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House of Representatives

The House met at 9 a.m.

MORNING HOUR DEBATES

The SPEAKER. 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 25 minutes, and each Member, except the majority leader, the minority leader or the minority whip limited to not to exceed 5 minutes, but in no event shall debate extend beyond 9:50 a.m.

The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 5 minutes.

U.S. POLICY IN THE FIGHT AGAINST INTERNATIONAL TERRORISM ORIGINATING IN SOUTH ASIA

Ms. ROS-LEHTINEN. Mr. Speaker, a regional approach to the war on terrorism is critical to success.

The U.S. national security team must fully understand the dynamics between actors, as well as the strategic considerations which are guiding the responses to U.S. requests in this battle of good versus evil.

In developing our policy toward Pakistan, for example, some have argued that it is imperative that we address the long-standing relationship between the ISI and the Taliban and between the ISI and Osama bin Laden. We must not ignore facts such as the ISI's past warnings to bin Laden about U.S. military action.

There are reports that on August 20, 1998, when the United States launched cruise missile strikes on bin Laden terrorist training camps in southeastern Afghanistan, it was the head of Pakistan's ISI at the time who contacted bin Laden to warn him about U.S. sur-

veillance and attempts to track down his whereabouts. He also cautioned bin Laden to relocate immediately because U.S. strikes were imminent.

We must also address the power relations within the Pakistani government to accurately assess the General's ability to contain challenges from the ISI. These and other factors have a direct bearing on U.S. short-term capabilities and long-term response to terrorism originating in this region.

In looking at Afghanistan, we must be careful not to follow a microcosmic view of the problem. While an immediate, comprehensive and multi-tiered military and political response to the September 11 terrorist attacks is necessary, the U.S. must also prepare a strategy which takes into consideration the myriad of factors contributing to the proliferation of terrorist activities in Afghanistan.

For one, we must look at the nature of the regime. This is not a reference to the process offered by the administration to evaluate intelligence sources. However, when formulating and implementing U.S. foreign policy toward a state, the nature and behavior of the regimes or governments which rule these countries is a critical variable to be considered.

As chairman of the Subcommittee on International Operations and Human Rights, I bear witness on a regular basis to the carnage that some regimes undertake against their own people and how this abhorrent behavior manifests itself in their views and approach to global relations.

As the President stated during his address to the Congress last week, a regime such as the Taliban which tortures its own people and shows no regard for human life can never be trusted.

A regime such as the Taliban can never understand or appreciate the magnitude of the loss suffered by our country 2 weeks ago.

Secretary of State Powell stated, when he was chairman to the Joint Chiefs of Staff, that our military objective must also have a political objective. This political objective in Afghanistan and elsewhere in south Asia should be to support and promote pluralistic representative systems guided by respect for human rights, civil liberties and religious freedoms; governments who would not promote and foster terrorism. Only then can we hope to achieve our long-term goal of eradicating the world of the cancer of terrorism.

As many have stated in the aftermath of the brutal attacks of September 11, democracy is the best antidote for Islamic militancy and radicalism. In studying the nature of the leadership which rules these countries and these regions, we must also differentiate between those who oppress and those who are guided by democratic tenets.

The U.S. must, as the Financial Times stated on September 17, be careful not to align itself too closely with authoritarian regimes that have dreadful records of suppressing minority groups. This view was echoed in a Washington Post editorial of September 24 that warned against forming tactical bonds with central Asian republics. It stated that in forming such bonds, America must not forget what it is fighting for as well as what it is fighting against.

Further, cooperation with the U.S. should not require inducements. Support for the U.S. and the war against terrorism should come from an understanding of the abhorrent nature of terrorist methods and tactics, not from a quid pro quo.

As President Bush has underscored, you are either with us or you are with the terrorists.

Ultimately, having learned the lessons of the Cold War, the U.S. must embark on this battle from a position

□ 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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of overwhelming strength if we are to be victorious.

I fully support the President and his advisors in this difficult journey and I wish them Godspeed.

MONETARY ASSISTANCE FOR THE AIRLINES

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

Mr. BLUMENAUER. Mr. Speaker, 2 weeks ago, you were in the Chair and I had taken to the floor for this session. As we have seen the impacts of September 11 continue to unfold, it does, as you and I have remarked, seem like a lifetime ago. Yet, in these times of emergency, the American public deserves our very best efforts. They deserve to have Congress look after the interests of all our citizens, America's workers as well as its businesses, in a careful, cost-effective manner.

In our rush to meet the growing demands created by the devastation in New York, Washington, D.C., and Pennsylvania, Congress would do well to follow Mr. Greenspan's cautious advice, that it is more important to be right than to be quick.

Last week, Congress approved \$15 billion in Federal support for airline carriers. While no one doubts that the aviation industry has had enormous impacts on our communities, on American business and on our people's daily lives, our rush to provide relief created what I feel is a dangerous precedent.

Within a week of receiving airlines' demands for help, Congress passed and the President signed a \$15 billion package that appears to go well beyond the amount needed to provide the stabilization required for this vital part of the economy.

Pushed aside for later consideration were many of the more difficult questions, providing assistance to over 100,000 airline employees laid off since the attacks, questioning what role the Federal Government should play to ensure greater airport security, or addressing the numerous collateral victims across the country directly related to air transport who have also been attacked and damaged, even though they live far away from ground zero.

These ripple effects need to be heard and addressed. The question is not merely whether the industry got too much money. When huge sums of taxpayer dollars are involved, we need to establish clearly what will be the value that the public receives in return. Is it going to receive an equity interest in return for an extraordinary investment? Or perhaps we could have purchased the noisy, polluting, inefficient airplanes and retired them from service.

It seems, Mr. Speaker, that in the upcoming weeks and months, we know

Congress will be asked to provide assistance to other interests and industries and clearly to help bolster our troubled economy. We would do well to seize this as an opportunity to be thoughtful in our approach and to capitalize on this renewed bipartisan spirit on Capitol Hill to craft legislation that addresses the complexity of the problems that adds real value and makes sufficient use of tax dollars.

This is not the time to throw money at problems without a sense of the trade-offs, without failing to include all impacted individuals and businesses or weakening labor, environmental or fiscal protections.

Above all, it is not a time to use the sense of crisis to push through questionable legislation, whatever the motivation. The American public deserves our best at the time of crisis, and we in Congress would do well to heed the open letter from taxpayers for common sense that calls for these very best efforts for our taxpayers, our citizens to make sure that we are equal to the challenge.

INTRODUCTION OF CESAR ESTRADA CHAVEZ STUDY ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentlewoman from California (Ms. SOLIS) is recognized during morning hour debates for 5 minutes.

Ms. SOLIS. Mr. Speaker, in the wake of the most horrific attack in the United States history, we have seen many modern American heroes among us.

Today's heroes are firefighters, police officers, chaplains, paramedics, steelworkers and those who have fought to prevent further destruction, and the families of the victims who display the strength of going on and living.

Their heroism is in the spirit of those who have gone before them such as Martin Luther King, Junior, John F. Kennedy, Robert F. Kennedy, and Cesar Chavez, former founding president of the United Farm Workers.

Today, Mr. Speaker, I proudly introduce this bill that will honor one of our past heroes, Cesar Estrada Chavez, founder of the United Farm Workers and passionate champion of human and civil rights. These values and beliefs and dedication to all working men and women, regardless of socioeconomic background, make him truly an American hero.

This bill will highlight his contributions by studying the ways to honor him within the National Park Service. It is a first step in honoring his tremendous accomplishments and the local communities where he placed his footprints.

Cesar Chavez was a humble man. Little did anyone know of the greatness he would bestow upon future generations. In his early childhood, Cesar was raised as a farm worker in Yuma, Ari-

zona. Raised during the Great Depression, his family lost everything and were forced to join thousands of farm workers that wandered the southwest just to find work.

During his youth, the Chavez family migrated throughout the southwest working on various farms that fed our country. The young Cesar Chavez experienced firsthand the hardships and injustices of thousands of farm workers at that time. His home was barely livable and his school hardly fit to be called a schoolhouse.

Unfair labor practices, harassment, abuse, long hours, low pay, hazardous working conditions and limited educational opportunities kept many farm workers from being self-sufficient and empowered citizens. Witnessing and experiencing this type of lifestyle, Cesar Chavez sought to make changes in the way farm workers were treated throughout the country.

He united many others who suffered similar atrocities with those who empathized with the struggle and became a part of the union movement, and back in 1952, he left the fields and joined the Community Service Organization. There he conducted voter registration drives and campaigns against racial and economic discrimination.

In 1962, he took that vast experience, his compassion, along with his brothers and sisters and developed a multiethnic struggle and started the National Farm Workers Association, which today is known as the United Farm Workers of America.

The UFW, as it is known, succeeded in organizing the oppressed. They overcame this opposition through boycotts and pickets, and when all else failed, Cesar Chavez almost died by participating in a hunger strike.

Chavez was a student of Mahatma Gandhi's nonviolent philosophies. He knew that he could not unite people through violent means but he could connect them by joining hands in peaceful demonstrations.

Since its inception the UFW has achieved incredible results throughout the country. Fair wages, better health care coverage, pension benefits, housing, pesticide regulations and countless other rights and privileges that protect all farm workers in the fields of the United States.

In the past, we have honored other heroes like Martin Luther King, Jr., and the civil rights movement, through the national parks and land. The life of Cesar Chavez and his family provides an outstanding opportunity to interpret the history of agricultural labor in the United States through honoring him through this particular National Park Service.

Most importantly, this bill that I introduced today provides an excellent opportunity for us to honor a true American hero.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 10 a.m. today.

Accordingly (at 9 o'clock and 18 minutes a.m.), the House stood in recess until 10 a.m. today.

□ 1000

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SWEENEY) at 10 a.m.

PRAYER

The Reverend Walter L. Solomon, Mt. Moriah Missionary Baptist Church of North Pratt, Birmingham, Alabama, offered the following prayer:

Our Father, whose presence brings joy to every condition, and whose favor brings strength to every endeavor in life, we thank You for the blessings of this day. Thank You for life and for freedom. God, we acknowledge You as the ruler of our Nation.

Father, bless these representatives that You have given the task of leading this Nation in times like these. Father, lead them to do Your will. Allow them to uphold the traditions that have made our Nation great. We pray that they will be led with vision, integrity, structure, and accountability.

Father, bless those of this Nation who are hurting, those who are weak, those who are weary. Bless our President and his cabinet with wisdom, that together they may lead our Nation during this period of restoration.

Bless our Nation with favor, that we might do great things in Your name. Keep us together as one Nation under God, indivisible, with liberty and justice for all.

In Jesus' name, we pray. 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 gentleman from Pennsylvania (Mr. PITTS) come forward and lead the House in the Pledge of Allegiance.

Mr. PITTS 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.

WELCOMING THE REVEREND WALTER L. SOLOMON, MT. MORIAH MISSIONARY BAPTIST CHURCH OF NORTH PRATT, BIRMINGHAM, ALABAMA

(Mr. HILLIARD asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. HILLIARD. Mr. Speaker, we welcome Reverend Walter Solomon to this Chamber. We are very appreciative of his leadership in Birmingham, Alabama, and indeed in this Nation. His work on the national level with the National Baptist Convention is extraordinary. Many opportunities have been afforded this young man and many things are expected from him.

Mr. Speaker, as we move forward in these difficult times, there will be men like Reverend Solomon, who will make the difference. There will be men in this Chamber who will perform to the utmost. We thank him for coming this morning. May God bless him and his family, and may God bless America.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain ten 1-minute speeches from each side.

ORGAN DONATION, THE GIFT OF LIFE

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, the stinging attacks of September 11 remind us of the fragility of life. Life is fleeting, and no one knows it better than the nearly 60,000 patients waiting to receive transplant organs. Today alone, nine patients will die because a match was not found.

The Transplant Foundation at the University of Miami is dedicated to transplant research because there is no greater gift than the gift of life. On October 13, the Foundation will host its sixth annual That's Life ball to raise funds for patient services and public education. I congratulate president Donnie Coker and president-elect Ivan Gomez of the Transplant Foundation of Miami. Also Ellie Compton, Jeffrey Barash, John Venezia, and surgeons Joshua Miller, Andreas Tzakis, and Si Pham.

I commend the That's Life committee and members of all boards who devotedly educate our community on organ procurement.

Becoming an organ donor is as easy as checking a box on your driver's license, and it could literally mean a life to a transplant patient. I have signed up as an organ donor, and I encourage all of my colleagues to leave a lasting legacy by giving the gift of life.

ENVIRONMENTAL PRIORITIES

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

Mr. TRAFICANT. Mr. Speaker, all around America firefighters, police-

men, and rescue workers prove to be heroes. What is troubling though, in Washington State, weeks before the attack, four firefighters died because of red tape and the Endangered Species Act. Officials there delayed using helicopters for 4 hours on a massive fire because it might harm the protected bull trout fingerlings.

Beam me up. Since when are fish more important than the lives of our brave firefighters?

This is bull trout.

I yield back all the cod liver oil in the bowels of these conservationists and bureaucratic leaders.

PROTECTING LIBERTY AND FREEDOM

(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, as we continue to mourn the senseless loss of thousands of Americans, let us begin to ensure that the tragic events of September 11 never happen again.

This week we will consider legislation to begin providing our military men and women the resources they have needed for years. According to Secretary of Defense Donald Rumsfeld, the United States military needs "every penny" of the \$343 billion provided in the fiscal year 2002 Defense budget, because in real terms the Defense budget has declined every year from 1985 until 1998. Our battle to combat terrorism will require dedication and commitment not only by our armed services and by the American public, but by Congress, this very Congress as well.

We need to ensure that our military has every tool and resource available to enable them to protect freedom and liberty. Therefore, I encourage all of my colleagues to support the defense authorization bill, a down payment for our military to enable them to meet the challenges of today and to begin preparing for those of tomorrow.

KEEP FAITH WITH OUR AIRLINES

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

Mr. MATHESON. Mr. Speaker, over the last 2 weeks, we have all seen what has become of our airline industry. Airport concourses across the country seem more like ghost towns than centers of international commerce. The lounges are empty, the taxi stands and busses are vacant. Across the country, airports that should be at the center of municipal liveliness, now seem to be monuments to a bygone era.

The terrorist attacks left our nation reeling, but they did not change the fundamental soundness of any of our industries or the safety of future fliers.

Over the past 2 weeks, our airline system has been hurt much more by perception than reality. It is our responsibility in this Congress not only to provide cash to the airlines, but also to provide reassurance and security to their passengers.

Airport and airplane safety should now become the domain of the Federal Government. Before September 11, security was provided by the airlines that usually contracted this service to the lowest bidder. Securing the safety of the traveling public should be a basic function of government. We have the Coast Guard to protect boaters, we make sure the State Police monitor our highways, the skill of government-trained air traffic controllers has all but guaranteed the safety of our space. Why should security in airports and airplane cabins be any different?

COMING TOGETHER IN A TIME OF NEED

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

Mr. FOLEY. Mr. Speaker, today I rise with a great deal of pride to salute the communities I represent, Palm Beach County, Martin, St. Lucie, Okeechobee, Glades, Hendry, and Highlands, the 16th Congressional District in Florida.

I am so proud because every citizen of our community rallied together for this Nation, supporting those who are in need, helping raise funds, donating blood, doing whatever little bit they could to make not only those in New York and Washington feel better, but unite as a Nation against evil.

I am proud because our community at times during the last election was disparaged for not getting their votes right. Today we prove not only did we send the right person to Washington to lead this Nation, but we are also committed to making certain this terror never rains on America again.

The firefighters, the paramedics, the police, the National Guard, everybody virtually joined hands together to work together to make this Nation stronger. We may have had a difficult day September 11, but out of the ashes comes a greater resolve to make America a more perfect union, under God, protecting liberties, defining the future, and making certain we support our commander-in-chief, the President of the United States, George Bush, who I am proud to call a friend, and particularly proud to call a great leader today in times of adversity. I salute him, I thank him, and God bless his family as we endeavor to protect our country.

A GREAT LEADER

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

Mr. PITTS. Mr. Speaker, times of trouble expose either the greatness or the weakness of a leader. Last week, we saw our President rise to become the chief steward of freedom on planet Earth. It was a sight to behold. It was a defining moment in our country. America has once again stepped up to the plate to rid the world of tyranny.

Osama bin Laden and the world's terrorists are at war with all civilized people. They are trained, barbaric terrorists who will stop at nothing, even the killing of thousands of innocent people, to accomplish their evil goals.

Last week, the President rallied the civilized nations of the world against the world's terrorists and those who harbor them. All nations, Muslim, Christian, Jewish, Hindu, Buddhists, will unite to accomplish this noble goal. There is no fence-sitting this time.

Mr. Speaker, great words have been spoken in this Chamber. Example, "Our Nation, this generation, will lift the dark threat of violence from our people and our future. We will rally the world to this cause by our efforts, by our courage. We will not tire, we will not falter, and we will not fail."

Mr. Speaker, those were the words of George W. Bush, the 43rd President of the United States. Those are some of the words we heard last week, a rallying cry to freedom-loving people around the world.

PROVIDING FOR CONSIDERATION OF H.R. 2944, DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2002

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 245 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 245

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union 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 the other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The amendments printed in part A of the report of the Committee on Rules accompanying this resolution shall be considered as adopted in the House and in the Committee of the Whole. Points of order against provisions in the bill, as amended, for failure to comply with clause 2 of rule XXI are waived. The amendment printed in part B of the report of the Committee on Rules may be offered only by a Member designated in the report and only at the appro-

priate point in the reading of the bill, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against the amendment printed in part B of the report are waived. During consideration of the bill for further amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering and amendment has caused it to be printed in the portion of the Congressional Record designated for the purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. At the conclusion of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

□ 1015

The SPEAKER pro tempore (Mr. SWEENEY). The gentleman from Georgia (Mr. LINDER) is recognized for 1 hour.

Mr. LINDER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, H. Res. 245 is an open rule providing for the consideration of H.R. 2944, the Fiscal Year 2002 District of Columbia Appropriations Act. Overall, this bill provides a total of \$7.1 billion in local funding and a \$398 million Federal payment to the District of Columbia. By way of comparison, the final fiscal year 2001 D.C. appropriations bill provided a total of \$6.8 billion in local funds and \$464 million in Federal payment. The rule waives all points of order against consideration of the bill.

Mr. Speaker, H. Res. 245 provides for 1 hour of general debate, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations, and it waives clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provision in a general appropriations bill) against provisions within H.R. 2944. The rule also provides that the bill be considered for amendment by paragraph.

The rule provides that amendments in part A of the Committee on Rules report accompanying H. Res. 245 shall be considered as adopted.

It also waives points of order against the amendment printed in part B of the Committee on Rules report, which may be offered only by a Member designated in the report and only at the appropriate point in the reading of the bill, shall be considered as read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall

not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

The rule also allows the chairman of the Committee of the Whole to accord priority and recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD. Finally, the rule provides for one motion to recommit, with or without instructions.

I urge my colleagues to support this rule on H.R. 2944, which will allow the House to work its will on the various funding and policy matters contained in this bill. I should note that the bill is the 11th of 13 regular appropriations bills that the House will need to consider and enact in order to complete the fiscal year 2002 discretionary budget.

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

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman from Georgia (Mr. LINDER) for yielding me the customary one-half hour, and I yield myself such time as I may consume.

(Ms. SLAUGHTER asked and was given permission to revise and extend her remarks.)

Ms. SLAUGHTER. Mr. Speaker, this is an open rule. The gentleman from Pennsylvania (Mr. FATTAH), the ranking minority member, was consulted throughout the process of developing this legislation, along with the gentleman from Michigan (Mr. KNOLLENBERG), who is a fine chairman and a great Member, in the process of developing this legislation, a trend we hope will continue with developing other appropriations measures in the days ahead. I would further note that this version of the D.C. appropriations bill is much improved over past years. In fact, 35 of the 69 riders included by the subcommittee were eliminated at the full committee markup.

Far too often, Congress takes it upon itself to micromanage the citizens of the District to advance an agenda that few of its residents share. Every year, the gentlewoman from the District of Columbia (Ms. NORTON), my friend, has made eloquent pleas to this body, asking it to refrain from making social policy in the city that she represents. But it is not to be.

While this is a much-improved bill, it is still flawed. The measure includes controversial prohibitions against using local funds, not a dime of Federal money, for abortion services and the needle exchange programs. Moreover, the Committee on Rules took it upon itself to make in order an amendment that prohibits Federal as well as local funds from being used for the implementation of the District of Columbia Domestic Partnership Act which was passed in 1992 and never implemented because the House of Representatives does not like it. This amendment was defeated in the full committee on a bipartisan vote. But a gift from the Committee on Rules puts it before us today.

I look forward to the day when Congress gives the Mayor and the council of the city an opportunity to govern and make the kind of decisions with their own money that other governments are allowed to make without interference by the House and by the Congress.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 7 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, may I begin by thanking the gentleman from Michigan (Mr. KNOLLENBERG), the chairman of the subcommittee, and the gentleman from Pennsylvania (Mr. FATTAH), the ranking member, for their very hard work on this bill, the best bill in some time for the District of Columbia.

I must say that there was a very good chance that for once we might be able to support a rule, especially since the Committee on Appropriations, to its credit, made substantial progress on the infamous social riders by voting to eliminate one that had long plagued this bill, a rider that provides for health care benefits if paid for by a partner who may be a grandmother or mother, or may be a gay person. So the Committee on Appropriations decided that wherever they stood on gay rights, it was not worth taking down everybody at a time when health care is so important and when this body has not done its job to make sure that everybody has health care.

This, I say to my colleagues, is no time to make hay or to make politics over the local budget of a city. A city where Congress time and again has shown it has no expertise to get into its local budget, who could expect Congress to? I do not have any expertise on the D.C. budget. We have limited interest, and the District of Columbia respects that interest, because of the Federal presence here.

My side has tried to respond to the crisis we are in. We agreed to a limited time for general debate, for example. We have agreed to limited time for amendments. Otherwise, of course, we would not be acting in the national interest. If, in fact, what we do is to crowd this bill with the usual riders, we will not only look silly, this year we would look careless and insensitive to the suffering and the felt needs of the American people.

At the very least, in recognition of the uniquely serious crisis we are in, I am asking Members to forebear attachments and amendments, even if protected, which they know are opposed by D.C. law. I thank the Committee on Appropriations for, in fact, not including, not including a domestic partners rider in this bill. I ask my colleagues to respect what the Committee on Appropriations did when its position is put before us here today. After all, we are defending democratic values more than rhetorically this session. At a

time when the world is watching, this body must not be seen as engaging in patently undemocratic actions such as overturning local laws against the democratic will of the people of the District of Columbia.

