The Committee on Small Business, Mr. Speaker, has always been recognized as a true model of bipartisanship. I commend the chairman of the committee today for continuing in that tradition. I want to commend both the chairman of the committee and the ranking member for being really the guiding light in this as in many other pieces of legislation that will expand that business universe to all the small business men and women in this Nation.

H.R. 1860 today presents a greater opportunity than ever before. It is not only an expansion but it is a monitoring; and it really is an accountability model to make sure that the legislation that we pass when it gets down on the ground, in our communities, actually is doing what it is supposed to.

Again, I commend the chairman and the ranking member for their fine work. I would ask that all my colleagues join us today in passage of this fine piece of legislation.

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

I would urge my colleagues to vote in favor of this bill. We had a very interesting full committee hearing in New Mexico with regard to the Los Alamos lab in the district of the gentleman from New Mexico (Mr. UDALL). It became quite apparent that there has to be something done to make at least that lab come to the table and to include more local businesses and people involved in technology as part of their program. If this program is reauthorized, which I hope it will be, we will stay on top of the progress at Los Alamos and the other labs in this country to make sure the taxpayers' dollars that they are being given are used wisely and that the portion that is set aside for small businesspeople is done exactly for that purpose.

I would urge my colleagues to vote for the bill.

Ms. VELÁZQUEZ. Mr. Speaker, as an original co-sponsor of H.R. 1860, I rise in support of this important legislation to not only reauthorize, but to make permanent the Small Business Administration's Small Business Technology Transfer (STTR) Program.

As the Ranking Democratic Member on the Committee on Small Business, I am well aware of the important role that technology plays in not only developing small businesses, but in strengthening the Nation's economy. The economic boom of the 1990's—the longest period of economic strength in our Nation's history—was fueled by small businesses and, especially high-tech firms. The strength of the economy, for such an unprecedented time period, was directly related to the success of the high-tech sector.

It might surprise my colleagues to know that small businesses are the leading source of innovations and that small firms produce twice as many innovations per employee as large firms. In fact, small businesses were responsible for most of the important innovations in the twentieth century, including items ranging

from such practical consumer products and services as over-night delivery services and quick-frozen food to high-tech items such as the personal computer and the high-resolution x-ray microscope.

The STTR Program that we are authorizing today increases small business participation in the high-tech industry. Established in 1992, the STTR Program works by allowing small businesses to partner with universities, non-profit organizations, and research institutions. These research partners bring important capabilities that small businesses might not possess on their own. The partnership submits a proposal for necessary Federal research requirements.

With this reauthorization legislation, we have removed the pilot status of the STTR Program, and have extended the Program through fiscal year 2009.

We have also taken important steps to increase the amount of Federal research that will be performed by small businesses by increasing the percentage of agency's extramural research budgets to be devoted to the STTR Program from .15 percent to .3 percent beginning in fiscal year 2004. This action doubles the amount of research that the government will be devoting to small firms.

We have increased the grant amount of Phase I awards from the current \$500,000 to \$750,000. This provision allows small businesses more fund with which to conduct their research, thereby increasing the likelihood that their research will result in useful items that will make it to the marketplace.

Additionally, the bill contains provisions that will assist with the assessment of the STTR program, by requiring the collection and maintaining of pertinent data, that can later be used to evaluate the program's strengths and weaknesses.

Democratic Members included three important provisions to this reauthorization to encourage the growth of high-tech businesses. These changes include developing an STTR Program-wide model agreement, increasing awards to low-income areas, and tracking low income awards.

The partnership between small businesses and research institutions is a cornerstone of the STTR Program. Included in the formalization of these teams, is the development of an agreement outlining the rights and responsibilities of each partner, and addressing the intellectual property rights and rights to carry out follow-on research, development or commercialization, if any, that are assigned to each partner.

It has come to the Committee's attention that each participating agency has a model agreement, and many universities and non-profits have model agreements. The result is an exercise in which the small business and its research partner must come to an agreement, and have that agreement parallel the agency's agreement. The scenario often occurs wherein a small business doing work for the same agency, but with multiple research partners, must have multiple agreements, none of which are standard. Ultimately, this results in time devoted to developing partnership agreements when that time would be more effectively used to actually conduct research.

Therefore, Committee Democrats have included language that requires the Small Business Administration (SBA) to go through a rule-making process to develop a single model

agreement that can be acceptably used by all small businesses, agencies, and research partners. It is intended that this rule-making process involve commentary from affected agencies, small business owners, research institutions, and other interested parties. The resulting model agreement shall be used by all agencies as their model agreement so that small research firms can devote their time to that which they do best—research.

During last year's reauthorization of the Small Business Innovation Research (SBIR) Program—the sister program to the STTR Program—important language was included to increase awards to businesses located in low-income areas. Language was included in this Federal and State Technology (FAST) Partnership Program by House Democrats on the Committee on Small Business that allows a 50 cents private for each federal dollar for assistance directed to low-income areas—even if the state is a high-volume state as far as SBIR awards. We were concerned when this language was included, that it would not be implemented properly, and that not enough emphasis would be placed on this issue. This has become a reality in that the SBA did not include any reference to low-income area assistance under the FAST Program in its recent Policy Directive.

As a result of the SBA not being able to properly implement the low-income area assistance of the FAST Program in accordance with our intent, Committee Democrats included language in the STTR reauthorization legislation to require that a separate evaluation criteria for FAST proposals be developed to ensure that these proposals address how they are going to increase STTR and SBIR awards to businesses located in low-income areas. When we consulted with the Senate Small Business Committee on this language, they expressed concern that states not having substantive amounts of low-income areas could be penalized in an evaluation criteria totally devoted to increasing opportunities in these areas. Therefore, compromise language was developed to establish an evaluation criteria to ensure that proposals address how they are going to increase STTR and SBIR awards to (1) businesses owned and controlled by women, (2) businesses owned by minorities, and (3) businesses located in areas of high unemployment and low-income—all of which have historically not participated in the SBIR and STTR Programs. It is our intent that the SBA go through a rule-making process to determine the weight that this criteria should have compared to other criteria, and to determine the standards by which these proposals shall be evaluated. It is our understanding that the term "minorities" will encompass all socially and economically disadvantaged individuals.

This important change to the FAST Program will address the grim reality that of the 864 STTR awards from 1994 through 1998, only 1.5 percent went to women-owned businesses, and only 2.8 percent went to minority owned businesses.

Lastly, we included language in the STTR reauthorization to require that the SBA report to Congress, on an annual basis, on the number of SBIR and STTR awards made to small businesses located in HUBZones. These "Historically Underutilized Business" Zones are specifically defined as areas of high unemployment and low income. These locations

have been out of the mainstream of economic growth that the nation has experienced over the past 10 years, and, as such, would benefit greatly from the economic strength that technology provides to a community. Further, tracking awards made to these businesses will assist in evaluating the success of the FAST Program.

To conclude, I join my colleagues on the Committee on Small Business who are committed to ensuring that small businesses across the country are able to grow and expand their technology capabilities. We know that not only do small businesses, in general, employ more than half of the non-farm workforce, but small businesses account for 38 percent of the private sector workforce in the high tech industry. We believe the STTR and SBIR Programs are critical to increasing the capacity of small business technology companies, and that these Programs should continue to be monitored and evaluated, and given the appropriate resources to ensure their continued success.

Mr. BOEHLERT. Mr. Speaker, I support the Small Business Technology Transfer Program Reauthorization Act of 2001.

The Small Business Technology Transfer Program (STTR) was created in 1992 as an offshoot of the larger Small Business Innovation Research Program (SBIR). Both programs are designed to tap into the innovation of high technology small businesses and foster the commercialization of their research capabilities.

Specifically, the STTR program funds cooperative research projects between a small business and a non-profit research institution, such as a university or Federally funded laboratory. There are currently five participating agencies: Department of Defense, Department of Energy, National Aeronautics and Space Administration, Department of Health and Human Services, and the National Science Foundation. These agencies make R&D awards to the small business collaboration in the hopes of bringing new technology or technology that may have been "on the shelf" of a research institution into the marketplace.

Since its inception, the STTR program has made approximately \$300 million in awards to small businesses and research institutions. As GAO recently reported, the return on our investment has been more than satisfactory. Out of the 102 responses from companies participating in the STTR program from fiscal years 1995–97, \$132 million in sales and \$53 million in additional development funding was reported. In addition, future sales for those projects are expected to be about \$900 million dollars by December 2005. These successful results are so encouraging since most of the R&D efforts have yet to reach the stage where they are ready for the marketplace.

H.R. 1860 will continue this successful R&D program by reauthorizing it through fiscal year 2009, and doubling the set-aside of the participating agencies to .3 percent. The bill also makes important improvements to the program. One of those is the establishment of an electronic database that will better enable the Small Business Administration to evaluate the program's progress.

Finally Mr. Speaker, I would like to commend the bipartisan effort to ensure this important program continues its successful efforts of technology transfer and innovation. I would like to thank Mr. EHLERS, Chairman of the

Subcommittee on Environment, Technology and Standards, the Ranking Member of that Subcommittee Mr. BARCIA, the Chairman of the House Small Business Committee Mr. MANZULLO, and the Ranking Members Ms. VELÁZQUEZ for their efforts in crafting the legislation before the House.

H.R. 1860 will strengthen this country's research and development community by investing in our nation's innovative small businesses and I ask all Members to support its passage.

The SPEAKER pro tempore (Mr. MILLER of Florida). The question is on the motion offered by the gentleman from Illinois (Mr. MANZULLO) that the House suspend the rules and pass the bill, H.R. 1860, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

LIMITATION ON PER COUNTRY SHARE OF ASSESSMENTS FOR UNITED NATIONS PEACEKEEPING OPERATIONS

Mr. HYDE. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 248) to amend the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001, to adjust a condition on the payment of arrearages to the United Nations that sets the maximum share of any United Nations peacekeeping operation's budget that may be assessed of any country.

The Clerk read as follows:

S. 248

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

SECTION 1. LIMITATION ON THE PER COUNTRY SHARE OF ASSESSMENTS FOR UNITED NATIONS PEACEKEEPING OPERATIONS.

(a) IN GENERAL.—Section 931(b)(2) of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 (as enacted by section 1000(a)(7) of Public Law 106–113 and contained in appendix G of that Act; 113 Stat. 1501A–480) is amended by striking "25 percent" and inserting "28.15 percent".

(b) CONFORMING AMENDMENT.—The undesignated paragraph under the heading "ARREARAGE PAYMENTS" in title IV of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999 (as contained in section 101(b) of division A of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999; 112 Stat. 2681–96) is amended by striking "25 percent" and inserting "28.15 percent".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois (Mr. HYDE).

GENERAL LEAVE

Mr. HYDE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extra-

neous material on the Senate bill under consideration.

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

There was no objection.

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

I rise in strong support of S. 248, a measure urgently requested by the administration. Its enactment will help to ensure that we can pay the second installment of our arrearages to the United Nations in return for continued progress in lowering our assessment ceilings for the U.N. regular budget and for U.N. peacekeeping operations.

Our actions on this measure are all the more important in light of the events of September 11. Meeting our financial obligations to the United Nations will help to ensure that our policymakers can keep the focus on broad policies that unite the members of the security council in the fight against global terrorism.

Its enactment revises one of the provisions of the underlying U.N. reform legislation, known as the Helms-Biden law, ensuring that we do not accumulate any additional arrears and that our assessed share for the United Nations peacekeeping operations will drop from close to 32 percent to 28 percent.

□ 1445

In December of 2000, the U.N. put in place a 6-year plan to reduce our share of U.N. peacekeeping costs, with the result that in 2002, our assessment ceiling will drop to 26.5 percent, with further reductions until it reaches 25 percent in 2006.

Our adoption of S. 248 will also ensure that our assessment ceiling for the U.N. regular budget will go from 25 percent to 22 percent, and that other long-term U.N. reform measures are fully implemented. Over the next 10 years, these lower payment ceilings will provide more than \$2 billion of savings to the American taxpayer.

Enacted in the 106th Congress, the Helms-Biden law authorized a total of \$819 million in arrearage payments to the U.N., including \$100 million in fiscal year 1998 funds, \$475 million in fiscal year 1999 funds, and \$244 million in fiscal year 2000. The legislation also allowed an additional \$107 million in debt relief of monies owed to the U.S. by the U.N.

These payments are only made upon specified certifications by the Department of State that the U.N. has implemented reform benchmarks upon each tranche of funds. Among the certifications for release of the first \$100 million authorized under the Helms-Biden legislation are stipulations that the U.N. would not implement any measure violating our Constitution, ceding sovereignty, taxing Americans, creating a standing army, charging the U.S. interest on arrears or exercising control over any U.S. park, monument or property.

In December of 1999, this certification was made, and \$100 million of fiscal year 1998 funds were paid to the U.N. This legislation would enable the Department of State to pay the second tranche of \$475 million, together with the \$107 million in debt relief foregone to the U.S., for a total of \$582 million, conditional upon a similar certification that our U.N. assessment ceilings are being reduced.

I urge the adoption of this measure.

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

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

Mr. Speaker, I rise in strong support of this resolution.

First, Mr. Speaker, I want to commend my good friend, the distinguished chairman of the Committee on International Relations, the gentleman from Illinois (Mr. HYDE), for his outstanding work in bringing this legislation before the House.

I wish to take this opportunity to discuss the recent terrorist attacks and explain why, in light of these tragic events, it is all the more important that we pay our arrears to the United Nations.

Two weeks ago, Mr. Speaker, our Nation lost its innocence, but it found a new sense of unity and purpose. This new sense of unity comes from the sudden realization that our open and free and democratic way of life is under attack, and it must be and will be defended. We must learn from this tragic experience and we must be able to take intelligent, thoughtful and swift action.

But the United States, Mr. Speaker, cannot act alone and expect to prevail in this long-term painful struggle against international terrorism. All Americans deeply appreciate the many expressions of sympathy and support from our friends and allies, and some who do not fall into either category, but it will require actions, not simply words, to defeat global terrorist organizations and the nations which give them support and safe harbor.

As President Bush, Secretary Powell and our Nation's diplomatic corps begin to secure concrete commitments required to wage this battle against international terrorism, we must take advantage of every forum available to reach out to the nations of the world. The United Nations is clearly the world's premier forum, and it will be one of the primary theaters for the United States to act diplomatically on this matter.

Within 48 hours of the September 11 outrage, the U.N. Security Council and the General Assembly of the United Nations condemned the violence and voted to support actions taken against those who are responsible and against those States that aid them.

On Friday of that week, U.N. Secretary General Kofi Annan wrote an op-ed piece in the New York Times, and he said the following:

The international communities is defined not only by what it is for, but by what and

whom it is against. The United Nations must have the courage to recognize that just as there are common aims, there are common enemies. To defeat them, all nations must join forces in an effort encompassing every aspect of the open, free global system, so wickedly and viciously exploited by the perpetrators of last week's atrocities. The United Nations is uniquely positioned to advance this effort.

Mr. Speaker, United Nations conventions already provide a legal framework for many of the concrete actions which must be taken by nations to eradicate terrorism. These conventions provide for the extradition and prosecution of terrorists and the suppression of money laundering. Nations that are serious about joining the United States in our battle against global terrorism must ratify these important conventions.

The United Nations can also help to ensure that the new battle against global terrorism does not slip to the back burner. Last Thursday President Bush said, "Even grief recedes with time and grace, but our resolve must not pass."

By helping to focus the international community on the scourge of terrorism, I believe the United Nations can help us turn our collective grief into concrete victories against the new enemy of the 21st century, international terrorism.

Aside from the battle against terrorism, the United Nations continues to play an invaluable role in promoting international peace and stability. Since its inception over half a century ago, the U.N. has negotiated 172 peaceful settlements to conflicts around the globe, helping to end the civil war in El Salvador and the Iran-Iraq war. Its peacekeeping operations have assisted to uphold cease-fires, conduct free and fair elections, deter violence and create free and democratic nations.

Even today, the U.N. is giving birth to a free and independent East Timor. Since the East Timorese voted in 1999 for independence from Indonesia and suffered enormous human and economic costs as a result of the violence following that vote, the United Nations has taken charge of this fledgling country, which just completed its first free and fair elections.

Now, Mr. Speaker, we cannot ask the United Nations to bring freedom to difficulties-possessed people, battle terrorism, resolve international conflicts and conduct extensive peacekeeping operations, and yet fail to pay our dues. The Helms-Biden United Nations package enacted in 1999 provided for the payment of American back-dues over a 3-year period, and our former United Nations ambassador, Richard Holbrook, performed exceptionally well in successfully negotiating the type of U.N. reforms called by the Helms-Biden Act.

The legislation before our body today brings the U.N. arrears package into line with the far-reaching U.N. reform plan engineered by Ambassador Holbrooke and ensures that the \$582

million can move forward expeditiously. I am very pleased that the United Nations arrears legislation enjoys such strong bipartisan support, and again, I wish to commend my friend, the gentleman from Illinois (Chairman HYDE), for his exemplary leadership on this bill.

I would note, however, that we are not bound by a side agreement between the White House and the House Republican leadership on the International Criminal Court that may be related to this legislation moving forward.

Mr. Speaker, the American people passionately support the common goal, punishment of those who conducted the September 11 attacks, and an end to global terrorism. The United Nations can help achieve that goal if we meet our commitments. I strongly urge all of my colleagues to support this important bill.

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

Mr. HYDE. Mr. Speaker, I am pleased to yield 3 minutes to the learned gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Speaker, I appreciate the chairman yielding me time.

Mr. Speaker, as the prime sponsor of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, fiscal years 2000 and 2001, H.R. 3427, signed by President Clinton on November 29, 1999, I rise in very strong support of this legislation, S. 248, legislation that alters that Act and provides additional flexibility in pursuing our goals of reforming the operations of the United Nations while strengthening our efforts to build a coalition against this terrorist threat that we all face.

Mr. Speaker, H.R. 3427, which authorized appropriations for the Department of State, contained dozens of reforms for our State Department, refugee protection, freedom broadcasting and a host of other things. As a matter of fact, the embassy security portion of it provided \$5.9 billion over 5 years to try to beef up our efforts and to mitigate the threats against terrorists abroad. It also contained what is commonly referred to as the Helms-Biden provisions, Title IX, which contained specific reforms for the U.N. in exchange for payment of U.S. arrearages.

In the first year, the new law required that before arrearages were to be made, the Secretary of State had to make a number of certifications concerning U.S. sovereignty. That satisfied, the arrears payments were released. In the second year, which is the focus of this legislation we are considering today, the Secretary of State is required to make certifications requiring reductions in assessments as mandated by law. Specifically, our legislation required that the assessment of the U.N.'s regular budget be lowered from 25 percent to 22 percent, and the U.S. share of any peacekeeping operations be reduced to no greater than 25 percent of the total cost.

In December of last year, as my colleagues, the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS) have pointed out, following negotiations with the U.S. Representative to the U.N., the General Assembly agreed to lower the assessment for the regular budget to 22 percent, as required.

In addition, an agreement was reached to lower the peacekeeping share borne by the U.S., although at a more gradual pace than envisioned. Under the negotiated agreement, the U.S. share would drop from approximately 31 percent to 28.15 percent beginning in January of 2001. Subsequently, the rate would drop from 27.5 percent on July 1, then to 26.5 in 2002, and further reductions are anticipated, until we get down to the 25 percent within a 6-year time period.

Mr. Speaker, while this reduction is not as great as we had called for in the legislation, it does represent a significant reform of the United Nations, and will save American taxpayers about \$2 billion over the next 10 years.

□ 1500

Furthermore, Mr. Speaker, by accepting this negotiated settlement, we provide a clear signal to the world community that the United States is serious about acting together with other nations of the world.

Mr. Speaker, S. 248 will amend our law to fall in line with the negotiated reductions. I think it is a good bill and it deserves, I believe, the unanimous backing, especially during this time of crisis, of every Member of this Chamber.

Mr. LANTOS. Mr. Speaker, we continue to reserve our time.

Mr. HYDE. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Speaker, as chairman of the Committee on Government Reform Subcommittee on National Security, Veterans' Affairs, and International Relations, I rise in strong support of repaying our debt to the United Nations.

Make no mistake about it. While this bill is being considered on the suspension calendar, it is one of the most important foreign policy decisions Congress will make this year.

Since the brutal terrorist attacks of September 11, our Nation has been working as never before to build an international coalition for the war against terrorism. Yet, at the same time, the administration is reaching out to nations from every corner of the globe, the United States remains the biggest debtor nation at the U.N. This is not only unacceptable, it is a gigantic impediment to our diplomatic efforts and clearly endangers our national security.

Mr. Speaker, S. 248 is necessary because the 1999 Helms-Biden agreement, which I supported, authorized the repayment of our Nation's \$926 million debt to the U.N., but contained a num-

ber of benchmarks the U.N. was required to meet. Last December, Ambassador Richard Holbrooke reached a landmark agreement with our U.N. member nations on reductions in regular budget and peacekeeping contributions by the United States. The agreement received the subsequent endorsement of Senators JESSE HELMS and JOSEPH BIDEN who drafted this legislation to adjust certain statutory requirements so they would conform with this agreement and permit the long overdue payment of the U.S. arrears to the U.N.

The Cold War is over, but on September 11, we saw in very plain terms that the world is a far more dangerous place.

Today, there is considerable uncertainty, both at home and abroad, about the period we are entering and how we will wage the war against terrorists. During this period of less clearly defined global politics, we will, we must, increasingly rely on the United Nations as a forum for resolving the varied interests of autonomous nations. Yet, every day we fail to pay our debts to the U.N., we make our work far more difficult.

Countries all over the world are looking to the United States for leadership, yet what they see is a very powerful and wealthy country refusing to live up to some of its international commitments. Why, as a nation, would we want to unnecessarily complicate our diplomatic efforts at a time when we need every ounce of leverage?

I want to conclude by stating that S. 248 enjoys broad bipartisan support. It passed the Senate earlier this year by a vote of 99 to 0, and Secretary of State Colin Powell has called it a needed step in repaying our arrears. I commend the gentleman from Illinois (Mr. HASTERT), the Speaker of the House, and the gentleman from Illinois (Mr. HYDE), the chairman of the Committee on International Relations, and the gentleman from California (Mr. LANTOS), the ranking member of the committee, for bringing this legislation to the floor in a way that will allow us to avoid a protracted conference with the Senate.

Mr. Speaker, I urge my colleagues to support S. 248 so we can get it to the President's desk immediately.

Mr. LANTOS. Mr. Speaker, we have no additional requests for time; and I yield back the balance of our time.

Mr. HALL of Ohio. Mr. Speaker, I rise in strong support of S. 248 which will authorize payment of United States back dues to the United Nations. Great nations pay their bills. It is time the United States met its obligations to this critical international organization.

This legislation will release the second installment of \$582 million to pay off our back dues to the U.N. totaling almost \$1 billion. As the United States has seen from the recent tragedy of September 11, a strong United Nations is in our national interest. The U.N. will play a critical role in building diplomatic and international support in the war against terrorism.

Mr. Speaker, the U.S. Congress needs to live up to our commitments. In 1999, we told

the U.N. that if it made certain reforms, we would pay our back dues through the Helms-Biden legislation. The U.N. has kept its end of the bargain and now it is time for Congress to keep our word to pay these funds. Former U.S. Ambassador to the U.N. Richard Holbrooke deserves credit and thanks for negotiating this agreement with the United Nations.

Finally, Mr. Speaker, I want to commend the leadership in the House for bringing this important measure to the floor today. Now is the time for action. I would urge my colleagues to vote in favor of this legislation.

Mr. GILMAN. Mr. Speaker, I rise in support of the Passage of the S. 248, the United Nations Dues Payment Act, which will allow the payment of \$582 million that has been already authorized in light of recent and ongoing reforms at the United Nations. This would give the United States increased leverage in pursuing its policies at the United Nations, particularly in forming a worldwide anti-terror coalition.

Today the United Nations, and the international community as a whole, is at a watershed. As we analyze our current situation, we must bear in mind where we have been. The United Nations was born out of the ashes of the most terrible, costly war of the 20th century. A strong U.N. might have prevented it. Today, the U.N. must seize a role in marshaling the international community's long-term efforts to defeat today's challenge: the scourge of international terrorism.

At the same time, the U.N. must abandon its unhealthy practice of placing an excessive dependence on a single contributor. Under S. 248, our assessed rate for the UN regular budget is cut from 25 to 22 percent while the U.S. assessed share for peacekeeping operations rate will drop immediately from about 32 to 28 percent. Furthermore, further reductions in the percentage of the U.N. budget paid by the U.S. for U.N. peacekeeping operations will take place on a sliding scale, reaching 25 percent by 2006 from 30 percent today.

The fact remains that as a member of the U.N., and having voted in favor of many of these peacekeeping missions in the Security Council, we need to make good on our obligations to pay the current arrearage of \$582 million. Failure to do so jeopardizes our efforts to establish a multilateral, multifaceted coalition to combat the international terrorism.

Accordingly, it is fitting that we agree to this legislation.

Mr. HYDE. Mr. Speaker, I have no additional requests for time; and other than to thank my colleague, the gentleman from California (Mr. LANTOS), for his usual expeditious treatment of complicated matters, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MILLER of Florida). The question is on the motion offered by the gentleman from Illinois (Mr. HYDE) that the House suspend the rules and pass the Senate bill, S. 248.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

LEE H. HAMILTON FEDERAL BUILDING AND UNITED STATES COURTHOUSE

Mr. KERNS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1583) to designate the Federal building and United States courthouse located at 121 West Spring Street in New Albany, Indiana, as the "Lee H. Hamilton Federal Building and United States Courthouse."

The Clerk read as follows:

H.R. 1583

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

SECTION 1. DESIGNATION.

The Federal building and United States courthouse located at 121 West Spring Street in New Albany, Indiana, shall be known and designated as the "Lee H. Hamilton Federal Building and United States Courthouse".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building and United States courthouse referred to in section 1 shall be deemed to be a reference to the "Lee H. Hamilton Federal Building and United States Courthouse".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana (Mr. KERNS) and the gentleman from Illinois (Mr. COSTELLO) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana (Mr. KERNS).

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

Mr. Speaker, H.R. 1583 designates the Federal building and United States Courthouse at 121 West Spring Street in New Albany, Indiana as the "Lee H. Hamilton Federal Building and United States Courthouse." I would first like to note that this legislation has the strong bipartisan support of the entire Indiana delegation. I am very pleased to be a cosponsor of this important legislation.

Lee Hamilton is an extraordinary individual who represented the Ninth Congressional District in Indiana for 34 years. Congressman Hamilton was born in Daytona Beach, Florida and moved to Evansville, Indiana in 1944 where he attended public schools. Of course, we in Indiana love our basketball; and as a high school athlete, Lee Hamilton led the Evansville Central Golden Bears to the Indiana High School State Championship basketball game. Many believe that if the future congressman had not been injured during the game, the Golden Bears would have won.

Lee went on to graduate from DePauw University in Greencastle, Indiana and then graduated from Indiana University School of Law in 1956. Congressman Hamilton was admitted to the State bar in 1957.

He entered private law practice in Chicago, but returned shortly thereafter to Columbus, Indiana where he continued private law practice until seeking election to the U.S. House of Representatives in 1964. He was first elected to serve in the 89th Congress and was reelected to 16 consecutive terms.

While in the House, Congressman Hamilton was a leader with an excellent appreciation for working with both sides of the aisle. He served as chairman of the House Committee on Intelligence from 1985 until 1987, and as chairman of the Joint Economic Committee in 1989 and 1990, and as the chairman of the Committee on International Relations from 1993 until 1995.

Congressman Hamilton was always a strong advocate for diplomatic international solutions. In the post-Cold War, he believed weapons proliferation was a major international concern. He also believed that protecting the environment and the fight against disease and hunger were important major foreign policy goals. Upon his retirement from Congress, Mr. Hamilton continues to serve the public to bridge that important gap between academia and foreign policy.

Today, I serve on the House Committee on International Relations; and during this most difficult time, I draw on the example he set throughout his career. Although he is no longer a member of this legislative body, I know its Members respect his opinion and seek his input on the challenges this crisis presents.

On a more personal note, Congressman Hamilton served with my father-in-law, John Myers, for 30 years in Congress; and, although they are different political parties, they would find common ground and work together on issues to benefit the people in Indiana and of our Nation.

As a fellow Hoosier, I take great pride in Congressman Hamilton's accomplishments and service to Indiana and the Nation. This naming bill is a fitting tribute to a distinguished former member of the House. I support this bill, and I urge my colleagues to join me in my support.

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

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

Mr. Speaker, H.R. 1583 is a bill to designate the Federal building in New Albany, Indiana as the "Lee H. Hamilton Federal Building and United States Courthouse." Lee Hamilton is a former colleague who represented the ninth district of Indiana for 34 years. The gentleman from Indiana (Mr. HILL) currently holds that seat and is the sponsor of this legislation.

Lee Hamilton graduated from Central High School in Evansville, Indiana. He then attended DePauw University and graduated from Indiana University Law School in 1956. While in high school and college, Hamilton was an outstanding basketball player and was inducted into the Indiana basketball Hall of Fame.

During his 34-year tenure in Congress, Lee Hamilton made his mark in foreign affairs and domestic economic policy. He served on the Committee on Foreign Affairs, the Select Committee on Intelligence, the Iran Contra Committee, and the Joint Economic Com-

mittee. He had a front row seat for many historic events, including the fall of the Berlin Wall and the Gulf War. As a follower of economic issues, Lee Hamilton was a champion of global market competition and encouraged economic development.