I was prepared, absent actions taken on social riders, to support a rule this time, even with some serious imperfections; and let me say what has happened to those imperfections, because there was a puzzling decision made to delete completely noncontroversial budget provisions which had never been bothered before in the history of home rule. I brought this to the attention of the chairman and the ranking member, and I must say I am deeply appreciative for the way both have worked with me to make substantial progress. As they have had the time to study these provisions, we have made many of them consistent with the will of the Mayor and the city council of the District of Columbia. Moreover, the chairman has promised me that he will continue to work with me, even into conference, if necessary.

What he has done shows very substantial good faith. He has, in his manager's amendment, included provisions that went before the Committee on Appropriations. We made very substantial progress on the remaining deletions, and the chairman had already removed 35 redundant and duplicative amendments and provisions beforehand. In other words, the chairman, the gentleman from Michigan (Mr. KNOLLENBERG), and the gentleman from Pennsylvania (Mr. FATTAH), the ranking member, and I have tried to behave like grown-up Members of Congress, not able to get all we wanted, understanding that we had some disagreements, each reciprocating; and I was prepared not to object to moving forward.

Mr. Speaker, I regret that this rule must be opposed. I hope that if this bill does, in fact, make it to general debate, we will respect the chairman's call. He made it known as soon as he became chairman that he would like no attachments on his bill. I recognize some have been made in order. I hope that my colleagues who have such attachments will reconsider, in light of the chairman's call. He simply wants to get his bill through. He wants to be an appropriator. If my colleagues have other matters, I am willing to take them to the D.C. City Council or to take them to the authorizing committee.

Matters such as domestic partners, abortions, other matters of controversial local concern do not belong on this bill. Let us get this bill done; let us make this a banner year for D.C. We are off to a bad start on the rule. I ask my colleagues to oppose the rule. If my colleagues vote for the rule, I certainly ask my colleagues to be mindful of the fact that this is a local appropriation and to follow the lead of the Mayor of the District of Columbia and the council when it comes to how to respond to

any attachments that may come forward.

Once again, I thank the chairman and the ranking member for very important progress and for the respect they have shown the people and the government of the District of Columbia.

Mr. LINDER. Mr. Speaker, at this time I continue to reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. FATTAH), the ranking member of the subcommittee.

Mr. FATTAH. Mr. Speaker, I rise in support of the underlying legislation, and I would like to compliment the gentleman from Michigan (Mr. KNOLLENBERG), the majority chairman, and the staff for their hard work on this legislation.

However, even as I rise to support the underlying legislation, I have difficulty with this rule, for it seems to lack any respect for the work product of the subcommittee or the full Committee on Appropriations and wants to reverse a bipartisan vote in the full committee. I think that that is unwise and inappropriate. I particularly feel that, at this particular hour, there would be other uses of all of our time than to get into the micromanaging of the District's affairs. But nonetheless, I oppose the rule, but I support the bill; and I hope that we can move beyond this at some point to the underlying legislation.

I think that the chairman has done a remarkable job in terms of building a consensus around how we should move forward in terms of the District of Columbia, the capital city; and I would hope that we will be able to get there from here, but I think that there has to be respect for the committee's position. I think that the rule is one that should be revisited and, therefore, I oppose it.

□ 1030

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

Ms. SLAUGHTER. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK. Mr. Speaker, I have not thought of myself as naive in a long time, but I guess I am. I have heard and read and even participated in saluting unity, in arguing that divisive issues ought to be deferred at this time; indeed, while I continue to think spending billions on missile defense is a diversion from the real defense needs of this country and a waste, and destabilizing at a time when the world does not need that, I understand the decision not to press that at this time.

So I was deeply shocked to be told yesterday that the Republican leadership has chosen to use this bill to make an assault on millions of gay and lesbian Americans in general, and on those who live in the District of Columbia, in particular.

Not only are they launching this assault, but they are going to extraor-

dinary lengths to do it. A nongermane amendment has been protected by the Committee on Rules so that a decision of the Committee on Appropriations, recognizing the right of people in the District of Columbia to make their own choices about how their money will be spent, can be overruled.

The District of Columbia, by its small "d" democratic processes, decided to say that if two men or two women were in love and were prepared to commit themselves to each other legally and financially, as well as emotionally, the District of Columbia, if they work for the District of Columbia, they would honor that.

For reasons I do not understand, that willingness to accept a mutual declaration of responsibility from two people in love deeply offends some of my colleagues.

On a personal level, it does not matter to me what they think. They are entitled to their opinions, prejudicial as I might think they are. But to tell the 550,000 people of the District, who have voted through their democratic processes, that they may not use money raised in the District by taxation voted by the District on residents of the District, that they may not use that money to carry out a policy that recognizes that love, shame on those who perpetrate it, and particularly now.

Everybody in America is concerned about the people who died, and gay and lesbian and bisexual and transgendered people are no different than others. In addition to the general mourning, there is discussion of those in that particular community, of which I am a member, who died.

Indeed, we have the military announcing what we call a "stop loss" policy, which says that gay and lesbian Americans in the military who are, I think, wholly unfairly and incorrectly and unwisely subject to being thrown out, may not be thrown out now. In other words, at this time of terrible crisis, when we are going to ask Americans to go and risk their lives for the defense of freedom, overwhelmingly supported here, we are going to make an exception in some cases to the policy of excluding gays and lesbians. Gay and lesbian people who have been asking for the right are going to get it. They are going to be allowed to die for their country.

But according to some, we are just not allowed to live here freely, because this bill says that we will violate what some have said is a philosophical principle that local people at the local level ought to be able to decide how to spend local money.

We are not talking formally about States' rights. The District of Columbia is not a State, it is a self-governing group of Americans who have voted through an open and democratic process, through a public policy, which they are prepared to support with their money. And the Republican leadership says, no, no, we cannot let them do

that. We cannot let them do that, because if two women are allowed to express their love for each other and one of them works for the District of Columbia and wants to extend health benefits to her partner, we cannot allow that. That somehow is going to undo the great fabric of this Nation.

And we will even violate the normal rules of the House, because it is the one amendment that is nongermane. In our technical terms, it is legislating in an appropriations bill.

And by the way, how seriously do they take this terrible assault on the dignity and freedom and emotions of gay and lesbian Americans? They give us 10 minutes to talk about it. There will be 5 minutes in which those of us who are appalled by this intrusive, divisive assault on so many millions of their fellow citizens, because those of us who do not live in the District on a legal basis, share the pain of those in the District who will be penalized by this punitive amendment, and they give us 5 minutes to talk about it.

I do not see how anyone who has talked about not being divisive, who has talked about unity at this time, can agree to dealing with this amendment at this time, and certainly not to a 5-minute debate on each side, where people's fundamental rights, the right of the District to self-governance, that is to be disposed of in 5 minutes? Have people so little concern for the rights and feelings of others? I hope the rule is voted down.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentlewoman's courtesy in yielding time to me to speak briefly to this rule.

Mr. Speaker, like the previous Member, I am deeply concerned that, in a time when we should be coming together as a Congress, lifting up our eyes to deal with big issues and finding ways to bring Americans together, that this Congress sees fit to, sadly, divide people by playing with the budget for the District of Columbia.

It seems to me that responsible businesses across the country and a number of local governments, some of which I represent, have seen fit to extend in a reasonable fashion insurance coverage to their employees and their domestic associates, people that they have an insurable interest, people that they care about. This is something that is reasonable.

I had an opportunity in my prior life to help craft provisions like this. It was good for our employees, it was the right thing to do.

For the last 8 years, the District of Columbia's government has chosen to do this with their own resources. Yet, Congress, in its wisdom, has intervened, seen fit to deny them the right to do what is being done by progressive people across the country. It is wrong. It is particularly wrong to do it now.

We do not need to have these gratuitous efforts at bringing forth unnecessary political battles. This ought to be one time that we can move beyond it.

Mr. Speaker, I was also embarrassed that the Congress of the United States saw fit, in dealing with needed resources for emergency planning, that we were going to micromanage the District of Columbia and withhold some of its funds in dealing with the \$16 million in special Federal payments for emergency security planning.

I find that particularly ironic, Mr. Speaker, when I consider that the events of the last 2 weeks demonstrated that the Federal Government did not have its act together regarding the District of Columbia; and further, that if the standard for preparedness is what we as Members of this House have done in terms of preparing our offices and our employees for these emergencies, that bar is very low.

Every man and woman who serves in this Chamber knows that we were not ready, and has doubts about whether we are ready today. Yet, for the committee to therefore overlook our shortcomings and try to manage the District of Columbia by withholding funds, I find egregious and embarrassing. I hope we will reject the rule and reject the bill.

Ms. SLAUGHTER. Mr. Speaker, I call for a no vote on the rule, and I yield back the balance of my time.

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

Mr. Speaker, I urge my colleagues to support this rule so we can get on with the debate on the important appropriations bills.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. SWEENEY). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. 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. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 236, nays 183, not voting 11, as follows:

[Roll No. 351]

YEAS—236

Aderholt	Biggert	Burr
Akin	Bilirakis	Burton
Armye	Bishop	Buyer
Bachus	Blunt	Callahan
Baker	Boehlert	Calvert
Ballenger	Boehner	Camp
Barr	Bonilla	Cannon
Bartlett	Bono	Cantor
Barton	Boyd	Capito
Bass	Brady (TX)	Castle
Bereuter	Brown (SC)	Chabot
Berry	Bryant	Chambliss

Coble	Hulshof
Collins	Hunter
Combest	Hyde
Cooksey	Isakson
Costello	Issa
Cox	Istook
Cramer	Jenkins
Crane	John
Crenshaw	Johnson (IL)
Cubin	Johnson, Sam
Culberson	Jones (NC)
Cunningham	Keller
Davis, Jo Ann	Kelly
Davis, Tom	Kennedy (MN)
Deal	Kerns
DeLay	King (NY)
DeMint	Kingston
Diaz-Balart	Kirk
Doolittle	Kleczka
Dreier	Knollenberg
Duncan	LaHood
Dunn	Largent
Ehlers	Latham
Ehrlich	LaTourette
Emerson	Leach
English	Lewis (CA)
Everett	Lewis (KY)
Ferguson	Linder
Flake	Lipinski
Fletcher	LoBiondo
Foley	Lucas (KY)
Forbes	Lucas (OK)
Fossella	Manzullo
Frelinghuysen	McCrery
Gallegly	McHugh
Ganske	McInnis
Gekas	McIntyre
Gibbons	McKeon
Gilchrest	Mica
Gillmor	Miller (FL)
Gilman	Miller, Gary
Goode	Moran (KS)
Goodlatte	Morella
Goss	Myrick
Graham	Nethercutt
Granger	Ney
Graves	Northup
Green (WI)	Norwood
Greenwood	Nussle
Grucci	Ortiz
Gutknecht	Osborne
Hall (OH)	Ose
Hall (TX)	Otter
Hansen	Oxley
Hart	Paul
Hastings (WA)	Pence
Hayes	Peterson (PA)
Hayworth	Petri
Hefley	Phelps
Herger	Pickering
Hilleary	Pitts
Hobson	Platts
Hoekstra	Pombo
Holden	Portman
Horn	Pryce (OH)
Hostettler	Putnam
Houghton	Quinn

NAYS—183

Abercrombie	Clement	Gonzalez
Ackerman	Clyburn	Gordon
Allen	Condit	Green (TX)
Andrews	Coyne	Gutierrez
Baca	Crowley	Harman
Baird	Cummings	Hastings (FL)
Baldacci	Davis (CA)	Hill
Baldwin	Davis (FL)	Hilliard
Barcia	Davis (IL)	Hinchev
Barrett	DeFazio	Hinojosa
Becerra	DeGette	Hoeffel
Bentsen	Delahunt	Holt
Berkley	DeLauro	Honda
Berman	Deutsch	Hooley
Blagojevich	Dicks	Inslae
Blumenauer	Dingell	Israel
Bonior	Doggett	Jackson (IL)
Borski	Dooley	Jackson-Lee
Boswell	Doyle	(TX)
Boucher	Edwards	Jefferson
Brady (PA)	Engel	Johnson (CT)
Brown (FL)	Eshoo	Johnson, E. B.
Brown (OH)	Etheridge	Jones (OH)
Capps	Evans	Kanjorski
Capuano	Fattah	Kaptur
Cardin	Filner	Kennedy (RI)
Carson (IN)	Ford	Kildee
Carson (OK)	Frank	Kilpatrick
Clay	Frost	Kind (WI)
Clayton	Gephardt	Kolbe

Radanovich	Kucinich
Ramstad	LaFalce
Regula	Lampson
Rehberg	Langevin
Reynolds	Lantos
Riley	Larsen (WA)
Rogers (KY)	Larson (CT)
Rogers (MI)	Lee
Rohrabacher	Levin
Ros-Lehtinen	Lewis (GA)
Ross	Lofgren
Roukema	Lowey
Royce	Luther
Ryan (WI)	Maloney (CT)
Ryun (KS)	Maloney (NY)
Saxton	Markey
Schaffer	Mascara
Schrock	Matheson
Sensenbrenner	Matsui
Sessions	McCarthy (MO)
Shadegg	McCarthy (NY)
Shaw	McCollum
Shays	McDermott
Sherwood	McGovern
Shimkus	McKinney
Shows	McNulty
Shuster	Meehan
Simmons	Meek (FL)
Simpson	Meeks (NY)
Skeen	Menendez
Smith (MI)	Millender-
Smith (NJ)	McDonald
Smith (TX)	

Miller, George	Schakowsky
Mink	Schiff
Mollohan	Scott
Moore	Sherman
Moran (VA)	Skelton
Murtha	Slaughter
Nadler	Smith (WA)
Napolitano	Snyder
Neal	Solis
Oberstar	Spratt
Obey	Stark
Oliver	Strickland
Pallone	Stupak
Pascrell	Tauscher
Pastor	Thompson (CA)
Payne	Thompson (MS)
Pelosi	Thurman
Pomeroy	Tierney
Price (NC)	Turner
Rahall	Udall (CO)
Rangel	Udall (NM)
Reyes	Visclosky
Rivers	Waters
Rodriguez	Watt (NC)
Roemer	Waxman
Rothman	Weiner
Roybal-Allard	Wexler
Sabo	Woolsey
Sanchez	Wu
Sanders	Wynn
Sandin	Young (FL)
Sawyer	

NOT VOTING—11

Conyers	Peterson (MN)	Velazquez
Farr	Rush	Watson (CA)
Hoyer	Serrano	Young (AK)
Owens	Towns	

□ 1103

Ms. MCKINNEY, Messrs. SMITH of Washington, KUCINICH, DAVIS of Illinois, ROEMER, DOGGETT, MOLLOHAN, RAHALL, Ms. CARSON of Indiana, Ms. LOFGREN, Mrs. MINK of Hawaii, Mrs. MEEK of Florida, and Mrs. JOHNSON of Connecticut changed their vote from “yea” to “nay.”

So the resolution was agreed to.

The result of the voted was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. HOYER. Mr. Speaker, yesterday evening a tornado ripped through several towns and I was in Maryland surveying the damage.

I would like the RECORD to reflect that had I been present I would have voted “no” on rollcall 351.

GENERAL LEAVE

Mr. KNOLLENBERG. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill (H.R. 2944) making appropriation 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, and that I be permitted to include tabular and extraneous material on the bill.

The SPEAKER pro tempore (Mr. SWEENEY). Is there objection to the request of the gentleman from Michigan?

There was no objection.

DISTRICT OF COLUMBIA
APPROPRIATIONS ACT 2002

The SPEAKER pro tempore (Mr. SWEENEY). Pursuant to House Resolution 245 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2944.

□ 1104

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the 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, with Mr. BEREUTER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Michigan (Mr. KNOLLENBERG) and the gentleman from Pennsylvania (Mr. FATTAH) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan (Mr. KNOLLENBERG).

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

Mr. KNOLLENBERG. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am pleased to bring before the House the Fiscal Year 2002 District of Columbia Appropriations Act. Before I present the details of this legislation, I want to remind my colleagues of the context in which we consider the bill. A little more than 6 years ago, this Congress took a drastic, but necessary, action in response to the completely unacceptable financial condition of our Nation's Capital by creating the District of Columbia Financial Responsibility and Management Assistance Authority, or better known as the Control Board.

We gave the Control Board authority over virtually every function of District governance. We asked it to help the city recover after years of mismanagement and accumulated budget deficits. Back in 1995 that looked like no small task, and only starry-eyed dreamers would have said that just 6 years later the District would have had 4 consecutive years of budget surpluses leading to the sunset of the Control Board. That is exactly what happened.

Today is September 25, and in 5 days the Control Board will disband. This I believe is a tremendous credit to the steady hand of Mayor Anthony Williams and his policies as well as the efforts of Chief Financial Officer Nat Gandhi. City Council Chair Linda Cropp also deserves recognition, and all of her colleagues on the city council are to be commended for their efforts as well.

Along with the Control Board and the District's delegate to Congress, the

gentlewoman from the District of Columbia (Ms. NORTON), these leaders have turned yesterday's starry-eyed dreams into reality.

When I became chairman of the Subcommittee on the District of Columbia, I had the benefit of working with a city on the rise.

From the outset, I said that I wanted to be a partner with the District of Columbia and we jointly developed an agenda that promotes the continued renaissance of the city. My focus was on economic development, education and public safety; and this budget reflects those priorities.

Mr. Chairman, the package before my colleagues is the product of the very hard work of every member of the Subcommittee on D.C. Appropriations. Each member contributed extensively, and this bill reflects our commitment to helping the city.

I would like to acknowledge the work of two of my colleagues in particular. First, I recognize the ranking member of the subcommittee, the gentleman from Pennsylvania (Mr. FATTAH). He brought his experience in city politics to us and has been an invaluable guide. I believe we formed a solid working relationship, and that is what has brought us to where we are today.

I also want to express my appreciation for all that the gentlewoman from the District of Columbia (Ms. NORTON) has done to help me find my way through this city and to keep me up to date on local issues. She is a tireless advocate for the District of Columbia, and Washington, D.C.'s residents are fortunate to have her.

I would also like to recognize a former colleague of ours who is no longer here. Julian Dixon, the long-time chairman of this subcommittee, passed away late last year; and this is the first D.C. bill that has come before this committee since then. A native Washingtonian, he chaired the subcommittee for 14 years and was truly a friend of the District if there ever was one. He recognized the District's fiscal instability and helped get Washington's house in order. His expertise, his advice and his counsel are missed.

The fiscal year 2002 District of Columbia Appropriations Act totals slightly more than \$7.14 billion, of which approximately \$5 billion is from local funds, and \$2.1 billion is from Federal funds, including Federal grants. I will not go into the portion of the bill dealing with the local funds except to say that we fully funded every penny of the city's budget. What the city asked for, we provided.

The Federal funds portion of the bill, excluding Federal grants, totals \$398 million, which my colleagues will note is slightly more than the \$359 million that the President requested, but \$66 million less than what was enacted in fiscal year 2001. The difference between this bill and the President's budget is due primarily to two items: first, the bill provides \$23.3 million above the President's request to the District of

Columbia courts for the reform of the D.C. Family Court.

Just last Thursday this House passed the District of Columbia Family Courts Act, which provides for the first major overhaul of the District of Columbia courts' Family Division in some 30 years. The additional funds in this legislation will pay for the transition.

Second, the bill provides a \$16 million Federal payment for security planning. The funding was originally intended to offset the cost of police protection at the World Bank-IMF meetings, which were supposed to occur at the end of this month. Those meetings have been canceled; but in light of recent events, we have decided to shift the purpose of this funding to the development and implementation of an emergency security plan for the District.

Beyond these two items, this bill fully funds the Federal Government's responsibilities in the District of Columbia, including, among other things, \$17 million in resident college tuition support, \$5.5 million for the Children's National Medical Center, \$585,000 for the chief medical examiner to clear a backlog of autopsies, and \$1 million for the St. Colletta of Greater Washington Expansion project.

In addition, this legislation eliminates 35 of the 69 general provisions contained in last year's bill. Let me repeat that. The bill deletes over half of the general provisions that were in last year's bill. I conducted a thorough review of each and every general provision and removed the ones that are now permanent law, not requested by the President, or had been rendered obsolete.

I know that the gentleman from Pennsylvania (Mr. FATTAH) and the gentlewoman from the District of Columbia (Ms. NORTON) have expressed reservations about certain parts of this bill. As the managers' amendment that the gentleman from Pennsylvania (Mr. FATTAH) and I offered at the Committee on Rules will attest, I am committed to working with them and will continue to do so as the bill winds its way through the legislative process. I am hopeful that we can reach a solution that is satisfactory to all.

Before I close, I would like to thank the many staff members who make it possible to bring this bill to the floor today. Migo Micconi and Mary Porter of the subcommittee staff and Jeff Onizuk and Candra Symonds from my staff have been invaluable in this whole process. Let me also say that Tom Forhan of the minority staff has been of great help. We reasoned together and talked things through, and I appreciate his support; and also Williams Miles from the personal staff of the gentleman from Pennsylvania (Mr. FATTAH). They all deserve great applause.

Mr. Chairman, the District of Columbia is a city full of treasures and rich history and should be the crown jewel of all American cities. After all, the

September 25, 2001

CONGRESSIONAL RECORD—HOUSE

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leading Nation in the world deserves a world-class capital. Make no mistake, the District of Columbia is on its way back, and this legislation is another important step. This is a good bill, and I urge my colleagues to support it. Mr. Chairman, I am submitting at this point for the RECORD a chart comparing the amounts recommended in H.R. 2499 with the appropriations for fiscal year 2001 and the request for fiscal year 2002:

DISTRICT OF COLUMBIA APPROPRIATIONS BILL, 2002 (H.R. 2944)
(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
FEDERAL FUNDS					
Federal payment for Resident Tuition Support.....	17,000	17,000	17,000		
Federal payment for World Bank/IMF meeting.....		15,918			-15,918
Federal payment for Security.....			16,058	+16,058	+16,058
Federal payment to the Chief Financial Office of the District of Columbia.....	1,250		2,350	+1,100	+2,350
(Supplemental funding).....	750			-750	
(By transfer, supplemental funding).....	(250)			(-250)	
Federal payment for Commercial Revitalization program.....	1,500			-1,500	
Federal payment to DCFS.....	500			-500	
Federal payment for Metropolitan Police Department.....	100			-100	
Contribution to Covenant House Washington.....	500			-500	
Federal payment to the District of Columbia Corrections Trustee Operations.....	134,200	32,700	32,700	-101,500	
Federal payment to the District of Columbia Courts.....	105,000	111,378	111,238	+6,238	-140
Miscellaneous appropriations (PL 106-554).....	400			-400	
Crime victims Fund (misc appropriations PL 106-554) 1/.....	18,000			-18,000	
Federal payment for Family Court Act.....			23,318	+23,318	+23,318
Defender Services in District of Columbia Courts.....	34,387	34,311	34,311	-76	
Federal payment to the Court Services and Offender Supervision Agency for the District of Columbia.....	112,527	147,300	147,300	+34,773	
Federal payment of Washington Interfaith Network.....	1,000			-1,000	
Federal payment for Plan to Simplify Employee Compensation Systems.....	250			-250	
Metro rail construction.....	25,000			-25,000	
Federal payment for Brownfield remediation.....	3,450			-3,450	
Presidential Inauguration.....	5,961			-5,961	
Children's National Medical Center.....	500		5,500	+5,000	+5,500
Child Advocacy Center.....	500			-500	
St Coletta of Greater Washington Expansion Project.....	1,000		1,000		+1,000
Capitol City Career Dev & Job Training Partnership.....			1,500	+1,500	+1,500
District of Columbia Special Olympics.....	250			-250	
Fed payment to the Fire & Emergency Med Services Dept.....			500	+500	+500
Federal payment to the Chief Medical Examiner.....			585	+585	+585
Federal payment to the City Administrator.....			300	+300	+300
Fed payment to the Voyager Universal Literacy System.....			1,000	+1,000	+1,000
Fed payment to the Office of the Chief Tech Officer.....			500	+500	+500
Federal payment to the Youth Life Foundation.....			250	+250	+250
Federal payment to Food and Friends.....			2,000	+2,000	+2,000
Federal payment to Southeastern University.....			500	+500	+500
Federal payment to Faith and Politics Institute.....			50	+50	+50
Federal Contribution for Enforcement of Law Banning Possession of Tobacco Products by Minors (Sec 132).....	100		100		+100
Total, Federal funds to the District of Columbia.....	484,125	358,607	398,058	-86,067	+39,451
DISTRICT OF COLUMBIA FUNDS					
Operating Expenses					
District of Columbia Financial Responsibility and Management					
Assistance Authority.....	(3,140)			(-3,140)	
Governmental direction and support.....	(195,771)	(284,559)	(285,359)	(-89,588)	(+800)
(Supplemental funding).....	(5,150)			(-5,150)	
Economic development and regulation.....	(205,639)	(230,878)	(230,878)	(-25,240)	
(Supplemental funding).....	(1,885)			(-1,885)	
Public safety and justice.....	(782,546)	(632,668)	(633,853)	(-128,893)	(+1,185)
(Supplemental funding).....	(8,871)			(-8,871)	
Public education system.....	(998,918)	(1,106,165)	(1,106,165)	(+107,247)	
(Supplemental funding).....	(13,000)			(-13,000)	
Human support services.....	(1,535,654)	(1,803,923)	(1,803,923)	(+268,269)	
(Supplemental funding).....	(28,000)			(-28,000)	
Public works.....	(278,242)	(300,151)	(300,151)	(+21,909)	
(Supplemental funding).....	(131)			(-131)	
Receivership Programs.....	(389,528)	(403,368)	(403,368)	(+13,840)	
Workforce Investments.....		(42,896)	(42,896)	(+42,896)	
(Supplemental funding).....	(40,500)			(-40,500)	
Reserve.....	(150,000)	(150,000)	(150,000)		
Repayment of Loans and Interest.....	(243,238)	(247,902)	(247,902)	(+4,664)	
Repayment of General Fund Recovery Debt.....	(39,300)	(39,300)	(39,300)		
Payment of Interest on Short-Term Borrowing.....	(1,140)	(500)	(500)	(-640)	
Presidential Inauguration.....	(5,961)			(-5,961)	
Certificates of Participation.....	(7,950)			(-7,950)	
Security Planning.....			(16,058)	(+16,058)	(+16,058)
Security for meetings.....		(15,918)		(-15,918)	
Wilson Building.....	(8,409)	(8,859)	(8,859)	(+450)	
(Supplemental funding).....	(7,100)			(-7,100)	
Optical and Dental Insurance Payments.....	(2,675)			(-2,675)	
Management Supervisory Services.....	(13,200)			(-13,200)	
Tobacco Settlement Trust Fund Transfer Payment.....	(61,408)	(33,254)	(33,254)	(-28,152)	
Operational Improvements Savings (Including Managed Competition).....	(-10,000)			(+10,000)	
Management Reform Savings.....	(-37,000)			(+37,000)	
Cafeteria Plan Savings.....	(-5,000)			(+5,000)	
Non-Department Agency.....		(5,799)	(5,799)		(+5,799)
Total, operating expenses, general fund.....	(4,955,153)	(5,306,140)	(5,308,285)	(+353,112)	(+2,125)

DISTRICT OF COLUMBIA APPROPRIATIONS BILL, 2002 (H.R. 2944)—Continued
(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
Enterprise Funds					
Water and Sewer Authority and the Washington Aqueduct.....	(275,705)	(291,488)	(291,488)	(+15,783)	
(Supplemental funding).....	(2,151)			(-2,151)	
Stormwater Permit Compliance.....		(3,100)	(3,100)	(+3,100)	
Lottery and Charitable Games Control Board.....	(229,200)	(229,688)	(229,688)	(+6,488)	
Sports and Entertainment Commission.....	(10,868)	(9,127)	(9,127)	(-1,841)	
Public Benefit Corporation.....	(78,235)			(-78,235)	
DC Retirement Board.....	(11,414)	(13,388)	(13,388)	(+1,974)	
Correctional Industries Fund.....	(1,808)			(-1,808)	
Washington Convention Center.....	(52,726)	(57,278)	(57,278)	(+4,552)	
Housing Finance Agency.....		(4,711)	(4,711)	(+4,711)	
National Capital Revitalization Corporation.....		(2,673)	(2,673)	(+2,673)	
Total, Enterprise Funds.....	(656,207)	(911,453)	(611,453)	(-44,754)	
Total, operating expenses.....	(5,611,360)	(5,917,593)	(5,919,718)	(+308,358)	(-2,125)
Capital Outlay					
General fund 2/.....	(1,022,074)	(1,074,605)	(1,074,605)	(+52,531)	
Water and Sewer Fund.....	(140,725)	(152,114)	(152,114)	(+11,389)	
Total, Capital Outlay.....	(1,162,799)	(1,226,719)	(1,226,719)	(+63,920)	
Total, District of Columbia funds.....	(6,774,159)	(7,144,312)	(7,146,437)	(+372,278)	(+2,125)
Total:					
Federal Funds to the District of Columbia.....	464,125	358,807	358,058	-66,067	+39,451
District of Columbia funds.....	(6,774,159)	(7,144,312)	(7,146,437)	(+372,278)	(+2,125)

1/ Section 403 PL 106-554, 114 Stat 2763a-188
 2/ Rounded

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

Mr. FATTAH. Mr. Chairman, I yield myself such time as I may consume.

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

Mr. FATTAH. Mr. Chairman, I thank the majority chairman of this subcommittee, the gentleman from Michigan (Mr. KNOLLENBERG), for doing a magnificent job with an extraordinary degree of sensitivity to the issues involved and the intricacies involved in the affairs of the capital city. He has visited schools, met with local officials, worked with the delegate, the gentlewoman from the District of Columbia (Ms. NORTON), and been ever-present in the effort to work toward a piece of legislation that could build a strong consensus in this Congress.

□ 1115

I want to commend him and his staff, for we have a bill that I support, and I know that as we move the manager's amendment and our work in conference will even be a better bill than it is now. But it is the best bill for the District that has arrived on this floor in many, many years.

The gentleman from Michigan (Mr. KNOLLENBERG) is not the only Member of the majority, there are others like my friend the gentleman from California (Mr. CUNNINGHAM) and others who have shown in the various committee meetings a real sensitivity and a legitimate effort to make this city a better place. I want to commend them. I would like to thank the staff, particularly Tom Forhan and William Miles, for their work. And for the majority staff also, Migo and his team, because they have done a terrific job.

This bill, as has been stated, is about \$65 million less than what the appropriation was last year. It is about \$30 million above what the President requested. It represents a response to the needs of the school district with its 68,000 children and the need for a first-class police department. It responds to each and every item that the city has suggested that they have a need at the dollar amount that was requested.

There are a number of issues that deserve mention. I will first start with the fiscal control board, a piece of legislation that the gentleman from Virginia (Mr. TOM DAVIS) and myself and a number of others, like the gentleman from Virginia (Mr. MORAN) and the gentlewoman from Maryland (Mrs. MORELLA) worked on in my first term in this Congress. This control board has worked very well. This city has had an improvement in its bond ratings for each of the last 4 years. It has a cash reserve that I think is unmatched by any other American city. The mayor and the city council deserve all of the credit, working with the control board, to moving the fiscal functioning of this city to where it is today.

I would also like to take a minute to talk about the tuition support pro-

gram, another piece of legislation that I had an opportunity to join with a number of my colleagues in cosponsoring, for it has responded to the needs of literally hundreds and hundreds of students from the District and allowing them to pursue an education in colleges all across this country and to do so at an in-State tuition rate. It is, I think, representative of the kind of legislation that this House can produce when we avoid getting mired down in the activities of trying to micromanage the District, but really focus on a higher mission, which is how to really improve the capital city and its functioning in a cooperative way with the local officials.

All that is good about this bill could and hopefully will not be overshadowed by some of the activity that will take place after the general debate. There will be amendments unfortunately in which some of my colleagues, I believe, perhaps, well intentioned, but nonetheless, will attempt to overrule, not just the wisdom of the full committee when we made certain decisions about how the bill should be finally shaped when it was brought to the floor, but, moreover, they will attempt in these amendments to micromanage and to overrule the local city council and the mayor.

I want to say one thing about this. The District of Columbia and its citizens, who have sent more people to be involved in our military than many of our States, they pay a higher share of taxes than some of our States in terms of the total aggregate amount, deserve a right to have their votes count. They have no vote here on the floor of the House or in the U.S. Senate. The only place that they really have a vote is when they vote for city council and for the mayor. We should respect those votes in a way in which when the city council and the mayor come to a consensus around even controversial public policy, that we avoid the need for the Congress to try to sit as a larger city council. We come from other places and other towns, many who have made decisions on these similar types of matters, and we should not, unless it is a matter of national policy for the whole country, interject ourselves in the affairs of the capital city. I would hope that we would avoid that today.

I would like to compliment the full committee for avoiding it and voting in the right way on these issues when we dealt with this bill in full committee.

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

Mr. KNOLLENBERG. Mr. Chairman, it is my privilege to yield 2 minutes to the gentleman from Florida (Mr. YOUNG), the chairman of the Committee on Appropriations who does extraordinary work in so many ways.

Mr. YOUNG of Florida. Mr. Chairman, I rise in support of the bill. I also rise to congratulate the gentleman from Michigan (Mr. KNOLLENBERG) for having done an outstanding job in de-

veloping this legislation, which is one of the best D.C. appropriations bills that we have seen in a long time, and also the ranking member, the gentleman from Pennsylvania (Mr. FATTAH) who was there every step of the way and had a lot of input in how this bill was finally developed.

When the gentleman from Michigan became chairman of this subcommittee at the beginning of the Congress, I asked him to do two things: One was to have as good a relationship between the Congress and the Nation's capital city, Washington, D.C., as was humanly possible. I think he has done that extremely well. Also, I asked him to avoid using this bill as a vehicle for many riders that really did not belong on an appropriations bill. I think he deserves a tremendous round of applause for having eliminated 35 of those riders that really did not belong on this bill at any time, and especially not this year.

So he has done a really good job. He has done a good job for our capital city, he has done a good job in the proper positioning of the Congress relative to the capital city, and he has established a great working relationship with the minority and his ranking member. He has already complimented the staff, and they certainly deserve those compliments because they have done a good job. While this is not one of the larger appropriations bills, oftentimes it has been one of the most difficult to prepare and to pass through the Congress. They have done a good job. They worked well with the city. They worked well with the gentlewoman from the District of Columbia (Ms. NORTON). That is the type of teamwork that we believe the American people want to see.

Mr. FATTAH. Mr. Chairman, I yield 6 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Chairman, I thank the gentleman for yielding time. At the same time I thank him for very hard work on this appropriation. The gentleman from Michigan (Mr. KNOLLENBERG) began his chairmanship by seeking a smooth and fair appropriation process as the chairman of the full committee, the gentleman from Florida (Mr. YOUNG) and our ranking member, the gentleman from Wisconsin (Mr. OBEY), always have. This year we have not had to pull our Appropriation Committee chairman and our full ranking committee into this little appropriation just to help us get it through because of the work of our chairman and ranking member of our subcommittee.

Even when the chairman and I have disagreed as we have occasionally, he has been a pleasure to work with, not only because of his well-known pleasant disposition, there have been lots of folks with pleasant dispositions where when it came to the District appropriation, that did not much matter. It has a lot to do with the way in which the chairman has approached his job. He

said to himself, "What am I? I am an appropriator. My job is to get this appropriation out. Let me see if I can do that the best way I can." With that workmanlike approach to his job, whenever he and I have had some points of disagreement, we have simply agreed to disagree and try to work it out.

I hope that the way in which the gentleman from Michigan (Mr. KNOLLENBERG) and I have worked sets a precedent for how the D.C. appropriation will be handled in the future. The chairman said early on, for example, as he took over the chairmanship, that attachments to the D.C. appropriation were not welcome or appropriate. The ranking member, the gentleman from Pennsylvania (Mr. FATTAH) is the first big-city leader of the D.C. subcommittee since the death of the legendary Julian Dixon.

The gentleman from Pennsylvania has brought very unusual, special skill and insight to this subcommittee. How lucky we are that as we emerge from a control board, we have gotten a ranking member who helped bring his own big city out of precisely the situation the District of Columbia found itself, so that I have turned to the gentleman from Pennsylvania (Mr. FATTAH) for special advice given his long history and his extraordinary unique background so relevant to our own city.

Mr. Chairman, especially at a time when Congress has made a successful effort, at least thus far, to put aside the usual quarrels, I hope that the bipartisanship we have shown on other matters will be especially evident on the D.C. appropriation. After all, it is the smallest. It is really tiny. It is a tiny fraction of every other appropriation. It consists almost entirely of local funds, raised from local taxpayers. It is a local budget that does not belong here at all.

I apologize that you are distracted by having to get into the business of a local jurisdiction. You should be embarrassed at a time like this to have to do so. Finding ourselves distracted from the most serious business, the business of war and peace following a vicious attack on American soil, I can only hope that this body will not allow the local budget of a city to detain us long or headlines to read after this matter is done here, Congress of the United States Overturns the Laws in Its Own Capital, even as it is asking, telling us, that the country is fighting in behalf of democracy.

At a time when our country's message to the world is that we are defending democracy and freedom, I ask that no attempt be made to nullify the democratically expressed will of the people of the District of Columbia by attachments that overturn local law.

D.C. is in sterling shape. That is an amazing thing to say to this body, who saw just the opposite just a few years ago. The city should be rewarded, not burdened with intervention, from this body. Imagine, this city has a larger

surplus than our neighboring State of Maryland, a rich State, with all kinds of industry. Virginia has no surplus at all. The District has outdistanced its rich local States through its own prudence. This Congress needs to say to the District, "Well done. We're going to step back when you do as well as you have done."

The control board goes out at the end of this appropriation period. We have investment grade bonds. Our cup does not run over. Our cup has been filled by the people of the District of Columbia and the prudence of its public officials. This bill is moving forward with flaws, budget deletions that should not have been touched, but progress made by the relationship that I have formed with the ranking member and with the chairman. Thirty-five redundant and duplicative provisions removed. We are going to go after the rest of them next time. But I appreciate the progress we have made. Fewer attachments compared to prior years, when attachments had become a chronic disease on the D.C. appropriation.

Make the D.C. bill a bill worth supporting by clearing attachments from the bill. Do not mar this bill. Let us keep us moving forward in the way that the chairman and the ranking member have said.

Mr. KNOLLENBERG. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from California (Mr. CUNNINGHAM) who is a valuable member of this committee. He has been involved in the environmental arena and the education arena.

□ 1130

Mr. CUNNINGHAM. Mr. Chairman, 8 years ago I was put on the Subcommittee on the District of Columbia, and I am still on the Subcommittee on the District of Columbia, because I volunteered to stay there. This was during the time of Marion Berry, and I thought what better place can we make some changes.

I set out in three specific areas. One, the education system. You recognize, the fire department had to take over control. The roofs, the schools did not open because the roofs were unsafe and the schools were unsafe. We got in a new school board, we reorganized, we took some of the board members off who were totally unqualified, and the new board has done a good job with charter schools, et cetera.

The one area that I am disappointed in this bill is that for two of those terms I was enabled to take the trial lawyers, liberal trial lawyers that were ripping off the system within the special education program, and they had charter organizations that would literally take millions of dollars out of the special education program. We stopped that. We capped the trial lawyers' fees and put in valuable programs for special education and children, but yet no child was left without representation. I hope that the Senate takes that up. I think they are, and hopefully

that will be changed in the Senate, like it was last year.

Another area was the waterfront. The U.S.S. *John Glenn*, an ice cutter, when we lost an airliner on the 14th Street Bridge the only ship that could get to that was the U.S.S. *John Glenn*, an ice cutter, fire boat, to rescue those people. The chairman specifically, the gentleman from Michigan (Mr. KNOLLENBERG) and the ranking member, supported putting the new engine that was needed, so for airlines and the waterfront, that will provide a lot of safety for that particular area.

One of the areas that I am also not that happy with on the waterfront, when I first started, this city would only give 1-year leases. No one is going to invest in a waterfront to make it like a San Diego waterfront.

The City Council at that time was taking money under the table to support leases. We changed that. But one of the areas now is when the city assigned an 8(a) to do some work down on the waterfront. The original bid was \$1.6 million. They said well, let us do it with an 8(a), a small business. I said okay. But now that same 8(a), that has never done this kind of work, where it would be done by professionals at \$1.6 million, it is now \$2.6 million, and they are giving the Corps of Engineers \$300,000 and the 8(a) \$200,000, which will be taken off the top. That is \$1.5 million that I think is squandered in this particular bill.

I am going to ask within the conference that we get support from both sides to account for that \$1.5 million that is not going to the waterfront, because of, in my opinion, mismanagement.

I support the bill. What better place, two Irishmen, the gentleman from Virginia (Mr. MORAN) and myself, have become very, very close friends when he was ranking member, and I thank the ranking minority member as well.

Mr. FATTAH. Mr. Chairman, I yield 2½ minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, I thank the gentleman for yielding me time and for his leadership, and the gentleman from Michigan (Mr. KNOLLENBERG).

This is a good bill, but I do have a problem with it. The problem is with the rule. The rule should not have made in order the Weldon amendment, because we had a better bill coming out than might pass if we include the Weldon amendment.

This is a time when we need to come together as a Nation. We should not be advancing amendments that are intended to divide us. That is what the Weldon amendment would do. It would reverse a vote on the full Committee on Appropriations that took place last week, and it took place purely on the substance of the issue.

In 1992, the District of Columbia passed a domestic partnership program. We have forbidden them from implementing that program for the

last 9 years. All it did was say that the District employees can purchase health insurance at their own expense for a domestic partner. Who qualifies? Well, disabled people and their health care provider, two widows or widowers living together, a grandmother and mother who are jointly raising children, two relatives raising their children together, as well as domestic partners.

The amendment today would continue the ban on the use of local funds to implement the Domestic Partnership Act. But no Federal funds are involved. Why are we involved? Why should we be against expanding health care coverage to widows, to children and to unmarried couples? They are using their own money. If they do not use their own money, many of them will have to be financed by the Medicaid program. Most of which is paid for by Federal funds. It just does not make sense, and I think it is mean-spirited as well.

Throughout this country, in Los Angeles; in Denver; in Baltimore; in Seattle; in St. Louis; in Philadelphia; in Pittsburgh; in Austin, Texas; in Iowa City, Idaho; Tucson, Arizona all those cities have the same domestic partnership policy. Yet we are denying it to the District of Columbia to be able to use their own funds and to enable people to purchase at their own expense health insurance?

Why should we be doing this kind of legislation? No Member is on the floor today proposing that they ban domestic partnership programs in their own cities, in their own jurisdiction. There are over 113 State and local governments that have this policy, at least 155 colleges and universities, more than 145 of the largest corporations in the country, at least 4,000 other private companies and not-for-profits.

The Weldon amendment should be defeated, and then let us enact a good bill.

Mr. KNOLLENBERG. Mr. Chairman, I yield 5 minutes to the gentlewoman from Maryland (Mrs. MORELLA), the chairman of the authorizing committee and a person I have worked with on a number of problems and situations.

Mrs. MORELLA. Mr. Chairman, I certainly want to thank my good friend, the chairman of the Committee on Appropriations subcommittee, the gentleman from Michigan (Mr. KNOLLENBERG), for yielding me time, but also for the kind of work that has been done on this bill.

The gentleman from Michigan (Chairman KNOLLENBERG) and his staff deserve a great deal of credit for their tireless work on the D.C. appropriations bill this year. In particular, I want to compliment the chairman for producing a generally clean budget, devoid of some of the provisions and limitations that have rightly disturbed D.C. officials in the past. It actually provides for the amount of money that had been requested by the mayor and the council.

I also think this is an appropriate time to publicly thank once again

members of the District of Columbia Financial Responsibility and Management Assistance Authority, which we call the Control Board. The Control Board has played a pivotal role in helping the District turn around a huge budget deficit, improve its bond rating, and begin the process of making government more citizen-friendly.

The Control Board's tenure expires on Sunday, but it is all of our hope that its legacy of fiscal prudence has made an indelible mark on the city. Indeed, as the economy continues to slow, the District must resist spending pressures that could return it to the days of financial crisis. It also must continue to work on strengthening internal accounting. The recent disclosure that the D.C. public school system has overspent its budget by \$80 million represents an astounding lapse in management. This must serve as a final wake-up call if the city is to thrive in the post-Control Board era.