During his government service, Lee Hamilton received numerous awards and honors. These include the Knight Commander Cross of the Order of Merit from the Government of Germany, the Paul Nitze Award for Distinguished Authority On National Security Affairs in 1999, and the Edmund Muskie Award for outstanding public service in 1997.

Congressman Hamilton, although a recognized and powerful figure in Washington, D.C., did not lose his sense of humility. He has retained his sense of humor, his grass roots "Hoosier" values, and remained a source of advice and counsel even today to his colleagues. Lee Hamilton is currently the director of the Woodrow Wilson International Center for Scholars here in Washington, D.C.

Mr. Speaker, I strongly support H.R. 1583, and I urge my colleagues to support this bill.

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

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

Mr. COSTELLO. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Wisconsin (Mr. OBEY), who is the ranking member of the Committee on Appropriations.

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

Mr. Speaker, let me simply say that I have had the privilege for most of the years of my service here to serve with the gentleman from Indiana (Mr. Hamilton); and, in my view, he is one of the most distinguished persons ever to occupy this body. He has a solid understanding of the economy. He served this House for years on the Joint Economic Committee and served as chair of that committee.

He is without question, in my view, the wisest member of this body in dealing with foreign affairs of any Member I have ever served with. Whether he was talking about Central America or the Middle East or the Soviet Union or its successor states, Lee Hamilton at all times came to his positions on the basis of facts, not on the basis of ideology. In the process, he served this country incredibly well.

He continues to serve this country well today in this time of crisis as the Director of the Woodrow Wilson Center at the Smithsonian. He has served the people of Indiana with incredible distinction, and he has done great honor to the people of the United States in the manner of his service in this institution. I am pleased today to see that he is getting at least some of the recognition that all of us who know him understand that he deserves.

Mr. KERNS. Mr. Speaker, I continue to reserve the balance of my time.

Mr. COSTELLO. Mr. Speaker, I yield such time as he may consume to the gentleman from Indiana (Mr. HILL).

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

Mr. Speaker, it is indeed a pleasure to rise today in support of H.R. 1583, a bill to name the Federal Building and United States Courthouse in New Albany, Indiana after my friend and mentor and colleague and the former Congressman of southern Indiana's ninth district, Lee Hamilton.

I would like to thank all of my colleagues in the Indiana congressional delegation for supporting this bill: the gentlewoman from Indiana (Ms. CARSON), and the gentlemen from Indiana (Mr. BURTON), (Mr. BUYER), (Mr. HOSTETTLER), (Mr. KERNS), (Mr. PENCE), (Mr. ROEMER), (Mr. SOUDER), and (Mr. VISCLOSKEY). I would also like to thank Senators EVAN BAYH and DICK LUGAR for their invaluable help in sponsoring a companion bill in the Senate, and I would also like to thank Indiana State Representatives Bill Cochran and Jim Bottorff for urging Congress to designate this building in honor of Lee.

Lee Hamilton served the people of southern Indiana with distinction for 34 years in the United States House of Representatives.

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He established himself as a leader in international affairs, serving as the chairman of the House Committee on Foreign Affairs, the House Permanent Select Committee on Intelligence, and the Iran-Contra Investigation Committee.

Lee was an honorable, forthright, and trustworthy Member of Congress who always provided a voice of reason when our Nation dealt with foreign policy issues throughout the Cold War. We still count on Lee today. It is no surprise to me, nor to any of Lee's former colleagues, to see the media and other scholars turn to Lee for his expertise in the wake of the terrorist attacks on September 11.

In troubled times like these, our Nation needs statesmen and our country demands leadership. Throughout his public life, Lee has always fulfilled those needs and met those demands.

Lee was my Congressman from the time I was 12 years old until he retired in 1998. His commonsense leadership in Congress helped make southern Indiana a better place for Hoosier families to live and work.

When Lee retired from Congress in 1998, Washington Post columnist David Broder wrote: "Hamilton is a throwback to the old days of the House, and not just because he still has the crew cut he wore when he came to Washington as a small town Hoosier in the Democratic landslide of 1964. He is an exemplar of common sense and an instinctively moderate model of legislator that used to be common in Congress but is increasingly rare today."

Lee now serves as the director of the Woodrow Wilson International Center

for Scholars and the director of the Center on Congress at Indiana University. His distinguished service as a Congressman and scholar has won him numerous public service awards and honorary degrees, far too many to list here today.

One thing is certain, though: throughout all Lee's professional successes, he never forgot the people of southern Indiana. To his neighbors and constituents, he was never "Congressman Hamilton," nor was he "Chairman Hamilton," he was just "Lee."

Even when he was being considered as a Vice-Presidential nominee or Secretary of State, or weighing a possible Senate campaign, Lee was never untouchable. He has always been down to earth and accessible and continues to embody the values and ideals of the people of southern Indiana.

It is fitting we designate this Federal building and the U.S. courthouse as the Lee H. Hamilton Federal Building to pay tribute to his limitless dedication and service to the people of southern Indiana.

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

Mr. Speaker, I thank the gentleman from Indiana (Mr. HILL) for his leadership in this. I know that I speak for all of our colleagues when I thank him for his leadership on this measure.

Mr. Speaker, I yield such time as he may consume to the gentleman from Indiana (Mr. ROEMER).

Mr. ROEMER. Mr. Speaker, I thank the gentleman from Indiana (Mr. KERNS) for bringing this good bill to the floor, and I thank my good neighbor from the State of Illinois (Mr. COSTELLO) for his hard work. I certainly recognize the insight my good friend and fellow Hoosier, the gentleman from Indiana (Mr. HILL), had in putting this bill together and guiding it to the completion we are about to see today.

I think the people of New Albany are particularly proud today. I think the people of Indiana are particularly proud today. I know the people in the United States are particularly proud today of honoring our home State leader, Lee Hamilton, and his wife, Nancy, and his family for the 34 years that they gave to this country with his insight, his common sense, his civility, and his fortitude and courage.

It is altogether fitting and appropriate that a U.S. courthouse and a Federal building be named after Lee Hamilton, a U.S. courthouse in that Lee Hamilton guided this Nation during the Iran-Contra hearings and provided a very, very tight grasp of the law and applied that law firmly and fairly and helped us get through some difficult moments and times.

Senator Sam Irvin, during the Watergate hearings, was seen as a leader of common sense and a brilliant mind with the law. I think Lee Hamilton was our House counterpart during those days.

Secondly, for the Federal building, Lee has always had an intimate sense

of not only fairness but bipartisanship, always looking at the principle and the facts of the law and then trying to build coalitions of people together to put forward good foreign policy.

So the people who walk into that Federal building, whether they be in the U.S. Bankruptcy Court, the U.S. Department of Labor, Wage, and House division; the FBI office, no matter what line of Federal service or civil service they serve in, I think they will look up with pride when they see Lee Hamilton's name on that building.

Lastly, I think Lee is remembered for helping through the 1960s and the 1970s and the 1980s and the 1990s guide our institutions through some very difficult times and difficult days. We face those same difficulties, given the events of September 11, today.

I can only imagine how many times Lee Hamilton's phone rang in the ensuing days from people looking for advice, trying to glean some counsel from Lee Hamilton. He will continue to provide that advice and that counsel and that common sense in the many days and months and years ahead with his leadership at the Woodrow Wilson Center for Scholars.

So I thank my colleagues for bringing this honor to Lee and Nancy and their children and family, to Indiana, and we are very proud of him in our home State for all he has brought forward.

Mr. KERNS. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana (Mr. PENCE).

Mr. PENCE. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I would especially associate myself with the complimentary remarks made about the gentleman from Indiana (Mr. HILL), my colleague and friend to the south, for his great leadership on this legislation.

Mr. Speaker, I thank the gentlemen from Indiana, Mr. HILL and Mr. ROEMER, and the other prominent Members around here from Indiana today, for producing this legislation and permitting me to be part of it. I would also like to thank Senators BAYH and LUGAR for introducing the bill in the Senate.

Mr. Speaker, as a boy growing up in Columbus, Indiana, when I was the age of the little boy sitting on my office floor right now, my Congressman was Lee Hamilton; and that famous crew cut, that confident stride of a basketball player, was a frequent image on the streets of Columbus, Indiana.

I had the honor of following his career and unsuccessfully applying for a job in his office at one point in my early career. For 34 years, I watched as he served both my hometown and all of Indiana with humility and distinction. Upon his retirement from the House of Representatives in 1998, Congressman Hamilton left a blueprint in public service here in the halls of the Capitol. His approach to issues and accessibility to his constituents, already commented on eloquently today, is an inspiration for his role.

Congressman Hamilton was most respected and best known for his role as chairman of the House Committee on Foreign Affairs. His broad knowledge of foreign policy recently earned him the honor of serving as the director of the Woodrow Wilson International Center for Scholars.

Congressman Hamilton's influence is ongoing in the world of foreign affairs, as most Americans know, in the wake of the tragic events of 2 weeks ago. The President recently established in this very hall the Office of Homeland Security. What they may not know is that that was a direct result of the vision and the purpose and the leadership which Indiana's own Lee Hamilton provided as a member of the now-famous Commission on Terrorism.

Mr. Speaker, on Wednesday, as I travel to Europe to participate in a conference on terrorism, I will carry with me many things. I will carry with me notes to study on the issues about which I will comment; but I will, more than anything else, carry the image of Lee Hamilton, who presented not only the image of a gentleman Hoosier into the foreign scene, but also what it truly is to be an American of principle in the world.

I join my fellow Hoosier delegates in designating the building at 121 West Spring Street as the Lee H. Hamilton Federal building and U.S. courthouse. It is an honor worthy of one of our Nation's foremost experts in foreign policy and one of Indiana's proudest public servants.

Mr. COSTELLO. Mr. Speaker, I yield 2 minutes to my friend and colleague, the gentlewoman from Indiana (Ms. CARSON).

Ms. CARSON of Indiana. Mr. Speaker, I thank the gentleman for yielding, and I thank the other members of the Indiana delegation who are gathered here in one place and in one accord in support of naming a Federal building in honor of the Honorable Lee Hamilton.

I had the benefit of having two Congresspeople. I worked at Cummings Engine Company, headquartered in Indiana, for over 10 years. While I was at work during the day, Mr. Hamilton was my Congressman. When I would travel back to Indianapolis, Indiana, Andy Jacobs was my Congressman. So I had the benefit of having a dual congressional honor, if you will: two very famous men in the halls of Congress. We have named a post office after the Honorable Andy Jacobs; and now today, with the help of the two distinguished Senators from Indiana, we will do the same for Mr. Hamilton.

Let me put a different spin on this, however. We know what a brilliant mind Lee Hamilton has now. We understand he was a basketball star, and even won the prestigious award for his basketball expertise, called the Trester Award.

But Mr. Speaker, on today's schedule, the resolution immediately preceding the Lee H. Hamilton Federal

Building and the United States Courthouse Designation Act, was a resolution expressing the sense of Congress regarding the establishment of a National Character Counts Week.

We hear a lot of diatribe at these microphones about family values and condemning people's behavior and all that, but Lee Hamilton has an unblemished, uncompromising solid moral character. He is a man who has had the joy of being married to Nancy for countless years, has a beautiful family. So he is the type of individual who does not extol big messages about family values. But he characterized family values in a very positive way.

It is for that reason, and many others, that I am very proud to join my colleagues in support of this resolution naming the post office for Lee Hamilton in New Albany, Indiana.

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

Mr. COSTELLO. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California (Mr. LANTOS).

Mr. LANTOS. Mr. Speaker, before saying a word about my friend, Lee Hamilton, let me say something about Nancy Hamilton, who, throughout a remarkable and distinguished public career, has given Lee the support, the encouragement, the inspiration which is so exemplary and so rare these days.

Lee Hamilton symbolizes the quintessential public servant. His integrity was unquestioned. His character was an inspiration to all of us. He was the most hardworking Member of this body.

I had the pleasure and the privilege of sitting next to him in countless committee hearings; and every single time Lee was fully prepared, thoroughly briefed, widely read on any subject that came before the Committee on International Relations.

His bipartisanship was legendary. He could not care whether it was a Democratic proposal or a Republican proposal. He was looking for the merits and for the flaws of the proposal and then made up his mind and voted.

When Lee left this House, he left an enormous void. We are very fortunate that his work on behalf of our Nation continues in his present distinguished position. But this House will long remember and cherish and value the incredible contributions of this great son of Indiana who made this body a proud, productive, distinguished group through his presence.

Lee Hamilton will be a tower of strength for all young people from Indiana who aspire for public service, and it is an honor to join my colleagues in recommending an affirmative vote on this important legislation.

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

Mr. COSTELLO. Mr. Speaker, I yield 2 minutes to the gentleman from New Mexico (Mr. UDALL).

Mr. UDALL of New Mexico. Mr. Speaker, as the House considers H.R.

1583, I would like to rise in recognition of Representative Lee Hamilton for whom H.R. 1583 names the Federal building and United States courthouse in New Albany, Indiana after.

Over the years, I have had the honor and privilege of forming a relationship and friendship with Lee. He is a man for whom I hold in the highest regard and am proud to call him a friend.

As a United States representative from January 1965 until his retirement in 1999, Lee served his constituents of the Ninth District of Indiana with the same honor, integrity, dignity with which he has lived his entire life.

Lee has received many awards throughout his distinguished career, including the Knight Commander's Cross of the Order of Merit of the Federal Republic of Germany, the Paul H. Nitze Award for Distinguished Authority on National Security Affairs, and the Department of Defense Medal for Distinguished Public Service, and the Central Intelligence Agency Medallion, just to name a few.

Lee Hamilton recently served on a national commission dealing with terrorism and related subjects. A week ago I attended a congressional briefing by Lee Hamilton on terrorism, and as usual, he came forward with significant insights on this very timely topic.

On a personal note, he served with my uncle, Congressman Morris Udall of Arizona, and Mo always used to tell me, listen to Lee Hamilton, he is one of the wisest Members of Congress.

Mr. Speaker, during his 34 years as a Member of Congress, Lee Hamilton was an exceptional legislator who forged partnerships on both sides of the aisle in order to get the American people's business done. Over the last couple of weeks, we as a Congress have had the opportunity to follow Lee's example.

Today, we continue to follow that example by honoring him and the city of New Albany, Indiana, by designating the Federal building and United States courthouse as the Lee H. Hamilton Federal Building and United States Courthouse.

I encourage all my colleagues to support H.R. 1583.

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

Mr. RAHALL. Mr. Speaker, I rise today to join with my colleagues in designating the Lee H. Hamilton Federal Building and United States Courthouse in New Albany, Indiana.

I had the pleasure of serving in the House of Representatives for over twenty-two years with Lee Hamilton.

Lee's lifetime commitment to public service, under the administrations of seven Presidents from both parties, never faltered. His enormous achievements are a testament to a remarkable life of selfless duty and an unstinting commitment to the peace and prosperity of the people of Indiana, our Nation and to peoples living in every corner of the world.

Lee Hamilton was known in this House for his impeccable integrity, his gentle voice of reason, and professionalism; all for which I had the great fortune from which to benefit.

Lee Hamilton arrived in Washington to begin his long tenure in the House during the Lyndon Johnson administration. As those times

demanding, he was present for the creation of such landmark legislation as the Elementary and Secondary and Higher Education Acts, helping assure an educated citizenry so that the socio-economic needs of this country might be met. He also presided over the enactment of legislation to assist those living at or below poverty—especially the children—as Johnson's War on Poverty began, and the President's Great Society began to take shape.

There was much going on in this House when Lee Hamilton arrived from Jeffersonville, Indiana to begin his service as the representative of the Ninth District of that great state, and aside from domestic issues, Lee was soon to become deeply involved in international issues as well.

As Lee Hamilton's distinguished service grew and flourished on behalf of those who needed federal support in order to obtain an education, food, shelter and health care, he quietly became our most able leader in International affairs. As he chaired and served as ranking member of the International Relations Committee for many years Lee devoted himself to leading this country through the cold war, helping bring about the fall of the Berlin Wall and the dissolution of the former Soviet Union; and then seeking to strengthen the development of new democracies.

Over the years I was able to look to him for assistance with concerns I have had over events in the Middle East, and especially in the land of my grandfathers, Lebanon. His deep understanding of the culture, history and traditions of the Middle Eastern countries is enormous. I know there were many times over the years when, at my request and no matter how busy he was, he took the time to share with me and my colleagues his remarkable insight into how best to address events in a troubled area in times of great distress.

Lee Hamilton continued his distinguished career in foreign relations when he left the House of Representatives to become Director of the Woodrow Wilson Center for Scholars and Director of the Center on Congress at Indiana University. His unmatched experience in both of these realms continues a distinguished career in advancing America's leadership on the world stage.

During this tragic time for the United States we need the steady hand and influence of such honorable leaders as Lee Hamilton to guide our nation in her fight against terrorism. I can think of none better to contribute than this most accomplished statesman.

And so it is with warmest personal regard, highest esteem and deepest appreciation that I join my colleagues in designating the Lee Hamilton Federal Building and United States Courthouse in New Albany, Indiana.

Mr. BEREUTER. Mr. Speaker, this Member rises in strong support of H.R. 1583, a bill designating the Federal Building and U.S. Courthouse in New Albany, Indiana, as the "Lee H. Hamilton Federal Building and United States Courthouse."

Our colleague, former Congressman Lee Hamilton possessed all attributes that a very distinguished public servant should possess—sound and well-reasoned judgment, unswerving integrity, unfailing courtesy, and intellect. Throughout his 34-year congressional career, while a strong legislative leader, he also consistently sought constructive ways to forge a bipartisan consensus where possible. Also, he

certainly knew and represented his Indiana constituents very well.

The people of Indiana's 9th Congressional District were exceedingly well-served by Representative Lee Hamilton during his service not only by his close attention to domestic issues and District concerns, but as Americans through his vast and respected foreign policy expertise and his leadership by his service as Chairman of the House Permanent Select Committee on Intelligence, and as Chairman and later as Ranking Minority Member of the House International Relations Committee. Indeed, Lee represented all Americans by rationally and insistently approaching foreign policy with U.S. national interests in mind, not simply those of special interest groups. Additionally, people world-wide have benefited from his dedication to food aid projects, to democracy-building projects in Russia and the former Soviet Union, and to many other international projects too numerous to mention.

Mr. Speaker, this Member served with Lee on the House International Relations Committee from 1983 through 1996 and remains particularly grateful for the informed, insightful assistance and counsel that Lee provided when this Member was a junior member of the Committee's minority. Regrettably, this Member did not have the opportunity to serve with Lee on the House Permanent Select Committee on Intelligence but, as current Vice-Chairman of the Committee and having served earlier for six years, this Member certainly does appreciate Representative Hamilton's contributions to the Intelligence Committee. We would all be well-advised to follow his example of setting aside emotion and irrationality from intricate, complex challenges and inserting common sense and careful analysis.

Mr. Sepaker, this Member has served in this body for 23 years and without any hyperbole would say that Lee Hamilton is one of the three or four most distinguished legislators with whom this Member has had the privilege to serve. Naming the New Albany, Indiana, Federal Building and U.S. Courthouse after Representative Hamilton is an appropriate tribute to a man who served Indiana and his country so extraordinarily well. This Member urges his colleagues to vote in favor of H.R. 1583.

Mrs. MINK of Hawaii. Mr. Speaker, I rise today to speak in support of H.R. 1583, which designates the Federal building and United States courthouse located at 121 West Spring Street in New Albany, Indiana, as the "Lee Hamilton Federal Building and United States Courthouse".

Lee Hamilton and I were members of the same freshman class in Congress—we both began our service in the 89th Congress in 1965. I was sorry when my friend and valued colleague decided to retire at the end of the 105th Congress in 1998 after 17 terms in the House of Representatives. Lee currently serves as director of the Woodrow Wilson International Center for Scholars and the Center for Congress at Indiana University.

Lee Hamilton is remembered by his colleagues for his skilled and principled service as chair and ranking member on the House Committee on International Affairs. His achievements and deep knowledge of foreign affairs and national security issues have been recognized by numerous awards, including the 1999 Paul H. Nitze Award for Distinguished

Authority on National Security Affairs, the Philip C. Habib Award for Distinguished Public Service, the Indiana Humanities Council Lifetime Achievement Award, and the U.S. Association of Former Members of Congress Statesmanship Award.

It is indeed fitting that the people of Indiana have a federal building and courthouse named after Lee Hamilton. His vast knowledge, keen intellect, and deeply held principles have been of great service to the people of Indiana and of the United States.

Mr. HASTINGS of Florida. Mr. Speaker, I rise today in support of H.R. 1583, a bill designating the federal building and courthouse in Albany, Indiana after my good friend Lee Hamilton. I am proud to stand before this body to honor my friend Lee Hamilton for this hard work and dedication to the people of this country.

Born in Daytona Beach, Florida, in 1931, Lee Hamilton is first and foremost an American. He is a Floridan as well, having left a great impression upon the people of Daytona Beach and throughout Florida.

Mr. Speaker, it is a pleasure to stand before you today to recognize a man that I admire professionally and consider a close and genuine friend. Having followed his career success and admired his accomplishments of becoming one of the most honored members of Congress, I had the pleasure of following in Lee's footsteps on serving on both the House Committee on International Relations and later on House Permanent Select Committee on Intelligence upon which he was distinguished the Chair.

What stands out about Lee and compels me to rise before you today, is not merely his accomplishments and political gains, but the fact that he distinguished himself over 34 years in Congress as a dedicated public servant and continue to embrace that integrity at the highest levels.

Mr. Speaker, I rise today to salute my close friend, Lee Hamilton for his significant contributions, hard work and dedication to promoting democracy. I urge my colleagues to support of H.R.1583 designating the federal building and courthouse in Indiana after my praiseworthy friend Lee Hamilton.

Mr. BURTON of Indiana. Mr. Speaker, it is with great pleasure that I rise today in full support of H.R. 1583, a bill designating the Federal building and United States courthouse located at 121 West Spring Street in New Albany, Indiana as the "Lee H. Hamilton Federal Building and United States Courthouse."

Lee Hamilton is a proud "Hoosier" through and through, and to this day he continues to work for the people of Indiana. Lee was the star of his basketball teams in high school and college, and earned induction into the Indiana Basketball Hall of Fame. Lee attended Evansville Central High School, where he excelled both in the classroom and on the basketball court. As a senior, he led his team to the final game of the Indiana state basketball tournament, and received the prestigious Trester award for scholarship and athletics. After graduation, Lee attended Depauw University where he studied history. Lee graduated with honors in 1952 and was awarded the Walker Cup, given to the most outstanding member of the senior class. He went on to study for a year in post-war Germany at Goethe University before returning to law school at Indiana University, from which he graduated in 1956.

While representing Indiana's 9th Congressional District in the U.S. House of Representatives, Lee Hamilton earned a reputation as a leader in international affairs, serving as Chairman of the House Foreign Relations Committee, the House Intelligence Committee, and the Iran-Contra Investigation Committee. During his tenure in Congress, Lee Hamilton established a broad record of expertise and influence in foreign affairs. He focused substantial attention on promoting democracy and market reforms in the former Soviet Union and Eastern Europe; advancing peace and stability in the Middle East; expanding U.S. markets overseas; and overhauling U.S. foreign aid.

In addition to his impressive record on foreign affairs, Congressman Hamilton also played an important role in reforming the institution of Congress itself. He co-chaired the Joint Committee on the Organization of Congress where he worked to develop ideas like the gift-ban tightening lobbying restrictions, and applying workplace laws to the United States Congress.

In 1999, after serving in the House of Representatives for 34 years, Lee Hamilton assumed the positions of Director of the Woodrow Wilson International Center for Scholars in Washington, D.C., and the Director of the Center on Congress at Indiana University. The non-partisan Center on Congress at Indiana University aims to educate citizens about the operations and importance of the U.S. Congress, and it includes a special outreach program to the people of Indiana.

I join my colleagues in honoring Lee by designating the New Albany Federal building and courthouse as the Lee H. Hamilton Federal Building and United States Courthouse, and I wish him well in his current endeavors.

Mr. GILMAN. Mr. Speaker, I rise today in support of H.R. 1583, legislation introduced by Rep. BARON HILL, to designate the Federal building and U.S. courthouse located at 121 West Spring Street in New Albany, Indiana, as the "Lee H. Hamilton Federal Building and United States Courthouse."

Former Congressman Lee Hamilton retired in 1998 after 34 years of service in the U.S. House of Representatives. Lee Hamilton represented the Ohio River counties of the State of Indiana and was first elected in 1964. Before retiring he served as the Chairman of our House Committee on International Relations.

While Chairman, I had the pleasure of working with Lee as the Ranking Republican Member, where I learned of his extensive knowledge and capacity for hard work in addition to his sense of moral imperative. It is at this time that I also learned of his willingness to bring back the pre-World War II era of bipartisan foreign policy.

Lee Hamilton was born in Daytona Beach, Volusia County, Fla. on April 20, 1931 and moved with his parents to Evansville, Ind., in 1944. He graduated from Indiana University School of Law in 1956 and was admitted to the bar in 1957. He began the practice of law in 1958 in Columbus, Ind. In 1968 he was first elected to the Eighty-ninth Congress and to the sixteen succeeding Congresses (January 3, 1965 through January 3, 1999).

In addition to serving as Chairman of the House International Relations Committee during the One Hundred Third Congress, Congressman Hamilton served as Chairman of the Select Committee on Intelligence during the Ninety-ninth Congress; the Select Committee

to Investigate Covert Arms Transactions with Iran during the One Hundredth Congress; and the Joint Economic Committee during the One Hundred First Congress.

Accordingly, I urge all of my colleagues to fully support this measure.

Mr. BUYER. Mr. Speaker, I am pleased to lend my support to H.R. 1583, legislation to name the federal building and courthouse in New Albany, Indiana, after a very distinguished former member of this body, Lee Hamilton.

While a Member of the House, Lee Hamilton earned a reputation as foreign policy expert. With the recent tragic events that have struck our country, Lee Hamilton's advise and counsel are again being sought. He served for 34 years in this body before retiring in 1999. While his primary committee focus was in foreign policy, Lee also had a tenure as the Chairman of the Joint Economic Committee and on temporary panels to address standards of conduct and Congressional operations and organization.

Still although having a love of foreign policy, Lee Hamilton never forgot his constituents in Indiana. He worked hard for the well-being of his constituents and reached across the aisle on many items for the betterment of the Hoosier State.

Finally, it must be noted here, that perhaps one of his greatest accomplishments, came not on the House floor or in committee, but on the basketball court. He was a star player on his high school and college teams and has been inducted into the Indiana Basketball Hall of Fame.

I support H.R. 1583 and urge its adoption.

Mr. FALCOMA. Mr. Speaker, I rise in strong support of H.R. 1583, which recognizes our former colleague from Indiana, the Honorable Lee H. Hamilton, by naming in his honor a Federal Building and U.S. Courthouse in New Albany, Indiana.

Mr. Speaker, ever since I was elected to the U.S. Congress in 1989, I have served as a member of the House Foreign Affairs/International Relations Committee. In that capacity, it was my distinct pleasure and honor to serve with and get to know our distinguished colleague, the former Chairman and Ranking Democratic Member, Lee Hamilton.

Over the decade that I worked with Mr. Hamilton, he was always looked to by Committee members for bipartisan leadership, wise insight and steady guidance in crafting America's foreign policy.

Mr. Hamilton's voice was one marked by moderation, thoughtfulness and balance, and he had the vision to look beyond momentary international crises to seek and preserve the long-term interests of our Nation.

In a distinguished career in Congress which spanned 34 years, Mr. Hamilton, in particular, provided exceptional leadership in efforts to promote democratic reforms in the former Soviet Union and Soviet bloc nations, as well his strong support of balanced peace initiatives in the Middle East. Mr. Hamilton was also a major instrumental force in revamping our Nation's foreign aid and export policies, while championing the expansion of overseas markets for U.S. products.

Mr. Speaker, all of us in Congress greatly miss our former colleague, Mr. Hamilton. We note, however, that he continues his tremendous contributions to our Nation's foreign policy by serving as the Director of the Woodrow

Wilson International Center for Scholars, the respected international and world affairs think tank.

Mr. Speaker, I urge our colleagues to adopt the legislation before us, which fittingly honors and pays tribute to a great American and one of the most respected leaders in our Nation's capital.

Mr. COSTELLO. Mr. Speaker, I urge passage of this legislation. I have no further requests for time, and I yield back the balance of my time.

Mr. KERN. 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 Indiana (Mr. KERN) that the House suspend the rules and pass the bill, H.R. 1583.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. KERN. 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 materials on H.R. 1583.

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

There was no objection.

SENIOR HOUSING COMMISSION EXTENSION ACT OF 2001

Mr. GREEN of Wisconsin. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1850) to extend the Commission on Affordable Housing and Health Facility Needs for Seniors in the 21st Century and to make technical corrections to the law governing the Commission.

The Clerk read as follows:

H.R. 1850

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 "Senior Housing Commission Extension Act of 2001".

SEC. 2. EXTENSION OF SENIORS HOUSING AND HEALTH FACILITY NEEDS COMMISSION AND TECHNICAL CORRECTIONS.