As the city goes forward, this fiscal year 2002 budget will be of help as it addresses some substantial needs for the District. First and foremost, it provides more than \$23 million to reform the City's Family Court and Child and Family Services Agency. It is not an overstatement to say the City has on more than a few occasions completely failed its children. The District's poor child welfare system has literally left some children to die.

There has been some talk about whether \$23 million is enough to complete these much-needed reforms. Frankly, I am not sure anymore. I do not think the judges nor the lawmakers nor the Congressional Budget Office has a really true handle on how much these changes will cost. But \$23 million is more than an adequate start; and if the judges can demonstrate they need more money, I am sure we will work with them to address these concerns in the next budget.

Let me point out just a few of the other budget highlights: \$1 million for an innovative literacy program in D.C. schools; \$1.5 million for job training; \$1 million for the expansion of St. Colleta's, which does such good work training mentally retarded and disabled youngsters and adults; \$2 million to promote high-tech education at the City's Southeastern University; \$300,000 to the newly constituted Criminal Justice Coordinating Council, that bill will be coming up later today, which will foster cooperation among various Federal and local criminal justice agencies that operate in the District.

I must, I must, mention that there are several elements in this bill that trouble me deeply. Once again, Congress is intending to ban the use of local money for effective programs that the District deems appropriate: the needle exchange program, as an example, that has proven successful elsewhere, including in Maryland; the use of money, the local money even, for abortion as deemed appropriate in the

District of Columbia; and, again, the prohibition of using any local money for domestic partner benefits. I am disappointed that the amendment will be allowed to be offered, and I intend to certainly vote against it.

The Committee on Appropriations also has decided to withhold several million dollars, some of it earmarked for the very successful and popular D.C. Tuition Access Program and the rest intended for fire and emergency services and other vital services. It is going to be withheld until the District provides Congress with an emergency security plan.

To be sure, none of us was pleased with the District's lack of preparedness that became evident on September 11. The Nation's capital, the capital of the free world, must be the most-prepared city when it comes to possible terror attacks. However, the Congress ought not, ought not, to punish the students and the other citizens of the District by withholding funds in this manner.

So, overall, this is a very good appropriations bill. It achieves what Chairman KNOLLENBERG and the ranking member, the gentleman from Pennsylvania (Mr. FATTAH), who has worked very hard on this bill also, what they set out to do at the beginning of the session, something with which I agree, giving the District more direct control over its own spending, by reducing, if not eliminating, Congressional micro-management of the budget. We still have a way to go.

So I would say well done, Mr. Chairman, Mr. Ranking Member, and I look forward to working with you, the gentlewoman from the District of Columbia (Ms. NORTON), my House and Senate colleagues, Mayor Williams, the City Council and all for the revitalization of the Nation's Capital.

Mr. FATTAH. Mr. Chairman, I yield 2½ minutes to the gentleman from Massachusetts (Mr. DELAHUNT).

Mr. DELAHUNT. Mr. Chairman, I, too, take the floor to oppose the amendment that will be offered by the gentleman from Florida. That amendment, as the gentleman from Virginia (Mr. MORAN) has indicated, would reinstate the ban that for the past 9 years has prohibited the District of Columbia from providing the most minimal protections to citizens who live with their domestic partners; the right to visit a partner in the hospital and not to be turned away; the opportunity for local government workers to buy health insurance to cover their partners at their own expense. And I want to commend the committee for at last allowing the District to use its own local funds to implement this modest measure.

Their action is consistent with the atmosphere of tolerance and reflection which has characterized our debates since the terrible events that occurred on September 11. It has been genuinely inspirational to see Americans come together from all parts of our national community to mourn, to heal, and to honor our heroes, and yet today we have this amendment.

Well, one of those heroes was a 31-year-old rugby star from San Francisco whose name was Mark Bingham. He was one of the four passengers who thwarted the hijackers on United Flight 93 which crashed in Pennsylvania, and he was a gay man.

Well, he was a hero who may very well have prevented that plane from destroying this building in which we are now debating. And this is how we thank him for his heroism.

What a disappointing contrast, to the actions of Senator JOHN MCCAIN, one of Mr. Bingham's favorite political figures, who flew to San Francisco from Washington yesterday to attend his memorial service. Let me quote Senator MCCAIN: "We now believe the terrorists intended to crash that plane into the Capitol, where I was that morning. I may very well owe my life to Mark Bingham," and so may we all here.

Mr. Bingham had the good fortune to live in one of the 117 jurisdictions across the country that provide health benefits to domestic partners. It is time for Congress to let the people of the District of Columbia do the same thing, and may I submit to my colleagues, it is time for us to heed the word that is inscribed right there in the center of the Clerk's counter, and that word is "tolerance."

□ 1145

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair reminds Members to avoid such quoting of Senators.

Mr. KNOLLENBERG. Mr. Chairman, I yield 2 minutes and 15 seconds to the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Chairman, I thank the gentleman for yielding me this time.

I would like to make two important points about the debate surrounding my amendment. I too, along with my colleagues on the other side of the aisle, have been blessed by the high level of comity and good relations we have had since the tremendous tragedy that struck our Nation on September 11, and some of my colleagues seem to be implying: Why are you bringing this up at this time?

I just want to point out to everyone involved in this debate that for 9 years the policy of the Congress has been to not allow this provision to move ahead. Indeed, it was originally endorsed by a Republican President and a Democratic Congress, and then for 2 years, a Democratic President and a Democratic Congress, and then from 1995 on, a Democratic President and a Republican Congress. It is actually the other side of this debate who brought this issue up on September 18.

I would agree that this is a somewhat divisive issue, but I would just like to point out to my colleagues that I did not bring it up; they did. They introduced this issue for debate at this time.

Now, the other issue I would like to address straight up is there have been

people who have gotten up and said that this provision would allow grandmothers and mothers living together, raising children, or persons with disabilities and a live-in care provider, or two sisters raising children to be able to get one of the persons in the house to be covered. The District of Columbia had the option to write a law that would have covered those types of hardship cases; but instead, they chose to write a law that was a blanket provision that simply allows heterosexuals cohabitating to qualify for this benefit and homosexuals cohabitating to qualify for this benefit.

I, along with previous administrations and previous Congresses, have endorsed the policy that simply stated that we do not want to do this, and my amendment simply maintains current law, the law for 9 years.

Mr. FATTAH. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. PELOSI), a member of the full committee.

Ms. PELOSI. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I am pleased to rise to defend the committee position and this very excellent bill that the gentleman from Michigan (Mr. KNOLLENBERG), the chairman of the subcommittee, and the gentleman from Pennsylvania (Mr. FATTAH), the ranking member, are presenting to the floor. Unfortunately, the Committee on Rules decided to put a very unfortunate amendment in, and I was very pleased to join the gentleman from Florida (Mr. YOUNG), the distinguished chairman of the full Committee on Appropriations, in opposing that rule in a recorded vote.

Mr. Chairman, I come to the floor on this issue as one with some family involvement. My father was Chair of the Subcommittee on the District of Columbia of the Committee on Appropriations in the 1940s. How proud he would be of the leadership of the gentleman from Pennsylvania (Mr. FATTAH) and that of the gentleman from Michigan (Mr. KNOLLENBERG). He was a great advocate for home rule, and that was part of his legacy as a Member of Congress and later as the Mayor of Baltimore, the pride he took in that, and the recognition that we must respect the opinions of localities.

The Congress should be supporting the decisions that local communities make about their health care. We respect the importance of local control, and interference with the District of Columbia is contradictory to that goal. No citizen should be denied the right to care for an ailing partner or visit them in the hospital. No citizen should be prevented from taking the bereavement leave necessary to make funeral arrangements when his or her partner has passed away. All citizens should have access to quality health care. Over 4,200 employers across the country, including one-third of the Fortune 500, have recognized this by establishing domestic partnership health

programs. Many of these programs go much, much farther than this law.

Cities as diverse as Atlanta, Albany, Chicago, New Orleans, and Scottsdale all have domestic partnership benefits in place that are much more comprehensive than the D.C. law. Would any of the Members who represent those districts or the States that they are in like funds withheld from their appropriations their States would receive?

Mr. Chairman, I urge my colleagues to oppose the Weldon amendment when it comes up, and I again thank the ranking member for this good bill; and I urge my colleagues to support the committee position and oppose the Weldon amendment.

Mr. KNOLLENBERG. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona (Mr. KOLBE), the chairman of the Subcommittee on Foreign Operations.

Mr. KOLBE. Mr. Chairman, I thank the gentleman for yielding me this time.

I want to congratulate the gentleman from Michigan and the gentleman from Pennsylvania for the fine job that they have done on this bill. We have heard it from many people, but I think these plaudits are really due here for a very good job that they have done on this bill.

I am rising to speak at this point because the time on the amendment that will be coming up later offered by the gentleman from Florida (Mr. WELDON) is very limited; and I want to give just a little bit of background, although it has already been covered to some extent. I do hope my colleagues will, when the time comes, oppose the Weldon amendment.

By way of background, the District has had a health benefits law for domestic partners since 1992. We have heard it said here today, 113, 117 other jurisdictions around the country also have a similar provision, so this is hardly anything that is new or different. In fact, the District of Columbia provision is much, much more limited than that offered by most other governmental units. It would allow a partner, and it can be, as the gentleman from Florida noted, a grandmother and a mother together raising a child; it could be a disabled person with a care giver; it could be two heterosexual people living together; it could be a lesbian or gay couple living together, it allows the one of them who is employed by the District of Columbia to sign the other up for health benefits. I want to emphasize, this benefit is entirely, entirely, at the expense of the individual. No Federal or District of funds are used to subsidize the premiums for the domestic partner.

Now, for the last 9 years, Congress has blocked that D.C. statute from being implemented. But as we have heard on the floor this morning, the state of the District is different from nine years earlier. The Control Board is about to expire. We have confidence

in the local government. Now, if we are going to demonstrate that confidence, is this not a good place to start, by lifting this particular ban and saying to the District of Columbia that along with 113 other jurisdictions around the country, you can make these decisions about who among your employees can have health benefits? This is the time to lift this prohibition.

Mr. Chairman, it is time to start bringing our country together. We should be uniting our country; we should be bringing people together. We do not need this kind of mean-spirited amendment that is being offered here today.

Mr. Chairman, I urge my colleagues to reject the Weldon amendment.

Mr. FATTAH. Mr. Chairman, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE), a member of the Committee on the Judiciary.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the ranking member and the chairman of the subcommittee for a very excellent appropriations bill that recognizes how much we cherish our capital and its people, and particularly in this time. Let me thank them for providing the funds for the emergency security plan, and for the \$23 million that helps the family court to protect abused children. Many good things. Let me acknowledge former Chairman Dixon for his leadership.

However, I must stand in opposition to the Weldon amendment. I would just say to the gentleman from Florida, my good friend, there were words that he said that particularly struck me as a reason to oppose this amendment. What he said was the District of Columbia chose to draft this domestic partnership legislation as it did. The Mayor, the city council, the citizens chose to make a determination to protect all of its citizens within its boundaries, provide all of them with good health care to allow them, no matter what their sexual orientation, to be respected and to alleviate the problem of these individuals trying to be on public assistance. We have already heard about 4,500 corporations and 117 jurisdictions. How would we like to violate, as a member of the Committee on the Judiciary, the constitutional provisions of local and Federal jurisdiction?

Mr. Chairman, we are now here disregarding freedom and justice, right here in this Congress today, after we have united this country around freedom and justice, by denying the District of Columbia its right to promote its domestic partnership act for good health care under its own local funding.

I ask my colleagues to oppose the Weldon amendment. Let us promote the unity that we promoted in this country. Let us respect the District of Columbia. Let us cherish our capital, and let us cherish freedom and justice for all of the people, no matter what their beliefs. Whatever their beliefs may be and however they stand, whatever their sexual orientation, it is our

right to protect their freedom and to protect justice.

Mr. KNOLLENBERG. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Chairman, I rise to support the Weldon amendment, since others are criticizing it. I must admit that I am a little embarrassed that some have decided to use this bill and this era of bipartisanship to advance the gay agenda.

This Congress and the vast majority of the American people believe that marriage is a sacred union between a woman and a man. This is not a radical concept. No culture in the history of the world has ever thought otherwise. There is no serious religion anywhere in the world that believes otherwise.

I oppose using government funds to promote gay partnerships because I have tremendous respect for the families of this country. I oppose using funds in that way because I believe that every child in this country deserves a chance of life with a mother and a father.

Mr. Chairman, I know there are a few vocal voices who will disagree. But the violence of our country that we just suffered requires our unity. We should not be talking about this divisive issue now and trying to move the gay agenda. I urge my colleagues to vote for the Weldon amendment so that we can get on with the real business facing our country.

Mr. FATTAH. Mr. Chairman, I yield myself such time as I may consume to remind us of the hatred that brought about the incident of 2 weeks ago. We heard the statements of Jerry Falwell attacking certain Americans as being "responsible." We need to pull together.

Mr. Chairman, I yield 2 minutes to the gentlewoman from Wisconsin (Ms. BALDWIN).

Ms. BALDWIN. Mr. Chairman, I would associate myself with the comments of some of my colleagues commending the Committee on Appropriations and subcommittee process that resulted in this bill. Nevertheless, I rise in strong opposition to the Weldon amendment.

At a time when 43 million people in our country lack health care coverage, this amendment would maintain barriers for certain citizens of our capital city to obtain health insurance. This amendment would prohibit the implementation of the District's plan to extend health care coverage to domestic partners of city employees with its own local funds.

This amendment stands as the only barrier between affordable health care for countless families of city employees. This amendment could mean the difference between a person having a sensible health care plan or no plan at all. It could mean the difference between wellness and illness for the families of city employees.

I implore my colleagues, do not continue to overrule the democratic proc-

ess that brought this benefit in the first place. The people of this city have spoken, and they have made it clear that health care coverage for domestic partners is wanted and absolutely needed. This amendment is a slap in the face, both to the citizens and the leaders of this city.

I can only imagine the uproar that would occur if this House sought to directly overturn the municipal law of any other city in this Nation. Let the democratic process stand. Let the District leadership do their job. Let the District spend its own money. Vote "no" on the Weldon amendment, and let the District implement a health care benefit plan for domestic partners and their families for city employees.

Mr. KNOLLENBERG. Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. HOSTETTLER).

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

Mr. HOSTETTLER. Mr. Chairman, I rise in strong support of this bill and the Weldon amendment. During this debate, as in years past, we have heard that Congress should not impose its will on the District of Columbia regarding its so-called domestic partnership law.

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We have been told that it is a matter of home rule, and we have been lectured that Federal interference is both unwarranted and unconscionable.

Mr. Chairman, I would remind my colleagues of the oath they took to uphold the United States Constitution. I would remind them that article 1, section 8 of that great document states that "Congress shall have the power to exercise exclusive legislation in all cases whatsoever over the District."

The District of Columbia was established as a unique entity. In order to prevent any one State from exercising undue influence over the Capital city, the Founders wisely created a Federal district that would belong to the whole Nation. As such, the District of Columbia should be a reflection of the values shared by the rest of the Nation.

Mr. Chairman, regardless of which party has been in power, Congress has consistently prohibited both Federal and District of Columbia tax dollars from being spent on the District's domestic partnership law. I urge my colleagues to remember their constitutional obligations and to support this amendment.

Mr. FATTAH. Mr. Chairman, I yield 2½ minutes to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK. Mr. Chairman, the gentleman from Pennsylvania who got off the floor invoked religion as a reason to support the amendment that would prevent the District of Columbia's democratically-elected decision on domestic partnership from going into effect, and I know there are religious views of this sort. We have heard them expressed recently in various ways. Indeed, my guess is one could quote from

the Taliban at great length about how terrible all of this is.

But the question is not what people in their own individual religious views think, but what a self-governing people in the District of Columbia, self-governing thanks to our grant, but it is a grant that I am proud that we made, should be allowed to go forward.

I now want to talk a little bit about the substance. Here is what we are talking about. It used to be illegal in the District of Columbia for two people of the same sex to express their affection physically. That was illegal, physical intimacy. The District of Columbia repealed that, and to its credit, this Congress allowed that repeal to stand. So understand that according to this Congress, only recently, a few years ago, we allowed the physical expression of intimacy.

So the question now is, do we then follow it up by saying to the people, okay, they can live together and can express their love in a physical way, but by God, if they try to show responsibility, if they try to show that financially they are going to be responsible for each other, if they try to couple their emotional and physical sense with some degree of commitment, we are not going to allow it; because what we are talking about here are two people, one of whom works for the District of Columbia and one of whom does not, one of whom has health insurance and one of whom does not.

So do not think Members are banning people's ability to live together. We are beyond that. This Congress has said the District could make that decision. The question is, once the people live together, do they think it makes sense to say that the person who is working and wants to jointly pay for health insurance cannot do it?

What Members are talking about, let us be very clear, there are people whose lives they do not like, and I am one of those, and I regret that, but I must admit I am far beyond losing sleep about what the Taliban or anybody else thinks about the way I live.

But what I assert is my right to live that way equally and freely as an American, and I implore my colleagues, what motivates them to inflict pain on fellow citizens who have done them no wrong? They just want to live. Can they not let them live?

Our government is about to say that, in times of crisis, they can die for their country, because we are going to put a temporary cessation to the "gays in the military" policy. Let people live and let them die freely.

Mr. FATTAH. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts (Mr. OLVER), a member of the subcommittee.

Mr. OLVER. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I want to associate myself with the remarks of my colleague, the gentleman from Massachusetts, who can always be so very eloquent on this issue and on so many others.

Mr. Chairman, I rise in support of the underlying bill, but I do want to state my very strong opposition to the effort expected here shortly on this floor to prevent the people of D.C. from spending their local tax dollars, which is nearly 95 percent of the whole budget that we are talking about, for the city, for the District of Columbia, to spend that money as they see fit: namely, to implement a 1992 District law that provides health plan benefits to unmarried domestic partners of city employees, regardless of gender.

Mr. Chairman, the people of Washington, like all Americans, have had a long 2 weeks. It is appalling to me that we are now considering what can only be described as a slap in the face to the people of D.C. and their elected officials. Washington, D.C. should have the right to grant domestic partner benefits with their own local tax dollars.

This issue is not new. Across this country, at least 113 local jurisdictions over the length and breadth of the country, from large cities like San Diego to small towns, like Bar Harbor in Maine, offer similar benefits and rights for the domestic partners of local residents. It is clearly not unusual and is clearly a matter of home rule, or should be a matter of home rule. What is unusual is the effort to insert the heavy hand of the Federal Government in this local municipal issue.

After the tragic events of September 11, average Americans are feeling a renewed desire to participate and contribute to this great democracy. Let us not ridicule their efforts with gratuitous, mean-spirited riders. I urge Members to vote against that amendment when it comes up.

Mr. KNOLLENBERG. Mr. Chairman, I yield 2½ minutes to the gentleman from Virginia (Mr. TOM DAVIS).

Mr. TOM DAVIS of Virginia. Mr. Chairman, I thank my friend for yielding time to me. I commend him for his leadership as chairman of this subcommittee, and their staff for the excellent work they have done in reviewing the D.C. budget this year and in bringing this bill to the floor in a timely manner.

Mr. Chairman, with the assistance of the Control Board, the Citizen Council, and the mayor, the District of Columbia has made tremendous progress in overcoming the spending and management crisis that drove it to the verge of bankruptcy in 1995.

After four consecutive balanced budgets, Congress restored the mayor's management authority over nine major departments. Now the city is well on its way to a full recovery. This budget not only maintains the momentum of the management stability and reform, it will also allow the city to implement much needed social service reforms.

Legislation recently passed the House that will implement structural and management reforms in the D.C. Family Court so it can better serve the needs of the city's most vulnerable

children. It addresses the recruitment and retention of Family Court judges, mandates longer judicial terms of service in the Family Court, and imposes the critically important one family-one judge requirement on the Family Court.

As an original cosponsor of that legislation, I am pleased that the Subcommittee on the District of Columbia in the Committee on Appropriations, under the leadership of the gentleman from Michigan (Chairman KNOLLENBERG), has ensured that more than \$23 million will be provided for these critical reforms.

The bill also provides \$17 million to maintain the D.C. tuition assistance program. Since its inception, this program has grown in popularity among D.C. students and participating colleges and universities. This funding is imperative to ensure that D.C. students have more educational choices, and have the same opportunities for higher education that those students in the rest of the country have.

The bill provides \$5 million to help the D.C. Child and Family Services Agency promote and facilitate adoptions of D.C. children in the city's foster care system.

Sixteen million dollars is provided for security planning that is vital to the city, particularly in the wake of the September 11 terrorist attacks.

Overall, Mr. Chairman, this is a budget that keeps the Nation's Capitol moving forward and addresses some of its most pressing needs. Once again, I applaud the chairman for his leadership, commend the subcommittee for its bipartisan cooperation. I urge my colleagues to support this legislation.

Mr. KNOLLENBERG. Mr. Chairman, I yield 1 minute to the gentleman from Kansas (Mr. RYUN).

Mr. RYUN of Kansas. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in support of the Weldon amendment against allowing the District of Columbia to endorse the controversial domestic partnership. Without this amendment, the District of Columbia will be able to recognize domestic partnerships, to offer domestic partners benefits to the city employees, and encourage businesses in the District to do the same.

The requirements of domestic partnership are simply mutual caring and sharing of experience. No long-term commitment is required. Congress oversees D.C. law, and American taxpayers provide roughly one-third of its budget. I could not, in good conscience, commit the taxpayers in my district to subsidize benefits for domestic partners. It is our duty to uphold the traditional marriage and to stop this misguided law, as we have for the past 9 years.

Mr. Chairman, I urge my colleagues to support the Weldon amendment.

Mr. FATTAH. Mr. Chairman, I yield myself 2½ minutes.

Mr. Chairman, I would read, in part, a statement from the ranking member

of the full committee. This is from the gentleman from Wisconsin (Mr. OBEY).

"In full committee, Chairman Young and I presented an amendment to redirect \$13 million in Federal funds to help the District prepare and begin to implement a revised emergency operations plan."

It was first thought, and I am paraphrasing, that there was no plan available. It later it became obvious that the District was not prepared. It submitted a plan to the committee, and the ranking member goes on to say, however, that this plan needs serious revision.

He said, "I trust this bill provides adequate resources to do a careful and complete revision of the Emergency Operations Plan, fully coordinated with other entities in the District, like the U.S. Capitol Police, the Federal Office of Personnel Management," and other local governments.