Section 525 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000 (42 U.S.C. 12701 note) is amended—

- (1) in subsection (d)(4), by striking "reimbursable" and inserting "non-reimbursable";
- (2) in the first sentence of subsection (f)—
 - (A) by striking "Banking and"; and
 - (B) by striking "December 31, 2001" and inserting "December 31, 2002"; and
- (3) in subsection (g), by striking "June 30, 2002" and inserting "March 31, 2003".

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

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

GENERAL LEAVE

Mr. GREEN of Wisconsin. 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. 1850.

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

There was no objection.

Mr. GREEN of Wisconsin. Mr. Speaker, I yield myself such time as I may consume.

The purpose of H.R. 1850, the Senior Housing Commission Extension Act, is to extend for 1 year the Commission on Affordable Housing and Health Care Facility Needs of Senior Citizens. In 1999, Congress created this Commission to develop a comprehensive strategy for dealing with the growing needs associated with senior housing.

This extension is necessary because the appointment of commission members was delayed for more than 1 year after the passage on October 20, 1999, with commission member appointments not occurring until January 2, 2001. Given that more than 1 year passed before commission co-chairpersons, members and a staff could be appointed, the Commission requested an extension of the report deadline from December 31, 2001, to March 30, 2003.

This legislation merely makes technical corrections to allow the Commission to do the job that Congress originally intended. H.R. 1850 extends the dates authorizing the Commission's reporting date, termination date and authority to use agency employees on a non-reimbursable basis. The Congressional Budget Office estimates that this bill will require no additional spending.

This country is facing a serious housing crisis for low and moderate income families and individuals. In no other segment of our population is this crisis more evident than in our senior's population. According to the Department of Commerce, Bureau of the Census, in July 1999 there were more than 35.5 million Americans over 65 years of age, and the Bureau projects that by the year 2075, more than 55.7 million, or one in eight, Americans will be over 65 years in age.

HUD statistics indicate that only one-third of the low income senior citizens in need of affordable housing actually receives assistance. Appropriate senior housing is only part of the problem. Along with the decent housing, seniors need supportive services. Over the years, non-profits and faith-based organizations have worked with HUD to develop creative ways to meet the needs of this vulnerable group, but as our population continues to age, we must seek new ways to address this growing problem.

The commission is charged with developing a comprehensive strategy to

address the issues that are inherent to America's aging population by reviewing existing programs and exploring new ideas and partnerships. H.R. 1850 will provide the Commission with the time that Congress originally intended that it have to complete this task.

I urge my colleagues' support and I urge adoption of this measure.

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

Ms. CARSON of Indiana. Mr. Speaker, I yield myself such time as I may consume. I think the gentleman from Wisconsin (Mr. GREEN) has done a yeoman's job in detailing the needs of this legislation.

Let me reinforce a part of his message, and that is, the dire need for affordable, decent, safe housing for our aging population. Since I am probably one of them, this is probably a conflict of interest as I speak.

I rise in support of this bipartisan legislation, which extends the life of the "Commission on Affordable Housing and Health Facility Needs for Seniors in the 21st Century," commonly referred to as the Seniors Commission.

The Seniors Commission was established on a bipartisan basis in the last Congress. It is charged with studying and proposing recommendations dealing with the challenges of developing aging in place strategies for the housing and health care needs of our Nation's senior citizens.

Originally, the commission was charged with issuing a report by December 31 of this year, and with wrapping up all business by June 30 of next year. However, more than a year passed after the bill's enactment before commissioners were actually named. This makes meeting the original statutory deadlines unrealistic. Without a change in deadlines, the commission simply cannot do a thorough job of completing the tasks they are charged with. Therefore, this legislation provides a 1 year extension on the report deadline, to December 31 of next year, and a 9-month extension on the commission's termination, to March 31 of 2003.

In addition, the bill authorizes the detailing of Federal personnel to the commission on nonreimbursable basis. Currently, such detailing can only be done on a reimbursable basis.

This is a noncontroversial bill, and I urge its adoption.

Mr. Speaker, I encourage all my colleagues to give their enthusiastic support in extending the life of the commission.

Mr. OXLEY. Mr. Speaker, I rise in support of H.R. 1850—the "Senior Housing Commission Extension Act of 2001."

The Committee voted unanimously to support this legislation on June 27, 2001 and reported [House Report 107-147] the bill to the House on July 19, 2001. This legislation makes certain technical corrections to legislation enacted in October 1999 creating the Commission on Affordable Housing and Health Care Facility Needs in the 21st Century. As I understand, it took one year longer than anticipated for Congress to appoint Commission members. As a result, we are extending the Commission's reporting deadline and termination date by one year. We also clarify the Commission's authority to use agency employees as details on a non-reimbursable basis.

As many of you know, our population is aging, particularly for low- and moderate-income families and individuals. According to the Department of Commerce, Bureau of the Census, in July 1999 there were more than 35.5 million Americans over 65 years of age, and the Bureau projects that by the year 2075, more than 55.7 million, or one in eight Americans, will be over 65 years of age.

These are purely technical corrections worked-out between the majority and minority staffs along with the Commission's Executive Director—Gerard Holder—that will empower the Commission to provide the type of report and recommendations necessary to assist Congress in addressing elderly housing issues.

Mr. Speaker, I urge passage of this legislation.

Mr. GREEN of Wisconsin. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Ms. CARSON of Indiana. 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. GREEN) that the House suspend the rules and pass the bill, H.R. 1850.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

MARK-TO-MARKET EXTENSION
ACT OF 2001

Mr. GREEN of Wisconsin. Mr. Speaker, I move to suspend the rules and pass the bill (2589) to amend the Multifamily Assisted Housing Reform and Affordability Act of 1997 to reauthorize the Office of Multifamily Housing Assistance Restructuring, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2589

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

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Mark-to-Market Extension Act of 2001".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title and table of contents.
- Sec. 2. Purposes.
- Sec. 3. Effective date.

TITLE I—MULTIFAMILY HOUSING MORTGAGE AND ASSISTANCE RESTRUCTURING AND SECTION 8 CONTRACT RENEWAL

- Sec. 101. Definitions.
- Sec. 102. Mark-to-market program amendments.
- Sec. 103. Consistency of rent levels under enhanced voucher assistance and rent restructurings.
- Sec. 104. Eligible inclusions for renewal rents of partially assisted buildings.
- Sec. 105. Eligibility of restructuring projects for miscellaneous housing insurance.
- Sec. 106. Technical corrections.

TITLE II—OFFICE OF MULTIFAMILY HOUSING ASSISTANCE RESTRUCTURING

- Sec. 201. Reauthorization of Office and extension of program.

- Sec. 202. Appointment of Director.
 Sec. 203. Vacancy in position of Director.
 Sec. 204. Oversight by Federal Housing Commissioner.
 Sec. 205. Limitation on subsequent employment.

TITLE III—MISCELLANEOUS HOUSING PROGRAM AMENDMENTS

- Sec. 301. Extension of CDBG public services cap exception.
 Sec. 302. Use of section 8 enhanced vouchers for prepayments.
 Sec. 303. Prepayment and refinancing of loans for section 202 supportive housing.
 Sec. 304. Technical correction.

SEC. 2. PURPOSES.

The purposes of this Act are—

- (1) to continue the progress of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (referred to in this section as “that Act”);
 (2) to ensure that properties that undergo mortgage restructurings pursuant to that Act are rehabilitated to a standard that allows the properties to meet their long-term affordability requirements;
 (3) to ensure that, for properties that undergo mortgage restructurings pursuant to that Act, reserves are set at adequate levels to allow the properties to meet their long-term affordability requirements;
 (4) to ensure that properties that undergo mortgage restructurings pursuant to that Act are operated efficiently, and that operating expenses are sufficient to ensure the long-term financial and physical integrity of the properties;
 (5) to ensure that properties that undergo rent restructurings have adequate resources to maintain the properties in good condition;
 (6) to ensure that the Office of Multifamily Housing Assistance Restructuring of the Department of Housing and Urban Development continues to focus on the portfolio of properties eligible for restructuring under that Act;
 (7) to ensure that the Department of Housing and Urban Development carefully tracks the condition of those properties on an ongoing basis;
 (8) to ensure that tenant groups, nonprofit organizations, and public entities continue to have the resources for building the capacity of tenant organizations in furtherance of the purposes of subtitle A of that Act; and
 (9) to encourage the Office of Multifamily Housing Assistance Restructuring to continue to provide participating administrative entities, including public participating administrative entities, with the flexibility to respond to specific problems that individual cases may present, while ensuring continued outcomes around the country.

SEC. 3. EFFECTIVE DATE.

Except as provided in sections 106(a)(2), 303(b), and 304(b), this Act and the amendments made by this Act shall take effect or are deemed to have taken effect, as appropriate, on the earlier of—

- (1) the date of the enactment of this Act; or
 (2) September 30, 2001.

TITLE I—MULTIFAMILY HOUSING MORTGAGE AND ASSISTANCE RESTRUCTURING AND SECTION 8 CONTRACT RENEWAL

SEC. 101. DEFINITIONS.

Section 512 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) is amended by adding at the end the following new paragraph:

“(19) OFFICE.—The term ‘Office’ means the Office of Multifamily Housing Assistance Restructuring established under section 571.”

SEC. 102. MARK-TO-MARKET PROGRAM AMENDMENTS.

(a) FUNDING FOR TENANT AND NONPROFIT PARTICIPATION.—Section 514(f)(3)(A) of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) is amended—

(1) by striking “Secretary may provide not more than \$10,000,000 annually in funding” and inserting “Secretary shall make available not more than \$10,000,000 annually in funding, which amount shall be in addition to any amounts made available under this subparagraph and carried over from previous years.”; and

(2) by striking “entities) and for tenant services,” and inserting “entities), for tenant services, and for tenant groups, nonprofit organizations, and public entities described in section 517(a)(5).”

(b) EXCEPTION RENTS.—Section 514(g)(2)(A) of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) is amended by striking “restructured mortgages in any fiscal year” and inserting “portfolio restructuring agreements”.

(c) NOTICE TO DISPLACED TENANTS.—Section 516(d) of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) is amended by striking “Subject to” and inserting the following:

“(1) NOTICE TO CERTAIN RESIDENTS.—The Office shall notify any tenant that is residing in a project or receiving assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) at the time of rejection under this section, of such rejection, except that the Office may delegate the responsibility to provide notice under this paragraph to the participating administrative entity.

“(2) ASSISTANCE AND MOVING EXPENSES.—Subject to”.

(d) RESTRUCTURING PLANS FOR TRANSFERS OF PREPAYMENT PROJECTS.—The Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) is amended—

(1) in section 524(e), by adding at the end the following new paragraph:

“(3) MORTGAGE RESTRUCTURING AND RENTAL ASSISTANCE SUFFICIENCY PLANS.—Notwithstanding paragraph (1), the owner of the project may request, and the Secretary may consider, mortgage restructuring and rental assistance sufficiency plans to facilitate sales or transfers of properties under this subtitle, subject to an approved plan of action under the Emergency Low Income Housing Preservation Act of 1987 (12 U.S.C. 1715l note) or the Low-Income Housing Preservation and Resident Homeownership Act of 1990 (12 U.S.C. 4101 et seq.), which plans shall result in a sale or transfer of those properties.”; and

(2) in the last sentence of section 512(2), by inserting “, but does include a project described in section 524(e)(3)” after “section 524(e)”.

(e) ADDITION OF SIGNIFICANT FEATURES.—Section 517 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) is amended—

(1) by striking subsection (c) (except that the striking of such subsection may not be construed to have any effect on the provisions of law amended by such subsection, as such subsection was in effect before the date of the enactment of this Act);

(2) in subsection (b)—

(A) in paragraph (7), by striking “(7)” and inserting “(1)”;

(B) by adding at the end the following new paragraph:

“(2) ADDITION OF SIGNIFICANT FEATURES.—

“(A) AUTHORITY.—An approved mortgage restructuring and rental assistance sufficiency plan may require the improvement of the project by the addition of significant features that are not necessary for rehabilita-

tion to the standard provided under paragraph (1), such as air conditioning, an elevator, and additional community space. The Secretary shall establish guidelines regarding the inclusion of requirements regarding such additional significant features under such plans.

“(B) FUNDING.—Significant features added pursuant to an approved mortgage restructuring and rental assistance sufficiency plan may be paid from the funding sources specified in the first sentence of paragraph (1)(A).

“(C) LIMITATION ON OWNER CONTRIBUTION.—An owner of a project may not be required to contribute from non-project resources, toward the cost of any additional significant features required pursuant to this paragraph, more than 25 percent of the amount of any assistance received for the inclusion of such features.

“(D) APPLICABILITY.—This paragraph shall apply to all eligible multifamily housing projects, except projects for which the Secretary and the project owner executed a mortgage restructuring and rental assistance sufficiency plan on or before the date of the enactment of the Mark-to-Market Extension Act of 2001.”; and

(3) by inserting after paragraph (6) of subsection (b) the following:

“(C) REHABILITATION NEEDS AND ADDITION OF SIGNIFICANT FEATURES.—”

(f) LOOK-BACK PROJECTS.—Section 512(2) of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) is amended by adding after the period at the end of the last sentence the following:

“Notwithstanding any other provision of this title, the Secretary may treat a project as an eligible multifamily housing project for purposes of this title if (I) the project is assisted pursuant to a contract for project-based assistance under section 8 of the United States Housing Act of 1937 renewed under section 524 of this Act, (II) the owner consents to such treatment, and (III) the project met the requirements of the first sentence of this paragraph for eligibility as an eligible multifamily housing project before the initial renewal of the contract under section 524.”

(g) SECOND MORTGAGES.—Section 517(a) of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) is amended—

(1) in paragraph (1)(B), by striking “no more than the” and inserting the following: “not more than the greater of—

“(i) the full or partial payment of claim made under this subtitle; or

“(ii) the”; and

(2) in paragraph (5), by inserting “of the second mortgage, assign the second mortgage to the acquiring organization or agency,” after “terms”.

(h) EXEMPTIONS FROM RESTRUCTURING.—Section 514(h)(2) of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) is amended by inserting before the semicolon the following: “, or refinanced pursuant to section 811 of the American Homeownership and Economic Opportunity Act of 2000 (12 U.S.C. 1701q note)”.

SEC. 103. CONSISTENCY OF RENT LEVELS UNDER ENHANCED VOUCHER ASSISTANCE AND RENT RESTRUCTURINGS.

Subtitle A of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) is amended by adding at the end the following new section:

“SEC. 525. CONSISTENCY OF RENT LEVELS UNDER ENHANCED VOUCHER ASSISTANCE AND RENT RESTRUCTURINGS.

“(a) IN GENERAL.—The Secretary shall examine the standards and procedures for determining and establishing the rent standards described under subsection (b). Pursuant to such examination, the Secretary shall

establish procedures and guidelines that are designed to ensure that the amounts determined by the various rent standards for the same dwelling units are reasonably consistent and reflect rents for comparable unassisted units in the same area as such dwelling units.

“(b) RENT STANDARDS.—The rent standards described in this subsection are as follows:

“(1) ENHANCED VOUCHERS.—The payment standard for enhanced voucher assistance under section 8(t) of the United States Housing Act of 1937 (42 U.S.C. 1437f(t)).

“(2) MARK-TO-MARKET.—The rents derived from comparable properties, for purposes of section 514(g) of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note).

“(3) CONTRACT RENEWAL.—The comparable market rents for the market area, for purposes of section 524(a)(4) of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note).”

SEC. 104. ELIGIBLE INCLUSIONS FOR RENEWAL RENTS OF PARTIALLY ASSISTED BUILDINGS.

Section 524(a)(4)(C) of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) is amended by adding after the period at the end the following: “Notwithstanding any other provision of law, the Secretary shall include in such budget-based cost increases costs relating to the project as a whole (including costs incurred with respect to units not covered by the contract for assistance), but only (I) if inclusion of such costs is requested by the owner or purchaser of the project, (II) if inclusion of such costs will permit capital repairs to the project or acquisition of the project by a nonprofit organization, and (III) to the extent that inclusion of such costs (or a portion thereof) complies with the requirement under clause (ii).”

SEC. 105. ELIGIBILITY OF RESTRUCTURING PROJECTS FOR MISCELLANEOUS HOUSING INSURANCE.

Section 223(a)(7) of the National Housing Act (12 U.S.C. 1715n(a)(7)) is amended—

(1) by striking “under this Act: *Provided*, That the principal” and inserting the following: “under this Act, or an existing mortgage held by the Secretary that is subject to a mortgage restructuring and rental assistance sufficiency plan pursuant to the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note), provided that—

“(A) the principal”;

(2) by striking “except that (A)” and inserting “except that (i)”;

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

(4) by striking “(C)” and inserting “(iii)”;

(5) by striking “(D)” and inserting “(iv)”;

(6) by striking “: *Provided further*, That a mortgage” and inserting the following “; and “(B) a mortgage”;

(7) by striking “or” at the end; and

(8) by adding at the end the following new subparagraph:

“(C) a mortgage that is subject to a mortgage restructuring and rental assistance sufficiency plan pursuant to the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) and is refinanced under this paragraph may have a term of not more than 30 years; or”.

SEC. 106. TECHNICAL CORRECTIONS.

(a) EXEMPTIONS FROM RESTRUCTURING.—

(1) IN GENERAL.—Section 514(h) of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) is amended to read as if the amendment made by section 531(c) of Public Law 106-74 (113 Stat. 1116) were made to “Section 514(h)(1)” instead of “Section 514(h)”.

(2) RETROACTIVE EFFECT.—The amendment made by paragraph (1) of this subsection is

deemed to have taken effect on the date of the enactment of Public Law 106-74 (113 Stat. 1109).

(b) OTHER.—The Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) is amended—

(1) in section 511(a)(12), by striking “this Act” and inserting “this title”;

(2) in section 513, by striking “this Act” each place such term appears in subsections (a)(2)(I) and (b)(3) and inserting “this title”;

(3) in section 514(f)(3)(B), by inserting “Housing” after “Multifamily”;

(4) in section 515(c)(1)(B), by inserting “or” after the semicolon;

(5) in section 517(b)—

(A) in each of paragraphs (1) through (6), by capitalizing the first letter of the first word that follows the paragraph heading;

(B) in each of paragraphs (1) through (5), by striking the semicolon at the end and inserting a period; and

(C) in paragraph (6), by striking “; and” at the end and inserting a period;

(6) in section 520(b), by striking “Banking and”; and

(7) in section 573(d)(2), by striking “Banking and”.

TITLE II—OFFICE OF MULTIFAMILY HOUSING ASSISTANCE RESTRUCTURING

SEC. 201. REAUTHORIZATION OF OFFICE AND EXTENSION OF PROGRAM.

Section 579 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) is amended—

(1) by striking subsection (a) and inserting the following new subsection:

“(a) REPEALS.—

“(1) MARK-TO-MARKET PROGRAM.—Subtitle A (except for section 524) is repealed effective October 1, 2006.

“(2) OMHAR.—Subtitle D (except for this section) is repealed effective October 1, 2004.”;

(2) in subsection (b), by striking “October 1, 2001” and inserting “October 1, 2006”;

(3) in subsection (c), by striking “upon September 30, 2001” and inserting “at the end of September 30, 2004”; and

(4) by striking subsection (d) and inserting the following new subsection:

“(d) TRANSFER OF AUTHORITY.—Effective upon the repeal of subtitle D under subsection (a)(2) of this section, all authority and responsibilities to administer the program under subtitle A are transferred to the Secretary.”.

SEC. 202. APPOINTMENT OF DIRECTOR.

(a) IN GENERAL.—Section 572 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) is amended by striking subsection (a) and inserting the following new subsection:

“(a) APPOINTMENT.—The Office shall be under the management of a Director, who shall be appointed by the President from among individuals who are citizens of the United States and have a demonstrated understanding of financing and mortgage restructuring for affordable multifamily housing.”.

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply to the first Director of the Office of Multifamily Housing Assistance Restructuring of the Department of Housing and Urban Development appointed after the date of the enactment of this Act, and any such Director appointed thereafter.

SEC. 203. VACANCY IN POSITION OF DIRECTOR.

(a) IN GENERAL.—Section 572 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) is amended by striking subsection (b) and inserting the following new subsection:

“(b) VACANCY.—A vacancy in the position of Director shall be filled by appointment in

the manner provided under subsection (a). The President shall make such an appointment not later than 60 days after such position first becomes vacant.”.

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply to any vacancy in the position of Director of the Office of Multifamily Housing Assistance Restructuring of the Department of Housing and Urban Development which occurs or exists after the date of the enactment of this Act.

SEC. 204. OVERSIGHT BY FEDERAL HOUSING COMMISSIONER.

(a) IN GENERAL.—Section 578 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) is amended to read as follows:

“SEC. 578. OVERSIGHT BY FEDERAL HOUSING COMMISSIONER.

“All authority and responsibilities assigned under this subtitle to the Secretary shall be carried out through the Assistant Secretary of the Department of Housing and Urban Development who is the Federal Housing Commissioner.”.

(b) REPORT.—The second sentence of section 573(b) of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) is amended by striking “Secretary” and inserting “Assistant Secretary of the Department of Housing and Urban Development who is the Federal Housing Commissioner”.

SEC. 205. LIMITATION ON SUBSEQUENT EMPLOYMENT.

Section 576 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note) is amended by striking “2-year period” and inserting “1-year period”.

TITLE III—MISCELLANEOUS HOUSING PROGRAM AMENDMENTS

SEC. 301. EXTENSION OF CDBG PUBLIC SERVICES CAP EXCEPTION.

Section 105(a)(8) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)(8)) is amended by striking “through 2001” and inserting “through 2003”.

SEC. 302. USE OF SECTION 8 ENHANCED VOUCHERS FOR PREPAYMENTS.

Section 8(t)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437f(t)(2)) is amended by inserting after “insurance contract for the mortgage for such housing project” the following: “(including any such mortgage prepayment during fiscal year 1996 or a fiscal year thereafter or any insurance contract voluntary termination during fiscal year 1996 or a fiscal year thereafter)”.

SEC. 303. PREPAYMENT AND REFINANCING OF LOANS FOR SECTION 202 SUPPORTIVE HOUSING.

(a) IN GENERAL.—Section 811 of the American Homeownership and Economic Opportunity Act of 2000 (12 U.S.C. 1701q note) is amended by striking subsection (e).

(b) EFFECTIVENESS UPON DATE OF ENACTMENT.—The amendment made by subsection (a) of this section shall take effect upon the date of the enactment of this Act and the provisions of section 811 of the American Homeownership and Economic Opportunity Act of 2000 (12 U.S.C. 1701q note), as amended by subsection (a) of this section, shall apply as so amended upon such date of enactment, notwithstanding—

(1) any authority of the Secretary of Housing and Urban Development to issue regulations to implement or carry out the amendments made by subsection (a) of this section or the provisions of section 811 of the American Homeownership and Economic Opportunity Act of 2000 (12 U.S.C. 1701q note); or

(2) any failure of the Secretary of Housing and Urban Development to issue any such regulations authorized.

SEC. 304. TECHNICAL CORRECTION.

(a) IN GENERAL.—Section 101(a) of Public Law 100-77 (42 U.S.C. 11301 note) is amended

to read as if the amendment made by section 1 of Public Law 106-400 (114 Stat. 1675) were made to "Section 101" instead of "Section 1".

(b) RETROACTIVE EFFECT.—The amendment made by subsection (a) of this section is deemed to have taken effect immediately after the enactment of Public Law 106-400 (114 Stat. 1675).

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

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

GENERAL LEAVE

Mr. GREEN of Wisconsin. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 2589, the bill now under consideration.

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

There was no objection.

Mr. GREEN of Wisconsin. Mr. Speaker, I yield myself such time as I may consume.

The legislation we are considering here today is about affordable housing for low-income families and how to keep it affordable. The mark-to-market program and the Office of Multifamily Housing Assistance Restructuring, OMHAR, are both scheduled to terminate on September 30, 2001. The legislation we are considering today represents a House-Senate consensus. H.R. 2589 extends the Office of Multifamily Housing Assistance Restructuring through October 1, 2004, and reauthorizes the mark-to-market program through October 1, 2006.

My colleagues should note, as a way of background, that in the late 1970s and in the early 1980s, about 800,000 units in 8,500 multifamily housing projects were financed with mortgage insured by the Federal Housing Administration and supported by Section 8 housing assistance payment contracts. The Federal Government guaranteed that these projects would be built by insuring the mortgages and using Section 8 contracts to guarantee that the rents would be high enough to pay off the mortgages. In most markets, these rents were above market levels. Typically, the mortgages for these multifamily dwellings had terms of 40 years and the Section 8 contracts had terms of 20 years.

By the late 1990s, the 20-year Section 8 contracts started to expire. Congress started renewing the Section 8 contracts for 1 year at market rents. In some areas, the market rents were sufficient to support the property, but in other areas, market rents were not enough to support the mortgage payments. Consequently, those properties were in danger of defaulting and costing the Federal taxpayer billions of dollars.

In 1997, after a careful review of the insured multifamily portfolio of the

FHA, Congress realized that if substantial changes to the Section 8 project-based program were not made, the renewals of expiring contracts for Section 8 assistance would consume an increasingly larger share of HUD's future budgets. In fact, HUD estimated that if no action were taken by 2007, the annual cost of renewing project-based Section 8 contracts would rise to approximately \$7 billion, or about one-third of HUD's entire budget.

In an effort to address this growing problem, Congress enacted the Multifamily Assisted Housing Reform and Affordability Act. The goal of that 1997 legislation was twofold: First and foremost, to preserve affordable low-income rental housing; and, second, to reduce the cost to the Federal Government of rental assistance payments.

Specifically, the legislation established OMHAR, the Office of Multifamily Housing Assistance, and the mark-to-market program for restructuring section 8 based properties with FHA-insured mortgages. The mark-to-market program provides the tools necessary for HUD to restructure the insured Section 8 multifamily housing projects by lowering their rents to market levels when their current Section 8 contracts expires, and also by restructuring their mortgage debt, if such action is necessary, for the property to continue to have a positive cash flow.

In addition to extending OMHAR and the authority of the mark-to-market program, H.R. 2589 simplifies issues of jurisdiction and coordination by requiring the program director to report directly to the Federal Housing Commissioner instead of the Secretary of HUD. At present, the Office of Housing is responsible for Section 8 subsidy payments and the management of insurance contracts while at the same time OMHAR is responsible for restructuring them for the future. The same projects are under the jurisdiction of two separate equal offices, each reporting to the Secretary simultaneously. Having OMHAR report to the Commissioner will simplify these issues of coordination and jurisdiction.

Mr. Speaker, I will be submitting for the record a section-by-section analysis of the bill and also several support letters for this legislation, letters from the National Association of Home Builders, the National Leased Housing Association, the National Housing Trust, and the National Affordable Housing Management Association.

□ 1545

Mr. Speaker, this legislation is supported by the National Leased Housing Association, the National Apartment Association, the National Multi-Housing Council, the National Affordable Housing Management Association, the National Association of Realtors, the Institute of Real Estate Management, the Mortgage Bankers Association, the Council for Affordable and Rural Housing, the Coalition for Affordable Hous-

ing Preservation, the Appraisal Institute, the National Housing Trust, and the National Association of Home Builders.

Mr. Speaker, with all of that support, I urge my colleagues to support this legislation, and I urge its adoption.

Mr. Speaker, I submit for the RECORD the letters and section by section analysis I referred to earlier.

NATIONAL ASSOCIATION OF HOME BUILDERS, LEGISLATIVE AND POLITICAL RELATIONS,

Washington, DC, September 24, 2001.

Hon. MARGE ROUKEMA,

Chair, House of Representatives Subcommittee on Housing and Community Opportunity, Rayburn House Office Building, Washington, DC.

DEAR CHAIRWOMAN ROUKEMA: On behalf of the 205,000 members of the National Association of Home Builders, I write to express our support for H.R. 2589, the Office of Multifamily Housing Assistance Restructuring Act of 2001."

Timely passage of the reauthorizing legislation is critical to the continuation of the Department of Housing and Urban Development's (HUD) authority to restructure mortgages on multifamily properties insured by FHA and enhanced by Section 8 rental assistance. This program ensures the continued viability of affordable multifamily properties and ultimately saves the federal government money. Because the program is due to expire on October 1, 2001, I respectfully request your support for swift passage of H.R. 2589 which extends the program for another five years.

NAHB urges you to support passage of H.R. 2589, as amended. Thank you in advance for your consideration of views important to the housing industry.

Sincerely,

KATHERINE E. DODDRIDGE,
Acting Senior Staff Vice President.

NATIONAL LEASED HOUSING ASSOCIATION,

Washington, DC, September 24, 2001.

Hon. MARGE ROUKEMA,

Chair, Subcommittee on Housing & Community Opportunity, Rayburn House Office Building, Washington, DC.

DEAR CHAIRWOMEN ROUKEMA: I am writing on behalf of the National Leased Housing Association (NLHA) in support of H.R. 2589 as revised. The bill includes the necessary reauthorization of the mark to market program while making a number of non-controversial revisions that will improve processing under the program.

The bill will present a disruption of mortgages currently in the OMHAR pipeline and will provide a measure of stability for future properties that will benefit from the technical provisions impacting contributions to rehabilitation, length of second mortgages, and the eligibility of HUD-held loans for certain mortgage processing. The bill also ensures the adequate distribution of technical assistance funding and corrects several inconsistent provisions in current law.

We are grateful for your leadership in crafting a compromise with the Senate to eliminate the controversial provisions in S. 1254. NLHA recently joined with a number of industry groups to express our concern with several provisions contained in the original S. 1254, including the National Apartment Association, the National Multi Housing Council, the National Association of Realtors, the Institute for Real Estate Management, the Mortgage Bankers Association, the Council for Affordable and Rural Housing, the National Affordable Housing Management Association, the Appraisal Institute

and the Coalition for Affordable Housing Preservation. We appreciate your efforts to address and mitigate those concerns.

As always, we are thankful for your interest in promoting the preservation of the affordable housing stock.

Sincerely,

DENISE B. MUBA,
Executive Director.

NATIONAL HOUSING TRUST,
Washington, DC, September 24, 2001.

Re: *Extension of Mark to Market Authorization; HR 2589*

Congresswoman MARGE ROUKEMA,
Chair, House Financial Services Subcommittee, Housing and Community Opportunity, Rayburn House Office Building, Washington, DC.

DEAR CONGRESSWOMAN ROUKEMA: Formed in 1986, the National Housing Trust is a national nonprofit organization, located in Washington, D.C. The Trust is dedicated to the preservation of existing affordable housing. Its board of directors is comprised of nationally recognized authorities and practitioners in the housing and community development field.

The Trust is a multi-faceted organization, with expertise in the financial, regulatory, tax and legal aspects of existing, federal assisted, multifamily affordable housing. It performs a path-finding role in the area through a unique mix of public policy development, technical assistance and transactional activities.

The Trust plays a leading role in providing information and technical assistance to various stakeholders concerning various HUD proposals which concern the mortgage restructuring and subsidy renewal for nearly 1.3 million units of federally assisted and insured housing stock. The Trust has testified numerous times before Congress on this issue, developed policy papers concerning various proposals and developed a unique database for these apartments, noting term of contract, time of expiration, and the relationship of the current contract rent level to local rents. The Trust also trains and helps explain to residents their rights under HUD programs, including HUD's "Mark to Market" program.

The September 30, 2001 sunset date for the Mark to Market legislative authority provided Congress a unique opportunity to both review the existing program, analyze its progress and remedy any perceived problems with the current program. In our view, HR 2589 is a significant bipartisan response to the need for continued Mark to Market legislation.

The program of marking HUD rents down to comparable market levels has been successful at both saving the taxpayers unnecessary expense and reducing overleveraged HUD properties. At the same time, experience has shown that many Mark to Market assets provide necessary shelter for very low income American families who would have no other choice if the housing was not available to them. We are currently at mid point in the program's progress and an extension is obviously necessary.

HR 2589 is to be particularly commended because it not only extends the program but also rectifies some technical flaws that will make the program work better in the future. For example, apart from the very important procedural changes and extensions of the program itself, without any additional material cost to the American taxpayer:

HR 2589 makes plain that the HUD Secretary shall provide already statutorily provided funds for technical assistance to residents and nonprofits who are interested in Mark to Market housing and that funding

for these programs should flow to those in entities on an uninterrupted basis.

As originally intended by Congress, the HUD Secretary is given the option to provide sufficient "Exception Rents" options for properties where the Secretary determines that the housing needs of residents and the community cannot be adequately addressed through implementation of the rent limitations in the statute.

HR 2589 makes a technical change permitting subordinate debt to be assumable by a nonprofit organization interested in preserving the housing as affordable;

HR 2589 permits HUD to consider for Mark to Market certain properties for sales to nonprofits and tenant groups which had previously not been permitted in the program;

HR 2589 requires the Secretary to include, for partially assisted projects owned by nonprofit organizations, budget based costs related to the project as a whole, including costs incurred with respect to units not covered by the contract for assistance; and

HR 2589 permits Section 223(a)(7), a HUD insurance program ideally suited for Mark to Market projects, more useful for Mark to Market financing.

Thank you for your leadership on this important issue.

Very truly yours,

MICHAEL BODAKEN,
Executive Director.

NATIONAL AFFORDABLE HOUSING
MANAGEMENT ASSOCIATION,
Alexandria, VA, September 24, 2001.

Hon. MICHAEL G. OXLEY,
Chairman, Committee on Financial Services, House of Representatives, Washington, DC.

DEAR CHAIRMAN OXLEY: NAHMA is pleased to express its support for H.R. 2589, the Mark-to-Market Extension Act of 2001.

An effective mortgage restructuring program can meet the dual objectives of reducing the cost of section 8 assistance at the time of contract renewal and preserving the existing supply of housing affordable by lower income families. Although we have been disappointed at times by the slow implementation of the mark-to-market program and by some of its procedural shortcomings, we believe that reauthorization of the program presents the best opportunity for an orderly restructuring process that protects the interests of owners, residents, communities and the public.

We want to thank you and your staff for considering the views of the multifamily housing industry in the development of this latest version of H.R. 2589. As currently drafted the bill makes a number of important improvements in the mark-to-market program and its administration. We believe that H.R. 2589 will increase the confidence of all stakeholders in the mark-to-market process.

Again, NAHMA thanks you for your leadership on this issue.

Sincerely,

GEORGE C. CARUSO,
Executive Director.

H.R. 2589 "MARK-TO-MARKET EXTENSION ACT OF 2001"

SEC. 1 TITLE—"MARK-TO-MARKET EXTENSION ACT OF 2001"

SEC. 2. PURPOSES

The purposes of this Act are: (1) to continue the progress of the Multifamily Assisted Housing Reform and Affordability Act of 1997; (2) to ensure that properties that undergo mortgage restructurings are rehabilitated to a standard allowing them to meet long-term affordability requirements, and that they have adequate reserves for long-

term commitments; (3) to ensure that participating properties are operated efficiently and that operating expenses are adequate to maintain the properties in good physical and financial condition; (4) to ensure that properties that undergo rent restructuring have adequate resources to maintain the properties in good condition; (5) to ensure that OMHAR continues to focus on the portfolio of properties eligible for restructuring; (6) that the condition of these properties is tracked on an ongoing basis; (7) to ensure that tenant groups, nonprofit organizations, and public entities continue to have the resources necessary to build the capacity of tenant organizations; (8) to encourage OMHAR to continue to provide participating administrative entities with the flexibility to respond to specific problems while ensuring consistent outcomes around the country.

SEC. 3. EFFECTIVE DATE

Except for sections 106(a)(2) and 303(b), this Act and its amendments take effect on the earlier of the date of enactment or September 30, 2001.

Title I—Multifamily Housing Mortgage and Assistance Restructuring and Section 8 Contract Renewal

SEC. 101. DEFINITIONS

This section makes some technical changes to section 512 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f) designating "office" as OMHAR.

SEC. 102. MARK-TO-MARKET PROGRAM AMENDMENTS

(1) This section amends 514(f)(3) of the Act by requiring HUD to give restructuring grants to tenant groups, tenant-endorsed community-based nonprofits, and public entities for tenant services in projects undergoing restructuring. These grants are available over a two-year period.

514(g)(2)(A) of the Act—Exception Rents—is amended by striking "restructured mortgages in any fiscal year" and inserting "portfolio restructuring agreements".

516(d) is amended to require section 8 tenants, living in projects that will no longer receive assistance, to be notified at the time of a rejection that a project will no longer participate in the program, and subject to the availability of appropriations, tenants of the project will be given enhanced vouchers and aided with reasonable moving expenses.

524(e) is amended by adding that if the owner of a property assisted under the Emergency Low Income Housing Preservation and Resident Homeownership Act of 1990, requests HUD to participate in the restructuring program in order to facilitate the sale or transfer of the property.

517(b)—Restructuring Tools—adds that if a participating administrative entity (PAE) determines that major additions (air-conditioning, elevators, etc.) are required for a property in the mortgage restructuring program, the owner contribution may not exceed 25% of the amount of rehabilitation assistance for this purpose. This applies to all eligible multifamily projects except those that worked out a restructuring plan with HUD before the enactment of this Act. All owners are still required to obtain at least 25% of the amount of rehabilitation assistance received from non-project sources for regular rehabilitation concerns.

512(2)—Look-Back Projects—allows the Secretary to treat a project as an eligible multifamily housing project if the project is assisted pursuant to a contract for project-based assistance under 8 of the United States Housing Act of 1937 and renewed under section 524 of this act, if the owner consents and the project meets the requirements in this section for eligibility. Essentially, this provision gives the Secretary authority to

“look back” and bring properties into the Mark-to-Market (MTM) program after they have already gone through an initial rent comparability review at the discretion of the owner.

517(a)—Second Mortgages—permits second mortgages on participating projects to be resized to not more than the greater of the full or partial claim made under this program or the difference between the first mortgage. This provision also allows the Secretary to assign the second mortgage to an organization, such as a non-profit corporation.

514(h)(2)—Exemptions From Restructuring—amends section 811 of the American Homeownership and Economic Opportunity Act of 2000 (12 U.S.C. 1701q) to exempt elderly properties from restructuring.

SEC. 103. CONSISTENCY OF ENHANCED VOUCHER ASSISTANCE AND MARK-TO-MARKET RENTS

Requires the Secretary to establish procedures and guidelines that ensure that rent payment standards for enhanced voucher assistance, mark to market and contract renewal are consistent.

SEC. 104. ELIGIBLE INCLUSIONS FOR RENEWAL RENTS OF PARTIALLY ASSISTED BUILDINGS

Amends section 524(a)(4)(C) to require the Secretary to approve rents under the section 8 contract to cover budget-based cost increases for the project as a whole, including costs incurred with respect to units not covered by the contract for assistance in order to permit capital repairs or acquisition by a nonprofit owner or purchaser.

SEC. 105. ELIGIBILITY OF RESTRUCTURING PROJECTS FOR MISCELLANEOUS HOUSING INSURANCE

Section 223(a)(7) of the National Housing Act (12 U.S.C. 1715n(a)(7)) is amended by including properties undergoing restructuring in FHA's streamlined refinancing program, and permits restructuring properties to have a refinance term of up to 30 years.

SEC. 106. TECHNICAL CORRECTIONS

This section makes technical corrections to the Multifamily Assisted Housing Reform and Affordability Act of 1997 (42 U.S.C. 1437f note).

Title II—Office of Multifamily Housing Assistance Restructuring

SEC. 201. REAUTHORIZATION OF OFFICE AND EXTENSION OF PROGRAM

This section extends the Office of Multifamily Housing Assistance and Restructuring (OMHAR) for three years and restructuring authority for an additional two years.

Section 579 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 is amended by repealing Subtitle A, the Mark-to-Market program, (except for section 524) effective October 1, 2006. Subtitle D, OMHAR, is repealed effective October 1, 2004 (except for this section).

Repealing Subtitle A in 2006 terminates HUD's authority to restructure mortgages after 5 years, though excluding section 524 allows HUD to continue to renew section 8 contracts indefinitely. Repealing Subtitle D in 2004 terminates OMHAR after 3 years.

SEC. 202. APPOINTMENT OF DIRECTOR

The Office shall be under the management of a Director, who shall be appointed by the President. The amendment made by subsection (a) shall apply to the first Director of OMHAR appointed after the date of enactment.

SEC. 203. VACANCY IN POSITION OF DIRECTOR

Section 572 is amended to permit the President to appoint a Director of OMHAR within 60 days after the position becomes vacant.

SEC. 204. OVERSIGHT BY FEDERAL HOUSING COMMISSIONER

Section 578 is amended by placing oversight authority and responsibilities for

OMHAR with the Federal Housing Commissioner.

Section 573(b) is amended by requiring the Director of OMHAR to report semi-annually to the Federal Housing Commissioner regarding his activities, actions and determinations, rather than to the Secretary of HUD.

SEC. 205. LIMITATION ON SUBSEQUENT EMPLOYMENT

Section 576 is amended by changing the limitation on subsequent employment from 2 years to 1 year (anti-conflict of interest provision).

Title III—Miscellaneous Housing Program Amendments

SEC. 301. EXTENSION OF CDBG PUBLIC SERVICES CAP EXCEPTION

Section 105(a)(8) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)(8)) is amended by striking “through 2001” and inserting “through 2003”.

SEC. 302. USE OF SECTION 8 ENHANCED VOUCHERS FOR PREPAYMENTS

Section 8(t)(2) of the U.S. Housing Act of 1937 (42 U.S.C. 1437f(t)(2)) is amended to provide a technical correction allowing residents of developments, where the owner prepaid in FY 1996, to be eligible for enhanced vouchers.

SEC. 303. PREPAYMENT AND REFINANCING OF LOANS FOR SECTION 202 SUPPORTIVE HOUSING

Section 811 of the American Homeownership and Economic Opportunity Act of 2000 (12 U.S.C. 1701q note) makes technical corrections to allow the program to proceed without advance appropriations and make effective immediately notwithstanding any delay in issuing HUD regulations.

SEC. 304. TECHNICAL CORRECTION

This section makes technical corrections to the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11301).

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

Ms. CARSON of Indiana. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this bipartisan legislation which extends HUD's authority to reduce above-market rents on expiring section 8 projects and to restructure federally insured mortgages on these properties which the lower rents can no longer support.

The bill before us differs somewhat from the bill passed by voice vote in the Committee on Financial Services in July. However, the changes represent informal bipartisan, bicameral discussions that have taken place over the last few months. The final product is a good consensus bill with bipartisan support; and, certainly, therefore, I would urge my colleagues to adopt it.

H.R. 2589 extends for 5 years HUD's authority to conduct “mark-to-market” activities and extends for three years the Office of Multi-Family Housing Assistance Restructuring also known as OMHAR. This extends OMHAR's authority to continue the carry out mark-to-market activities. The purpose of market-to-markets is to reduce the level of project based section 8 rental assistance for affordable housing projects to rent levels commensurate with local market rents.

The end result is that this process saves money for the Federal tax payers

by reducing our section 8 expenditures. However, the statutory authority for mark-to-market activities and for OMHAR is set to expire at the end of this month. According to the GAO, 1,588 properties have entered the mark-to-market program but only 500 of these properties have completed rent reductions. Thus, over 1,000 properties have yet to have their rents reduced. As more contracts expire, there will be additional properties that need to go through rent restructuring.

Therefore, Mr. Speaker, it is essential to extend the program at this time. I would note that this legislation is estimated to save over \$300 million through the reduction of rents. I would also note that since this bill saves money, there is a reasonable possibility that it will later be attached to the VA/HUD appropriations conference report in order to receive a credit from the savings from this bill. If that occurs, we would urge appropriators to reinvest these savings in affordable housing programs instead of being diverted to other programs as is often the case.

With respect to the specific provisions of the bill, we have struck a balance between giving OMHAR the tools it needs while retaining accountability. We have also included a number of good provisions to further housing affordability including providing technical assistance to tenant groups and increasing flexibility for nonprofits to operate.

So in conclusion of my remarks, Mr. Speaker, I am heartened by the bipartisan way we have developed the first major piece of housing legislation in this Congress. I am urging a “yes” vote.

Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts (Mr. FRANK), a very distinguished, knowledgeable, articulate and dynamic friend of mine.

Mr. FRANK. Mr. Speaker, I thank the gentlewoman for yielding me this time. I am currently in the Committee on the Judiciary having hearings on the important question of the anti-terrorism legislation. The gentlewoman from Indiana (Ms. CARSON) graciously agreed to come down and has done a very good job of explaining the bill.

I simply want to note that the gentlewoman is correct. This is bipartisan. It is bicameral. We have worked it out in conjunction with the other party. It is important to note what I think is a duality of these issues. When it comes to how best to use existing resources to preserve housing, we are able to work together.

There continues to be differences between the parties on how much we should be putting in additional resources for housing. But once we have come to an agreement by whatever process as to what resources are there, I am very pleased we have been able to work in agreement because I think we are committed to the principle that for the Federal Government to have put

money into subsidized housing, to have invited people to come in and live there, and then to allow people's economics to drive them out of what have become their homes is simply unacceptable.

We need to have this ongoing commitment to do this. This is part of that ongoing commitment. It shows we can make adjustments that will save government money as well as require in other instances, not in this bill, increases. So I am grateful for this. I do note it, but I note that it does not do away from what I believe and I know what the gentlewoman from Indiana (Ms. CARSON) believes, is the need to put additional resources in this very rich country into the area of housing.

Let me ask the indulgence to say because I know the other bill will be coming up, the one on the Housing Commission. I also want to express my gratitude to the gentleman from New York (Mr. WALSH), the chairman of the Subcommittee on VA, HUD and Independent Agencies of the Committee on Appropriations because he was helpful in working that out. I am glad we are able to work out the extension and the appropriate staffing.

With that, I will take my leave and let us be guided by the gentlewoman from Indiana; and I will go back to the hearing of the Committee on the Judiciary.

Mr. OXLEY. Mr. Speaker, I rise in support of H.R. 2589—the Mark-to-Market Extension Act of 2001.

The Committee on Financial Services approved unanimously this legislation on July 25, 2001 and reported [House Report 107-196] to the House on September 5, 2001. The Senate Committee on Banking, Housing and Urban Affairs considered a similar bill on August 1, 2001.

H.R. 2589 will extend authorization of the Office of Multifamily Housing Assistance Restructuring, also known as OMHAR, which is currently a separate office within the Department of Housing and Urban Development (HUD). The authority would extend by three years the office through FY 2004 and extend the Secretary's authority to provide mark-to-market services through FY 2006. We believe that HUD will be provided the special tools necessary to restructure developments that receive both project-based rental section 8 payments and Federal Housing Administration mortgage insurance.

As I understand, the original Act was enacted in 1997 and was designed to curtail exploding section 8 rental costs for units renting at far above the prevailing market rates. Without this Act, section 8 contract renewals could top \$7 billion dollars and account for as much as one-third of HUD's future budgets. Because the authorization for this office sunsets September 30th of this year, it is necessary that this bill pass the House today.

The Committee majority and minority staff worked with our Senate counterparts to agree on a legislative solution. Moreover, this Committee worked with the Administration and the Department of Housing and Urban Development to accommodate their concerns. According to the Congressional Budget Office, this compromise language will result in savings of over \$307 million dollars.

Mr. Speaker, this is a good bill and deserves favorable House consideration. Housing Subcommittee Chairwoman MARGE ROUKEMA and Ranking Member BARNEY FRANK are to be commended for their leadership on this issue.

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

Ms. CARSON of Indiana. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MILLER of Florida). The question is on the motion offered by the gentleman from Wisconsin (Mr. GREEN) that the House suspend the rules and pass the bill, H.R. 2589, 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. GREEN of Wisconsin. 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.

MUSCULAR DYSTROPHY COMMUNITY ASSISTANCE, RESEARCH AND EDUCATION AMENDMENTS OF 2001

Mr. BILIRAKIS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 717) to amend the Public Health Service Act to provide for research and services with respect to Duchenne muscular dystrophy, as amended.

The Clerk read as follows:

H.R. 717

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 "Muscular Dystrophy Community Assistance, Research and Education Amendments of 2001", or the "MD-CARE Act".

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) *Of the childhood muscular dystrophies, Duchenne Muscular Dystrophy (DMD) is the world's most common and catastrophic form of genetic childhood disease, and is characterized by a rapidly progressive muscle weakness that almost always results in death, usually by 20 years of age.*

(2) *Duchenne muscular dystrophy is genetically inherited, and mothers are the carriers in approximately 70 percent of all cases.*

(3) *If a female is a carrier of the dystrophin gene, there is a 50 percent chance per birth that her male offspring will have Duchenne muscular dystrophy, and a 50 percent chance per birth that her female offspring will be carriers.*

(4) *Duchenne is the most common lethal genetic disorder of childhood worldwide, affecting approximately 1 in every 3,500 boys worldwide.*

(5) *Children with muscular dystrophy exhibit extreme symptoms of weakness, delay in walking, waddling gait, difficulty in climbing stairs, and progressive mobility problems often in combination with muscle hypertrophy.*

(6) *Other forms of muscular dystrophy affecting children and adults include Becker, limb girdle, congenital, facioscapulohumeral, myotonic,*

oculopharyngeal, distal, and Emery-Dreifuss muscular dystrophies.

(7) *Myotonic muscular dystrophy (also known as Steinert's disease and dystrophia myotonica) is the second most prominent form of muscular dystrophy and the type most commonly found in adults. Unlike any of the other muscular dystrophies, the muscle weakness is accompanied by myotonia (delayed relaxation of muscles after contraction) and by a variety of abnormalities in addition to those of muscle.*

(8) *Facioscapulohumeral muscular dystrophy (referred to in this section as "FSHD") is a neuromuscular disorder that is inherited genetically and has an estimated frequency of 1 in 20,000. FSHD, affecting between 15,000 to 40,000 persons, causes a progressive and severe loss of skeletal muscle gradually bringing weakness and reduced mobility. Many persons with FSHD become severely physically disabled and spend many decades in a wheelchair.*

(9) *FSHD is regarded as a novel genetic phenomenon resulting from a crossover of subtelomeric DNA and may be the only human disease caused by a deletion-mutation.*

(10) *Each of the muscular dystrophies, though distinct in progressivity and severity of symptoms, have a devastating impact on tens of thousands of children and adults throughout the United States and worldwide and impose severe physical and economic burdens on those affected.*

(11) *Muscular dystrophies have a significant impact on quality of life—not only for the individual who experiences its painful symptoms and resulting disability, but also for family members and caregivers.*

(12) *Development of therapies for these disorders, while realistic with recent advances in research, is likely to require costly investments and infrastructure to support gene and other therapies.*

(13) *There is a shortage of qualified researchers in the field of neuromuscular research.*

(14) *Many family physicians and health care professionals lack the knowledge and resources to detect and properly diagnose the disease as early as possible, thus exacerbating the progressiveness of symptoms in cases that go undetected or misdiagnosed.*

(15) *There is a need for efficient mechanisms to translate clinically relevant findings in muscular dystrophy research from basic science to applied work.*

(16) *Educating the public and health care community throughout the country about this devastating disease is of paramount importance and is in every respect in the public interest and to the benefit of all communities.*

SEC. 3. EXPANSION, INTENSIFICATION, AND COORDINATION OF ACTIVITIES OF NATIONAL INSTITUTES OF HEALTH WITH RESPECT TO RESEARCH ON MUSCULAR DYSTROPHY.

Part A of title IV of the Public Health Service Act (42 U.S.C. 281 et seq.) is amended by adding at the end the following:

"SEC. 404E. MUSCULAR DYSTROPHY; INITIATIVE THROUGH DIRECTOR OF NATIONAL INSTITUTES OF HEALTH.

"(a) EXPANSION, INTENSIFICATION, AND COORDINATION OF ACTIVITIES.—

"(1) IN GENERAL.—The Director of NIH, in coordination with the Directors of the National Institute of Neurological Disorders and Stroke, the National Institute of Arthritis and Musculoskeletal and Skin Diseases, the National Institute of Child Health and Human Development, and the other national research institutes as appropriate, shall expand and intensify programs of such Institutes with respect to research and related activities concerning various forms of muscular dystrophy, including Duchenne, myotonic, facioscapulohumeral muscular dystrophy (referred to in this section as "FSHD") and other forms of muscular dystrophy.

"(2) COORDINATION.—The Directors referred to in paragraph (1) shall jointly coordinate the

programs referred to in such paragraph and consult with the Muscular Dystrophy Interagency Coordinating Committee established under section 6 of the MD-CARE Act.

“(3) ALLOCATIONS BY DIRECTOR OF NIH.—The Director of NIH shall allocate the amounts appropriated to carry out this section for each fiscal year among the national research institutes referred to in paragraph (1).

“(b) CENTERS OF EXCELLENCE.—

“(1) IN GENERAL.—The Director of NIH shall award grants and contracts under subsection (a)(1) to public or nonprofit private entities to pay all or part of the cost of planning, establishing, improving, and providing basic operating support for centers of excellence regarding research on various forms of muscular dystrophy.

“(2) RESEARCH.—Each center under paragraph (1) shall supplement but not replace the establishment of a comprehensive research portfolio in all the muscular dystrophies. As a whole, the centers shall conduct basic and clinical research in all forms of muscular dystrophy including early detection, diagnosis, prevention, and treatment, including the fields of muscle biology, genetics, noninvasive imaging, genetics, pharmacological and other therapies.

“(3) COORDINATION OF CENTERS; REPORTS.—The Director of NIH—

“(A) shall, as appropriate, provide for the coordination of information among centers under paragraph (1) and ensure regular communication between such centers; and

“(B) shall require the periodic preparation of reports on the activities of the centers and the submission of the reports to the Director.

“(4) ORGANIZATION OF CENTERS.—Each center under paragraph (1) shall use the facilities of a single institution, or be formed from a consortium of cooperating institutions, meeting such requirements as may be prescribed by the Director of NIH.

“(5) DURATION OF SUPPORT.—Support for a center established under paragraph (1) may be provided under this section for a period of not to exceed 5 years. Such period may be extended for 1 or more additional periods not exceeding 5 years if the operations of such center have been reviewed by an appropriate technical and scientific peer review group established by the Director of NIH and if such group has recommended to the Director that such period should be extended.

“(c) FACILITATION OF RESEARCH.—The Director of NIH shall provide for a program under subsection (a)(1) under which samples of tissues and genetic materials that are of use in research on muscular dystrophy are donated, collected, preserved, and made available for such research. The program shall be carried out in accordance with accepted scientific and medical standards for the donation, collection, and preservation of such samples.

“(d) COORDINATING COMMITTEE.—

“(1) IN GENERAL.—The Secretary shall establish the Muscular Dystrophy Coordinating Committee (referred to in this section as the ‘Coordinating Committee’) to coordinate activities across the National Institutes and with other Federal health programs and activities relating to the various forms of muscular dystrophy.

“(2) COMPOSITION.—The Coordinating Committee shall consist of not more than 15 members to be appointed by the Secretary, of which—

“(A) $\frac{2}{3}$ of such members shall represent governmental agencies, including the directors or their designees of each of the national research institutes involved in research with respect to muscular dystrophy and representatives of all other Federal departments and agencies whose programs involve health functions or responsibilities relevant to such diseases, including the Centers for Disease Control and Prevention, the Health Resources and Services Administration and the Food and Drug Administration and representatives of other governmental agencies that serve children with muscular dystrophy, such as the Department of Education; and

“(B) $\frac{1}{3}$ of such members shall be public members, including a broad cross section of persons affected with muscular dystrophies including parents or legal guardians, affected individuals, researchers, and clinicians.

Members appointed under subparagraph (B) shall serve for a term of 3 years, and may serve for an unlimited number of terms if reappointed.

“(3) CHAIR.—

“(A) IN GENERAL.—With respect to muscular dystrophy, the Chair of the Coordinating Committee shall serve as the principal advisor to the Secretary, the Assistant Secretary for Health, and the Director of NIH, and shall provide advice to the Director of the Centers for Disease Control and Prevention, the Commissioner of Food and Drugs, and to the heads of other relevant agencies. The Coordinating Committee shall select the Chair for a term not to exceed 2 years.

“(B) APPOINTMENT.—The Chair of the Committee shall be appointed by and be directly responsible to the Secretary.

“(4) ADMINISTRATIVE SUPPORT; TERMS OF SERVICE; OTHER PROVISIONS.—The following shall apply with respect to the Coordinating Committee:

“(A) The Coordinating Committee shall receive necessary and appropriate administrative support from the Department of Health and Human Services.

“(B) The Coordinating Committee shall meet as appropriate as determined by the Secretary, in consultation with the chair.

“(e) PLAN FOR HHS ACTIVITIES.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Coordinating Committee shall develop a plan for conducting and supporting research and education on muscular dystrophy through the national research institutes and shall periodically review and revise the plan. The plan shall—

“(A) provide for a broad range of research and education activities relating to biomedical, epidemiological, psychosocial, and rehabilitative issues, including studies of the impact of such diseases in rural and underserved communities;

“(B) identify priorities among the programs and activities of the National Institutes of Health regarding such diseases; and

“(C) reflect input from a broad range of scientists, patients, and advocacy groups.

“(2) CERTAIN ELEMENTS OF PLAN.—The plan under paragraph (1) shall, with respect to each form of muscular dystrophy, provide for the following as appropriate:

“(A) Research to determine the reasons underlying the incidence and prevalence of various forms of muscular dystrophy.

“(B) Basic research concerning the etiology and genetic links of the disease and potential causes of mutations.

“(C) The development of improved screening techniques.

“(D) Basic and clinical research for the development and evaluation of new treatments, including new biological agents.

“(E) Information and education programs for health care professionals and the public.

“(f) REPORTS TO CONGRESS.—The Coordinating Committee shall biennially submit to the Committee on Energy and Commerce of the House of Representatives, and the Committee on Health, Education, Labor, and Pensions of the Senate, a report that describes the research, education, and other activities on muscular dystrophy being conducted or supported through the Department of Health and Human Services. Each such report shall include the following:

“(1) The plan under subsection (e)(1) (or revisions to the plan, as the case may be).

“(2) Provisions specifying the amounts expended by the Department of Health and Human Services with respect to various forms of muscular dystrophy, including Duchenne, myotonic, FSHD and other forms of muscular dystrophy.

“(3) Provisions identifying particular projects or types of projects that should in the future be considered by the national research institutes or other entities in the field of research on all muscular dystrophies.

“(g) PUBLIC INPUT.—The Secretary shall, under subsection (a)(1), provide for a means through which the public can obtain information on the existing and planned programs and activities of the Department of Health and Human Services with respect to various forms of muscular dystrophy and through which the Secretary can receive comments from the public regarding such programs and activities.