Mr. Chairman, I include for the RECORD the full remarks of the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, Chairman KNOLLENBERG has done a good job with this bill, and I thank him.

He has approved the overall budget for the use of local funds, judiciously used the Federal allocation to fund required services and boost several local initiatives, cut back the number of general provisions, and worked with Mr. FATTAH, the ranking member, to restore a lot of the District's specific spending plans.

In full Committee, Chairman YOUNG and I presented an amendment to redirect \$13 million in Federal funds to help the District prepare and begin to implement a revised Emergency Operations Plan.

In the aftermath of September 11th, it became apparent that many government entities—Federal, state and local—were not prepared for the new reality.

In the District, the Police said there was no plan. The fire department said it had a plan—but it was over thirty years old. The Federal government never told the city it was sending its workers home for the day—the District had to learn that from the press.

So we took this opportunity to help the District make certain that it had an excellent, coordinated Emergency Operations Plan.

The bill withholds about \$8 million in unrelated Federal funds until the plan is done to make the point that this was a very serious matter.

Those other funds are not needed right away; this will not have any immediate impact on the District or its citizens.

Now, it turns out the district does have an emergency operations plan, but it is clear it has some very serious problems.

These problems cannot be addressed by a hasty revision.

I trust this bill provides adequate resources to do a careful and complete revision of the Emergency Operations Plan, fully coordinated with other entities in the District, like the U.S. Capitol Police, the Federal Office of Personnel Management and other local governments.

The District should not rush through the process of developing its Emergency Operations Plan—it owes its citizens and the nation the best product possible.

Mr. FATTAH. Mr. Chairman, a lot has been said in particular about the

Weldon amendment that we expect to hear from. I want to return, however, to compliment the chairman for the full body of work that is represented in the committee's efforts. I would hope that the committee bill will survive the day's attempts to amend it.

Mr. Chairman, I would now say in terms of the expected amendment offered by the gentleman from Florida (Mr. WELDON), I am reminded of the Hippocratic oath: First, do no harm. Obviously, if we were to pass the Weldon amendment, we are preventing an opportunity for citizens in the District to have health insurance. That is not something we should do, especially when they are going to pay for it with their own money.

Absent doing that, these people will have to be paid for through Federal resources in terms of their health care. So that the gentleman who just spoke is worried that he could not, in good conscience, have his citizens provide resources for this, but by supporting the Weldon amendment, we would, in a direct way, require that Federal resources through Medicaid have to be expended for the health care of these citizens who would have paid for, absent the Weldon amendment, health care under their own resources.

Mr. Chairman, we heard the gentleman from Massachusetts (Mr. DELAHUNT) refer to one of the heroes that saved the plane from crashing perhaps into the Capitol, who happened to be a gay person, but nonetheless, and maybe even because of, he felt a need to stand up and to do what was right.

I would hope that this House would do what is right and defeat the Weldon amendment.

Mr. KNOLLENBERG. Mr. Chairman, I yield myself such time as I may consume.

In closing, I would like to thank all Members of Congress who took such an active interest in the District of Columbia appropriations bill this year. The subcommittee received an unprecedented number of requests from Members, which I think shows, as much as anything, how committed they are in this body to our Nation's Capital, and how far this city has come in the last 6 years.

Mr. Chairman, the bill before us is a good, bipartisan bill that reflects the priorities I set when I first became chairman, that being economic development, public safety, and education.

As was mentioned, this fully funds every penny of the city's budget, and it ensures that all Federal obligations are met. I want to reemphasize, as has been attested to here, that we have eliminated more than half of the general provisions that were included in last year's bill and by our manager's amendment that was included in our rule, we have shown our commitment to addressing any remaining concerns with the bill.

I intend certainly to do that with the various participants, including the gentleman from Pennsylvania (Mr.

FATTAH), obviously, and the gentlewoman from the District of Columbia (Ms. NORTON).

My first year as chairman of the Subcommittee on the District of Columbia of the Committee on Appropriations has been a very positive experience for me. I began to meet the leadership of the city, I began to meet the people in the city, and I got an understanding from them as to what was on their minds. Their input has been invaluable to me in crafting this bill.

I might also say that the residents have been very kind to me.

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I look forward now to wrapping up this year's bill as quickly as possible, and I hope our colleagues in the other body will expeditiously consider their version of this legislation so we can get it to the President's desk and the District of Columbia can go about its business.

Mr. NUSSLE. Mr. Chairman I rise in favor of H.R. 2944, which provides appropriations for the District of Columbia. As modified by the rule, this bill is consistent with the budget resolution and complies with the Congressional Budget Act of 1974.

H.R. 2944 provides \$402 million in budget authority and \$409 million in outlays for fiscal year 2002. As reported by the Committee on Appropriations, the bill exceeds the subcommittee on the District of Columbia's 302(b) allocation of new budget authority by \$3 million. Accordingly, the original reported bill violates section 302(f) of the budget, which stipulates that appropriations bills may not exceed the reporting subcommittee's 302(b) allocation.

I understand the overage was caused by an amendment in committee, which permitted revenue collected from the sale of surplus property associated with the Lorton correctional facility in Virginia to be made available for use by the District.

The appropriations committee has, to its credit, requested a self-executing rule that will bring the bill back within its 302(b) allocation. Accordingly, the bill as modified by the rule is consistent with the budget resolution and complies with the Congressional Budget Act.

H.R. 2944 contains no emergency-designated appropriations, advanced appropriations, or rescissions of previously appropriated budget authority.

As reported, the bill provides \$44 million less in new budget authority than the enacted level for fiscal year 2001 but exceeds the President's request for fiscal year 2002 by \$60 million.

I commend my colleagues on the appropriations committee for producing a bill that meets the needs of the District of Columbia within the framework of the budget resolution.

Mr. KNOLLENBERG. Mr. Chairman, I yield back any time remaining.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule, and the amendments printed in part A of House Report 107-217 are adopted.

The amendment printed in part B of the report may be offered only by a Member designated in the report and

only at the appropriate point in the reading of the bill, shall be considered read, debatable for the time specified in the report, equally divided and controlled by a proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 2944

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the District of Columbia for the fiscal year ending September 30, 2002, and for other purposes, namely:

FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

For a Federal payment to the District of Columbia for a nationwide program, to be administered by the Mayor, for District of Columbia resident tuition support, \$17,000,000, to remain available until expended: *Provided*, That such funds may be used on behalf of eligible District of Columbia residents to pay an amount based upon the difference between in-State and out-of-State tuition at public institutions of higher education, usable at both public and private institutions for higher education: *Provided further*, That the awarding of such funds may be prioritized on the basis of a resident's academic merit and such other factors as may be authorized: *Provided further*, That not more than 7 percent of the total amount appropriated for this program may be used for administrative expenses.

FEDERAL PAYMENT FOR INCENTIVES FOR ADOPTION OF CHILDREN

The paragraph under the heading "Federal Payment for Incentives for Adoption of Children" in Public Law 106-113, approved November 29, 1999 (113 Stat. 1501), is amended to read as follows: "For a Federal payment to the District of Columbia to create incentives to promote the adoption of children in the District of Columbia foster care system, \$5,000,000: *Provided*, That such funds shall remain available until September 30, 2003, and shall be used to carry out all of the provisions of title 38 of the Fiscal Year 2001 Budget Support Act of 2000, effective October 19, 2000 (D.C. Law 13-172), as amended, except for section 3808."

FEDERAL PAYMENT TO THE CAPITOL CITY CAREER DEVELOPMENT AND JOB TRAINING PARTNERSHIP

For a Federal Payment to the Capitol City Career Development and Job Training Partnership, \$1,500,000.

FEDERAL PAYMENT TO THE FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT

For a Federal payment to the Fire and Emergency Medical Services Department, \$500,000 for dry-docking of the Fire Boat.

FEDERAL PAYMENT TO THE CHIEF MEDICAL EXAMINER

For a Federal payment to the Chief Medical Examiner, \$585,000 for reduction in the backlog of autopsies, case reports and for the purchase of toxicology and histology equipment.

FEDERAL PAYMENT TO THE YOUTH LIFE FOUNDATION

For a Federal payment to the Youth Life Foundation, \$250,000 for technical assistance, operational expenses, and establishment of a National Training Institute.

FEDERAL PAYMENT TO FOOD AND FRIENDS

For a Federal payment to Food and Friends, \$2,000,000 for their Capital Campaign.

FEDERAL PAYMENT TO THE CITY ADMINISTRATOR

For a Federal payment to the City Administrator, \$300,000 for the Criminal Justice Coordinating Council for the District of Columbia.

FEDERAL PAYMENT TO SOUTHEASTERN UNIVERSITY

For a Federal payment to Southeastern University, \$500,000 for a public/private partnership with the District of Columbia Public Schools at the McKinley Technology High School campus.

FEDERAL PAYMENT FOR VOYAGER UNIVERSAL LITERACY SYSTEM

For a Federal payment to Voyager Expanded Learning, to implement the Voyager Universal Literacy System in the District of Columbia public schools and public charter schools, \$1,000,000: *Provided*, That the payment under this heading is contingent upon a certification by the Inspector General of the District of Columbia that the District of Columbia has deposited matching funds to implement such System into an escrow account held by the Chief Financial Officer of the District of Columbia.

FEDERAL PAYMENT TO THE OFFICE OF THE CHIEF TECHNOLOGY OFFICER

For a Federal payment to the Chief Technology Officer of the District of Columbia to carry out the Local-Federal Mobile Wireless Interoperability Demonstration Project, \$500,000: *Provided*, That the payment under this heading is contingent upon a certification by the Inspector General of the District of Columbia that each entity of the Federal Government which is participating in such Project has deposited matching funds to carry out the Project into an escrow account held by the Chief Financial Officer of the District of Columbia.

FEDERAL PAYMENT FOR EMERGENCY PLANNING

For a Federal payment to the District of Columbia for emergency planning, \$16,058,000: *Provided*, That \$4,623,000 of such amount shall be made available immediately for development of an emergency operations plan for the District of Columbia, to be submitted to the appropriate Federal agencies as soon as practicable: *Provided further*, That upon submission of such plan, \$8,029,000 of such amount shall be made available to begin implementation of the plan: *Provided further*, That \$3,406,000 of such amount shall be made available immediately for reimbursement of planning and related expenses incurred by the District of Columbia in anticipation of providing security for the planned meetings in September 2001 of the World Bank and the International Monetary Fund in the District of Columbia: *Provided further*, That one-half of the amounts under the headings "Federal Payment for Resident Tuition Support", "Federal Payment to the Fire and Emergency Medical Services Department", "Federal Payment to the Chief Medical Examiner", and "Federal Payment to the City Administrator", shall not be made available until the emergency operations plan has been submitted to the appropriate Federal agencies in accordance with the preceding proviso: *Provided further*, That the Chief Financial Officer of the District of

Columbia shall provide quarterly reports to the Committees on Appropriations on the use of the funds under this heading, beginning not later than January 2, 2002.

FEDERAL PAYMENT TO THE CHIEF FINANCIAL OFFICER OF THE DISTRICT OF COLUMBIA

For a Federal payment to the Chief Financial Officer of the District of Columbia, \$2,350,000, of which \$1,000,000 shall be for payment to the Excel Institute Adult Education Program to be used by the Institute for construction and to acquire construction services provided by the General Services Administration on a reimbursable basis; \$300,000 shall be for payment to the Woodlawn Cemetery for restoration of the Cemetery; \$250,000 shall be for payment to the Real World Schools concerning 21st Century reform models for secondary education and the use of technology to support learning in the District of Columbia; \$300,000 shall be for payment to a mentoring program and for hotline services; \$250,000 shall be for payment to a youth development program with a character building curriculum; and \$250,000 shall be for payment to a basic values training program.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA CORRECTIONS TRUSTEE OPERATIONS

For salaries and expenses of the District of Columbia Corrections Trustee, \$32,700,000 for the administration and operation of correctional facilities and for the administrative operating costs of the Office of the Corrections Trustee, as authorized by section 11202 of the National Capital Revitalization and Self-Government Improvement Act of 1997 (Public Law 105-33; 111 Stat. 712) of which \$1,000,000 is to fund an initiative to improve case processing in the District of Columbia criminal justice system, \$2,500,000 to remain available until September 30, 2003, for building renovations required to accommodate functions transferred from the Lorton Correctional Complex, and \$2,000,000 to remain available until September 30, 2003, to be transferred to the appropriate agency for the closing of the sewage treatment plant and the removal of underground storage tanks at the Lorton Correctional Complex: *Provided*, That notwithstanding any other provision of law, funds appropriated in this Act for the District of Columbia Corrections Trustee shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

For salaries and expenses for the District of Columbia Courts, \$111,238,000, to be allocated as follows: for the District of Columbia Court of Appeals, \$8,003,000, of which not to exceed \$1,500 is for official reception and representation expenses; for the District of Columbia Superior Court, \$66,091,000, of which not to exceed \$1,500 is for official reception and representation expenses; for the District of Columbia Court System, \$31,149,000, of which not to exceed \$1,500 is for official reception and representation expenses; and \$5,995,000 to remain available until September 30, 2003, for capital improvements for District of Columbia courthouse facilities: *Provided*, That none of the funds in this Act or in any other Act shall be available for the purchase, installation or operation of an Integrated Justice Information System until a detailed plan and design has been submitted by the courts and approved by the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That notwithstanding any other provision of law, all amounts under this heading shall be

apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration (GSA), said services to include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the Senate and House of Representatives, the Committee on Governmental Affairs of the Senate, and the Committee on Government Reform of the House of Representatives.

FEDERAL PAYMENT FOR FAMILY COURT ACT

For carrying out the District of Columbia Family Court Act of 2001, \$23,316,000, of which \$18,316,000 shall be for the Superior Court of the District of Columbia and \$5,000,000 shall be for the Mayor of the District of Columbia: *Provided*, That the chief judge of the Superior Court shall submit the transition plan for the Family Court of the Superior Court required under section 2(b)(1) of the District of Columbia Family Court Act of 2001 to the Comptroller General (in addition to any other requirements under such section): *Provided further*, That the Comptroller General shall prepare and submit to the President and Congress an analysis of the contents and effectiveness of the plan, including an analysis of whether the plan contains all of the information required under such section: *Provided further*, That the funds provided under this heading to the Superior Court shall not be made available until the expiration of the 30-day period (excluding Saturdays, Sundays, legal public holidays, and any day on which neither House of Congress is in session because of an adjournment sine die, a recess of more than three days, or an adjournment of more than three days) which begins on the date the Comptroller General submits such analysis to the President and Congress: *Provided further*, That the Mayor shall prepare and submit to the President, Congress, and the Comptroller General a plan for the use of the funds provided to the Mayor under this heading, consistent with the requirements of the District of Columbia Family Court Act of 2001, including the requirement to integrate the computer systems of the District government with the computer systems of the Superior Court: *Provided further*, That the Comptroller General shall prepare and submit to the President and Congress an analysis of the contents and effectiveness of the plan: *Provided further*, That the funds provided under this heading to the Mayor shall not be made available until the expiration of the 30-day period (excluding Saturdays, Sundays, legal public holidays, and any day on which neither House of Congress is in session because of an adjournment sine die, a recess of more than three days, or an adjournment of more than three days) which begins on the date the Comptroller General submits such plan to the President and Congress.

DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

For payments authorized under section 11-2604 and section 11-2605, D.C. Official Code (relating to representation provided under the District of Columbia Criminal Justice Act), payments for counsel appointed in proceedings in the Family Division of the Superior Court of the District of Columbia under chapter 23 of title 16, D.C. Official Code, and payments for counsel authorized under section 21-2060, D.C. Official Code (relating to representation provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986), \$34,311,000, to remain available until

expended: *Provided*, That the funds provided in this Act under the heading "Federal Payment to the District of Columbia Courts" (other than the \$5,995,000 provided under such heading for capital improvements for District of Columbia courthouse facilities) may also be used for payments under this heading: *Provided further*, That, in addition to the funds provided under this heading, the Joint Committee on Judicial Administration in the District of Columbia shall use funds provided in this Act under the heading "Federal Payment to the District of Columbia Courts" (other than the \$5,995,000 provided under such heading for capital improvements for District of Columbia courthouse facilities), to make payments described under this heading for obligations incurred during any fiscal year: *Provided further*, That such funds shall be administered by the Joint Committee on Judicial Administration in the District of Columbia: *Provided further*, That notwithstanding any other provision of law, this appropriation shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration (GSA), said services to include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the Senate and House of Representatives, the Committee on Governmental Affairs of the Senate, and the Committee on Government Reform of the House of Representatives.

FEDERAL PAYMENT TO THE COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA

(INCLUDING TRANSFER OF FUNDS)

For salaries and expenses, including the transfer and hire of motor vehicles, of the Court Services and Offender Supervision Agency for the District of Columbia, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997 (Public Law 105-33; 111 Stat. 712), \$147,300,000, of which \$13,015,000 shall remain available until expended for construction project; not to exceed \$1,500 is for official receptions related to offender and defendant support programs; \$94,112,000 shall be for necessary expenses of Community Supervision and Sex Offender Registration, to include expenses relating to supervision of adults subject to protection orders or provision of services for or related to such persons; \$20,829,000 shall be transferred to the Public Defender Service; and \$32,359,000 shall be available to the Pretrial Services Agency: *Provided*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: *Provided further*, That notwithstanding chapter 12 of title 40, United States Code, the Director may acquire by purchase, lease, condemnation, or donation, and renovate as necessary, Building Number 17, 1900 Massachusetts Avenue, Southeast Washington, District of Columbia, to house or supervise offenders and defendants, with funds made available by this Act: *Provided further*, That the Director is authorized to accept and use gifts in the form of in-kind contributions of space and hospitality to support offender and defendant programs, and equipment and vocational training services to educate and train offenders and defendants: *Provided further*, That the Director shall keep accurate and detailed records of the acceptance and use of any gift or donation under

the previous proviso, and shall make such records available for audit and public inspection.

CHILDREN'S NATIONAL MEDICAL CENTER

For a Federal contribution to the Children's National Medical Center in the District of Columbia, \$5,500,000, of which \$500,000 shall be used for the network of satellite pediatric health clinics for children and families in underserved neighborhoods and communities in the District of Columbia and \$5,000,000 shall be used to modernize the Children's National Medical Center and update its medical equipment.

ST. COLETTA OF GREATER WASHINGTON

EXPANSION PROJECT

For a Federal contribution to St. Coletta of Greater Washington, Inc. for costs associated with the establishment of a day program and comprehensive case management services for mentally retarded and multiple-handicapped adolescents and adults in the District of Columbia, including property acquisition and construction, \$1,000,000.

FEDERAL PAYMENT TO FAITH AND POLITICS

INSTITUTE

For a Federal payment to the Faith and Politics Institute, \$50,000, for grass roots-based racial sensitivity programs in the District of Columbia.

FEDERAL PAYMENT FOR BROWNFIELD

REMEDIATION

Notwithstanding any other provision of law, the funds made available in the District of Columbia Appropriations Act, 2001 (Public Law 106-522; 114 Stat. 2445), for Brownfield Remediation shall be available until expended.

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 and section 119 of this 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 \$6,043,881,000 (of which \$124,163,000 shall be from intra-District funds and \$3,571,343,000 shall be from local funds): *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, \$285,359,000 (including \$229,271,000 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 the District of Columbia shall identify the sources of funding for Admission to Statehood from its own locally-generated revenues: *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 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.

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(1)(2)): *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 fees established and collected pursuant to D.C. Law 13-281 shall be identified, and an accounting provided, to the District of Columbia Council's Committee on Consumer and Regulatory Affairs.

PUBLIC SAFETY AND JUSTICE

Public safety and justice, \$633,853,000 (including \$594,803,000 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 notwithstanding any other 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: *Provided further*, That the Mayor shall reimburse the District of Columbia National Guard for expenses incurred in connection with services that are performed in emergencies by the National Guard in a militia status and are requested by the Mayor, in amounts that shall be jointly determined and certified as due and payable for these services by the Mayor and the Commanding General of the District of Columbia National Guard: *Provided further*, That such sums as may be necessary for reimbursement to the District of Columbia National Guard under the preceding proviso shall be available from this appropriation, and the availability of the sums shall be deemed as constituting payment in advance for emergency services involved: *Provided further*, That not 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.

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 of which \$17,000,000 is from a Federal payment previously appropriated in this Act for resident tuition support at public and private institutions of higher learning for eligible District of Columbia residents, \$26,917,000 from Federal funds, and \$542,000 from other funds), for the State Education Office, 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 within 15 days of 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 school 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: *Provided further*, That \$750,000 shall be available for Enhancing and Actualizing Internationalism and Multiculturalism in the Academic Programs of the University of the District of Columbia: \$1,000,000 shall be paid to the Excel Institute Adult Education Program by the Chief Financial Officer quarterly on the first day of each quarter, and not less than \$200,000 for the Adult Education 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 \$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. Offi-

cial 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 notwithstanding any other provision of law, rule, or regulation, the evaluation process and instruments for evaluating District of Columbia Public School employees shall be a non-negotiable item for collective bargaining purposes: *Provided further*, That the District of Columbia Public Schools shall spend \$1,200,000 to implement the 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.

HUMAN SUPPORT SERVICES

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 \$90,000,000 transferred pursuant to the District of Columbia Appropriations Act, 2001 (Public Law 106-522; 114 Stat. 2452), 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 for obligation during fiscal year 2002: *Provided further*, That the District of Columbia shall not provide free government services such as water, sewer, solid waste disposal or collection, utilities, maintenance, repairs, or similar services to any legally constituted private nonprofit organization, as defined in

section 411(5) of the Stewart B. McKinney Homeless Assistance Act (101 Stat. 485; Public Law 100-77; 42 U.S.C. 11371), providing emergency shelter services in the District, if the District would not be qualified to receive reimbursement pursuant to such Act (101 Stat. 485; Public Law 100-77; 42 U.S.C. 11301 et seq.); *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 \$11,000,000 of this appropriation shall be available for transfer to the Highway Trust Fund's Local Roads, Construction and Maintenance Fund upon certification by the Chief Financial Officer that funds are available from the fiscal year 2001 budgeted reserve or where the Chief Financial Officer certifies that additional local revenues are available; *Provided further*, That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels and places of business.

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, \$150,000,000 from local funds; *Provided*, That none of these funds shall be obligated or expended under this heading until the emergency reserve fund established under Sec. 450A(a) of the District of Columbia Home Rule Act (Public Law 93-198 as amended; 114 Stat. 2478; D.C. Official Code, Sec. 1-204.50a(a)) has been fully funded for fiscal year 2002.