“(h) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2002 through 2006. The authorization of appropriations established in the preceding sentence is in addition to any other authorization of appropriations that is available for conducting or supporting through the National Institutes of Health research and other activities with respect to muscular dystrophy.”

SEC. 4. DEVELOPMENT AND EXPANSION OF ACTIVITIES OF CENTERS FOR DISEASE CONTROL AND PREVENTION WITH RESPECT TO EPIDEMIOLOGICAL RESEARCH ON MUSCULAR DYSTROPHY.

Part B of title III of the Public Health Service Act (42 U.S.C. 243 et seq.) is amended by inserting after section 317P the following:

“SEC. 317Q. SURVEILLANCE AND RESEARCH REGARDING MUSCULAR DYSTROPHY.

“(a) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, may award grants and cooperative agreements to public or nonprofit private entities (including health departments of States and political subdivisions of States, and including universities and other educational entities) for the collection, analysis, and reporting of data on Duchenne and other forms of muscular dystrophy. In making such awards, the Secretary may provide direct technical assistance in lieu of cash.

“(b) NATIONAL MUSCULAR DYSTROPHY EPIDEMIOLOGY PROGRAM.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, may award grants to public or nonprofit private entities (including health departments of States and political subdivisions of States, and including universities and other educational entities) for the purpose of carrying out epidemiological activities regarding Duchenne and other forms of muscular dystrophies, including collecting and analyzing information on the number, incidence, correlates, and symptoms of cases. In carrying out the preceding sentence, the Secretary shall provide for a national surveillance program. In making awards under this subsection, the Secretary may provide direct technical assistance in lieu of cash.

“(c) COORDINATION WITH CENTERS OF EXCELLENCE.—The Secretary shall ensure that epidemiological information under subsections (a) and (b) is made available to centers of excellence supported under section 404E(b) by the Director of the National Institutes of Health.

“(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.”

SEC. 5. INFORMATION AND EDUCATION.

(a) IN GENERAL.—The Secretary of Health and Human Services (referred to in this Act as the “Secretary”) shall establish and implement a program to provide information and education on muscular dystrophy to health professionals and the general public, including information and education on advances in the diagnosis and treatment of muscular dystrophy and training and continuing education through programs for scientists, physicians, medical students, and other health professionals who provide care for patients with muscular dystrophy.

(b) *STIPENDS.*—The Secretary may use amounts made available under this section provides stipends for health professionals who are enrolled in training programs under this section.

(c) *AUTHORIZATION OF APPROPRIATIONS.*—There are authorized to be appropriated such sums as may be necessary to carry out this section.

SEC. 6. REPORT TO CONGRESS.

Not later than January 1, 2003, and each January 1 thereafter, the Secretary shall prepare and submit to the appropriate committees of Congress, a report concerning the implementation of this Act and the amendments made by this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. BILIRAKIS) and the gentleman from Ohio (Mr. STRICKLAND) each will control 20 minutes.

The Chair recognizes the gentleman from Florida (Mr. BILIRAKIS).

GENERAL LEAVE

Mr. BILIRAKIS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and insert extraneous material on H.R. 717.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 717, the Duchenne Muscular Dystrophy Childhood Assistance Research and Education Amendments of 2001 which will help find cures for all forms of muscular dystrophy; and I commend at the outset the gentleman from Mississippi (Mr. WICKER) for writing this bill and for continuing to push for its movement through the process.

Mr. Speaker, the Subcommittee on Health of the Committee on Energy and Commerce held an important hearing on this issue where Ed McMahon spoke in favor of the legislation. I believe that every dollar invested in medical research will yield untold benefits for all Americans in years to come. Indeed, our own lives might some day depend on the efforts of scientists and doctors currently at work in our Nation's laboratories. Medical research represents the single most effective weapon against diseases such as muscular dystrophy.

While we live in a modern world, children with DMD are powerless. Boys die before reaching 20, before reaching adulthood, before experiencing life. Duchenne muscular dystrophy is the most common lethal childhood genetic disorder in the world, affecting 1 in 2,328 male newborns worldwide, according to a 1997 German study.

The disease may be inherited within families, or it may be caused by a spontaneous mutation in individuals. In fact, one-third of Duchenne cases are not inherited but are caused by gene mutation.

Children who are born with DMD follow a predictable clinical course. Young children develop difficulties walking and begin falling due to mus-

cle weakness, and by 8 to 10 years, the muscle weakness has progressed to the point where most children must rely on wheelchairs. By late teens, most DMD children have succumbed to their disease, usually as victims of respiratory failure. The diagnosis is accompanied by a lifetime of progressive loss of function, loss of independence, dependence on family caregivers, and extraordinary physical, mental, psychological, spiritual, and financial burdens for the family and for society.

As you know, this bill takes significant steps towards increasing Federal research efforts to find a cure for Duchenne and other forms of muscular dystrophy. Specifically, H.R. 717 takes four key steps toward improving the Federal commitment to muscular dystrophy:

First, increased coordination. Building on title 23 of the Children's Health Act of 2000, H.R. 717 expands, intensifies, and coordinates research activities related to muscular dystrophy by establishing the Muscular Dystrophy Interagency Coordinating Committee.

Secondly, it creates Centers of Excellence at NIH in order to ensure a focused research effort of muscular dystrophy. H.R. 717 establishes Centers of Excellence at NIH to support and expand clinical research on various forms of muscular dystrophy, including investigations into the diagnosis, early detection, prevention, control, and adequate treatment of various forms of DMD.

It also establishes a national muscular dystrophy surveillance program granting to public and nonprivate entities the implementation of the National Muscular Dystrophy Surveillance Program.

And fourth, it allows for dissemination of education to medical professionals and promotion of public awareness.

Mr. Speaker, the advances made over the course of the last century cannot have been predicted by the most farsighted observers. It is equally difficult to anticipate the significant gains from further medical research, particularly in the area of muscular dystrophy.

Mr. Speaker, I urge all of my colleagues to join the Parent Project on Duchenne Muscular Dystrophy, the Muscular Dystrophy Association, and Mr. Ed McMahon who spoke so eloquently in our subcommittee hearing in defense of all of the children suffering from this disease in support of H.R. 717.

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

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

Mr. Speaker, I rise in support of this bill. I am glad that the House is considering Muscular Dystrophy Community Assistance, Research and Education Amendments of 2001, and I would like to thank the gentleman from Mississippi (Mr. WICKER) and my other colleagues on the Committee on Energy

and Commerce for their strong bipartisan efforts to work in the passage of this legislation. My understanding is there are currently over 300 cosponsors in the House.

Mr. Speaker, the muscular dystrophies are a group of genetic diseases that cause the progressive weakness of skeletal muscles. Duchenne muscular dystrophy is the most common of the childhood muscular dystrophies, and is the world's most lethal genetic childhood disease.

The disease is characterized by rapidly progressive and painful muscle weakness that almost always results in death, usually by 20 years of age. Duchenne muscular dystrophy primarily affects boys with one in every 3,500 boys worldwide affected.

A woman who is a genetic carrier of the disease has a 50 percent chance of passing it on to her son, and a 50 percent chance that her daughter will also be a carrier. Currently there are no specific treatments, although therapies to improve the quality of life of those suffering from muscular dystrophy can be used.

Scientists are working to seek ways to increase understanding of muscular dystrophy and its causes, develop better therapies, and ultimately find ways to prevent and cure the disorder. However, research into muscular dystrophy is expensive, and requires an investment in gene therapies.

H.R. 717 will focus funding within the National Institutes of Health on muscular dystrophy, expanding research programs, and creating Centers of Excellence that will conduct basic and clinical research into Duchenne and other muscular dystrophies. H.R. 717 also directs the Centers for Disease Control and Prevention to collect, analyze, and to report data about Duchenne and other types of muscular dystrophy. This type of close surveillance and research is critical if we are to truly understand this terrible disease and how we can best treat it or even cure it.

In addition, the funding for the CDC will help to coordinate the Institutes of Health and CDC's research efforts.

□ 1600

Finally, the bill will create an educational program for family physicians who may fail to recognize the symptoms of muscular dystrophy. Identifying the disease early will ensure that treatment programs will be more effective. Hopefully, strides in gene research will make early identification easier and treatment more effective.

H.R. 717 takes important steps toward a cure for muscular dystrophy. Again, I commend my colleagues for their efforts on this legislation. For all of those families who have prematurely lost a son or daughter because of muscular dystrophy, this bill provides some hope that science will find a cure so that others do not suffer the same loss.

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

Mr. BILIRAKIS. Mr. Speaker, I yield such time as he may consume to the gentleman from Mississippi (Mr. WICKER), the gentleman responsible for this legislation, who did a fantastic job on it and I commend him for it.

Mr. WICKER. Let me just say, Mr. Speaker, that it is indeed encouraging to see this House of Representatives coming together in support of H.R. 717, legislation which, as the gentleman from Florida said, is designed to increase the Federal research commitment to combat muscular dystrophy. I want to thank the leadership of the Committee on Energy and Commerce, the gentleman from Louisiana (Mr. TAUZIN) and the gentleman from Florida (Mr. BILIRAKIS) and the gentleman from Michigan (Mr. DINGELL) and the gentleman from Ohio (Mr. BROWN), for their efforts in moving this bill through their committee and to the floor. I also want to thank my friend from Ohio for his kind comments about this legislation. And I want to thank the 310 cosponsors of this legislation who have demonstrated the broad bipartisan support that this bill enjoys.

In addition, I want to thank the parents of the young boys who suffer from Duchenne muscular dystrophy. Make no mistake about it, the parents and families of Duchenne boys have been the driving force in moving this bill and calling attention to this dreadful disease, people like Darlene Oliver of Tupelo, Mississippi, who has been tireless in her efforts. These parents, who are sitting around the country today on pins and needles as we debate this legislation, through their letters and visits to Members of Congress, have been instrumental in getting this bill to the House floor today.

I have received a flood of letters, e-mails, and calls from parents of DMD children from all over the country, often accompanied by pictures of their little boys. Even those who have already experienced the sorrow of losing a child have written to express their gratitude for this bill. A few days ago, I received a card from a woman in Raleigh, North Carolina. In part she writes, and I quote, "You can't possibly know how much your support means to us, Andrew's family. Our son will not benefit from your largesse, but countless children will. You have given hope to so many."

Mr. Speaker, through the work of NIH and CDC, the Federal Government has given hope to millions of Americans who suffer from a wide variety of diseases, such as cancer, cardiovascular disease, diabetes and arthritis. The research done at NIH and sponsored by NIH at universities across America is on the cutting edge of modern science. This is an arena where the Government must play an important role to ensure that the cures of tomorrow are available to all. Along with many of my colleagues, I have been proud to support the increases which are necessary to double the funding of NIH over a period of 5 years.

However, not all who suffer from disease have been able to realize the promise of NIH research. Duchenne muscular dystrophy, as the chairman pointed out, is the most common and most lethal childhood genetic disorder. Yet less than one one-thousandth of the NIH budget is focused on research linked to muscular dystrophy. Although the dystrophin gene which causes DMD was successfully identified and isolated by medical researchers in 1987, Federal research has been minimal. Many family physicians and health care professionals lack the knowledge and resources to detect and properly diagnose the disease as early as possible, allowing the disease to progress unchecked in cases that are undetected or misdiagnosed.

Mr. Speaker, during the August recess, while I was traveling across my district like so many of my colleagues, I met Walter and Inez Ewing of Prairie, Mississippi, who have lost five of their eight children to this disease. Each of these boys died at a young age, devastating the family and friends in Monroe County, Mississippi. It is my hope that through the enactment of this legislation and with continued increased appropriations for the NIH and CDC, we can make great strides against this killer of our children and we can give more hope to the children and their parents who suffer from its effects.

I urge my colleagues to support this legislation.

Mrs. BIGGERT. Mr. Speaker, I rise today in strong support of H.R. 717, the Duchenne Muscular Dystrophy Childhood Assistance, Research and Education Amendments Act. This legislation will provide much needed resources for research on this terrible disease.

Duchenne Muscular Dystrophy primarily affects boys, and is usually discovered during their toddler or preschool years. Nearly all children with DMD lose the ability to walk sometime between the ages of 7 and 12.

DMD is a truly devastating disease for those who have to live with it every day, like the DeGrenier family in my District. Their son has this horrible disease, and they have been tireless in their fight to gain exposure for this issue.

The most tragic part of DMD is that there is so little known about the disease and no known treatment for it. Treatment has traditionally been aimed at managing the symptoms in an effort to optimize the quality of life. The medication required just to treat the symptoms is often too expensive for families to handle.

Research is what is desperately needed to fight this deadly disease. This bill will provide a significant step in addressing the lack of knowledge about DMD. By expanding the programs at the National Institute of Neurological Disorders and Stroke, as well as establishing research centers of excellence and authorizing research grants, we can start to find out more about DMD and give hope to families like the DeGreniers.

I urge my Colleagues to support this important legislation.

Mr. EHRlich. Mr. Speaker, I rise today in strong support of H.R. 717, the Duchenne Muscular Dystrophy (DMD) Childhood Assist-

ance, Research, and Education (CARE) Act. As a cosponsor of H.R. 717, I am extremely pleased this bill, which focuses federal resources on researching DMD, is being considered by the House of Representatives today.

DMD is the most common form of genetic childhood disease, affecting approximately one in every 3,500 boys worldwide. As the disease progresses, muscle deterioration in the back and chest exerts pressure against the lungs, making it difficult to breathe. By age 10, children born with DMD will lose the ability to walk. The deterioration process continues until it ultimately takes the boy's life, typically by the late teens or early twenties.

Although the gene that causes DMD was successfully identified and isolated by medical researchers in 1987, federal research devoted to potential treatment options or a cure since this initial discovery has been minimal. Of the \$20.3 billion allocated for the National Institutes of Health (NIH) during FY 2001, only a few million dollars are invested in medical research specific to DMD. This limited federal support has resulted in minimal treatment options aimed at managing the symptoms, not treating the disease.

I want to commend my colleagues, ROGER WICKER and COLIN PETERSON, for introducing H.R. 717, the CARE Act. This legislation will increase the funding available for researching DMD, direct NIH's attention to solving this problem, and better educate the public on this tragic disease.

Further, I want to thank the leadership of the Energy and Commerce Committee and its Health Subcommittee for expediting this matter to ensure that the federal government acts as quickly as possible to combat DMD. Finally, I want to recognize Parent Project, an important organization for families of sufferers of DMD, and thank them for their continued efforts to significantly increase research at the federal level.

Mr. UPTON. Mr. Speaker, I am very pleased that you have called up for our consideration this evening H.R. 717, the Muscular Dystrophy Community Assistance, Research, and Education Amendments of 2001. I am an original cosponsor of this legislation designed to substantially strengthen support at the national Institutes of Health for research on Duchenne and several other types of muscular dystrophy, coordinate that research across federal agencies, and translate discoveries in the lab into improved patient care.

I have seen the human face of Duchenne muscular dystrophy and the toll that it takes on children and families. Some time ago, I had the opportunity to visit with Don and Joyce Carpenter of Kalamazoo, Michigan, and their courageous son Ben, who suffers from Duchenne muscular dystrophy. From them I learned that Duchenne muscular dystrophy is the most common and the most catastrophic form of genetic childhood disease. Sadly, it generally kills its victims in their late teens or early 20s.

For decades, the only drug treatment known to somewhat alter the course of the disease is the use of steroids—whose serious side effects are well known. We've simply got to do better. We have to find a way to prevent this devastating disorder in the first place—perhaps through the promise of gene therapy. And until we learn how to prevent it, we've got to learn how to treat it more effectively.

This legislation has strong bipartisan support. It has 310 cosponsors and was unanimously approved by both by the Health Subcommittee and the full Energy and Commerce Committee.

I call on my colleagues to join me in supporting this legislation. What we are doing here this evening is giving hope to Don and Joyce and Ben Carpenter and many others who suffer from Duchenne and other devastating forms of muscular dystrophy in this nation and across the world. We can work miracles when we really try.

Mr. PETERSON of Minnesota. Mr. Speaker, I rise today in support of H.R. 717, the Muscular Dystrophy Community Assistance, Research and Education Act.

Representative WICKER and I introduced H.R. 717, after being inspired by testimonies from our constituents. I am inspired by an extraordinary 9-year-old boy, Jacob, who has Duchenne Muscular Dystrophy.

For those of you who don't know about Duchenne Muscular Dystrophy: Duchenne is typically diagnosed in boys between the ages of 3 and 5 years; the disease is characterized by progressive weakness, with a gradual deterioration of muscle capacity, first in the legs, then in the arms, back, lungs, and heart; and children affected by Duchenne typically do not live to see their 20's

Currently, Jacob uses a motorized scooter to get around, but soon he will need a ventilator to breathe. There is no treatment for Duchenne Muscular Dystrophy. The life expectancy of a child with Duchenne has not changed since 1859 when it was first identified. It is time for us to focus our efforts and target funds to Muscular Dystrophy research at NIH and CDC.

H.R. 717, will fight childhood muscular dystrophy by boosting research funding and raising public awareness. Less than 1/2000 of the NIH budget is focused on research linked to Muscular Dystrophy. Time is running out.

I asked Jacob, if he could trade places with anyone in the world who would he be; I expected him to say a famous athlete or movie star, but he simply answered his older brother, so he can play football with his friends. You see his biggest wish is to be a regular boy.

Today, lets do what we can to help this little boy grow up to play football with his friends. I hope all of you are as inspired as I am by the courage of Jacob and other children who suffer from this, terrible disease.

I urge you to support H.R. 717.

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

Mr. BILIRAKIS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MILLER of Florida). The question is on the motion offered by the gentleman from Florida (Mr. BILIRAKIS) that the House suspend the rules and pass the bill, H.R. 717, 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. BILIRAKIS. 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.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 2603. An act to implement the agreement establishing a United States-Jordan free trade area.

REPORT ON H.R. 2944, DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2002

Mr. KNOLLENBERG, from the Committee on Appropriations, submitted a privileged report (Rept. No. 107-216) on the bill (H.R. 2944) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2002, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 5:30 p.m.

Accordingly (at 4 o'clock and 6 minutes p.m.), the House stood in recess until 5:30 p.m.

□ 1730

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. FOLEY) at 5 o'clock and 30 minutes p.m.

APPOINTMENT OF CONFEREES ON H.R. 2500, DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

Mr. WOLF. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2500) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia? The Chair hears none and, without objection, appoints the following conferees: Messrs. WOLF,

ROGERS of Kentucky, KOLBE, TAYLOR of North Carolina, REGULA, LATHAM, MILLER of Florida, VITTER, YOUNG of Florida, SERRANO, MOLLOHAN, Ms. ROYBAL-ALLARD, and Messrs. CRAMER, KENNEDY of Rhode Island, and OBEY.

There was no objection.

MAKING IN ORDER AT ANY TIME CONSIDERATION OF H.J. RES. 65, CONTINUING APPROPRIATIONS, FISCAL YEAR 2002

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that it be in order at any time without intervention of any point of order to consider in the House the joint resolution (H.J. Res. 65) making continuing appropriations for the fiscal year 2002, and for other purposes; that the joint resolution be considered as read for amendment; the joint resolution shall be debatable for 1 hour equally divided and controlled by the chairman and ranking member of the Committee on Appropriations; and the previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except one motion to recommit.

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

There was no objection.

GENERAL LEAVE

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.J. Res. 65, and that I may include tabular and extraneous material.

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

There was no objection.

CONTINUING APPROPRIATIONS, FISCAL YEAR 2002

Mr. YOUNG of Florida. Mr. Speaker, pursuant to the order of the House of today, I call up the joint resolution (H.J. Res. 65) making continuing appropriations for the fiscal year 2002, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The text of House Joint Resolution 65 is as follows:

H.J. RES. 65

Resolved by the Senate and House of Representatives of the United States of America in congress assembled, That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2002, and for other purposes, namely:

SEC. 101. (a)(1) Such amounts as may be necessary under the authority and conditions provided in the applicable appropriations Act for fiscal year 2001 for continuing

projects or activities including the costs of direct loans and loan guarantees (not otherwise specifically provided for in this joint resolution) which were conducted in fiscal year 2001 and for which appropriations, funds, or other authority would be available in the following appropriations Acts:

(A) the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2002;

(B) the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2002, notwithstanding section 15 of the State Department Basic Authorities Act of 1956, section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1));

(C) the Energy and Water Development Appropriations Act, 2002;

(D) the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2002, notwithstanding section 10 of Public Law 91-672 and section 15 of the State Department Basic Authorities Act of 1956;

(E) the Department of the Interior and Related Agencies Appropriations Act, 2002;

(F) the Legislative Branch Appropriations Act, 2002;

(G) the Military Construction Appropriations Act, 2002;

(H) the Department of Transportation and Related Agencies Appropriations Act, 2002;

(I) the Treasury and General Government Appropriations Act, 2002; and

(J) the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2002:

Provided, That whenever the amount which would be made available or the authority which would be granted in these Acts as passed by the House and Senate as of October 1, 2001, is different than that which would be available or granted under current operations, the pertinent project or activity shall be continued at a rate for operations not exceeding the current rate: *Provided further*, That whenever there is no amount made available under any of these appropriations Acts as passed by the House and Senate as of October 1, 2001, for a continuing project or activity which was conducted in fiscal year 2001 and for which there is fiscal year 2002 funding included in the budget request, the pertinent project or activity shall be continued at the rate for current operations under the authority and conditions provided in the applicable appropriations Act for fiscal year 2001.

(2) Whenever the amount which would be made available or the authority which would be granted under an Act listed in this subsection as passed by the House as of October 1, 2001, is different from that which would be available or granted under such Act as passed by the Senate as of October 1, 2001, the pertinent project or activity shall be continued at a rate for operations not exceeding the current rate and under the authority and conditions provided in the applicable appropriations Act for fiscal year 2001.

(3) Whenever an Act listed in this subsection has been passed by only the House or only the Senate as of October 1, 2001, the pertinent project or activity shall be continued under the appropriation, fund, or authority granted by the one House at a rate for operations not exceeding the current rate and under the authority and conditions provided in the applicable appropriations Act for fiscal year 2001: *Provided*, That whenever there is no amount available under any of these appropriations Acts as passed by the House or the Senate as of October 1, 2001, for a continuing project or activity which was con-

ducted in fiscal year 2001 and for which there is fiscal year 2002 funding included in the budget request, the pertinent project or activity shall be continued at the rate for current operations under the authority and conditions provided in the applicable appropriations Act for fiscal year 2001.

(b) Such amounts as may be necessary under the authority and conditions provided in the applicable appropriations Act for fiscal year 2001 for continuing projects or activities including the costs of direct loans and loan guarantees (not otherwise specifically provided for in this joint resolution) which were conducted in fiscal year 2001, at a rate for operations not exceeding the current rate, and for which appropriations, funds, or other authority was made available in the following appropriations Acts:

(1) the Department of Defense Appropriations Act, 2001, notwithstanding section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)); and

(2) the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2001.

(3) the District of Columbia Appropriations Act, 2001:

SEC. 102. No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used for new production of items not funded for production in fiscal year 2001 or prior years, for the increase in production rates above those sustained with fiscal year 2001 funds, or to initiate, resume, or continue any project, activity, operation, or organization which are defined as any project, sub-project, activity, budget activity, program element, and subprogram within a program element and for investment items are further defined as a P-1 line item in a budget activity within an appropriation account and an R-1 line item which includes a program element and subprogram element within an appropriation account, for which appropriations, funds, or other authority were not available during fiscal year 2001: *Provided*, That no appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used to initiate multi-year procurements utilizing advance procurement funding for economic order quantity procurement unless specifically appropriated later.

SEC. 103. Appropriations made by section 101 shall be available to the extent and in the manner which would be provided by the pertinent appropriations Act.

SEC. 104. No appropriation or funds made available or authority granted pursuant to section 101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during fiscal year 2001.

SEC. 105. No provision which is included in an appropriations Act listed in section 101(a) but which was not included in the applicable appropriations Act for fiscal year 2001 and which by its terms is applicable to more than one appropriation, fund, or authority shall be applicable to any appropriation, fund, or authority provided in this joint resolution.

SEC. 106. Appropriations made and authority granted pursuant to this joint resolution shall cover all obligations or expenditures incurred for any program, project, or activity during the period for which funds or authority for such project or activity are available under this joint resolution.

SEC. 107. Unless otherwise provided for in this joint resolution or in the ap-

plicable appropriations act, appropriations and funds made available and authority granted pursuant to this joint resolution shall be available until (a) enactment into law of an appropriation for any project or activity provided for in this joint resolution, or (b) the enactment into law of the applicable appropriations Act by both Houses without any provision for such project or activity, or (c) October 16, 2001, whichever first occurs.

SEC. 108. Expenditures made pursuant to this joint resolution shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 109. No provision in any appropriations Act for fiscal year 2002 listed in section 101(a) that makes the availability of any appropriation provided therein dependent upon the enactment of additional authorizing or other legislation shall be effective before the date set forth in section 107(c) of this joint resolution.

SEC. 110. Appropriations and funds made available by or authority granted pursuant to this joint resolution may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing herein shall be construed to waive any other provision of law governing the apportionment of funds.

SEC. 111. This joint resolution shall be implemented so that only the most limited funding action of that permitted in the joint resolution shall be taken in order to provide for continuation of projects and activities.

SEC. 112. Notwithstanding any other provision of this joint resolution, except section 107, for those programs that had high initial rates of operation or complete distribution of fiscal year 2001 appropriations at the beginning of that fiscal year because of distributions of funding to States, foreign countries, grantees or others, similar distributions of funds for fiscal year 2002 shall not be made and no grants shall be awarded for such programs funded by this resolution that would impinge on final funding prerogatives.

SEC. 113. Activities authorized by sections 1319 and 1336(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.) may continue through the date specified in section 107(c) of this joint resolution.

SEC. 114. Activities authorized by title V of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1998, may continue through the date specified in section 107(c) of this joint resolution.

SEC. 115. Activities authorized by section 7 of the Export-Import Bank Act of 1945 (12 U.S.C. 635f) and section 1(c) of Public Law 103-428, may continue through the date specified in section 107(c) of this joint resolution.

SEC. 116. Activities authorized by chapter 2 of title II of the Trade Act of 1974 shall continue through the date specified in section 107(c) of this joint resolution.

SEC. 117. Activities authorized by subsection (f) of section 403 of Public Law 103-356 may continue through the date specified in section 107(c) of this joint resolution.

SEC. 118. Notwithstanding any other provision of this joint resolution, except section 107, the Library of Congress may temporarily transfer to the revolving fund established under section 103 of Public Law 106-481 amounts to continue program operations at a rate not exceeding the rate under authority applicable prior to October 1, 2001.

SEC. 119. Of amounts provided by section 101 of this joint resolution, for projects and activities that would be funded under the heading "International Organizations and Conferences, Contributions to International Organizations" in the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2001, \$100,000,000 may be made available only pursuant to a certification by the Secretary of State that the United Nations has taken no action in calendar year 2001 prior to the date of enactment of this Act to increase funding for any United Nations program without identifying an offsetting decrease elsewhere in the United Nations budget and cause the United Nations to exceed the budget for the biennium 2000-2001 of \$2,535,700,000.

SEC. 120. Notwithstanding any other provision of this joint resolution, in the event that H.R. 1088, the Investor and Capital Markets Fee Relief Act, or other legislation to amend section 6(b) of the Securities Act of 1933 (15 U.S.C. 77f(b)), and sections 13(e), 14(g), and 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78m(e), 78n(g), and 78ee), is enacted into law during the period covered by this joint resolution, the fees, charges, and assessments authorized by such sections, as amended, shall be deposited and credited as offsetting collections to the account that provides appropriations to the Securities and Exchange Commission.

SEC. 121. Collection and use of maintenance fees as authorized by section 4(i) and 4(k) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C) §136a-1(i) and (k) may continue through the date specified in section 107(c) of this joint resolution. Prohibitions against collecting "other fees" as described in section 4(i)(6) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. §135a-1(i)(6)) shall continue in effect through the date specified in section 107(c) of this joint resolution.

SEC. 122. Notwithstanding section 106 of this joint resolution, funds made available in Public Law 107-38 are not limited by the terms and conditions of this joint resolution.

The SPEAKER pro tempore. Pursuant to the order of the House of today, the gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY) each will control 30 minutes.

The Chair recognizes the gentleman from Florida (Mr. YOUNG).

Mr. YOUNG of Florida. Mr. Speaker, I yield myself such time as I may consume.

(Mr. YOUNG of Florida asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Florida. Mr. Speaker, as the Speaker is well aware, all of the appropriations bills for 2002 have not been completed. The Senate has asked for a conference on the Energy and Water bill, the Interior bill, the Legis-

lative bill, the VA-HUD bill; and we just a few minutes ago asked for a conference on the Commerce-Justice bill. We are prepared to go to conference on those bills, but we are not able to complete the conferences on those and the other bills remaining prior to the end of September, which is this weekend.

And so this is a continuing resolution that would take the Government spending at the 2001 levels through October 16 of this year. We have the usual waivers that normally go with a CR. We do not add anything new to this CR. It is noncontroversial. I urge the House to move the CR so that we can get it behind us and move on to the balance of our regular 2002 bills.