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 au-

thorized by sections 462, 475, and 490 of the District of Columbia Home Rule Act (Public Law 93-198 as amended; 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 is allocated for the Fire and Emergency Medical Services Department, \$2,010,000 for the Department of Parks and Recreation, and \$7,850,000 for the Department of Public Works.

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.

EMERGENCY PLANNING

For an emergency operations plan, implementation of the emergency operations plan, and reimbursement of planning and related expenses incurred by the District of Columbia in anticipation of the planned World Bank and International Monetary Fund September 2001 meetings, \$16,058,000, from funds previously appropriated in this Act as a Federal payment; *Provided*, That this appropriation shall be apportioned by the Chief Financial Officer within the various appropriation heading in this Act.

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)(2) et seq.) and the Tobacco Settlement Financing Act of 2000 (D.C. Official Code, sec. 7-1831.03), 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, as amended; 114 Stat. 2478; 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, of which \$44,244,000 shall be apportioned for repayment of loans and interest incurred for capital improvement projects (\$17,952,936 payable to the District's debt service fund and \$26,291,064 payable for other debt service). 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, and \$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; *Provided further*, That section 106(b)(2) of the District of Columbia Public Works Act of 1954 (sec. 34-2401.25(b)(2), D.C. Official Code) is amended by inserting after "the Office of Management and Budget," the following: "the Secretary of the Treasury, and the head of each of the respective Federal departments, independent establishments, and agencies,"; *Provided further*, That section 212(b)(2) of the District of Columbia Public Works Act of 1954 (sec. 34-2112(b)(2), D.C. Official Code) is amended by inserting after "the Office of Management and Budget," the following: "the Secretary of the Treasury, and the head of each of the respective Federal departments, independent establishments, and agencies,".

WASHINGTON AQUEDUCT

For operation of the Washington Aqueduct, \$46,510,000 from other funds.

STORMWATER PERMIT COMPLIANCE

ENTERPRISE FUND

For operation of the Stormwater Permit Compliance Enterprise Fund, \$3,100,000 from other funds.

LOTTERY AND CHARITABLE GAMES ENTERPRISE FUND

For the Lottery and Charitable Games Enterprise Fund, established by the District of Columbia Appropriation Act, 1982 (95 Stat. 1174, 1175; Public Law 97-91), 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 (including \$2,177,000 to be derived by transfer from the general fund of the District of Columbia and \$6,950,000 from other funds); *Provided*, That the transfer of \$2,177,000 from the general fund shall not be made unless the District of Columbia general fund has received \$2,177,000 from the D.C. Sports and Entertainment Commission prior to September 20, 2001; *Provided further*, 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 (87 Stat. 824; Public Law 93-198; D.C. Official Code, sec. 1-204.42(b)).

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 to the Congress and to the Council of

the District of Columbia a quarterly report of the allocations of charges by fund and of expenditures of all funds: *Provided further*, 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 \$1,550,787,000 of which \$1,348,783,000 shall be from local funds, \$44,431,000 from Highway Trust funds, and \$157,573,000 from Federal funds, and a rescission of \$476,182,000 from local funds appropriated under this heading in prior fiscal years, for a net amount of \$1,074,605,000 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 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 (82 Stat. 827; Public Law 90-495), 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 obligated 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.

GENERAL PROVISIONS

SEC. 101. Whenever in this Act, an amount is specified within an appropriation for particular purposes or objects of expenditure, such amount, unless otherwise specified, shall be considered as the maximum amount that may be expended for said purpose or object rather than an amount set apart exclusively therefor.

Mr. KNOLLENBERG (during the reading). Mr. Chairman, I ask unanimous consent that the bill through page 34, line 24, be considered as read, printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

Mr. FATTAH. Mr. Chairman, reserving the right to object, I just want to clarify that the gentleman from Florida (Mr. HASTINGS) would have an opportunity to offer his amendment. Obviously I think that there may be a point of order or something raised at that point, but that his opportunity not to offer be void by this unanimous consent.

Mr. KNOLLENBERG. Mr. Chairman, will the gentleman yield?

Mr. FATTAH. Further reserving the right to object, I yield to the gentleman from Michigan.

Mr. KNOLLENBERG. Mr. Chairman, I will continue to reserve the point of order, but I would be glad to yield to the gentleman from Florida (Mr. HASTINGS).

Mr. HASTINGS of Florida. Mr. Chairman, will the gentleman yield?

Mr. FATTAH. Further reserving the right to object, I yield to the gentleman from Florida.

Mr. HASTINGS of Florida. Mr. Chairman, I thank the gentleman for yielding.

The amendment that I would offer, I talked with the chairman and ranking member about the fact that I will withdraw it. I apologize for the delay. I was trying to get an additional copy for the Reading Clerk.

I rise to have this considered to provide the District of Columbia's Metropolitan Police and Fire Department with an additional \$5 million for the purpose of emergency preparation. In the wake of the terrorist attacks of September 11, it is clear that our country needs to do more to prepare for such attacks.

Let me make it very clear, the chairman and ranking member of this committee, as well as the chairman of the Committee on Appropriations, have already addressed this particular subject.

Mr. KNOLLENBERG. Mr. Chairman, will the gentleman from Pennsylvania (Mr. FATTAH) yield.

Mr. FATTAH. Mr. Chairman, I yield to the gentleman from Michigan.

Mr. KNOLLENBERG. Mr. Chairman, it would be appropriate, I think, for the amendment to be read so that the gentleman from Florida (Mr. HASTINGS) can, in fact, present it.

The CHAIRMAN. The gentleman has that opportunity, but under his reservation, the gentleman from Pennsylvania (Mr. FATTAH) is yielding to the gentleman from Florida (Mr. HASTINGS) for a discussion under his reservation.

Mr. FATTAH. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Are there any amendments to this portion of the bill?

AMENDMENT OFFERED BY MR. HASTINGS OF FLORIDA

Mr. HASTINGS of Florida. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HASTINGS of Florida:

In the item relating to "FEDERAL FUNDS—FEDERAL PAYMENT FOR SECURITY PLANNING"—

(1) strike "\$16,058,000" and insert "\$21,058,000"; and

(2) strike "\$8,029,000" and all that follows through "security plan:" and insert the following: "\$13,058,000 of such amount shall be made available to begin implementation of the security plan, of which \$5,000,000 shall be

made available for the Metropolitan Police Department and the Fire Department of the District of Columbia."

Mr. KNOLLENBERG. Mr. Chairman, I reserve a point of order.

Mr. HASTINGS of Florida. Mr. Chairman, I would hurry through this in the interest of time.

I was saying that I wanted to thank the chairman of the subcommittee and the ranking member, as well as the chairman and ranking member of the full committee. I know that they have observed the necessity by virtue of the fact that there are funds that are here, but I also know that in the District of Columbia there are significant problems that have not been addressed with reference, as we did at the Committee on Rules last night, I pointed this out, that they in some respects have inadequate resources in the fire and police department.

As our Nation's capital, the District of Columbia is an obvious target. However, as we saw 2 weeks ago, it is in many respects unprepared for such attacks. I applaud, as I have, and commend the efforts and actions of the District's law enforcement agencies and officials. I am equally concerned about the inadequacy of resources available to the District's police and fire departments, however.

No plan was in place on September 11 that dictated how the D.C. police and fire department would deal with a plane attack anywhere in the District, and I am unaware of any plan currently in place that deals with chemical or biological attacks or any other domestic disaster that may occur in the future. This is unacceptable.

In a day and age that warfare is unconventional and casualties will most likely occur within our homeland, our country needs to be prepared. Cities, States and the Federal Government, all need to do their part in developing emergency plans on how to deal with such disasters.

Congress needs to do its part today, and that is why I had offered the amendment which at this time I do thank the chairman and the ranking member for giving me the opportunity and the great hopes that if a supplemental comes along that we will contemplate the fact that we, this capital, are in the District of Columbia and that they need resources in order to be prepared for any future attacks that we may suffer.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

The CHAIRMAN. Are there any other amendments to that portion of the bill under consideration?

If not, the Clerk will read.

The Clerk read as follows:

SEC. 102. Appropriations in this Act shall be available for expenses of travel and for the payment of dues of organizations concerned with the work of the District of Columbia government, when authorized by the

Mayor: *Provided*, That in the case of the Council of the District of Columbia, funds may be expended with the authorization of the chair of the Council.

AMENDMENT NO. 3 OFFERED BY MS. NORTON

Ms. NORTON. Mr. Chairman, I offer amendment No. 3.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Ms. NORTON:
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.

Mr. KNOLLENBERG. Mr. Chairman, I reserve a point of order on the amendment.

Ms. NORTON. Mr. Chairman, my amendment would strike all general provisions in this bill. There are 27 in all. They include so-called social riders, and they include redundant and duplicative provisions.

I recognize that the chairman has removed half of those provisions. He will be the chairman next year. If this amendment does not prevail, we can perhaps work together next year to at least rid this bill of those redundant and duplicative riders.

Mr. Chairman, the Hill newspaper has an important headline this week: Congress United For Now. And the first paragraph reads: "After a week of extraordinary bipartisanship, inspired by the terrorist attacks on New York and Washington, Members are questioning how long their unprecedented unity will last."

I rise to ask that the appropriation for the District of Columbia not be the one that breaks this unity. We have heard of at least two riders that would break this unity. I ask that the Members hold back on breaking the unity that the Committee on Appropriations tried to preserve and that is in danger here.

These general provisions that I would have struck are a fancy word for attachments, legislating on an appropriation undemocratically, against the will of the people of the District of Columbia. Most of them are so-called social riders, the riders that chairman of the subcommittee, the gentleman from Michigan (Mr. KNOLLENBERG) and chairman of the full committee, the gentleman from Florida (Mr. YOUNG), meant when they said let those riders go this time; that the ranking members, the gentleman from Wisconsin (Mr. OBEY) and the gentleman from Pennsylvania (Mr. FATTAH) meant when they said it is inappropriate to put such riders, attachments, to a bill of local jurisdiction.

These riders are duplicated in every jurisdiction of the United States. They are laws there, they are laws here. They are almost always controversial. That is the difference between L.A. and New York, yes and the District of Columbia on the one hand and small rural areas on the other. My colleagues, this is a Federal Republic. We are one Nation. And the only reason we have been

able to hold together as one Nation is we have respected diversity and difference between jurisdictions and local law according to the democratic will.

It is here that we get a national consensus, not in local jurisdictions. We say to local jurisdictions, democracy means you can go your own way, we are not to intervene. That is your right as Americans. Do I have to remind this body that the 600,000 people I represent are Americans every bit as much as they, and they should demand exactly the rights that they would demand?

And yet there will be abortion services denied to poor women if the riders remain, even though almost half the States allow their local jurisdictions to pay for abortions for poor women. And in any case, what my colleagues have done is to create a fund in the District of Columbia so that private funds may be used to pay for abortions for poor women, and they are regularly used. So we have not reduced abortion in that way, but may I inform this body that, on our own, we have reduced abortion. The District of Columbia is one of only three jurisdictions in the country that is being awarded extra Federal funds for reducing teen pregnancy without abortion.

We are getting \$25 million that almost none of the rest of my colleagues are getting because we, on our own, have reduced teen pregnancy without sending those teens to abortion clinics. We do not want those teens to go to abortion clinics. We want them to abstain. We want them to use birth control. And it is working. We, indeed, had the largest decline in teen pregnancy without the use of abortion.

And let me compare what we have done in the District as my colleagues try to bar our youth from abortion with what other States have done. Forty-eight States saw increases in their unwed birth rates that make almost all of my colleagues ineligible for the bonus that the District of Columbia will get. Virginia, right next door, had their unwed birthrate climb by 2.3 percent, making Virginia number 18 in the country; and Maryland's rate climbed 3.3 percent, making them number 33 in the country.

Mr. Chairman, I believe that in the name of democracy and the people I represent, I had to put this matter before the body.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

□ 1230

The CHAIRMAN. Is there objection to the request of the gentlewoman from the District of Columbia?

There was no objection.

Mr. GEORGE MILLER of California. Mr. Chairman, I move to strike the last word.

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Chairman, I want to commend the committee, in particular the gen-

tleman from Michigan (Mr. KNOLLENBERG), the gentleman from Pennsylvania (Mr. FATTAH), and the gentleman from Wisconsin (Mr. OBEY) for deleting from this legislation a very unjust restriction on the limit of legal rights of parents of special-needs children.

Mr. Chairman, I want to commend the Committee, and particularly the gentlemen from Michigan (Mr. KNOLLENBERG), from Pennsylvania (Mr. FATTAH) and Wisconsin (Mr. OBEY) for deleting from this legislation very unjust restrictions that limit the legal rights of parents of special needs children.

The DC appropriations law over the past several years has placed a very restricted ceiling on the legal awards to parents who successfully litigate to win special education benefits for their children. As the author of those due process provisions in the 1975 Education of All Handicapped Children Act (P.L. 94-142), now known as IDEA, and the senior Democratic Member of the authorizing Committee, I greatly appreciate the Appropriations Committee's decision to delete this punitive and discriminatory provision.

The Congress included attorney fees in the 1975 law specifically because we anticipated that some states would be reluctant to provide children with the special education service the Supreme Court and the Congress declared they have a right to receive. Particularly in the case of low income parents who might be unable to otherwise secure legal representation to challenge Board of Education decisions to refuse to provide special education services, the possibility of receiving reasonable attorney fees is all that gives these parents a hope of securing a lawyer to win educational services for their children.

It is disgraceful that the Congress chose to deprive only the poorer parents of special needs children in the District of Columbia of these rights. The only entity in the continental United States that lacks voting rights. The only entity with a majority minority population. Yes, some fees awarded to some lawyers were excessive; that is why the law allows for reasonable fees. And high fees occurred in states other than the District of Columbia; but interestingly, no one suggested that their constituents be denied access to attorneys to secure special education services. We just decided to impose that restriction on parents—and generally, poor and minority parents—in D.C.

These legal fees can run \$40,000 or more in Maryland and Virginia. yet the Congress has limited D.C. parents to a fraction of that amount. In effect, that means D.C. parents cannot find lawyers to represent them in cases against a Board of Education that has run a dreadful special education program for many years. The law granted parents the remedy of attorney fees specifically so that could pressure recalcitrant education officials to providing the services that special needs children require. Instead, the Congress has insulated the D.C. Board of Education at the expense of students who need special ED services.

The D.C. City Council and the Mayor have rightly opposed such a cap and I am delighted that this legislation before us today treats D.C. like every other jurisdiction in the country. It comes as no surprise that some in the education bureaucracy favor retaining a cap; they are the ones being sued. We should not be swayed by the cynical argument that money allocated to lawyers could otherwise go towards educating special needs children. If the

D.C. schools were educating these children, there would be no need for suits, and the suits would not be successful and thereby generating attorney fees.

If anyone has been misusing the attorney fees section of IDEA, that is a subject to be addressed in the reauthorization of the IDEA law, and it would be raised with respect to all jurisdictions that fall under the law, not just the residents of the District of Columbia who happen to have no vote here in the Congress. I will wait to see who appear before our Committee to recommend that residents of their district or state be denied access to attorneys to protect their child's right to special education services.

In the meantime, I congratulate the Committee for treating D.C. fairly and for allowing parents of special needs children in this city the same rights that all other parents in this country have to seek appropriate education services for their children.

Mr. STEARNS. Mr. Chairman, I move to strike the last word.

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

Mr. STEARNS. Mr. Chairman, I have come here to speak in the debate portion on behalf of the Weldon amendment that is going to be voted on soon. I think the point that the gentleman from Florida (Mr. WELDON) is making when he offers this, is that if we have in place the words that allow them to use private funds within the D.C. appropriations but not Federal funds, I am not sure that money, being fungible, won't turn out to be Federal funds also. Federal and private funds will be mixed.

I do not think we can be sure that by not adopting the Weldon amendment that we will have in place a bill that, up until the last 9 years, has essentially not allowed domestic partnerships. So I think by not adopting the Weldon amendment we are changing historically what the House has agreed to overwhelmingly in the past.

In fact, we have had several recent votes on this and I think just to remind Members, on June 30, 1993, 8 years ago, 251 to 177, rollcall No. 313, the Istook amendment for the full funding ban was passed. Then on November 1, 1995, it was 249 to 172, rollcall No. 759, the Hostettler amendment when the ban was sustained. So the House has spoken on this.

I hope the Weldon amendment will be adopted again. When the Members come to the House floor to vote on the Weldon amendment, I want them to realize that if they do not adopt it, then Federal and private money is fungible and that Federal and private will be mixed. That is the real issue. I do not think we have to go into what the will of the House has been year after year on this matter.

The gentleman from Texas (Mr. DELAY) in 1992 when we were in the minority, when the Democrats controlled Congress, offered an amendment to recommit the D.C. appropriation bill and force them to put the funding ban on D.C. domestic partners. This goes back

to 1992. The motion of the gentleman passed 235 to 173. That was rollcall No. 420. The ban was ultimately signed into law.

So my colleagues, if Members come on the floor and vote against the Weldon amendment, they are voting against the tradition and history of this House that has overwhelmingly supported time and time again, going back to 1992, what the gentleman from Florida (Mr. WELDON) is doing today. So I think the argument is clear. I support the Weldon amendment.

Mr. KNOLLENBERG. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 43, line 15 be considered as read, printed in the RECORD and open to any amendment at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The text of the bill from page 35 line 8 through page 43 line 15 is as follows:

SEC. 103. There are appropriated from the applicable funds of the District of Columbia 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: *Provided*, 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 (70 Stat. 78; Public Law 84-460; D.C. Official Code, sec. 47-1812.11(c)(3)).

SEC. 104. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 105. No funds appropriated in this Act for the District of Columbia government for the operation of educational institutions, the compensation of personnel, or for other educational purposes may be used to permit, encourage, facilitate, or further partisan political activities. Nothing herein is intended to prohibit the availability of school buildings for the use of any community or partisan political group during non-school hours.

SEC. 106. None of the funds appropriated in this Act shall be made available to pay the salary of any employee of the District of Columbia government whose name, title, grade, salary, past work experience, and salary history are not available for inspection by the House and Senate Committees on Appropriations, the House Committee on Government Reform, the Senate Committee on Governmental Affairs, and the Council of the District of Columbia, or their duly authorized representative.

SEC. 107. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making payments authorized by the District of Columbia Revenue Recovery Act of 1977 (D.C. Law 2-20; D.C. Code, sec. 47-422 et seq.).

SEC. 108. No part of this appropriation shall be used for publicity or propaganda purposes or implementation of any policy including boycott designed to support or defeat legislation pending before Congress or any State legislature.

SEC. 109. At the start of the fiscal year, the Mayor shall develop an annual plan, by quarter and by project, for capital outlay borrowings: *Provided*, That within a reasonable time after the close of each quarter, the Mayor shall report to the Council of the District of Columbia and the Congress the ac-

tual borrowings and spending progress compared with projections.

SEC. 110. (a) None of the funds provided under this Act to the agencies funded by this Act, both Federal and District government agencies, that remain available for obligation or expenditure in fiscal year 2002, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for an agency through a reprogramming of funds which: (1) creates new programs; (2) eliminates a program, project, or responsibility center; (3) establishes or changes allocations specifically denied, limited or increased by Congress in this Act; (4) increases funds or personnel by any means for any program, project, or responsibility center for which funds have been denied or restricted; (5) reestablishes through reprogramming any program or project previously deferred through reprogramming; (6) augments existing programs, projects, or responsibility centers through a reprogramming of funds in excess of \$1,000,000 or 10 percent, whichever is less; or (7) increases by 20 percent or more personnel assigned to a specific program, project or responsibility center; unless the Committees on Appropriations of both the Senate and House of Representatives are notified in writing 30 days in advance of any reprogramming as set forth in this section.

(b) None of the local funds contained in this Act may be available for obligation or expenditure for an agency through a reprogramming of funds which transfers any local funds from one appropriation to another unless the Committees on Appropriations of the Senate and House of Representatives are notified in writing 30 days in advance of the transfer, except that in no event may the amount of any funds transferred exceed two percent of the local funds in the appropriation.

SEC. 111. Consistent with the provisions of 31 U.S.C. 1301(a), appropriations under this Act shall be applied only to the objects for which the appropriations were made except as otherwise provided by law.

SEC. 112. (a) Notwithstanding any other provisions of law, the provisions of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 (D.C. Law 2-139; D.C. Official Code, sec. 1-601.01 et seq.), enacted pursuant to section 422(3) of the District of Columbia Home Rule Act (87 Stat. 790; Public Law 93-198; D.C. Official Code, sec. 1-204.22(3)), shall apply with respect to the compensation of District of Columbia employees: *Provided*, That for pay purposes, employees of the District of Columbia government shall not be subject to the provisions of title 5, United States Code.

(b)(1) CERTIFICATION OF NEED BY CHIEF TECHNOLOGY OFFICER.—Section 2706(b) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, as added by section 2 of the District Government Personnel Exchange Agreement Amendment Act of 2000 (D.C. Law 13-296), is amended by inserting after "Director of Personnel" each place it appears the following: "(or the Chief Technology Officer, in the case of the Office of the Chief Technology Officer)".

(2) INCLUSION OF OVERHEAD COSTS IN AGREEMENTS.—Section 2706(c)(3) of such Act is amended by striking the period at the end and inserting the following: ", except that in the case of the Office of the Chief Technology Officer, general and administrative costs shall include reasonable overhead costs and shall be calculated by the Chief Technology Officer (as determined under such criteria as the Chief Technology Officer independently deems appropriate, including a

consideration of standards used to calculate general, administrative, and overhead costs for off-site employees found in Federal law and regulation and in general private industry practice).”

(3) REPORTING REQUIREMENT.—Section 2706 of such Act is amended—

(A) by redesignating subsection (f) as subsection (g); and

(B) by inserting after subsection (e) the following new subsection:

“(f) Not later than 45 days after the end of each fiscal year (beginning with fiscal year 2002), the Chief Technology Officer shall prepare and submit to the Council and to the Committees on Appropriations of the House of Representatives and Senate a report describing all agreements entered into by the Chief Technology Officer under this section which are in effect during the fiscal year.”

(c) NO LIMIT ON FTEs.—Notwithstanding any other provision of law, no limit may be placed on the number of full-time equivalent employees of the Office of the Chief Technology Officer of the District of Columbia for any fiscal year.