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

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

I rise in support of the continuing resolution brought to the floor by the distinguished gentleman from Florida. As he has indicated, we are about to go to conference on a wide variety of appropriations bills. We expect to finish most of those conferences in short order, but this resolution will allow us to do so in a more orderly fashion than was the case last year when we had a series of 1- and 2-day CRs. I think under the circumstances it is the proper thing to do.

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

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

The SPEAKER pro tempore. All time for debate has expired.

The joint resolution is considered as having been read for amendment.

Pursuant to the order of the House of today, the previous question is ordered.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

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

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

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 6 p.m.

Accordingly (at 5 o'clock and 39 minutes p.m.), the House stood in recess until approximately 6 p.m.

□ 1800

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. FOLEY) at 6 p.m.

VACATING ORDERING OF YEAS AND NAYS ON H.R. 2589, MARKET-MARKET EXTENSION ACT OF 2001

Mr. HEFLEY. Mr. Speaker, I ask unanimous consent to vacate the ordering of the yeas and nays on the motion to suspend the rules and pass the bill, H.R. 2589, as amended, to the end that the Chair put the question on the motion de novo.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. GREEN) that the House suspend the rules and pass the bill, H.R. 2589, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put the question on the motions to suspend the rules on which further proceedings were postponed earlier today, and the question on passage of House Joint Resolution 65.

Votes will be taken in the following order:

H.R. 717, by the yeas and nays, and

H.J. Res. 65, de novo.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

MUSCULAR DYSTROPHY COMMUNITY ASSISTANCE, RESEARCH AND EDUCATION AMENDMENTS OF 2001

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 717, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. BILL-RAKIS) that the House suspend the rules and pass the bill, H.R. 717, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 383, nays 0, not voting 47, as follows:

[Roll No. 349]

YEAS—383

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Army
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggart
Bilirakis
Bishop
Blagojevich
Boehlert
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Brown (SC)
Burr
Burton
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Cubin
Culberson
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
DeLaunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doyle
Duncan
Dunn

Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrist
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hefley
Herger
Hill
Hilleary
Hilliard
Hinche
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hoolley
Horn
Hostettler
Houghton
Hoyer
Hunter
Hyde
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)

King (NY)
Kingston
Kirk
Klecza
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larsen (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (OK)
Luther
Maloney (CT)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCreery
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Miller (FL)
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Oliver
Ortiz
Osborne
Ose
Otter
Pallone
Pascrell
Pastor
Pelosi
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
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
Ryan (WI)
Ryan (KS)
Flake
Ryun (KS)
Sanchez
Sandlin
Sawyer
Saxton
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman

Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)

Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Vitter
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

CONTINUING APPROPRIATIONS,
FISCAL YEAR 2002

The SPEAKER pro tempore. The pending business is the question de novo on passage of the joint resolution, H.J. Res. 65, on which further proceedings were postponed earlier today.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

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

RECORDED VOTE

Mr. OBEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered. The vote was taken by electronic device, and there were—ayes 392, noes 0, not voting 38, as follows:

[Roll No. 350]

AYES—392

Blumenauer
Blunt
Boehner
Brady (TX)
Bryant
Buyer
Cooksey
Crowley
Davis (CA)
DeMint
Doolittle
Dreier
Gillmor
Granger
Gutierrez
Hayworth

Hulshof
Inslee
Lucas (KY)
Maloney (NY)
McInnis
Millender-
McDonald
Miller, Gary
Neal
Owens
Oxley
Paul
Payne
Peterson (MN)
Pombo
Pomeroy

Portman
Rush
Sabo
Sanders
Schaffer
Serrano
Smith (MI)
Stark
Tanner
Tiberi
Towns
Velazquez
Visclosky
Walden
Watts (OK)
Weiner

□ 1836

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: "A bill to amend the Public Health Service Act to provide for research with respect to various forms of muscular dystrophy, including Duchenne, Becker, limb girdle, congenital, facioscapulohumeral, myotonic, oculopharyngeal, distal, and Emery-Dreifuss muscular dystrophies."

A motion to reconsider was laid on the table.

Stated for:

Mr. WALDEN of Oregon. Mr. Speaker, on rollcall No. 349, due to weather-related problems, I missed the vote. Had I been present, I would have voted "yes."

Ms. MILLENDER-MCDONALD. Mr. Speaker, H.R. 717 was called while I was enroute from the Airport (Dulles) of which I was detained due to a storm that delayed the landing of the flight coming in from California. Had I been present, I would have voted "yea."

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore (Mr. FOLEY). Pursuant to the provisions of clause 8 of rule XX, the Chair announces that he will reduce to 5 minutes the period of time within which a vote by electronic device will be taken

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Army
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggart
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Brown (SC)
Burr
Burton
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Cubin
Culberson
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
DeLaunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doyle
Duncan
Dunn

Clyburn
Coble
Collins
Combest
Condit
Conyers
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Cubin
Culberson
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Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
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DeFazio
DeGette
DeLaunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske

Gekas
Gephardt
Gibbons
Gilchrist
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hefley
Herger
Hill
Hilleary
Hilliard
Hinche
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hoolley
Horn
Hostettler
Houghton
Hoyer
Hunter
Hyde
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (CT)
Kennedy (IL)
Johnson, E. B.
Johnson (IL)
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski

Kaptur	Moran (VA)	Shays
Keller	Morella	Sherman
Kelly	Murtha	Sherman
Kennedy (MN)	Myrick	Shimkus
Kennedy (RI)	Nadler	Shows
Kerns	Napolitano	Shuster
Kildee	Nethercutt	Simmons
Kilpatrick	Ney	Simpson
Kind (WI)	Northup	Skeen
King (NY)	Norwood	Skelton
Kingston	Nussle	Slaughter
Kirk	Oberstar	Smith (MI)
Kleczyka	Obey	Smith (NJ)
Knollenberg	Olver	Smith (TX)
Kolbe	Ortiz	Smith (WA)
Kucinich	Osborne	Snyder
LaFalce	Ose	Solis
LaHood	Otter	Souder
Lampson	Pallone	Spratt
Langevin	Pascarell	Stearns
Lantos	Pastor	Stenholm
Largent	Paul	Strickland
Larsen (WA)	Pelosi	Stump
Larson (CT)	Pence	Stupak
Latham	Peterson (PA)	Sununu
LaTourette	Petri	Sweeney
Leach	Phelps	Tancredo
Lee	Pickering	Tauscher
Levin	Pitts	Tauzin
Lewis (CA)	Platts	Taylor (MS)
Lewis (GA)	Pombo	Taylor (NC)
Lewis (KY)	Price (NC)	Terry
Linder	Pryce (OH)	Thomas
Lipinski	Putnam	Thompson (CA)
LoBiondo	Quinn	Thompson (MS)
Lofgren	Radanovich	Thornberry
Lowe	Rahall	Thune
Lucas (OK)	Ramstad	Thurman
Luther	Rangel	Tiahrt
Maloney (CT)	Regula	Tierney
Manzullo	Rehberg	Toomey
Markey	Reyes	Trafficant
Mascara	Reynolds	Turner
Matheson	Riley	Udall (CO)
Matsui	Rivers	Udall (NM)
McCarthy (MO)	Rodriguez	Upton
McCarthy (NY)	Roemer	Vitter
McCollum	Rogers (KY)	Walden
McCrery	Rogers (MI)	Walsh
McDermott	Rohrabacher	Wamp
McGovern	Ros-Lehtinen	Waters
McHugh	Ross	Watkins (OK)
McIntyre	Rothman	Watson (CA)
McKeon	Roukema	Watt (NC)
McKinney	Roybal-Allard	Waxman
McNulty	Royce	Weldon (FL)
Meehan	Ryan (WI)	Weldon (PA)
Meek (FL)	Ryun (KS)	Weller
Meeks (NY)	Sanchez	Wexler
Menendez	Sandlin	Whitfield
Mica	Sawyer	Wicker
Millender-	Saxton	Wilson
McDonald	Schakowsky	Wolf
Miller (FL)	Schiff	Woolsey
Miller, Gary	Schrock	Wu
Miller, George	Scott	Wynn
Mink	Sensenbrenner	Young (AK)
Mollohan	Sessions	Young (FL)
Moore	Shadegg	
Moran (KS)	Shaw	

NOT VOTING—38

Blunt	Hulshof	Sabo
Boehner	Inslee	Sanders
Brady (TX)	Lucas (KY)	Schaffer
Bryant	Maloney (NY)	Serrano
Buyer	McInnis	Stark
Cooksey	Neal	Tanner
Crowley	Owens	Tiberi
Davis (CA)	Oxley	Towns
DeMint	Payne	Velazquez
Gillmor	Peterson (MN)	Visclosky
Granger	Pomeroy	Watts (OK)
Gutierrez	Portman	Weiner
Hayworth	Rush	

□ 1846

So (two-thirds having voted in favor thereof) the rules were suspended and the joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. PORTMAN. Mr. Speaker, due to the severe weather conditions in the Washington D.C. area, my airplane was not able to land before the votes occurred on H.R. 717, the Duchenne Muscular Dystrophy Childhood Assistance, Research and Education Amendments of 2001, and H.J. Res. 65, the FY 2002 Continuing Resolution.

Had I been present, I would have voted "yea" on each of these bills.

PERSONAL EXPLANATION

Mrs. MALONEY of New York. Mr. Speaker, on September 24, 2001, I was unavoidably detained the train broke down—and I missed rollcall votes numbered 349 and 350. Rollcall vote 349 was on the motion to suspend the rules and pass HR 717, to provide for research and services with respect to Duchenne muscular dystrophy. Rollcall vote 350 was on passage of H. J. Res. 65, to provide for continuing appropriations for the fiscal year, and for other purposes.

Had I been present I would have voted "yea" on both H.R. 717 and H. J. Res. 65.

SUPPORTING THE GOALS OF RED RIBBON WEEK IN PROMOTING DRUG-FREE COMMUNITIES

Mr. BILIRAKIS. Mr. Speaker, I ask unanimous consent for immediate consideration in the House of the concurrent resolution (H. Con. Res. 84) supporting the goals of Red Ribbon Week in promoting drug-free communities.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore (Mr. FOLEY). Is there objection to the request of the gentleman from Florida?

Mr. BROWN of Ohio. Mr. Speaker, reserving the right to object, I would like a brief explanation from the gentleman from Florida (Mr. BILIRAKIS).

Mr. BILIRAKIS. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Florida.

Mr. BILIRAKIS. Mr. Speaker, this resolution calls for increased awareness of drug abuse and promotes drug-free communities.

Red Ribbon Week began in 1985 following the death of Enrique "Kiki" Camarena, a drug enforcement agent who was close to uncovering identities of key members of a Mexican drug cartel. Saddened by his death and concerned by the destruction caused by drugs in America, his friends and family in his hometown of Calexico, California began wearing red ribbons in his honor to raise the consciousness of communities throughout the Imperial Valley.

Today the red ribbon has become the national symbol for drug prevention across America. Red Ribbon Week activities make a positive impact in communities nationwide. The program focuses on identifying resources for parents and collaborating with community stakeholders to provide primary prevention and education to strengthen healthy families.

I support the goals of this resolution, Mr. Speaker; and I believe it is a critical tool through which local communities learn, educate, and act to ensure a healthier future for our children. I ask my colleagues to support the fight against drugs and to help us pass H. Con. Res. 84, supporting the goals of Red Ribbon Week and promoting drug-free communities.

Mr. BROWN of Ohio. Further reserving the right to object, Mr. Speaker, I yield to my colleague, the gentleman from California (Mr. BACA).

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

Mr. BACA. Mr. Speaker, I stand here today in support of House Concurrent Resolution 84. This bill expresses a sense of Congress supporting the goals of Red Ribbon Week and preventing drug use. We must focus on awareness and prevention.

The battle against drugs is being fought in our homes, in our living rooms with real human beings and with our children, our brothers, our sisters, our parents, our neighbors, our friends, our relatives and our communities.

In California, I have worked hard to recognize Red Ribbon Week, as you can see by the red ribbon that I am wearing now. And as it was stated earlier before, it originally started in 1985 in Imperial Valley; and we have celebrated in San Bernardino, throughout the last 7 or 8 years, Red Ribbon Week. We have a parade.

I think it is important for our communities to know that drugs kill our children. We must be aware. We must do everything possible to prevent the use of drugs, saving a life and getting a child to go in a positive direction is good for our children. Let them know that we will say no to drugs. Drugs are bad, bad for our children, bad for our community, bad for our society, whatever we can do to promote that awareness and involvement in our neighborhoods.

We have got our communities involved. We have schools that are involved. We have businesses that are involved. We have neighborhoods that are involved. We have youth and families that participate because we know what it means and what a disaster it is to a family who is involved in drugs.

It is also a savings in taxpayer dollars to us as well. When we look at a child or someone who is into drugs, it costs us for that particular child to rehabilitate them. It is a lot better to do the prevention and awareness to save the child and save a life.

I believe we have to do everything possible to make sure our communities are drug free. We participate with law enforcement in our communities. We participate with the fire department. We participate with our neighbors. We want healthy and productive and drug-free life society. By all of us being involved and coming together, we are touching the lives and saving the lives of many individuals in our community.

Today we are committed in this movement and we will continue to do this. This week is Red Ribbon Week; and hopefully, everybody will display the red ribbon that I have here along, of course, the flag that we carry in our lapel for many Americans right now. As we look at what has happened right now, as many of the individuals who died there, we want to demonstrate to those individuals who have sacrificed their lives to save a life, it is that life for many other individuals and possibly those children that lost their lives there and many of the children we have to save as well.

Mr. Speaker, I ask everybody to recognize we must save the lives of our children.

Mr. BROWN of Ohio. Mr. Speaker, I support passage of the concurrent resolution, and I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 84

Whereas the National Family Partnership, Governors, Attorneys General, Parent Teacher Associations, and over 100 other organizations throughout the United States annually cosponsor October 23 through October 31 as Red Ribbon Week;

Whereas the objective of Red Ribbon Week is to promote drug-free communities through drug prevention efforts, education, parental involvement, and community-wide support;

Whereas drug abuse is one of the major challenges our Nation faces in securing a safe and healthy future for our children; and

Whereas parents, youth, schools, businesses, law enforcement and religious institutions, service organizations, senior citizens, medical and military personnel, sports teams, and individuals throughout the Nation demonstrate their commitment to drug-free, healthy lifestyles by wearing and displaying red ribbons during this weeklong celebration: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) supports the goals of Red Ribbon Week; and

(2) encourages all Americans to promote drug-free communities and to participate in drug prevention activities to show support for healthy, productive, drug-free lifestyles.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BILIRAKIS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Con. Res. 84, the concurrent resolution just agreed to.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2269

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 2269, the Retirement Security Advice Act of 2001.

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

There was no objection.

CONTINUATION OF EMERGENCY WITH RESPECT TO UNITA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 107-124)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act, 50 U.S.C. 1622(d) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the Federal Register and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice, stating that the emergency declared with respect to the National Union for the Total Independence of Angola (UNITA) is to continue in effect beyond September 26, 2001.

The circumstances that led to the declaration on September 26, 1993, of a national emergency have not been resolved. The actions and policies of UNITA pose a continuing unusual and extraordinary threat to the foreign policy of the United States. United Nations Security Council Resolutions 864 (1993), 1127 (1997), and 1173 (1998) continue to oblige all member states to maintain sanctions. Discontinuation of the sanctions would have a prejudicial effect on the prospects for peace in Angola. For these reasons, I have determined that it is necessary to maintain in force the broad authorities necessary to apply economic pressure on UNITA to reduce its ability to pursue its military operations.

GEORGE W. BUSH.

THE WHITE HOUSE, September 24, 2001.

REPORT ON NATIONAL EMERGENCY WITH RESPECT TO NATIONAL UNION FOR THE TOTAL INDEPENDENCE OF ANGOLA (UNITA)—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 107-125)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together

with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), I transmit herewith a 6-month periodic report on the national emergency with respect to the National Union for the Total Independence of Angola (UNITA) that was declared in Executive Order 12865 of September 26, 1993.

GEORGE W. BUSH.

THE WHITE HOUSE, September 24, 2001.

BLOCKING PROPERTY AND PROHIBITING TRANSACTIONS WITH PERSONS WHO COMMIT, THREATEN TO COMMIT, OR SUPPORT TERRORISM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 107-126)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

Pursuant to section 204(b) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(b) (IEEPA), and section 301 of the National Emergencies Act, 50 U.S.C. 1631, I hereby report that I have exercised my statutory authority to declare a national emergency in response to the unusual and extraordinary threat posed to the national security, foreign policy, and economy of the United States by grave acts of terrorism and threats of terrorism committed by foreign terrorists, including the September 11, 2001, terrorist attacks at the World Trade Center, New York, at the Pentagon, and in Pennsylvania. I have also issued an Executive Order to help deal with this threat by giving the United States more powerful tools to reach the means by which terrorists and terrorist networks finance themselves and to encourage greater cooperation by foreign financial institutions and other entities that may have access to foreign property belonging to terrorists or terrorist organizations.

The attacks of September 11, 2001, highlighted in the most tragic way the threat posed to the security and national interests of the United States by terrorists who have abandoned any regard for humanity, decency, morality, or honor. Terrorists and terrorist networks operate across international borders and derive their financing from sources in many nations. Often, terrorist property and financial assets lie outside the jurisdiction of the United States. Our effort to combat and destroy the financial underpinnings of

global terrorism must therefore be broad, and not only provide powerful sanctions against the U.S. property of terrorists and their supporters, but also encourage multilateral cooperation in identifying and freezing property and assets located elsewhere.

This Executive Order is part of our national commitment to lead the international effort to bring a halt to the evil of terrorist activity. In general terms, it provides additional means by which to disrupt the financial support network for terrorist organizations by blocking the U.S. assets not only of foreign persons or entities who commit or pose a significant risk of committing acts of terrorism, but also by blocking the assets of their subsidiaries, front organizations, agents, and associates, and any other entities that provide services or assistance to them. Although the blocking powers enumerated in the order are broad, my Administration is committed to exercising them responsibly, with due regard for the culpability or the persons and entities potentially covered by the order, and in consultation with other countries.

The specific terms of the Executive Order provide for the blocking of the property and interests in property, including bank deposits, of foreign persons designated in the order or pursuant thereto, when such property is within the United States or in the possession or control of United States persons. In addition, the Executive Order prohibits any transaction or dealing by United States persons in such property or interests in property, including the making or receiving of any contribution of funds, good, or services to or for the benefit of such designated persons.

I have identified in an Annex to this order eleven terrorist organizations, twelve individuals terrorist leaders, three charitable or humanitarian organizations that operate as fronts for terrorist financing and support, and one business entity that operates as a front for terrorist financing and support. I have determined that each of these organizations and individuals have committed, supported, or threatened acts of terrorism that imperil the security of U.S. nationals or the national security, foreign policy, or economy of the United States. I have also authorized the Secretary of State to determine and designate additional foreign persons who have committed or pose a significant risk of committing acts or terrorism that threaten the security of U.S. national or the national security, foreign policy, or economy of the United States. Such designations are to be made in consultation with the Secretary of the Treasury and the Attorney General.

The Executive Order further authorizes the Secretary of the Treasury to identify, in consultation with the Secretary of State and the Attorney General, additional persons or entities that:

Are owned or controlled by, or that act for or on behalf of, those persons designated in or pursuant to the order;

Assist in, sponsor, or provide financial, material, or technological support for, or financial or other services to or in support of acts of terrorism or those persons designated in or pursuant to the order; or

Are otherwise associated with those persons designated in or pursuant to the order.

Prior to designating persons that fall within the latter two categories, the Secretary of the Treasury is authorized to consult with any foreign authorities the Secretary of State deems appropriate, in consultation with the Secretary of the Treasury and the Attorney General. Such consultation is intended to avoid the need for additional designations by securing bilateral or multilateral cooperation from foreign governments and foreign financial and other institutions. Such consultation may include requests to foreign governments to seek, in accordance with international law and their domestic laws, information from financial institutions regarding terrorist property and to take action to deny terrorists the use of such property. The order also provides broad authority, with respect to the latter two categories, for the Secretary of the Treasury, in his discretion, and in consultation with the Secretary of State and the Attorney General, to take lesser action than the complete blocking of property or interests in property if such lesser action is deemed consistent with the national interests of the United States. Some of the factors that maybe considered in deciding whether a lesser action against a foreign person is consistent with the national interests of the United States include.

The impact of blocking on the U.S. or international financial system;

The extent to which the foreign person has cooperated with U.S. authorities;

The degree of knowledge the foreign person had of the terrorist-related activities of the designated person;

The extent of the relationship between the foreign person and the designated person; and

The impact of blocking or other measures on the foreign person.

The Executive Order also directs the Secretary of State, the Secretary of the Treasury, and other agencies to make all relevant efforts to cooperate and coordinate with other countries, including through existing and future multilateral and bilateral agreements and arrangements, to achieve the objectives of this order, including the prevention and suppression of acts of terrorism, the denial of the financial and financial services to terrorists and terrorist organizations, and the sharing of intelligence about funding activities in support of terrorism.

In the Executive Order, I also have made determinations to suspend otherwise applicable exemptions for certain

humanitarian, medical, or agricultural transfers or donations. Regrettably, international terrorist networks make frequent use of charitable or humanitarian organizations to obtain clandestine financial and other support for their activities. If these exemptions were not suspended, the provision of humanitarian materials could be used as a loophole through which support could be provided to individuals or groups involved with terrorism and where activities endanger the safety of United States nationals, both here and abroad.

The Secretary of the Treasury, in consultation with the Secretary of State and the Attorney General, is authorized to issue regulations in exercise of my authorities under IEEPA to implement the prohibitions set forth in the Executive Order. All Federal agencies are also directed to take actions within their authority to carry out the provisions of the order, and, where applicable, to advise the Secretary of the Treasury in a timely manner of the measures taken.

The measures taken here will immediately demonstrate our resolve to bring new strength to bear in our multifaceted struggle to eradicate international terrorism. It is my hope that they will point the way for other civilized nations to adopt similar measures to attack the financial roots of global networks.

In that regard, this Executive Order is an integral part of our larger effort to form a coalition in the global war against terrorism. We have already worked with nations around the globe and groups such as the G-8, the European Union, and the Rio Group, all of which have issued strong statements of their intention to take measures to limit the ability of terrorist groups to operate. In the next several weeks the 33rd Session of the International Civil Aviation Organization (ICAO) General Assembly and other fora will focus on terrorism worldwide. It is our intention to work within the G-7/G-8, the ICAO, and other fora to reach agreement on strong concrete steps that will limit the ability of terrorists to operate. In the G-7/G-8, the United States will work with its partners, drawing on the G-8 Lyon Group on Transnational Crime, the G-8 Group on Counter-terrorism, the G-7 Financial Action Task Force, and the existing G-8 commitments to build momentum and practical cooperation in the fight to stop the flow of resources to support terrorism. In addition, both the Convention for the Suppression of the Financing of Terrorism and the Convention for the Suppression of Terrorist Bombings have been forwarded to the Senate, and I will be forwarding shortly to the Congress implementing legislation for both Conventions.

I am enclosing a copy of the Executive Order I have issued. This order is effective at 12:01 a.m. eastern daylight time on September 24, 2001.

GEORGE W. BUSH.
THE WHITE HOUSE, September 23, 2001.

RECOGNIZING SARGENT SHRIVER
WITH CONGRESSIONAL GOLD
MEDAL

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

Mr. FARR of California. Mr. Speaker, I rise today to introduce a Congressional Gold Medal resolution for Sargent Shriver who was the first director of the Peace Corps. I do this with my cosponsors, former members of the United States Peace Corps, myself, the gentleman from Connecticut (Mr. SHAYS), the gentleman from Ohio (Mr. HALL), the gentleman from New York (Mr. WALSH), the gentleman from California (Mr. HONDA), and the gentleman from Wisconsin (Mr. PETRI).

I also do it on behalf of the 163,000 volunteers who have served the United States Government in over 135 countries. I also do this based on what I did Saturday which was to celebrate the 40th anniversary of the Peace Corps here in Washington, but then on Sunday I went to the World Trade Center, ground zero in New York City, so I saw peace on Saturday and war on Sunday.

I view the destruction with a renewed reemphasis in the role of the Peace Corps in order to better understand the world cultures, the world languages and the world differences.

Mr. Speaker, what better way than to authorize the President to present Sargent Shriver with a Congressional Gold Medal to commemorate the 40th anniversary of the Peace Corps in recognition of its founding father.

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 Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO 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 (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

(Ms. ROS-LEHTINEN 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 California (Ms. MILLENDER-McDONALD) is recognized for 5 minutes.

(Ms. MILLENDER-McDONALD addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

TRIBUTE TO TOM BURNETT, JR., A
TRUE AMERICAN HERO

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

Mr. RAMSTAD. Mr. Speaker, I rise today to pay tribute to a true American hero. America owes Tom Burnett, Jr., a deep debt of gratitude for his bravery on September 11. Indeed, the Members of this very body may owe their very lives to Tom Burnett, Jr.

Mr. Speaker, Tom Burnett, who grew up in Bloomington, Minnesota in the Third Congressional District, which I am privileged to represent, was aboard United Flight 93 on that darkest of days for our Nation. Tom was among the small group of passengers who confronted the hijackers that fateful morning. Department of Defense officials believe Flight 93 was headed for a target here in Washington, most likely the White House or the Capitol.

Tom was able to reach his wife, Deena, on his cell phone from the plane. She told him that other hijacked planes had crashed into the World Trade Center towers and the Pentagon.

□ 1900

Tom then told her, and I am quoting, "We've got to do something. I know we're all going to die. There's three of us who are going to do something about it."

Mr. Speaker, that is exactly what Tom Burnett did. His courage and sacrifice foiled the hijackers' plans of mass destruction. Without regard to his own safety, Tom helped save countless lives.

In recent days, after listening to the tape from the black box, law enforcement officials have described a desperate struggle aboard the plane. As FBI Director Mueller said after being briefed on the contents of the tape, and I am quoting, "We believe those passengers were absolute heroes, and their actions during this flight were heroic."

Mr. Speaker, Tom Burnett, Jr. has shown this kind of selfless leadership many times before. As a quarterback at Thomas Jefferson High School in Bloomington, Minnesota, Tom's inspired play led his team to the conference championship game in 1980, the only game they lost that season. The team that beat them won the State title, in fact. He was also a leader in his remarkable business career, as chief operating officer for a medical device manufacturer in California.

No one who knew Tom Burnett is surprised at his heroism.

His football coach in high school, Bruno Waldner, said, "Tom, if anybody, would have the type of character to do that. He didn't get rattled. He took everybody up another level. He was on an average football team that went on to play over their heads. And they almost won a championship."

Another business associate said: "Tom was a man of action. If he knew that he could have any potential bene-

ficial effect and he knew what the odds were, he would have taken action." Another business associate said: "This was very much in character for Tom Burnett. It's just the type of man he was."

Mr. Speaker, such moving testimonials to this great and courageous man have literally come in floods of words and tears in recent days back in Minnesota. At a memorial service last Tuesday night at St. Edward's Catholic Church in Bloomington, I was among the 1,200 mourners who attended and heard many such moving tributes. The streets and parking lot of that church were lined with many other people who could not get into the packed church. Many waved American flags of all sizes. It was very sad. And it was very uplifting.

Mr. Speaker, many people claim America has suffered from a lack of heroes in recent years. Not anymore. Not with Tom Burnett, Jr. to look up to. Like so many heroes of September 11 who gave their lives to help others, from Tom and his fellow passengers on Flight 93, to the police, rescue personnel and firefighters in New York who rushed into those doomed towers and so many others, America has real heroes to remember and to cherish. We must never forget their ultimate sacrifice.

Mr. Speaker, our thoughts and prayers are with Tom's wonderful family, his loving wife, Deena, their daughters Madison, Halley and Anna-Clair, his parents Thomas Sr. and Beverly of Bloomington, and his sisters Martha O'Brien and Mary Margaret Burnett.

May God bless Tom Burnett and his family. And may God bless America and all the heroes and heroines like Tom Burnett who gave their lives to save others on September 11.

INTRODUCTION OF RESOLUTION IN
SUPPORT OF RECOVERY AND RE-
TURN OF LUDWIG KOONS

The SPEAKER pro tempore (Ms. HART). Under a previous order of the House, the gentleman from Texas (Mr. LAMPSON) is recognized for 5 minutes.

Mr. LAMPSON. Madam Speaker, today I rise to let my colleagues know of my introduction of a concurrent resolution in support of the United States Government becoming actively involved in the recovery and return of Ludwig Koons, a boy who was abducted to Italy by his mother.

Ludwig, son of Jeffrey Koons, an award-winning, internationally renowned artist, was abducted to Italy by his mother, Ilona Staller, on June 9, 1994. Mr. Koons has filed a petition against the Republic of Italy with the European Court of Human Rights in Strasbourg, and a preliminary decision regarding the admissibility of this petition is expected to be issued by the

court in October 2001. I have respectfully requested that both the U.S. Department of Justice and the U.S. Department of State file briefs in the European Court of Human Rights supporting Mr. Koons' petition, pursuant to article 36 of the Convention for the Protection of Human Rights of the Council of Europe, which states the United States has a right to intervene in proceedings before the European court in Strasbourg, promoted by its citizens seeking relief from human rights violations.

On May 29, 2001, Mrs. Staller was convicted in Italy for kidnapping their minor son, Ludwig, from his family residence in New York on June 9, 1994. In addition, with a judgment dated May 31, 2001, this year, Mrs. Staller was found guilty by the Rome Tribunal of repeated acts of defamation through the media against Mr. Koons. The delays of the Italian judicial authorities in finding Mrs. Staller guilty of international child kidnapping were instrumental in allowing the mother to retain custody of Ludwig in Italy illegitimately.

Authorities have not taken into consideration the judgment of divorce entered by the New York Supreme Court, which had exclusive jurisdiction to decide the parties' custody dispute. The decision of the Italian judicial authorities to prohibit Ludwig, a native American citizen, from exercising his right of access to the United States, even for temporary visits, in order to maintain meaningful relations with his father and his paternal family is in violation of international principles of law and treaties to the detriment of a U.S. minor.

My resolution states that the United States should request that the Italian Republic immediately return Ludwig Maximilian Koons to the custody of the father in the United States as established by the judgment of divorce in the Supreme Court of New York of December 9, 1994. Pending a final decision by the Republic of Italy regarding the permanent return of Ludwig to the United States, the United States should also request that Italy authorize Ludwig to visit his father in his New York residence on a temporary basis.

As an American citizen, Ludwig has a right to preserve his identity, his nationality, and his family relations and to be raised by the parent who can best assure him a sound and healthy environment.

OH SAY CAN WE SEE?

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

Mr. GUTKNECHT. Madam Speaker, lying aboard a British warship in Baltimore Harbor, Francis Scott Key listened through the night as shells rained down on Fort McHenry. The small, undermanned garrison suddenly

found itself under the attack of the greatest Navy in the world. One thousand American soldiers were charged with the daunting task of defending Fort McHenry against 30 British warships and thousands of enemy ground troops. The bombs fell for 25 straight hours. Many hit their target. Others burst overhead, raining shrapnel on the soldiers below. When the rocket explosions ceased on the morning of September 14, 1814, Key surely thought that Fort McHenry had been taken.

Straining to see through the smoke that hung over the water in the early morning light, Key wiped away tears to see the Stars and Stripes still flying defiantly over that battered fort. The Americans had achieved the unthinkable. They had bravely held their position against all odds. The magnificent sight moved Key to pen the words that have stirred American hearts ever since, the Star-Spangled Banner.

Two weeks ago, 187 years after the defense of Fort McHenry, our Nation stared in horror at the smoke hanging over New York City and Washington, D.C. We looked on in disbelief as the towers of the World Trade Center crumbled before our very eyes. Yet out of the destruction shone a beacon of hope. Wiping tears from our eyes, we watched modern heroes, New York's firefighters, raising the Stars and Stripes atop the mountain of rubble. The comparison to Iwo Jima is inescapable.

Madam Speaker, the attack on America was not an attempt to defeat our Army. It was an organized plan to destroy the lives of innocent Americans. It was a direct assault on the American spirit. The terrorists succeeded in killing thousands of our fellow citizens, but they can never kill the American spirit.

Napoleon once said, "The great soldiers run to the sound of the guns." Consider the heroism of the passengers aboard United Flight 93 who attacked their hijackers. They saved thousands of lives on the ground and perhaps the most precious symbols of our Nation. We will never forget the firefighters who gave their lives when they courageously rushed into the burning towers as others streamed out. Now we see the quiet heroism of rescue workers who continue to dig tirelessly through the rubble in hopes of finding just one survivor. These Americans stand on the shoulders of the defenders of Fort McHenry.

Throughout our history, many adversaries have underestimated the steely resolve of the American spirit. They underestimate us now. We have been called to action, to demonstrate the virtues that make this a great Nation. At a similar hour, Winston Churchill said, "Do not let us speak of darker days. Let us speak, rather, of sterner days. These are not dark days. These are great days, the greatest days our country has ever lived. We must all thank God that we have been allowed, each of us according to our stations, to

play a part in making these days memorable in the history of our race."

Madam Speaker, as we declare war on terrorism around the world, the American flag will inspire us just as it inspired Francis Scott Key. It will serve as a notice to our adversaries. Though bruised and bloodied, we remain unbowed. The authors of terror may never understand the words of our national anthem, but they will come to understand the spirit that it embodies. We will turn our rage into moral outrage. When the dust of battle clears, America will remain the land of the free and the home of the brave.

Madam Speaker, to victory. May God bless America.

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

(Mr. CONYERS 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 Indiana (Mr. KERNS) is recognized for 5 minutes.

(Mr. KERNS 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 (Mrs. MEEK) is recognized for 5 minutes.

(Mrs. MEEK of Florida 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 (Ms. BROWN) is recognized for 5 minutes.

(Ms. BROWN of Florida 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 Ohio (Mrs. JONES) is recognized for 5 minutes.

(Mrs. JONES of Ohio 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 California (Ms. WATSON) is recognized for 5 minutes.

(Ms. WATSON of California 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 Texas (Mr. RODRIGUEZ) is recognized for 5 minutes.

(Mr. RODRIGUEZ 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 California (Mr. SHERMAN) is recognized for 5 minutes.

(Mr. SHERMAN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 7:00 o'clock and 13 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 2016

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DREIER) at 8 o'clock and 16 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2944, DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2002

Mr. LINDER, from the Committee on Rules, submitted a privileged report (Rept. No. 107-217) on the resolution (H. Res. 245) providing for consideration of the bill (H.R. 2944) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2002, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR FURTHER CONSIDERATION OF H.R. 2586, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2002

Mr. LINDER, from the Committee on Rules, submitted a privileged report (Rept. No. 107-218) on the resolution (H. Res. 246) providing for further consideration of the bill (H.R. 2586) to authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2002, and for other purposes, which was referred to the House Calendar and ordered to be printed.

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. BROWN of Ohio) to revise and extend their remarks and include extraneous material:)

Mr. DEFAZIO, for 5 minutes, today.

Ms. MILLENDER-McDONALD, for 5 minutes, today.

Mr. CONYERS, for 5 minutes, today.

Mrs. MEEK of Florida, for 5 minutes, today.

Ms. BROWN of Florida, for 5 minutes, today.

Mrs. JONES of Ohio, for 5 minutes, today.

Ms. WATSON of California, for 5 minutes, today.

Mr. RODRIGUEZ, for 5 minutes, today.

Mr. SHERMAN, for 5 minutes, today.

Mr. LAMPSON, for 5 minutes, today.

(The following Members (at the request of Mr. GUTKNECHT) to revise and extend their remarks and include extraneous material:)

Mr. RAMSTAD, for 5 minutes, today and September 25.

Mr. KERNS, for 5 minutes, today.

Mr. GUTKNECHT, for 5 minutes, today.

ENROLLED BILL SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly an enrolled bill of the House of the following title, which was thereupon signed by the Speaker.

H.R. 2926. To preserve the continued viability of the United States air transportation system.

BILLS PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House reports that on September 21, 2001 he presented to the President of the United States, for his approval, the following bills.

H.R. 2926. To preserve the continued viability of the United States air transportation system.

ADJOURNMENT

Mr. LINDER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 17 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, September 25, 2001, at 9 a.m., for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

3770. A letter from the Administrator, Food Safety and Inspection Service, Department of Agriculture, transmitting the Department's final rule—Labeling of Natural or Regenerated Collagen Sausage Casings [Docket No. 94-030F] (RIN: 0583-AC80) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3771. A communication from the President of the United States, transmitting Emergency Supplemental Appropriations Act for Recovery from and Response to Terrorist Attacks on the United States; (H. Doc. No. 107-123); to the Committee on Appropriations and ordered to be printed.

3772. A letter from the General Counsel, Consumer Product Safety Commission,

transmitting the Commission's final rule—Child-Resistant Packaging for Certain Over-The-Counter Drug Products—received August 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3773. A letter from the Attorney-Advisor, NHTSA, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Safety Standards; Motorcycle Brake Systems [Docket No. NHTSA 01-10367] (RIN: 2127-AH15) received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3774. A letter from the Attorney-Advisor, NHTSA, Department of Transportation, transmitting the Department's final rule—Anthropomorphic Test Devices; 12-Month-Old Child Dummy; Final Rule; Response to Petitions for Reconsideration [Docket No. NHTSA-00-7052] (RIN: 2127-AI37) received August 30, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3775. A letter from the Attorney Advisor, NHTSA, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Safety Standards; Occupant Crash Protection; Correction [Docket No. NHTSA-01-10636] (RIN: 2127-AH24) received September 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3776. A letter from the Attorney, NHTSA, Department of Transportation, transmitting the Department's final rule—List of Nonconforming Vehicles Decided to be Eligible for Importation [Docket No. NHTSA-2001-10629] (RIN: 2127-A161) received September 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3777. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Plans for Designated Facilities and Pollutants; States of Iowa, Kansas, Missouri, and Nebraska [FRL-7052-7] received September 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3778. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; State of Colorado; Trip Reduction, and Reduction of Diesel Vehicle Emissions [CO-001-0048a, CO-001-0049a, CO-001-0050a; FRL-7044-6] received September 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3779. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; State of Colorado; Denver 1-Hour Ozone Redesignation to Attainment, Designation of Areas for Air Quality Planning Purposes, and Approval of Related Revisions [CO-001-0054; FRL-7044-8] received September 5, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3780. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; State of Tennessee [TN-232-200118(a); FRL-7044-4] received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3781. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation

of Air Quality Implementation Plans; Indiana [IN135-2; FRL 7052-6] received September 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3782. 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: Oregon [Docket No. OR-00-002a; FRL-7044-9] received September 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3783. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania: Conversion of the Conditional Approval of the 15 Percent Plan for the Pennsylvania Portion of the Philadelphia-Wilmington-Trenton Nonattainment Area to a Full Approval [PA 150-4150; FRL-7043-5] received August 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3784. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Ozone Attainment Plan and Finding of Failure to Attain; State of California, San Francisco Bay Area [CA232-0289, FRL-7048-1] received August 29, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3785. A letter from the Acting Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's "Major" final rule—Migratory Bird Hunting; Final Frameworks for Late-Season Migratory Bird Hunting Regulations (RIN: 1018-AH79) received September 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3786. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Recordkeeping and Reporting Requirements; Alaska Commercial Operator's Annual Report [Docket No. 001114320-1191-02; I.D. 080400B] (RIN: 0648-AN01) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3787. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Highly Migratory Species Fisheries; Atlantic Bluefin Tuna [I.D. 072501A] received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3788. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries Off West Coast States and in the Western Pacific; West Coast Salmon Fisheries; Inseason Adjustment for the Commercial Fishery from the U.S.—Canada Border to Cape Falcon, OR [Docket No. 000501119-0119-01; I.D. 061201A] received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3789. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Highly Migratory Species (HMS); 2001 Atlantic Bluefin Tuna Quota Specifications and General Category Effort Controls [Docket No. 010326079-1170-02; I.D. 010301C] (RIN: 0648-AO96) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3790. 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 Northeastern United States; Summer Flounder Fishery; Commercial Quota Harvested for Connecticut [Docket No. 001121328-1066-03; I.D. 081001B] received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3791. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Milwaukee Harbor, Milwaukee, WI [CGD09-01-059] (RIN: 2115-AA97) received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3792. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Middle Bass Island, Lake Erie, Ohio [CGD09-01-060] (RIN: 2115-AA97) received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3793. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; City of Lynn Fireworks, Lynn, Massachusetts [CGD01-01-066] (RIN: 2115-AA97) received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3794. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Piscataqua River, ME [CGD01-01-121] received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3795. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Jamaica Bay and connecting waterways, NY [CGD01-01-108] (RIN: 2115-AE47) received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3796. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulation; Massalina Bayou, Florida [CGD08-01-009] (RIN: 2115-AE47) received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3797. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Lower Grand River, LA [CGD08-01-017] received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3798. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; State Road A1A (North Bridge) Drawbridge, Atlantic Intracoastal Waterway, Fort Pierce, Florida [CGD07-01-059] received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3799. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulation; Illinois Waterway, Illinois [CGD08-01-005] (RIN: 2115-AE47) received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3800. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Chemical Testing [USCG-2000-7759] (RIN: 2115-AG00) received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3801. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Marine Shipboard Electrical Cable Standards [USCG-1999-6096] (RIN: 2115-AF89) received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3802. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 767-300 Series Airplanes Modified by Supplemental Type Certificate SA5765NM or SA5978NM [Docket No. 2000-NM-232-AD; Amendment 39-12386; AD 2001-16-17] (RIN: 2120-AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3803. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A319, A320, A321 Series Airplanes [Docket No. 2001-NM-138-AD; Amendment 39-12383; AD 2001-16-14] (RIN: 2120-AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3804. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737-100 and -200 Series Airplanes [Docket No. 99-NM-367-AD; Amendment 39-12374; AD 2001-16-06] (RIN: 2120-AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3805. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC-10-10, -15, -30, and -30F (KC-10A Military) Series Airplanes, and Model MD-10-10F and -30F Series Airplanes [Docket No. 2000-NM-410-AD; Amendment 39-12381; AD 2001-16-12] (RIN: 2120-AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3806. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-135ER and -135LR Series Airplanes, and Model EMB-145, -145ER, -145MR, and -145LR Series Airplanes [Docket No. 2001-NM-249-AD; Amendment 39-12395; AD 2001-17-04] (RIN: 2120-AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3807. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-135 and -145 Series Airplanes [Docket No. 2001-NM-248-AD; Amendment 39-12394; AD 2001-17-03] (RIN: 2120-AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3808. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 767-200

Series Airplanes Modified by Supplemental Type Certificate SA4998NM [Docket No. 2000-NM-238-AD; Amendment 39-12390; AD 2001-16-21] (RIN: 2120-AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3809. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737-100, -200, and -200C Series Airplanes [Docket No. 2000-NM-401-AD; Amendment 39-12380; AD 2001-16-11] (RIN: 2120-AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3810. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-120 Series Airplanes [Docket No. 2001-NM-262-AD; Amendment 39-12392; AD 2001-17-01] (RIN: 2120-AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3811. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC-10-30 Series Airplanes Modified by Supplemental Type Certificate SA8452SW [Docket No. 2000-NM-241-AD; Amendment 39-12391; AD 2001-16-22] (RIN: 2120-AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3812. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Firstar Fireworks Display, Milwaukee Harbor [CGD09-01-074] (RIN: 2115-AA97) received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3813. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747-400 and 767 Series Airplanes Equipped with General Electric CF6-80C2 Series Engines [Docket No. 2000-NM-275-AD; Amendment 39-12375; AD 2001-16-07] (RIN: 2120-AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3814. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Sail Detroit and Tall Ship Celebration 2001, Detroit and Saginaw Rivers, MI [CGD09-01-004] (RIN: 2115-AA97) received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3815. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 767-300 Series Airplanes Modified by Supplemental Type Certificate ST00157SE [Docket No. 2000-NM-233-AD; Amendment 39-12387; AD 2001-16-18] (RIN: 2120-AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3816. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Fireworks Display, Columbia River, Astoria, Oregon [CGD13-00-011] (RIN: 2115-AA97) received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3817. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747-100 and -200 Series Airplanes Modified by Supplemental Type Certificate ST00196SE [Docket No. 2000-NM-234-AD; Amendment 39-12388; AD 2001-16-19] (RIN: 2120-AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3818. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 767-200 Series Airplanes Modified by Supplemental Type Certificate SA5134NM [Docket No. 2000-NM-235-AD; Amendment 39-12389; AD 2001-16-20] (RIN: 2120-AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3819. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737-600, -700, and -800 Series Airplanes [Docket No. 2001-NM-236-AD; Amendment 39-12393; AD 2001-17-02] (RIN: 2120-AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3820. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A319, A320, and A321 Series Airplanes [Docket No. 2000-NM-342-AD; Amendment 39-12377; AD 2001-16-09] (RIN: 2120-AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3821. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Fireworks Display, Columbia River, Vancouver, Washington [CGD13-01-012] (RIN: 2115-AA97) received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3822. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Lake Michigan, Chicago, IL [CGD09-01-047] (RIN: 2115-AA97) received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3823. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; River, Toledo, OH [CGD09-01-050] (RIN: 2115-AA97) received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3824. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; 4th of July Celebration, Weymouth, Massachusetts [CGD01-01-065] (RIN: 2115-AA97) received August 20, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3825. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747 Series Airplanes Equipped With General Electric Model CF6-45 or -50 Series Engines or Pratt & Whitney Model JT9D-3, -7, or -70 Series Engines; and 747-E4B (Military) Airplanes [Docket No. 2000-NM-302-AD; Amendment 39-12376; AD 2001-16-08] (RIN: 2120-AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3826. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD-11 Series Airplanes [Docket No. 2000-NM-185-AD; Amendment 39-12396; AD 2001-17-05] (RIN: 2120-AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3827. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Lockheed Model L-1011 Series Airplanes [Docket No. 2000-NM-369-AD; Amendment 39-12378; AD 2000-17-10 R1] (RIN: 2120-AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3828. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Aerospatiale Model ATR42-200, -300, -320, and -500 Series Airplanes; and Model ATR72 Series Airplanes [Docket No. 2000-NM-379-AD; Amendment 39-12379; AD 2001-16-10] (RIN: 2120-AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3829. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD-11 Series Airplanes [Docket No. 2000-NM-193-AD; Amendment 39-12403; AD 2001-17-12] (RIN: 2120-AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3830. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD-11 Series Airplanes [Docket No. 2000-NM-191-AD; Amendment 39-12402; AD 2001-17-11] (RIN: 2120-AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3831. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; JanAero Devices Part Number (P/N) 14D11, A14D11, B14D11, C14D11, 23D04, A23D04, B23D04, and C23D04 Fuel Regulator Shutoff Valves [Docket No. 2001-CE-26-AD; Amendment 39-12404; AD 2001-17-13] (RIN: 2120-AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3832. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD-11 Series Airplanes [Docket No. 2000-NM-188-AD; Amendment 39-12399; AD 2001-17-08] (RIN: 2120-AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3833. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD-11 Series Airplanes [Docket No. 2000-NM-187-AD; Amendment 39-12398; AD 2001-17-07] (RIN: 2120-AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3834. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD-11 Series Airplanes [Docket No.

2000-NM-186-AD; Amendment 39-12397; AD 2001-17-06] (RIN: 2120-AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3835. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD-11 Series Airplanes [Docket No. 2000-NM-190-AD; Amendment 39-12401; AD 2001-17-10] (RIN: 2120-AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3836. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD-11 Series Airplanes [Docket No. 2000-NM-189-AD; Amendment 39-12400; AD 2001-17-09] (RIN: 2120-AA64) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3837. A letter from the Chief Counsel, Bureau of the Public Debt, Department of the Treasury, transmitting the Department's final rule—Regulations Governing Book-Entry Treasury Bonds, Notes, and Bills; Determination Regarding State Statute; South Carolina [Department of the Treasury Circular, Public Debt Series No. 2-86] received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3838. A letter from the Regulations Officer, Social Security Administration, transmitting the Administration's final rule—Federal Old-Age, Survivors and Disability Insurance; Determining Disability and Blindness; Revision to Medical-Vocational Guidelines (RIN: 0960-AE42) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HANSEN: Committee on Resources. H.R. 2385. A bill to convey certain property to the city of St. George, Utah, in order to provide for the protection and preservation of certain rare paleontological resources on that property, and for other purposes; with an amendment (Rept. 107-215). Referred to the Committee of the Whole House on the State of the Union.

Mr. KNOLLENBERG: Committee on Appropriations. H.R. 2944. A bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2002, and for other purposes (Rept. 107-216). Referred to the Committee of the Whole House on the State of the Union.

Mr. LINDER: Committee on Rules. House Resolution 245. Resolution providing for consideration of the bill (H.R. 2944) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against said revenues of said District for the fiscal year ending September 30, 2002, and for other purposes (Rept. 107-217). Referred to the House Calendar.

Mrs. MYRICK: Committee on Rules. House Resolution 246. Resolution providing for consideration of the bill (H.R. 2586) to authorize appropriations for fiscal year 2002 for military activities of the Department of Defense,

to prescribe military personnel strengths for fiscal year 2002, and for other purposes (Rept. 107-218). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. KNOLLENBERG:

H.R. 2944. A bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2002, and for other purposes.

By Mr. HASTINGS of Florida:

H.R. 2945. A bill to authorize the Secretary of Transportation to make grants to travel agencies, car rental companies, and other business concerns in the ancillary airline industry to provide compensation for losses incurred as a result of the terrorist attacks on the United States that occurred on September 11, 2001; to the Committee on Transportation and Infrastructure.

By Mr. HASTINGS of Florida (for himself, Ms. HART, Mrs. CHRISTENSEN, Mr. JACKSON of Illinois, Mr. MORAN of Virginia, Mrs. MINK of Hawaii, Ms. KILPATRICK, Mr. PASCRELL, Mr. LANTOS, Mr. MENENDEZ, Mr. HINCHEY, Mr. RUSH, Mr. ABERCROMBIE, Mr. LANGEVIN, Mr. INSLEE, Mr. LARSEN of Washington, and Ms. JACKSON-LEE of Texas):

H.R. 2946. A bill to provide assistance to employees who suffer loss of employment in the airline industry as a result of the terrorist attacks of September 11, 2001; to the Committee on Education and the Workforce, and in addition to the Committees on Energy and Commerce, and 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 Ms. MCKINNEY:

H.R. 2947. A bill to allow actions for damages caused by terrorist acts to be brought against any country or officials thereof; to the Committee on the Judiciary.

By Mr. YOUNG of Florida:

H.J. Res. 65. A joint resolution making continuing appropriations for the fiscal year 2002, and for other purposes; considered and passed.

By Mr. TOM DAVIS of Virginia:

H. Con. Res. 236. Concurrent resolution expressing the sense of the Congress in support of the "National Wash America Campaign"; to the Committee on International Relations.

By Mr. LAMPSON:

H. Con. Res. 237. Concurrent resolution expressing the sense of the Congress urging the Republic of Italy to safely and immediately return Ludwig Maximilian Koons to the custody of his father in New York; to the Committee on International Relations.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 17: Mr. TIERNEY and Mr. HOUGHTON.

H.R. 52: Mr. BACA and Mr. WAXMAN.

H.R. 75: Ms. NORTON, Ms. RIVERS, Mr. OWENS, Mr. LAMPSON, Mr. PAYNE, Mr. DAVIS of Illinois, Mr. KENNEDY of Rhode Island, and Mr. LANTOS.

H.R. 185: Mr. LEVIN.

H.R. 336: Mr. MANZULLO.

H.R. 458: Mr. GARY G. MILLER of California.

H.R. 482: Mr. WICKER and Mr. WELDON of Florida.

H.R. 510: Mr. MATHESON, Ms. BROWN of Florida, Mrs. NAPOLITANO, and Mr. MANZULLO.

H.R. 527: Mr. FILNER, Mr. BRYANT, and Mr. SHOWS.

H.R. 547: Mr. SCHIFF.

H.R. 590: Ms. ROS-LEHTINEN.

H.R. 612: Mr. ROTHMAN.

H.R. 632: Mr. BORSKI and Mr. HINCHEY.

H.R. 830: Mr. BROWN of South Carolina.

H.R. 921: Mr. WICKER.

H.R. 950: Mr. CRANE.

H.R. 984: Mr. BARCIA.

H.R. 986: Mr. HOKSTRA and Mr. HERGER.

H.R. 1004: Mr. HINCHEY, Mr. FILNER, Mr. OWENS, and Mr. CUMMINGS.

H.R. 1070: Ms. SCHAKOWSKY and Mr. BARRETT.

H.R. 1136: Mr. SIMMONS.

H.R. 1158: Mr. TAYLOR of Mississippi and Mrs. MYRICK.

H.R. 1354: Mr. CUMMINGS.

H.R. 1405: Mr. LAMPSON.

H.R. 1436: Mr. WELDON of Pennsylvania and Mr. PETRI.

H.R. 1466: Mr. FORBES, Mr. LAHOOD, Mr. KELLER, Mr. SAXTON, Mr. RILEY, and Mr. CUNNINGHAM.

H.R. 1511: Mr. RUSH and Mr. BALDACCI.

H.R. 1622: Ms. SANCHEZ.

H.R. 1626: Ms. PRYCE of Ohio.

H.R. 1700: Mr. MOORE.

H.R. 1734: Mr. BONIOR.

H.R. 1744: Mrs. ROUKEMA, Mr. RAMSTAD, Mrs. MALONEY of New York, Mr. UDALL of New Mexico, Mr. KIRK, Mr. GORDON, and Mr. ISSA.

H.R. 1779: Ms. WATSON, Mr. BAIRD, Ms. MCCARTHY of Missouri, and Mr. DOYLE.

H.R. 1839: Mr. BRYANT and Mr. UPTON.

H.R. 1919: Mr. FROST, Mr. JONES of North Carolina, and Mr. KING.

H.R. 2058: Mr. UDALL of New Mexico.

H.R. 2146: Mr. RYUN of Kansas.

H.R. 2220: Mr. PORTMAN, Mr. KOLBE, Mr. UPTON, Mr. ORTIZ, Mr. HINOJOSA, Mrs. LOWEY, and Mr. CONDIT.

H.R. 2258: Mr. RANGEL, Ms. LOFGREN, Mr. ENGLISH, Mr. PASTOR, Ms. NORTON, Mr. MCGOVERN, and Mr. MEEHAN.

H.R. 2331: Ms. SANCHEZ.

H.R. 2333: Mr. LAHOOD and Ms. SOLIS.

H.R. 2374: Mr. BARCIA and Mr. JEFFERSON.

H.R. 2379: Mr. PASCRELL, Mr. RUSH, and Mr. BONIOR.

H.R. 2380: Mr. GONZALEZ, Mrs. TAUSCHER, Mr. HORN, Mr. CAPUANO, and Ms. RIVERS.

H.R. 2561: Mr. KERNS.

H.R. 2619: Ms. MCKINNEY, Mr. UDALL of Colorado, and Mr. HONDA.

H.R. 2623: Mrs. JO ANN DAVIS of Virginia and Mr. SERRANO.

H.R. 2625: Mr. RANGEL, Mr. ENGLISH, and Mr. ISSA.

H.R. 2630: Mr. UDALL of New Mexico, Mr. MATSUI, and Ms. BALDWIN.

H.R. 2638: Mrs. CAPPS.

H.R. 2709: Mr. BRADY of Pennsylvania and Mr. FRANK.

H.R. 2725: Mrs. JONES of Ohio.

H.R. 2737: Mr. STUPAK.

H.R. 2775: Mr. FROST and Mr. STARK.

H.R. 2787: Ms. DELAURO, Mr. HASTINGS of Florida, Mr. CUMMINGS, and Mr. STARK.

H.R. 2805: Mr. SOUDER and Mr. SCHAFFER.

H.R. 2851: Mr. FALEOMAVAEGA.

H.R. 2866: Mr. MCDERMOTT.

H.R. 2887: Mr. SMITH of New Jersey and Mr. RANGEL.

H.R. 2896: Mr. GOODE.

H.R. 2897: Mr. LAFALCE, Mr. OWENS, Mr. HINOJOSA, and Mr. RODRIGUEZ.

H.R. 2905: Mr. OWENS, Mr. RANGEL, Mr. QUINN, and Mrs. CAPPS.

H.R. 2907: Mr. GORDON, Mr. ORTIZ, Mr. MCINTYRE, Mr. TAYLOR of Mississippi, Mr.

TURNER, Mr. GUTIERREZ, Mr. STRICKLAND, Mr. McDERMOTT, Mr. MORAN of Virginia, Mr. SERRANO, Mr. PRICE of North Carolina, Mr. GREENWOOD, Ms. WOOLSEY, Ms. DeLAURO, Mr. BACA, Mr. KNOLLENBERG, and Ms. SCHAKOWSKY.

H.R. 2935: Mr. JACKSON of Illinois and Mr. BLUMENAUER.

H.R. 2940: Mr. NADLER, Mr. KING, Mr. ISRAEL, Mr. GRUCCI, Mr. ACKERMAN, Mr. CROWLEY, Mr. WEINER, Mr. OWENS, Ms. VELAZQUEZ, Mr. SWEENEY, Mr. WALSH, Mr. HINCHEY, Mr. SERRANO, Mr. ENGEL, Mrs. KELLY, Mr. GILMAN, Mr. FROST, Ms. SOLIS, Mr. QUINN, and Mr. McNULTY.

H.J. Res. 16: Mr. GOODE.

H.J. Res. 42: Mr. PENCE and Mr. SIMMONS.

H. Con. Res. 104: Mr. TRAFICANT and Mr. LARSEN of Washington.

H. Con. Res. 212: Ms. SOLIS, Mrs. NAPOLITANO, Ms. PELOSI, Ms. ROYBAL-AL-LARD, and Ms. SANCHEZ.

H. Con. Res. 221: Mr. WELDON of Pennsylvania, Ms. PELOSI, and Mr. HINCHEY.

H. Con. Res. 222: Mr. DOYLE.

H. Con. Res. 228: Mrs. BIGGERT, Mrs. MALONEY of New York, Mr. BENTSEN, Mr. DAVIS of Illinois, and Mr. UNDERWOOD.

H. Res. 65: Mr. MANZULLO.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 2269: Mr. BROWN of Ohio.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2499

OFFERED BY: MR. HOSTETTLER

AMENDMENT No. 1: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. ____ None of the funds contained in this Act may be used to issue, administer, or enforce any order by the District of Columbia Commission on Human Rights relating to docket numbers 93-030-(PA) and 93-031-(PA).