(d) Section 424(b)(3) of the District of Columbia Home Rule Act (sec. 1-204.24b(c), D.C. Official Code) is amended by striking “level IV” and inserting “level I”.

(e) EFFECTIVE DATE.—The amendment made by subsection (d) shall apply with respect to pay periods in fiscal year 2002 and each succeeding fiscal year.

SEC. 113. No sole source contract with the District of Columbia government or any agency thereof may be renewed or extended without opening that contract to the competitive bidding process as set forth in section 303 of the District of Columbia Procurement Practices Act of 1985 (D.C. Law 6-85; D.C. Official Code, sec. 2-303.03), except that the District of Columbia government or any agency thereof may renew or extend sole source contracts for which competition is not feasible or practical: *Provided*, That the determination as to whether to invoke the competitive bidding process has been made in accordance with duly promulgated rules and procedures.

SEC. 114. In the event a sequestration order is issued pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 (99 Stat. 1037; Public Law 99-177), after the amounts appropriated to the District of Columbia for the fiscal year involved have been paid to the District of Columbia, the Mayor of the District of Columbia shall pay to the Secretary of the Treasury, within 15 days after receipt of a request therefor from the Secretary of the Treasury, such amounts as are sequestered by the order: *Provided*, That the sequestration percentage specified in the order shall be applied proportionately to each of the Federal appropriation accounts in this Act that are not specifically exempted from sequestration by such Act.

ACCEPTANCE AND USE OF GIFTS

SEC. 115. (a) APPROVAL BY MAYOR.—

(1) IN GENERAL.—An entity of the District of Columbia government may accept and use a gift or donation during fiscal year 2002 if—

(A) the Mayor approves the acceptance and use of the gift or donation (except as provided in paragraph (2)); and

(B) the entity uses the gift or donation to carry out its authorized functions or duties.

(2) EXCEPTION FOR COUNCIL AND COURTS.—The Council of the District of Columbia and the District of Columbia courts may accept and use gifts without prior approval by the Mayor.

(b) RECORDS AND PUBLIC INSPECTION.—Each entity of the District of Columbia government shall keep accurate and detailed records of the acceptance and use of any gift or donation under subsection (a), and shall

make such records available for audit and public inspection.

(c) INDEPENDENT AGENCIES INCLUDED.—For the purposes of this section, the term “entity of the District of Columbia government” includes an independent agency of the District of Columbia.

(d) EXCEPTION FOR BOARD OF EDUCATION.—This section shall not apply to the District of Columbia Board of Education, which may, pursuant to the laws and regulations of the District of Columbia, accept and use gifts to the public schools without prior approval by the Mayor.

SEC. 116. None of the Federal funds provided in this Act may be used by the District of Columbia to provide for salaries, expenses, or other costs associated with the offices of United States Senator or United States Representative under section 4(d) of the District of Columbia Statehood Constitutional Convention Initiatives of 1979 (D.C. Law 3-171; D.C. Official Code, sec. 1-123).

SEC. 117. None of the funds appropriated under this Act shall be expended for any abortion except where the life of the mother would be endangered if the fetus were carried to term or where the pregnancy is the result of an act of rape or incest.

The CHAIRMAN. Are there any amendments to this portion of the bill? The Clerk will read.

The Clerk read as follows:

SEC. 118. None of the Federal funds made available in this Act may be used to implement or enforce the Health Care Benefits Expansion Act of 1992 (D.C. Law 9-114; D.C. Official Code, sec. 32-701 et seq.) or to otherwise implement or enforce any system of registration of unmarried, cohabiting couples (whether homosexual, heterosexual, or lesbian), including but not limited to registration for the purpose of extending employment, health, or governmental benefits to such couples on the same basis that such benefits are extended to legally married couples.

PART B AMENDMENT OFFERED BY MR. WELDON OF FLORIDA

Mr. WELDON of Florida. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B Amendment offered by Mr. WELDON of Florida:

In section 118 (relating to the use of funds to implement or enforce the Health Care Benefits Expansion Act of 1992), strike “Federal”.

The CHAIRMAN. Pursuant to House Resolution 245, the gentleman from Florida (Mr. WELDON) and a Member opposed, the gentleman from Arizona (Mr. KOLBE), each will control 5 minutes.

The Chair recognizes the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I am offering my amendment because the bill before us is such a stark departure from 9 years of previous law. My amendment simply continues current law.

Ever since the District of Columbia passed its domestic partnership act in 1992, the Congress has included a provision to prevent its implementation. Congress and the President have chosen to uphold the institution of mar-

riage, and I am disappointed that others would choose this time to try to reverse it.

Please do not believe for a moment that this is about home rule. If you want to believe that, then I have a bridge in Brooklyn I would like to sell.

How you vote on this today will have an impact on the institution of marriage in the United States and on how corporations and State and municipal governments treat this issue throughout our Nation for the years to come. Furthermore, under article I of the Constitution and the D.C. home rule law, the Congress maintains full authority to do this.

Today, marriage is under assault from culture, the media, and many other entities. Do we want to add the Federal Government to that list? It is critical that we do not go down this path and that we take steps to encourage strong marriages.

Study after study have demonstrated that strong marriages between a man and a woman have a stabilizing influence on our community and our societies. The children suffer fewer problems and are less at risk when they are raised in families with a mother and father. We should be passing laws to encourage traditional families. We should not be passing laws that make traditional marriage simply one of several morally-equivalent options.

Mr. Chairman, a vote against my amendment is a vote to place heterosexual and homosexual cohabitating relationships on an equal footing with traditional marriage. A vote for my amendment says Members believe that traditional marriage is important and should remain a priority in our society.

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

Mr. KOLBE. Mr. Chairman, I yield 1 minute to the gentlewoman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. Mr. Chairman, it has been 9 long years since the District of Columbia passed the Health Care Benefits Expansion Act. The locally approved law has never taken effect, however, because each year Congress has banned the use of Federal or local money to implement the program. This is unfortunate. Let us put an end to this today, this congressional meddling.

Mr. Chairman, defeat the amendment offered by the gentleman from Florida (Mr. WELDON). Let the District of Columbia do what hundreds of other local governments and private businesses have done. It is a humanitarian measure. It grants not only gay and lesbian couples the same protections against illnesses as married heterosexual couples, but also extends the benefits to disabled people, to live-in health care providers, a single man or woman caring for an elderly parent, and other living situations not traditionally covered by health insurance.

The appropriations bill, and I must commend the chairman and the ranking member, as reported did not have

that provision. It allowed for the first time the District to put its own money toward this program that it believed in. Let the bill stand as is. Vote against the Weldon amendment.

Mr. WELDON of Pennsylvania. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. STEARNS).

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

Mr. STEARNS. Mr. Chairman, let me explain to Members, a domestic partner means a person with whom an individual maintains a committed relationship. And a committed relationship means a familial relationship, not recognized by the United States in terms of marriage; it is just a committed relationship. The idea is the mutual caring and the sharing of a mutual residence. But commitments change.

What happens if that person says yes, I am living with this person and I want health care; but he or she does not report that he or she has left this person. How will the Federal Government develop all of the regulations that are required to get competent jurisdiction in civil suits to recover damages if this person does not show that he or she has a committed relationship. Why is the Federal Government getting involved in deciding what is a committed relationship? They should get married and be recognized as married, and it should be a heterosexual marriage.

Mr. KOLBE. Mr. Chairman, I yield 1½ minutes to the gentleman from Virginia (Mr. MORAN), a member of the subcommittee.

Mr. MORAN of Virginia. Mr. Chairman, the bill that is before us says no Federal funds can be used to implement the D.C. Health Benefits Act, an act that was passed back in 1992. Since that act was passed, 113 other local cities have implemented the same domestic partnership legislation, cities like Atlanta, Albany, Chicago, New Orleans, and New York. They did it because their constituents wanted it.

D.C.'s elected city council understands its constituents, has asked them to pass this legislation. But it is not just municipal governments. Corporations like IBM, AT&T, Boeing, Citigroup, they have the same domestic partnership policy. It does not do exclusively what has been suggested. It applies to every situation where you have caring people living together, and in many cases providing for the other person.

Mr. Chairman, in so many households in D.C., we have a grandmother and a mother taking care of the children. We have disabled people, and their live-in care provider would be able to purchase health insurance. We have two sisters living together, two elderly people who cannot marry for economic reasons. They should be able to purchase health insurance at their own expense. At their own expense. There is no Federal Government money involved here. Keep the bill the way it is. Defeat the Weldon amendment.

Mr. WELDON of Florida. Mr. Chairman, does the gentleman from Arizona have any remaining speakers? I only have one remaining speaker.

Mr. KOLBE. Mr. Chairman, I have two remaining speakers; but representing the committee position, I believe I have the right to close.

The CHAIRMAN. The gentleman from Arizona (Mr. KOLBE), representing the committee position, has the right to close.

Mr. KOLBE. Mr. Chairman, I yield 30 seconds to the gentleman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Chairman, how can anyone with a heart or mind try to keep anyone from paying money for their own health care today? Cities such as Atlanta; Scottsdale, Arizona; New Orleans, and thousands of businesses have more comprehensive domestic partnership plans than the District of Columbia.

Mr. Chairman, the Weldon amendment is an expression of unadulterated bigotry. Do not mar the D.C. appropriations with ugly prejudice.

Mr. WELDON of Pennsylvania. Mr. Chairman, I yield the balance of my time to the gentleman from Texas (Mr. DELAY).

Mr. DELAY. Mr. Chairman, sometimes words that are said on the floor are very unfortunate. This amendment has nothing to do with bigotry; it has to do with tradition and understanding what is marriage and what is the role of marriage in this country.

Members should support the Weldon amendment because it defends the traditional understanding of marriage. The Weldon amendment rejects a broad new recognition of relationships that would extend the benefits of marriage to people who have not made that special commitment. Marriage can only take place between a man and a woman, in my opinion.

Mr. Chairman, introducing domestic partnership benefits would have broad consequences extending far beyond the specific action contemplated here. We would be walking away from the traditions and virtues that we have respected and honored since our country was founded, and even before.

Doing so would radically undermine the special privileges and incentives of marriage by distributing them without requiring the unique commitment between a man and a woman. When married couples forsake all others and bind themselves together, they form a vital unit to rear their children and they strengthen society immeasurably.

Mr. Chairman, we should protect the sanctity of that special bond called marriage. Members should support the Weldon amendment.

□ 1245

The CHAIRMAN. The gentleman from Florida (Mr. WELDON) has 30 seconds remaining if he wishes to use it.

Mr. WELDON of Florida. Mr. Chairman, for 7 years, I was one of the only physicians in my county who treated

AIDS patients. I got up in the middle of the night, went into the hospital, examined them, took care of them, for years.

I really take offense at some of the language that has been used in response to my amendment. The purpose of my amendment is to protect the integrity of the institution of marriage in the United States. Some people do not understand that. But I would never call them names because they do not seem to understand that.

The CHAIRMAN. The time of the gentleman from Florida has expired.

The gentleman from Arizona (Mr. KOLBE) has 2 minutes remaining.

Mr. KOLBE. Mr. Chairman, I yield myself the balance of my time.

In contrast to what the two previous speakers said, I do not believe this has anything to do with marriage. Family law in our country is State law. One hundred thirteen or 117 jurisdictions in the United States have adopted similar provisions. Those States did not alter their definition of marriage when they allowed municipal jurisdictions in their States to audit these provisions.

This does not have anything to do with the definition of marriage in family law. This has to do with whether or not the District of Columbia, like those 113 other government units and one-third of the Fortune 500 companies, is going to be allowed to permit its employees to extend, to include in their health coverage at 100 percent expense to the individual, to include a partner, a woman who is raising her child who has her mother living with her as the caretaker, to include that grandmother in the coverage; a disabled person, to include his caregiver or her caregiver in the coverage.

That is what this is all about. It is not about the definition of marriage. And it is not expensive. Eighty-five percent of companies that offer these provisions do not experience additional costs according to the Society for Human Resources Management.

This is about allowing the District of Columbia and its employees to purchase the insurance at their own expense. Let me reiterate that. One hundred percent of the cost at their own expense. Not the Federal Government, not the District of Columbia. The only expense for the District of Columbia is the cost implementing the law by maintaining a register of domestic partners. There is no subsidy that is involved in this. It applies to all potential familial partners. It is not just a gay partner, a lesbian partner; it is heterosexual, it is the disabled partner, it is the grandmother and the daughter that I mentioned earlier. It is all kinds of people, seniors who might be living together.

The fact is that our traditional families have changed in American society. The family today is likely to include the arrangements mentioned earlier. I urge my colleagues to defeat this amendment. Show confidence in the District of Columbia; show respect for

the individuals who are affected and defeat this amendment.

Ms. SCHAKOWSKY. Mr. Chairman, I rise in strong opposition to the amendment offered by the gentleman from Florida to restrict the District of Columbia's ability to use their own local funds to implement the Health Care Benefits Act of 1992. For almost a decade now, this body has blocked the District of Columbia from using any local or federal funds to implement this law, which would expand health care benefits for domestic partners. This must stop.

Particularly today, with the attacks on our country fresh in our mind, it is extremely important that we come together as a nation and in our communities. Our American family includes many families, traditional and non-traditional. Our nation should welcome diversity. We should respect each other, not be divisive.

Domestic partnership laws acknowledge and respect the non-traditional family structures in our world today. These include relationships such as grandmothers and mothers living together raising children, persons with disabilities and their live-in care providers, and unmarried partners, both heterosexual and gay and lesbian. We as a government must grow with the society we are governing and embrace it.

We must respect the rights of non-traditional families. We must also respect the right of the District of Columbia to respond to the concerns and needs of its residents. Many other cities across the country provide domestic partnership benefits to their employees. Since 1997, the City of Chicago has offered domestic partner benefits. Other cities have been offering these benefits since the early 1990's. Those laws are working well, providing important protections for our constituents. There is absolutely no justification for this body to prevent D.C. residents from receiving those same benefits.

This amendment is anti-local control, anti-good public health policy, and just plain bad business. In 1999, a survey in Human Resources Management ranked domestic partner benefits as the most effective recruiting incentive for executives and the third most effective recruiting incentive for managers and line workers. Employers must have the ability to offer competitive benefit packages in order to recruit quality applicants.

I urge my colleagues to join me in opposing this restriction and allow the implementation of the Health Care Benefits Expansion Act of 1992 in the District of Columbia.

Mr. NADLER. Mr. Chairman, I rise to strongly oppose the Weldon amendment which would prevent the District of Columbia from using its own funds to provide domestic partner benefits.

There has been a lot of discussion in the past two weeks about sadness and anger, and most of that discussion was about the attacks of September 11th. Today, there is yet another reason to be both sad and angry.

Today, this House is departing from its partisan truce and healing rhetoric of unity. Today, the war will have to wait, while we strip gays and lesbians of legal benefits and once again thwart democracy right here in Washington, DC.

There are 113 jurisdictions nationwide that have domestic partner benefits and Congress has taken no action to block any of these benefits provided to other Americans.

The fact that some Members of Congress seek to do so today is insulting, outrageous, and, quite frankly, offensive.

The House Appropriations Committee acted in a bipartisan manner to allow DC to offer its residents domestic partner benefits, and now the House leadership has authorized the violation of House Rules in order to undo the work of the Committee on this issue.

Domestic partner benefits allow residents to visit loved ones in hospitals and long term care facilities, officially register as partners, and, for employees of the District of Columbia government, to purchase health insurance at their own expense for their partner. This is hardly revolutionary or even uncommon in our nation today. Over 4,200 employers around the country, including hundreds of cities, colleges, and universities, have already established domestic partnership health programs.

In fact, this amendment is not only mean-spirited and unwarranted, it is also bad health care policy. At a time when millions of Americans lack any health insurance, why would we stand in the way of any extension of health care benefits? Do we as a Congress really want to tell D.C. residents, they should be denied health care simply because of whom they love?

This amendment is a disgrace and should be defeated.

Mr. KUCINICH. Mr. Chairman, I rise in opposition to the Weldon amendment to H.R. 2944, the District of Columbia appropriations bill for FY2002. This amendment would prohibit local funds from being used to implement the District of Columbia domestic partnership act.

I would like to point out that the heroes of the tragic attacks on New York, Washington, D.C., and Pennsylvania include:

Mark Bingham, a passenger on American Airlines 77 who helped resist the hijackers and prevented the plane from crashing into a national monument in Washington, D.C.

David Charlesbois, American Airlines flight 77 co-pilot and resident of Washington, D.C.; Father Mychal Judge, Fire Department Chaplain and Franciscan priest who died while delivering last rites to victims of the attack on the World Trade Center.

These three courageous Americans are all heroes and are all gay. Many more gay Americans continue to assist in efforts in the aftermath of the tragedies—rescue workers, healthcare professionals and volunteers from around the country.

How can we deny these heroes domestic partnership benefits? I strongly encourage my colleagues to vote against the Weldon amendment and support local funding for domestic partnership benefits.

I would also like to submit into the record a commentary from the National Public Radio show "Weekend Edition Saturday."

COMMENTARY: INAPPROPRIATE COMMENTS MADE BY THE REVERENDS JERRY FALWELL AND PAT ROBERTSON REGARDING THE WORLD TRADE CENTER BOMBING

(September 22, 2001)

SCOTT SIMON (host). I really don't want to be critical of anyone during a national crisis, especially people who are sources of spiritual guidance to millions of Americans. But sometimes the Reverends Jerry Falwell and Pat Robertson say something so staggering, they renew your capacity to be shocked, amen, even in a shocking time. Last week when America was wounded and confused, the Reverend Falwell was a guest on Pat Robertson's television show, "The 700 Club." He said that God Almighty, angered by

America's abortion rights, gay rights and secularism in schools, had permitted terrorists to slay the World Trade Center and smite the Pentagon.

SOUNDBITE OF "THE 700 CLUB"

Reverend JERRY FALWELL. What we saw on Tuesday, as terrible as it is, could be miniscule if, in fact, God continues to lift the curtain and allow the enemies of America to give us probably what we deserve.

Reverend PAT ROBERTSON. Well, Jerry, that's my feeling. I think we've just seen the antechamber to terror. We haven't even begun to see what they can do to the major population.

Rev. FALWELL. I really believe that the pagans and the abortionists and the feminists and the gays and the lesbians who are actively trying to make that an alternate lifestyle, the ACLU, People for the American Way—all of them who've tried to secularize America, I point the finger in their face and say, "You helped this happen."

SIMON. This week, both the reverends issued apologies. Mr. Falwell called his own remarks "insensitive, uncalled for and unnecessary," everything but wrong. This week, it was reported that Mark Bingham, a San Francisco public relations executive, may well have been one of the passengers who so bravely resisted the hijackers of American Airlines Flight 77. That flight crashed into an unpopulated field outside of Pittsburgh instead of another national monument. Mr. Bingham was 31. He played on a local gay rugby team and hoped to compete in next year's Gay Games in Sydney, Australia.

I don't know if Mark Bingham was religious, but it seems to me that he lived a life that celebrated the preciousness of this world's infinite variety. Not so the Reverends Robertson and Falwell and the mullahs of the Taliban, who seem to see a god who frowns at tolerance and smiles with approval on murder and destruction. Let me put it in the bold terms in which many Americans may be thinking right now. If your plane was hijacked, who would you rather sit next to? Righteous reverends who will sit back and say, "This is God's punishment for gay Teletubbies," or the gay rugby player who lays down his life to save others? And by the way, which person seems closer to God?

SOUNDBITE OF MUSIC

SIMON. And you're listening to NPR's WEEKEND EDITION.

The CHAIRMAN. All time has expired on the amendment.

The question is on the amendment offered by the gentleman from Florida (Mr. WELDON).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. WELDON of Florida. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

Mr. MORAN of Virginia. Mr. Chairman, could I ask how the Chair determined that a sufficient number had risen to ask for a recorded vote?

The CHAIRMAN. By a count of Members on their feet. It is not subject to appeal.