H.R. 2944

OFFERED BY: MS. NORTON

AMENDMENT No. 2. Strike "DISTRICT OF COLUMBIA FUNDS" and all that follows through "GENERAL PROVISIONS" and insert the following:

DISTRICT OF COLUMBIA FUNDS OPERATING EXPENSES DIVISION OF EXPENSES

The following amounts are appropriated for the District of Columbia for the current fiscal year out of the general fund of the District of Columbia, except as otherwise specifically provided: *Provided*, That notwithstanding any other provision of law, except as provided in section 450A of the District of Columbia Home Rule Act (Public Law 93-198; D.C. Official Code, sec. 1-204.50a), the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 2002 under this heading shall not exceed the lesser of the sum of the total revenues of the District of Columbia for such fiscal year or \$6,025,838,000 (of which \$124,163,000 shall be from intra-District funds and \$3,553,300,000 shall be from local funds); *Provided further*, That this amount may be increased by (1) proceeds of one-time transactions, which are expended for emergency or unanticipated operating or capital needs

or (2) additional expenditures which the Chief Financial Officer of the District of Columbia certifies will produce additional revenues during such fiscal year at least equal to 200 percent of such additional expenditures, and which certification shall be approved by the Council, contingent upon (A) no written notice of disapproval being filed with the Secretary to the Council within 14 calendar days after the receipt of the certification from the Mayor, and no oral notice of disapproval is given during a meeting of the Council during such 14 calendar day period, the request shall be deemed to be approved and (B) if notice of disapproval be given during such initial 14 calendar day period, the Council may approve or disapprove the certification by resolution within 30 calendar days after the initial receipt of the certification from the Mayor, or such certification shall be deemed to be approved: *Provided further*, That the Chief Financial Officer of the District of Columbia shall take such steps as are necessary to assure that the District of Columbia meets these requirements, including the apportioning by the Chief Financial Officer of the appropriations and funds made available to the District during fiscal year 2002, except that the Chief Financial Officer may not reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

GOVERNMENTAL DIRECTION AND SUPPORT

Governmental direction and support, \$284,559,000 (including \$228,471,000 from local funds, \$38,809,000 from Federal funds, and \$17,279,000 from other funds): *Provided*, That not to exceed \$2,500 for the Mayor, \$2,500 for the Chairman of the Council of the District of Columbia, and \$2,500 for the City Administrator shall be available from this appropriation for official purposes: *Provided further*, That any program fees collected from the issuance of debt shall be available for the payment of expenses of the debt management program of the District of Columbia: *Provided further*, That no revenues from Federal sources shall be used to support the operations or activities of the Statehood Commission and Statehood Compact Commission: *Provided further*, That notwithstanding any other provision of law, or Mayor's Order 86-45, issued March 18, 1986, the Office of the Chief Technology Officer's delegated small purchase authority shall be \$500,000: *Provided further*, That the District of Columbia government may not require the Office of the Chief Technology Officer to submit to any other procurement review process, or to obtain the approval of or be restricted in any manner by any official or employee of the District of Columbia government, for purchases that do not exceed \$500,000: *Provided further*, That not later than the later of November 1, 2001, or 30 calendar days after the date of the enactment of this Act, the Chief Financial Officer of the District of Columbia shall submit to the appropriate committees of Congress, the Mayor, and the Council a revised appropriated funds operating budget in the format of the budget that the District of Columbia government submitted pursuant to section 442 of the District of Columbia Home Rule Act (Public Law 93-198; D.C. Official Code, sec. 1-204.42), for all agencies of the District of Columbia government for such fiscal year that is in the total amount of the approved appropriation and that realigns all budgeted data for personal services and other-than-personal-services, respectively, with anticipated actual expenditures: *Provided further*, That not less than \$353,000 shall be available to the Office of the Corporation Counsel to support increases in the Attorney Retention Allowance: *Provided further*, That not less than \$50,000 shall be available to support a mediation services program within

the Office of the Corporation Counsel: *Provided further*, That not less than \$50,000 shall be available to support a TANF Unit within the Child Support Enforcement Division of the Office of the Corporation Counsel: *Provided further*, That section 403 of the District of Columbia Home Rule Act, approved December 24, 1973 (Public Law 93-198; D.C. Official Code, sec. 1-204.03), is amended as follows:

(1) Subsection (c) is amended by striking "shall receive, in addition to the compensation to which he is entitled as a member of the Council, \$10,000 per annum, payable in equal installments, for each year he serves as Chairman, but the Chairman".

(2) A new subsection (d) is added to read as follows:

"(d) Notwithstanding subsection (a), as of the effective date of the District of Columbia Appropriations Act, 2001, the Chairman shall receive compensation, payable in equal installments, at a rate equal to \$10,000 less than the compensation of the Mayor."

ECONOMIC DEVELOPMENT AND REGULATION

Economic development and regulation, \$230,878,000 (including \$60,786,000 from local funds, \$96,199,000 from Federal funds, and \$73,893,000 from other funds), of which \$15,000,000 collected by the District of Columbia in the form of BID tax revenue shall be paid to the respective BIDs pursuant to the Business Improvement Districts Act of 1996 (D.C. Law 11-134; D.C. Official Code, sec. 2-1215.01 et seq.), and the Business Improvement Districts Amendment Act of 1997 (D.C. Law 12-26; D.C. Official Code, sec. 2-1215.15 et seq.): *Provided*, That such funds are available for acquiring services provided by the General Services Administration: *Provided further*, That Business Improvement Districts shall be exempt from taxes levied by the District of Columbia: *Provided further*, That the Department of Consumer and Regulation Affairs use \$50,000 of the receipts from the net proceeds from the contractor (ASI) that handles the District's occupational and professional licensing to fund additional staff and equipment for the Rental Housing Administration: *Provided further*, That the Department of Consumer and Regulatory Affairs transfer all local funds resulting from the lapse of personnel vacancies, caused by transferring DCRA employees into NSO positions without filling the resultant vacancies, into the revolving 5-513 fund to be used to implement the provisions in D.C. Act 13-578, the Abatement and Condemnation of Nuisance Properties Omnibus Amendment Act of 2000, pertaining to the prevention of the demolition by neglect of historic properties: *Provided further*, That the fees established and collected pursuant to D.C. Act 13-578 shall be identified, and an accounting provided, to the District of Columbia Council's Committee on Consumer and Regulatory Affairs: *Provided further*, That 18 percent of the annual total amount in the 5-513 fund, up to \$500,000, deposited into the 5-513 fund on an annual basis, be used to implement section 102 and other related sections of D.C. Act 13-578: *Provided further*, That the Department shall hire, with the consultation and guidance of the Director of the Office of Personnel on the necessary qualifications and salary level, from these lapsed funds, as soon as possible, but in no event later than November 1, 2001, a professional human resources manager who will become part of the Department's senior management team, and provide, in consultation with its newly hired human resources professional manager and the Office of Personnel, a detailed plan to the Council's Committee on Consumer and Regulatory Affairs, by December 1, 2001, for the use of the personal services lapsed funds, including the 58 vacant positions identified

by the Department in fiscal year 2001, to reclassify positions, augment pay scales once positions are reclassified where needed to fill vacancies with qualified and necessary personnel, and to fund these new and vacant positions.

PUBLIC SAFETY AND JUSTICE

Public safety and justice, including such sums as may be necessary for making refunds and for the payment of judgments that have been entered against the District of Columbia government, \$632,668,000 (including \$593,618,000 from local funds, \$8,298,000 from Federal funds, and \$30,752,000 from other funds): *Provided*, That not to exceed \$500,000 shall be available from this appropriation for the Chief of Police for the prevention and detection of crime: *Provided further*, That no less than \$173,000,000 shall be available to the Metropolitan Police Department for salary in support of 3,800 sworn officers: *Provided further*, That no less than \$100,000 shall be available in the Department of Corrections budget to support the Corrections Information Council: *Provided further*, That not less than \$296,000 shall be available to support the Child Fatality Review Committee: *Provided further*, That nothing contained in this section shall be construed as modifying or affecting the provisions of section 11(c)(3) of title XII of the District of Columbia Income and Franchise Tax Act of 1947 (Public Law 84-460; 70 Stat. 78; D.C. Official Code, sec. 47-1812.11(c)(3)): *Provided further*, That notwithstanding any other provision of law, section 3703 of Title XXXVII of the Fiscal Year 2002 Budget Support Act of 2001 (D.C. Bill 14-144), adopted by the Council of the District of Columbia, is enacted into law.

PUBLIC EDUCATION SYSTEM

Public education system, including the development of national defense education programs, \$1,106,165,000 (including \$894,494,000 from local funds, \$185,044,000 from Federal funds, and \$26,627,000 from other funds), to be allocated as follows: \$810,542,000 (including \$658,624,000 from local funds, \$144,630,000 from Federal funds, and \$7,288,000 from other funds), for the public schools of the District of Columbia; \$47,370,000 (including \$19,911,000 from local funds, \$26,917,000 from Federal funds, \$542,000 from other funds), for the State Education Office, \$17,000,000 from local funds, previously appropriated in this Act as a Federal payment, for resident tuition support at public and private institutions of higher learning for eligible Districts of Columbia residents; and \$142,257,000 from local funds for public charter schools: *Provided*, That there shall be quarterly disbursement of funds to the District of Columbia public charter schools, with the first payment to occur not later than 15 days after the beginning of each fiscal year: *Provided further*, That if the entirety of this allocation has not been provided as payments to any public charter schools currently in operation through the per-pupil funding formula, the funds shall be available for public education in accordance with the School Reform Act of 1995 (Public Law 104-134; D.C. Official Code, sec. 38-1804.03(A)(2)(D)): *Provided further*, That \$480,000 of this amount shall be available to the District of Columbia Public Charter School Board for administrative costs: *Provided further*, That \$76,542,000 (including \$45,912,000 from local funds, \$12,539,000 from Federal funds, and \$18,091,000 from other funds) shall be available for the University of the District of Columbia, and \$27,256,000 (including \$26,030,000 from local funds, \$560,000 from Federal funds and \$666,000 other funds) for the Public Library: *Provided further*, That the \$1,007,000 enhancement shall be allocated such that \$500,000 is used for facilities improvements for 8 of the 26 library branches, \$235,000 for 13 FTEs for the continuation of

the Homework Helpers Program, \$143,000 for 2 FTEs in the expansion of the Reach Out And Roar (ROAR) service to license day care homes, and \$129,000 for 3 FTEs to expand literacy support into branch libraries: *Provided further*, That \$2,198,000 (including \$1,760,000 from local funds, \$398,000 from Federal funds and \$40,000 from other funds) shall be available for the Commission on the Arts and Humanities: *Provided further*, That the public schools of the District of Columbia are authorized to accept not to exceed 31 motor vehicles for exclusive use in the driver education program: *Provided further*, That not to exceed \$2,500 for the Superintendent of Schools, \$2,500 for the President of the University of the District of Columbia, and \$2,000 for the Public Librarian shall be available from this appropriation for official purposes: *Provided further*, That none of the funds contained in this Act may be made available to pay the salaries of any District of Columbia Public School teacher, principal, administrator, official, or employee who knowingly provides false enrollment or attendance information under article II, section 5 of the Act entitled "An Act to provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes", approved February 4, 1925 (D.C. Official Code, sec. 38-201 et seq.): *Provided further*, That this appropriation shall not be available to subsidize the education of any nonresident of the District of Columbia at any District of Columbia public elementary and secondary school during fiscal year 2002 unless the nonresident pays tuition to the District of Columbia at a rate that covers 100 percent of the costs incurred by the District of Columbia which are attributable to the education of the nonresident (as established by the Superintendent of the District of Columbia Public Schools): *Provided further*, That this appropriation shall not be available to subsidize the education of nonresidents of the District of Columbia at the University of the District of Columbia, unless the Board of Trustees of the University of the District of Columbia adopts, for the fiscal year ending September 30, 2002, a tuition rate schedule that will establish the tuition rate for nonresident students at a level no lower than the nonresident tuition rate charged at comparable public institutions of higher education in the metropolitan area: *Provided further*, That the District of Columbia Public Schools shall spend \$1,200,000 to implement D.C. Teaching Fellows Program in the District's public schools: *Provided further*, That notwithstanding the amounts otherwise provided under this heading or any other provision of law, there shall be appropriated to the District of Columbia public charter schools on July 1, 2002, an amount equal to 25 percent of the total amount provided for payments to public charter schools in the proposed budget of the District of Columbia for fiscal year 2003 (as submitted to Congress), and the amount of such payment shall be chargeable against the final amount provided for such payments under the District of Columbia Appropriations Act, 2003: *Provided further*, That notwithstanding the amounts otherwise provided under this heading or any other provision of law, there shall be appropriated to the District of Columbia Public Schools on July 1, 2002, an amount equal to 10 percent of the total amount provided for the District of Columbia Public Schools in the proposed budget of the District of Columbia for fiscal year 2003 (as submitted to Congress), and the amount of such payment shall be chargeable against the final amount provided for the District of Columbia Public Schools under the District of Columbia Appropriations Act, 2003: *Provided further*, That no less than \$200,000 be available for adult education: *Pro-*

vided further, That the third sentence of section 441 of the District of Columbia Home Rule Act, approved December 24, 1973 (Public Law 93-198; D.C. Official Code, sec. 1-204.41), is amended to read as follows: "However, the fiscal year for the Armory Board shall begin on the first day of January and shall end on the thirty-first day of December of each calendar year, and, beginning the first day of July 2003, the fiscal year for the District of Columbia Public Schools, District of Columbia Public Charter Schools and the University of the District of Columbia shall begin on the first day of July and end on the thirtieth day of June of each calendar year.": *Provided further*, That the paragraph under the heading "Public Education System" in Public Law 107-20, approved July 24, 2001, is amended to read as follows:

"For an additional amount for 'Public Education System', \$1,000,000 from local funds for the State Education Office for a census-type audit of the student enrollment of each District of Columbia Public School and of each public charter school, to remain available until expended."

HUMAN SUPPORT SERVICES

(INCLUDING TRANSFER OF FUNDS)

Human support services, \$1,803,923,000 (including \$711,072,000 from local funds, \$1,075,960,000 from Federal funds, and \$16,891,000 from other funds): *Provided*, That \$27,986,000 of this appropriation, to remain available until expended, shall be available solely for District of Columbia employees' disability compensation: *Provided further*, that \$75,000,000 shall be available from local funds for the District of Columbia Health and Hospitals Public Benefit Corporation (PBC) to support the continuation of services provided by D.C. General Hospital and the PBC clinics, unless the District of Columbia Supplemental Appropriations Act, 2001, does not contain additional funding for the Public Benefit Corporation beyond the \$45,313,000 subsidy contained in the District of Columbia Health and Hospitals Public Benefit Corporation title of the District of Columbia Appropriations Act, 2001, approved November 22, 2000 (Public Law 106-522; 114 Stat. 2440) or the Congress does not approve the Supplemental Appropriations Act by August 4, 2001, in which case the \$75,000,000 shall be available to the Health Care Safety Net Administration established by section 1802 of the Fiscal Year 2002 Budget Support Act of 2001, D.C. Bill 14-144; \$90,000,000 appropriated under District of Columbia Appropriations Act, 2001 (Public Law 106-522) to the Public Benefit Corporation for restructuring shall be made available to the Department of Health's Health Care Safety Net Administration for the purpose of restructuring the delivery of health services in the District of Columbia shall remain available until expended: *Provided further*, That no less than \$7,500,000 of this appropriation, to remain available until expended, shall be deposited in the Addiction Recovery Fund established pursuant to section 5 of the Choice in Drug Treatment Act of 2000, effective July 8, 2000 (D.C. Law 13-146; D.C. Official Code, sec. 7-3004), and used solely for the purpose of the Drug Treatment Choice Program established pursuant to section 4 of the Choice in Drug Treatment Act of 2000 (D.C. Official Code, sec. 7-3003): *Provided further*, That no less than \$500,000 of the \$7,500,000 appropriated for the Addiction Recovery Fund shall be used solely to pay treatment providers who provide substance abuse treatment to TANF recipients under the Drug Treatment Choice Program: *Provided further*, That no less than \$2,000,000 of this appropriation shall be used solely to establish, by contract, a 2-year pilot substance abuse program for youth ages 16 through 21 years of age: *Provided further*, That no less than \$60,000 be available

for a D.C. Energy Office Matching Grant: *Provided further*, That no less than \$2,150,000 be available for a pilot Interim Disability Assistance program pursuant to title L of the Fiscal Year 2002 Budget Support Act (D.C. Bill 14-144).

PUBLIC WORKS

Public works, including rental of one passenger-carrying vehicle for use by the Mayor and three passenger-carrying vehicles for use by the Council of the District of Columbia and leasing of passenger-carrying vehicles, \$300,151,000 (including \$286,334,000 from local funds, \$4,392,000 from Federal funds, and \$9,425,000 from other funds): *Provided*, That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels and places of business: *Provided further*, That no less than \$650,000 be available for a mechanical alley sweeping program: *Provided further*, That no less than \$6,400,000 be available for residential parking enforcement: *Provided further*, That no less than \$100,000 be available for a General Counsel to the Department of Public Works: *Provided further*, That no less than \$3,600,000 be available for ticket processing: *Provided further*, That no less than 14 residential parking control aides or 10 percent of the residential parking control force be available for night time enforcement of out-of-state tags: *Provided further*, That of the total of 3,000 additional parking meters being installed in commercial districts and in commercial loading zones none be installed at loading zones, or entrances at apartment buildings and none be installed in residential neighborhoods: *Provided further*, That no less than \$262,000 be available for taxicab enforcement activities: *Provided further*, That no less than \$241,000 be available for a taxicab driver security revolving fund: *Provided further*, That no less than \$30,084,000 in local appropriations be available to the Division of Transportation, within the Department of Public Works: *Provided further*, That no less than \$12,000,000 in rights-of-way fees shall be available for the Local Roads, Construction and Maintenance Fund: *Provided further*, That funding for a proposed separate Department of Transportation is contingent upon Council approval of a reorganization plan: *Provided further*, That no less than \$313,000 be available for handicapped parking enforcement: *Provided further*, That no less than \$190,000 be available for the Ignition Interlock Device Program: *Provided further*, That no less than \$473,000 be available for the Motor Vehicle Insurance Enforcement Program: *Provided further*, That \$11,000,000 shall be available for transfer to the Highway Trust Fund the Local Roads, Construction and Maintenance Fund, upon certification by the Chief Financial Officer that funds are available from the 2001 budgeted reserve or where the Chief Financial Officer certifies that additional local revenues are available.

RECEIVERSHIP PROGRAMS

For all agencies of the District of Columbia government under court ordered receivership, \$403,368,000 (including \$250,015,000 from local funds, \$134,339,000 from Federal funds, and \$19,014,000 from other funds).

WORKFORCE INVESTMENTS

For workforce investments, \$42,896,000 from local funds, to be transferred by the Mayor of the District of Columbia within the various appropriation headings in this Act for which employees are properly payable.

RESERVE

For replacement of funds expended, if any, during fiscal year 2001 from the Reserve established by section 202(j) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995 (Public Law 104-8), \$120,000,000 from local funds.

RESERVE RELIEF

For the purpose of spending funds made available through the reduction from \$150,000,000 to \$120,000,000 in the amount required for the Reserve established by section 202(j) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995 (Public Law 104-8), \$30,000,000: *Provided*, That \$12,000,000 shall be available to the District of Columbia Public Schools and District of Columbia Public Charter Schools for educational enhancements: *Provided further*, That \$18,000,000 shall be available pursuant to a procedure established by local law: *Provided further*, That of the \$18,000,000, no funds shall be available for purposes specified by local District law unless the Chief Financial Officer of the District of Columbia certifies that the funds are not required to address potential deficits.

CONTINGENCY RESERVE FUND

For the contingency reserve fund established under section 450A(b) of the District of Columbia Home Rule Act (Public Law 93-198; D.C. Official Code, sec. 1-204.50a(b)), the amount provided for fiscal year 2002 under such section, to be derived from local funds.

REPAYMENT OF LOANS AND INTEREST

For payment of principal, interest, and certain fees directly resulting from borrowing by the District of Columbia to fund District of Columbia capital projects as authorized by sections 462, 475, and 490 of the District of Columbia Home Rule Act (Public Law 93-198; D.C. Official Code, secs. 1-204.62, 1-204.75, 1-204.90), \$247,902,000 from local funds: *Provided*, That any funds set aside pursuant to section 148 of the District of Columbia Appropriations Act, 2000 (Public Law 106-113; 113 Stat. 1523) that are not used in the reserve funds established herein shall be used for Pay-As-You-Go Capital Funds: *Provided further*, That for equipment leases, the Mayor may finance \$14,300,000 of equipment cost, plus cost of issuance not to exceed 2 percent of the par amount being financed on a lease purchase basis with a maturity not to exceed 5 years: *Provided further*, That \$4,440,000 for the Fire and Emergency Medical Services Department, \$2,010,000 for the Department of Parks and Recreation, \$7,850,000 for the Department of Public Works: *Provided further*, That no less than \$533,000 be available for trash transfer capital debt service.

REPAYMENT OF GENERAL FUND RECOVERY DEBT

For the purpose of eliminating the \$331,589,000 general fund accumulated deficit as of September 30, 1990, \$39,300,000 from local funds, as authorized by section 461(a) of the District of Columbia Home Rule Act, (105 Stat. 540; D.C. Official Code, sec. 1-204.61(a)).

PAYMENT OF INTEREST ON SHORT-TERM BORROWING

For payment of interest on short-term borrowing, \$500,000 from local funds.

WILSON BUILDING

For expenses associated with the John A. Wilson Building, \$8,859,000 from local funds.

EMERGENCY RESERVE FUND TRANSFER

Subject to the issuance of bonds to pay the purchase price of the District of Columbia's right, title, and interest in and to the Master Settlement Agreement, and consistent with the Tobacco Settlement Trust Fund Establishment Act of 1999 (D.C. Official Code, sec. 7-1811.01(a)(ii)) and the Tobacco Settlement Financing Act of 2000 (D.C. Official Code, sec. 7-1831.03 et seq.), there is transferred the amount available pursuant thereto, but not to exceed \$33,254,000, to the Emergency Reserve Fund established pursuant to section 450A(a) of the District of Columbia

Home Rule Act (Public Law 93-198; D.C. Official Code, sec. 1-204.50a(a)).

NON-DEPARTMENTAL AGENCY

To account for anticipated costs that cannot be allocated to specific agencies during the development of the proposed budget including anticipated employee health insurance cost increases and contract security costs, \$5,799,000 from local funds.

ENTERPRISE AND OTHER FUNDS

WATER AND SEWER AUTHORITY

For operation of the Water and Sewer Authority, \$244,978,000 from other funds for fiscal year 2002. For construction projects, \$152,114,000, in the following capital programs; \$52,600,000 for the Blue Plains Wastewater Treatment Plant, \$11,148,000 for the sewer program, \$109,000 for the combined sewer program, \$118,000 for the stormwater program, \$77,957,000 for the water program, \$10,182,000 for the capital equipment program: *Provided*, That the requirements and restrictions that are applicable to general fund capital improvements projects and set forth in this Act under the Capital Outlay appropriation title shall apply to projects approved under this appropriation title.

WASHINGTON AQUEDUCT

For operation of the Washington Aqueduct \$46,510,000 from other funds for fiscal year 2002.

STORMWATER PERMIT COMPLIANCE

ENTERPRISE FUND

For operation of the Stormwater Permit Compliance Enterprise Fund, \$3,100,000 from other funds for fiscal year 2002.

LOTTERY AND CHARITABLE GAMES ENTERPRISE FUND

For the Lottery and Charitable Games Enterprise Fund, established pursuant to the District of Columbia Appropriation Act, 1982 (Public Law 97-91; 95 Stat. 1174, 1175), for the purpose of implementing the Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia (D.C. Law 3-172; D.C. Official Code, sec. 3-1301 et seq. and sec. 22-1716 et seq.), \$229,688,000: *Provided*, That the District of Columbia shall identify the source of funding for this appropriation title from the District's own locally generated revenues: *Provided further*, That no revenues from Federal sources shall be used to support the operations or activities of the Lottery and Charitable Games Control Board.

SPORTS AND ENTERTAINMENT COMMISSION

For the Sports and Entertainment Commission, \$9,127,000 from other funds: *Provided*, That the Mayor shall submit a budget for the Armory Board for the forthcoming fiscal year as required by section 442(b) of the District of Columbia Home Rule Act (Public Law 93-198; 87 Stat. 824; D.C. Official Code, sec. 1-204.42(b)).

HEALTH CARE RESTRUCTURING

For the Public Benefit Corporation established by section 202 of the Health and Hospitals Public Benefit Corporation Act of 1996 (D.C. Law 11-212; D.C. Official Code, sec. 44-1102.01), \$78,235,000: *Provided*, That the District of Columbia Supplemental Appropriations Act, 2001, contains additional funding for the Public Benefit Corporation beyond the \$45,313,000 subsidy contained in the District of Columbia Health and Hospitals Public Benefit Corporation title of the District of Columbia Appropriations Act, 2001, approved November 22, 2000 (Public Law 106-522; 114 Stat. 2440) and be approved by Congress prior to August 4, 2001.

For the Health Care Safety Net Administration established by section 1802 of the Fiscal Year 2002 Budget Support Act of 2001, D.C. Bill 14-144, \$78,235,000: *Provided*, That the

District of Columbia Supplemental Appropriations Act, 2001, does not contain additional funding for the Public Benefit Corporation beyond the \$45,313,000 subsidy contained in the District of Columbia Health and Hospitals Public Benefit Corporation title of the District of Columbia Appropriations Act, 2001, approved November 22, 2000 (Public Law 106-522; 114 Stat. 2440) or Congress has not approved the Supplemental Appropriations Act by August 4, 2001.

DISTRICT OF COLUMBIA RETIREMENT BOARD

For the District of Columbia Retirement Board, established by section 121 of the District of Columbia Retirement Reform Act of 1979 (93 Stat. 866; D.C. Official Code, sec. 1-711), \$13,388,000 from the earnings of the applicable retirement funds to pay legal, management, investment, and other fees and administrative expenses of the District of Columbia Retirement Board: *Provided*, That the District of Columbia Retirement Board shall provide the Mayor, for transmittal to the Council of the District of Columbia, an itemized accounting of the planned use of appropriated funds in time for each annual budget submission and the actual use of such funds in time for each annual audited financial report.

WASHINGTON CONVENTION CENTER ENTERPRISE FUND

For the Washington Convention Center Enterprise Fund, \$57,278,000 from other funds.

HOUSING FINANCE AGENCY

For the Housing Finance Agency, \$4,711,000 from other funds.

NATIONAL CAPITAL REVITALIZATION CORPORATION

For the National Capital Revitalization Corporation, \$2,673,000 from other funds.

CAPITAL OUTLAY

(INCLUDING RESCISSIONS)

For construction projects, an increase of \$1,550,786,700 of which \$1,348,782,387 shall be from local funds, \$44,431,135 from Highway Trust, and \$157,573,178 from Federal funds, and a rescission of 476,182,431 from local funds appropriated under this heading in prior fiscal years, for a net amount of \$1,074,604,269 to remain available until expended: *Provided*, That funds for use of each capital project implementing agency shall be managed and controlled in accordance with all procedures and limitations established under the Financial Management System: *Provided further*, That all funds provided by this appropriation title shall be available only for the specific projects and purposes intended: *Provided further*, That the capital budget of \$83,400,000 for the Department of Health shall not be available until the District of Columbia Council's Committee on Human Services receives a report on the use of any capital funds for projects on the grounds of D.C. General Hospital: *Provided further*, That notwithstanding the foregoing, all authorizations for capital outlay projects, except those projects covered by the first sentence of section 23(a) of the Federal Aid Highway Act of 1968 (Public Law 90-495; 82 Stat. 827), for which funds are provided by this appropriation title, shall expire on September 30, 2003, except authorizations for projects as to which funds have been obli-

gated in whole or in part prior to September 30, 2003: *Provided further*, That upon expiration of any such project authorization, the funds provided herein for the project shall lapse: *Provided further*, That except for funds approved in the budgets prior to the fiscal year 2002 budget and FL-MA2 in the Fiscal Year 2002 Budget Request, no funds from any source may be expended to renovate, rehabilitate or construct any facility within the boundaries of census tract 68.04 for any purpose associated with the D.C. Department of Corrections, the CSOSA, or the Federal Bureau of Prisons unit such time as the Mayor shall present to the Council for its approval, a plan for the development of census tract 68.04 south of East Capitol Street, S.E., and the housing of any misdemeanants, felons, ex-offenders, or persons awaiting trial within the District of Columbia.

GENERAL PROVISIONS

H.R. 2944

OFFERED BY: MS. NORTON

AMENDMENT NO. 3: Strike sections 102, 104, 105, 106, 107, 108, 109, 111, 113, 114, 116, 117, 118, 120, 121, 122, 123, 124, 125, and 127 through 134.

H.R. 2944

OFFERED BY: MS. NORTON

AMENDMENT NO. 4: In lieu of the matter proposed to be inserted by the amendment, insert the following new section:

SEC. 134. None of the funds contained in this Act may be used to infringe upon any right of association, guaranteed by the first amendment to the Constitution, of any non-profit, voluntary membership organization, including the Boy Scouts of America.