The vote was taken by electronic device, and there were—ayes 194, noes 226, not voting 10, as follows:

[Roll No. 352]

AYES—194

Aderholt	Green (WI)	Pitts
Akin	Grucci	Platts
Armey	Gutknecht	Pombo
Bachus	Hall (OH)	Portman
Baker	Hall (TX)	Putnam
Ballenger	Hansen	Quinn
Barr	Hart	Radanovich
Bartlett	Hastings (WA)	Ramstad
Barton	Hayes	Reynolds
Bereuter	Hayworth	Riley
Berry	Hefley	Rogers (KY)
Billirakis	Herger	Rogers (MI)
Blunt	Hilleary	Roukema
Boehner	Hoekstra	Royce
Bonilla	Holden	Ryan (WI)
Brady (TX)	Hostettler	Ryun (KS)
Brown (SC)	Hulshof	Saxton
Bryant	Hunter	Schaffer
Burr	Hyde	Schrock
Burton	Isakson	Sensenbrenner
Buyer	Istook	Sessions
Callahan	Jenkins	Shadegg
Calvert	John	Sherwood
Camp	Johnson (IL)	Shimkus
Cannon	Johnson, Sam	Shows
Cantor	Jones (NC)	Shuster
Capito	Keller	Simpson
Chabot	Kennedy (MN)	Skeen
Chambliss	Kerns	Smith (MI)
Clement	King (NY)	Smith (NJ)
Coble	Kingston	Smith (TX)
Collins	Knollenberg	Souder
Combust	LaHood	Stearns
Costello	Largent	Stenholm
Cox	Latham	Stump
Cramer	Lewis (KY)	Sununu
Crane	Linder	Tancred
Crenshaw	Lipinski	Tanner
Cubin	LoBiondo	Tauzin
Culberson	Lucas (KY)	Taylor (MS)
Cunningham	Lucas (OK)	Taylor (NC)
Davis, Jo Ann	Manzullo	Terry
Deal	Mascara	Thornberry
DeLay	McHugh	Thune
DeMint	McInnis	Tiahrt
Diaz-Balart	McIntyre	Tiberi
Doolittle	McKeon	Toomey
Duncan	Mica	Trafficant
Dunn	Miller, Gary	Upton
Ehlers	Moran (KS)	Vitter
Emerson	Myrick	Walden
Everett	Nethercutt	Walsh
Flake	Ney	Wamp
Fletcher	Northup	Watkins (OK)
Forbes	Norwood	Watts (OK)
Fossella	Nussle	Weldon (FL)
Galleghy	Osborne	Weldon (PA)
Gekas	Otter	Weller
Gibbons	Oxley	Whitfield
Goode	Paul	Wicker
Goodlatte	Pence	Wilson
Goss	Peterson (PA)	Wolf
Graham	Petri	Young (AK)
Granger	Phelps	Young (FL)
Graves	Pickering	

NOES—226

Abercrombie	Capps	Edwards
Ackerman	Capuano	Ehrlich
Allen	Cardin	Engel
Andrews	Carson (IN)	English
Baca	Carson (OK)	Eshoo
Baird	Castle	Etheridge
Baldacci	Clay	Evans
Baldwin	Clayton	Farr
Barcia	Clyburn	Fattah
Barrett	Condit	Ferguson
Bass	Conyers	Filner
Becerra	Coyne	Foley
Bentsen	Crowley	Ford
Berkley	Cummings	Frank
Berman	Davis (CA)	Frelinghuysen
Biggert	Davis (FL)	Frost
Bishop	Davis (IL)	Ganske
Blagojevich	Davis, Tom	Gephardt
Blumenauer	DeFazio	Gilchrest
Boehler	DeGette	Gillmor
Bonior	Delahunt	Gilman
Bono	DeLauro	Gonzalez
Borski	Deutsch	Gordon
Boswell	Dicks	Green (TX)
Boucher	Dingell	Greenwood
Boyd	Doggett	Gutierrez
Brady (PA)	Dooley	Harman
Brown (FL)	Doyle	Hastings (FL)
Brown (OH)	Dreier	Hill

Hilliard	Maloney (CT)	Rodriguez
Hinche	Maloney (NY)	Roemer
Hinojosa	Markey	Rohrabacher
Hobson	Matheson	Ros-Lehtinen
Hoefel	Matsui	Ross
Holt	McCarthy (MO)	Rothman
Honda	McCarthy (NY)	Roybal-Allard
Hooley	McCollum	Sabo
Horn	McCrery	Sanchez
Houghton	McDermott	Sanders
Hoyer	McGovern	Sandlin
Insee	McKinney	Sawyer
Israel	McNulty	Schakowsky
Issa	Meehan	Schiff
Jackson (IL)	Meek (FL)	Scott
Jackson-Lee	Menendez	Shaw
(TX)	Millender-	Shays
	McDonald	Sherman
Jefferson	Miller (FL)	Simmons
Johnson (CT)	Miller, George	Skelton
Johnson, E. B.	Mink	Slaughter
Jones (OH)	Mollohan	Smith (WA)
Kanjorski	Moore	Snyder
Kaptur	Moran (VA)	Solis
Kelly	Morella	Spratt
Kennedy (RI)	Murtha	Stark
Kildee	Nadler	Strickland
Kilpatrick	Napolitano	Stupak
Kind (WI)	Neal	Sweeney
Kirk	Oberstar	Tauscher
Kleczka	Kolbe	Thomas
Kolbe	Kucinich	Thompson (CA)
Kucinich	LaFalce	Thompson (MS)
Ortiz	Lampson	Thurman
Ose	Langevin	Tierney
Pallone	Lantos	Turner
Pascrell	Larsen (WA)	Udall (CO)
Pastor	Larson (CT)	Udall (NM)
Payne	LaTourrette	Visclosky
Pelosi	Leach	Waters
Pomeroy	Lee	Watt (NC)
Price (NC)	Levin	Waxman
Pryce (OH)	Lewis (CA)	Weiner
Rahall	Lewis (GA)	Wexler
Rangel	Lofgren	Woolsey
Regula	Lowe	Wu
Reyes	Luther	Wynn
Rivers		

NOT VOTING—10

Cooksey	Rehberg	Velazquez
Meeks (NY)	Rush	Watson (CA)
Owens	Serrano	
Peterson (MN)	Towns	

□ 1312

Messrs. MALONEY of Connecticut, ORTIZ, ROSS, LAFALCE and Ms. WOOLSEY changed their vote from "aye" to "no."

Mr. GEKAS and Mr. RADANOVICH changed their vote from "no" to "aye." So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. REHBERG. Mr. Chairman, on rollcall No. 352 I put my voting card in the machine but the vote was not recorded. I would have voted "aye."

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

SEC. 119. (a) ACCEPTANCE AND USE OF GRANTS NOT INCLUDED IN CEILING.—

(1) IN GENERAL.—Notwithstanding any other provision of this Act, the Mayor, in consultation with the Chief Financial Officer may accept, obligate, and expend Federal, private, and other grants received by the District government that are not reflected in the amounts appropriated in this Act.

(2) REQUIREMENT OF CHIEF FINANCIAL OFFICER REPORT AND COUNCIL APPROVAL.—No such Federal, private, or other grant may be accepted, obligated, or expended pursuant to paragraph (1) until—

(A) the Chief Financial Officer of the District of Columbia submits to the Council a report setting forth detailed information regarding such grant; and

(B) the Council within 15 days after receipt of the report submitted under (A) has reviewed and approved the acceptance, obligation, and expenditure of such grant.

(3) PROHIBITION ON SPENDING IN ANTICIPATION OF APPROVAL OR RECEIPT.—No amount may be obligated or expended from the general fund or other funds of the District government in anticipation of the approval or receipt of a grant under paragraph (2)(B) of this subsection or in anticipation of the approval or receipt of a Federal, private, or other grant not subject to such paragraph.

(4) QUARTERLY REPORTS.—The Chief Financial Officer of the District of Columbia shall prepare a quarterly report setting forth detailed information regarding all Federal, private, and other grants subject to this subsection. Each such report shall be submitted to the Council of the District of Columbia, and to the Committees on Appropriations of the House of Representatives and the Senate, not later than 15 days after the end of the quarter covered by the report.

SEC. 120. (a) Except as otherwise provided in this section, none of the funds made available by this Act or by any other Act may be used to provide any officer or employee of the District of Columbia with an official vehicle unless the officer or employee uses the vehicle only in the performance of the officer's or employee's official duties. For purposes of this paragraph, the term "official duties" does not include travel between the officer's or employee's residence and workplace (except: (1) in the case of an officer or employee of the Metropolitan Police Department who resides in the District of Columbia or is otherwise designated by the Chief of the Department; (2) at the discretion of the Fire Chief, an officer or employee of the District of Columbia Fire and Emergency Medical Services Department who resides in the District of Columbia and is on call 24 hours a day; (3) the Mayor of the District of Columbia; and (4) the Chairman of the Council of the District of Columbia).

(b) The Chief Financial Officer of the District of Columbia shall submit, by November 15, 2001, an inventory, as of September 30, 2001, of all vehicles owned, leased or operated by the District of Columbia government. The inventory shall include, but not be limited to, the department to which the vehicle is assigned; the year and make of the vehicle; the acquisition date and cost; the general condition of the vehicle; annual operating and maintenance costs; current mileage; and whether the vehicle is allowed to be taken home by a District officer or employee and if so, the officer or employee's title and resident location.

(c) No officer or employee of the District of Columbia government (including any independent agency of the District but excluding the Office of the Chief Technology Officer) may enter into an agreement in excess of \$2,500 for the procurement of goods or services on behalf of any entity of the District government until the officer or employee has conducted an analysis of how the procurement of the goods and services involved under the applicable regulations and procedures of the District government would differ from the procurement of the goods and services involved under the Federal supply schedule and other applicable regulations and procedures of the General Services Administration, including an analysis of any differences in the costs to be incurred and the time required to obtain the goods or services.

SEC. 121. Notwithstanding any other provision of law, not later than 120 days after the date that a District of Columbia Public Schools (DCPS) student is referred for evaluation or assessment—

(1) the District of Columbia Board of Education, or its successor, and DCPS shall assess or evaluate a student who may have a disability and who may require special education services; and

(2) if a student is classified as having a disability, as defined in section 101(a)(1) of the Individuals with Disabilities Education Act (84 Stat. 175; 20 U.S.C. 1401(a)(1)) or in section 7(8) of the Rehabilitation Act of 1973 (87 Stat. 359; 29 U.S.C. 706(8)), the Board and DCPS shall place that student in an appropriate program of special education services.

SEC. 122. (a) COMPLIANCE WITH BUY AMERICAN ACT.—None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with the Buy American Act (41 U.S.C. 10a–10c).

(b) SENSE OF THE CONGRESS; REQUIREMENT REGARDING NOTICE.—

(1) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products to the greatest extent practicable.

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available in this Act, the head of each agency of the Federal or District of Columbia government shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a “Made in America” inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 123. None of the funds contained in this Act may be used for purposes of the annual independent audit of the District of Columbia government for fiscal year 2002 unless—

(1) the audit is conducted by the Inspector General of the District of Columbia pursuant to section 208(a)(4) of the District of Columbia Procurement Practices Act of 1985 (D.C. Official Code, sec. 2–302.8); and

(2) the audit includes as a basic financial statement a comparison of audited actual year-end results with the revenues submitted in the budget document for such year and the appropriations enacted into law for such year using the format, terminology, and classifications contained in the law making the appropriations for the year and its legislative history.

SEC. 124. None of the funds contained in this Act may be used by the District of Columbia Corporation Counsel or any other officer or entity of the District government to provide assistance for any petition drive or civil action which seeks to require Congress to provide for voting representation in Congress for the District of Columbia.

SEC. 125. (a) None of the funds contained in this Act may be used for any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

(b) Any individual or entity who receives any funds contained in this Act and who carries out any program described in subsection (a) shall account for all funds used for such program separately from any funds contained in this Act.

SEC. 126. None of the funds contained in this Act may be used after the expiration of

the 60-day period that begins on the date of the enactment of this Act to pay the salary of any chief financial officer of any office of the District of Columbia government (including any independent agency of the District) who has not filed a certification with the Mayor and the Chief Financial Officer of the District of Columbia that the officer understands the duties and restrictions applicable to the officer and the officer’s agency as a result of this Act (and the amendments made by this Act), including any duty to prepare a report requested either in the Act or in any of the reports accompanying the Act and the deadline by which each report must be submitted, and the District’s Chief Financial Officer shall provide to the Committees on Appropriations of the Senate and the House of Representatives by the 10th day after the end of each quarter a summary list showing each report, the due date and the date submitted to the Committees.

SEC. 127. In submitting any document showing the budget for an office of the District of Columbia government (including an independent agency of the District) that contains a category of activities labeled as “other”, “miscellaneous”, or a similar general, nondescriptive term, the document shall include a description of the types of activities covered in the category and a detailed breakdown of the amount allocated for each such activity.

SEC. 128. (a) None of the funds contained in this Act may be used to enact or carry out any law, rule, or regulation to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act (21 U.S.C. 802) or any tetrahydrocannabinols derivative.

(b) The Legalization of Marijuana for Medical Treatment Initiative of 1998, also known as Initiative 59, approved by the electors of the District of Columbia on November 3, 1998, shall not take effect.

SEC. 129. Notwithstanding any other provision of law, the Mayor of the District of Columbia is hereby solely authorized to allocate the District’s limitation amount of qualified zone academy bonds (established pursuant to 26 U.S.C. 1397E) among qualified zone academies within the District.

SEC. 130. Nothing in this Act may be construed to prevent the Council or Mayor of the District of Columbia from addressing the issue of the provision of contraceptive coverage by health insurance plans, but it is the intent of Congress that any legislation enacted on such issue should include a “conscience clause” which provides exceptions for religious beliefs and moral convictions.

SEC. 131. Section 149 of division A, Miscellaneous Appropriations Act, 2001, as enacted by section 1(A)(4) of Public Law 106–554 shall apply with respect to claims received by the Superior Court of the District of Columbia or the District of Columbia Court of Appeals during fiscal year 2002, and claims received previously that remain unpaid at the end of fiscal year 2001 and would have qualified for interest payment under such section 149.

FEDERAL CONTRIBUTION FOR ENFORCEMENT OF LAW BANNING POSSESSION OF TOBACCO PRODUCTS BY MINORS

SEC. 132. (a) CONTRIBUTION.—There is hereby appropriated a Federal contribution of \$100,000 to the Metropolitan Police Department of the District of Columbia, effective upon the enactment by the District of Columbia of a law which reads as follows:

“BAN ON POSSESSION OF TOBACCO PRODUCTS BY MINORS

“SECTION 1. (a) IN GENERAL.—It shall be unlawful for any individual under 18 years of age to possess any cigarette or other tobacco product in the District of Columbia.

“(b) EXCEPTIONS.—

“(1) POSSESSION IN COURSE OF EMPLOYMENT.—Subsection (a) shall not apply with respect to an individual making a delivery of cigarettes or tobacco products in pursuance of employment.

“(2) PARTICIPATION IN LAW ENFORCEMENT OPERATION.—Subsection (a) shall not apply with respect to an individual possessing products in the course of a valid, supervised law enforcement operation.

“(c) PENALTIES.—Any individual who violates subsection (a) shall be subject to the following penalties:

“(1) For any violation, the individual may be required to perform community service or attend a tobacco cessation program.

“(2) Upon the first violation, the individual shall be subject to a civil penalty not to exceed \$50.

“(3) Upon the second and each subsequent violation, the individual shall be subject to a civil penalty not to exceed \$100.

“(4) Upon the third and each subsequent violation, the individual may have his or her driving privileges in the District of Columbia suspended for a period of 90 consecutive days.”

(b) USE OF CONTRIBUTION.—The Metropolitan Police Department shall use the contribution made under subsection (a) to enforce the law referred to in such subsection.

SEC. 133. Nothing in this Act bars the District of Columbia Corporation Counsel from reviewing or commenting on briefs in private lawsuits, or from consulting with officials of the District government regarding such lawsuits.

SEC. 134. (a) Section 11201(g)(4)(A) of the National Capital Revitalization and Self-Government Improvement Act of 1997 (sec. 24–1201(g)(4)(A), D.C. Code), as amended by section 163 of the District of Columbia Appropriations Act, 2001, is amended—

(1) by striking “and” at the end of clause (ix);

(2) by striking the period at the end of clause (x); and

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

“(xi) obligate and expend the proceeds and funds deposited under clauses (ix) and (x) as provided in such clauses.”

(b) The amendment made by subsection (a) shall take effect on October 1, 2002.

“SEC. 135. No 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.

SEC. 136. 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 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.”.

Mr. KNOLLENBERG (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill, through page 55, line 15, be considered as read, printed in the RECORD, and open to amendment at any time.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The CHAIRMAN. Are there any amendments to that portion of the bill?

AMENDMENT NO. 1 OFFERED BY MR. HOSTETTLER
Mr. HOSTETTLER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. HOSTETTLER:

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).

□ 1315

Mr. HOSTETTLER. Mr. Chairman, I rise today to offer an amendment that will protect the Boy Scouts of America from the latest political attack on its constitutionally protected rights.

The most recent assault against the scouts occurred on June 20 when the District of Columbia Commission on Human Rights ruled that the Boy Scouts of America had violated the D.C. Human Rights Act of 1977. The Boy Scouts' crime? In keeping with their longstanding values and standards, the Boy Scouts had expelled two homosexual scout masters in Washington, D.C.

Now, despite the constitutional protection of freedom of association, and despite the Supreme Court ruling that reaffirmed the Boy Scouts' right to determine its criteria for members and leaders, the District of Columbia Human Rights Commission ordered the Boy Scouts to reinstate the troop leaders and pay them \$50,000 each. In addition, the Commission ruled that the Scouts must also pay all attorneys' fees and court costs.

Mr. Chairman, this arrogant and intrusive ruling is just the latest in a long string of cultural broadsides against the Boy Scouts of America, a group dedicated to instilling selflessness, character, responsibility, and love for God and country of our Nation's boys and young men.

It was a year ago this month that legislation was brought to the floor that would have ended the Boy Scouts' Federal charter. I would remind my colleagues that of the 435 Members of the House of Representatives, only 12 voted to punish this private organiza-

tion for putting its beliefs into practice.

Now, during this debate, we will hear that this is a local issue, a matter best left to home rule. But as Members who have sworn to uphold the Constitution, I would remind my colleagues that article I, section 8 states that "Congress shall have the power to exercise exclusive legislation in all cases whatsoever over the District."

The Constitution requires that we watch closely the power we have delegated, in this case to the District of Columbia. Since the District is a national city, it should be a reflection of our Nation's value system.

Mr. Chairman, all of us should be troubled by this ruling.

When a government agency tells a private organization it must accept behavior that violates its members' core beliefs, then every civic organization, service group, church, synagogue, and mosque is vulnerable to government interference. This so-called civil rights organization clearly does not have the best interests of our Nation's boys and young men at heart. Instead, its goal is to force a radical political agenda on a private civic group.

While ostensibly advancing the virtue of "tolerance," the commission has approved only one politically correct viewpoint, determining that all other beliefs must be excluded or penalized, in this case.

The decision of the commission runs counter to our most basic liberties and, as such, must be stopped. My amendment would prohibit the District of Columbia from enforcing the commission's decision by preventing funds from being spent to do so, and I urge its passage.

Mr. Chairman, I simply say that in the discussion of this body's control and authority over the District of Columbia, it is clearly pointed out, not only in the home rule statute, but in the very Constitution itself. This body is afforded the obligation and authority, according to the Constitution, to effectively be the city council of the District of Columbia. So, whether we vote on Federal funds or local funds, every Member that votes on these issues votes as a Member of the legislative body overseeing all matters whatsoever according to the Constitution in this area.

This is not an issue of home rule. We do not have the authority, according to the Constitution, to govern on issues regarding the city of Atlanta or the city of San Francisco or the city of Tucson, Arizona. We do have constitutional authority over all legislative matters whatsoever in regard to the District of Columbia; and Members should stand up, recognize their constitutional authority, and recognize that all groups are under assault here with regard to the values that they hold dear.

Mr. Chairman, I would hope that all Members would support my amendment, would allow the Boy Scouts of

America to determine the criteria for their members and their leaders, and allow them to freely associate without doing any damage whatsoever to the community when, in fact, the opposite is true. They strive to make the country and their community a better place to live, with all of the activities in which they endeavor.

Mr. HAYES. Mr. Chairman, I rise in support of Mr. HOSTETTLER's amendment—a vote in support of the Boy Scouts of America.

The Supreme Court has ruled on this issue—and they said that to force the Boy Scouts to accept homosexual troop leaders would violate their right to free association and would dilute the Scout's message. We must not threaten the Scouts' constitutional freedoms that were clearly upheld by the Supreme Court.

The process of appealing this ruling is costing the Scouts valuable dollars each day that could be better used to benefit the lives of young men—Young men who are being taught values such as duty to God and country, honor, respect, and community service.

We must send a message that Congress will uphold the full benefits of freedom of association, and that the Scouts, a private organization, may continue to define their own leadership and promote core American values that have been taught to children for over a century. I urge my fellow Members to vote in favor of the Hostettler amendment.

AMENDMENT OFFERED BY MS. NORTON TO THE AMENDMENT OFFERED BY MR. HOSTETTLER

Ms. NORTON. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Ms. NORTON to the amendment offered by Mr. HOSTETTLER:

In the matter proposed to be inserted by the amendment, insert "Federal" before "funds".

Ms. NORTON. Mr. Chairman, this House has just done a historic act. For the first time, it has broken through the prejudice against gay men and lesbians on this floor. It is an extraordinary moment. It is even more important than recognizing the local prerogatives of the District of Columbia.

I am asking this House to do with respect to my amendment exactly as we have just voted very decisively to do in the last vote. My amendment would disallow any Federal funds for the enforcement of the provision and decision of the District of Columbia Human Rights Commission. Only local funds could be used. That is what we have just voted. Please be consistent.

Mr. Chairman, this was not a knee-jerk vote by the District of Columbia Human Rights Commission. They submitted a very well-reasoned, 74-page decision which I think they can reasonably argue is very much consistent with the Supreme Court decision on this very issue. The Supreme Court says that gay men cannot interfere with the message of the Boy Scouts. The District of Columbia found that the gay men here were not strong activists of the kind that the Supreme Court recognized as interfering with the message of the Boy Scouts. Let us suppose that the District of Columbia

is wrong. If the District is wrong, the Boy Scouts of America, as I speak, are pursuing their remedy. They are pursuing it because that decision was appealed on July 19. Therefore, they are now in the courts.

If we proceed, we are not only undermining the local courts of the District of Columbia, which, by the way, are Federal courts, but we are undermining the independence of the Federal judiciary as well, because this decision is based on a decision of the Supreme Court of the United States; and this matter will ultimately find its way there, if it has been incorrectly decided by the District's Human Rights Commission. We interfere with the independence of the judiciary when we, the Congress of the United States, decide that a politically unpopular decision has been made and, therefore, we will politically intervene into a court decision. We do not want to do that. We do not want to go there, especially not now.

So long as this matter is not settled, we ought to let it be, because there will always be another time to settle it. Suppose we do not like what the local courts find. We could come back and overturn the local courts. If, on the other hand, the Supreme Court finds that what the District of Columbia has done is consistent with Supreme Court decisions, then we will be barred and ought to be barred.

The fact is, Mr. Chairman, that this amendment piles on yet another constitutional violation, because the Congress of the United States is, in fact, imposing its own one-sided views on a matter that is of constitutional import. We cannot do that. Justice Scalia himself wrote, "The government may not regulate speech based on hostility or favoritism towards the underlying message expressed." If it is the underlying message that you object to, you are in violation of what Justice Scalia has said, because the amendment is not viewpoint-neutral. My amendment, on the other hand, gets the Federal Government out of this messy business, leaving only the District of Columbia to do what it is doing anyway, which is responding to the appeal.

This matter will not be settled by my amendment. It still leaves to us, ultimately, if the local courts are wrong, the ability to come back next year and overturn it so long as the Supreme Court does not say that that amendment was correct. Leave this be. Vote as we have just voted on the prior amendment. Do not cast another vote against people who are gay just because they are gay.

Mr. KERNS. Mr. Chairman, I rise in support of the Hostettler amendment, and I move to strike the last word.

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

Mr. KERNS. Mr. Chairman, the Boy Scouts of America is an institution that since 1910 has been creating leaders and instilling principles to guide

young men down the right path as they form their basic values and grow into adults. The scout oath and the scout law serve as the foundation of this organization's beliefs, including duty to God and country.

In June of 2000, the United States upheld the Boy Scouts' standing that as a private organization it has a right to set its own standards for membership.

We know that some have tried to force their views on the Scouts and confuse the true mission of the scouting organization. This effort has taken place right here in our Nation's Capitol. Since the Supreme Court's ruling, the D.C. Human Rights Commission has ignored the decision and acted directly to the contrary.

Mr. Chairman, I have had the opportunity to visit a variety of Boy Scout events in west central Indiana and I have talked with scouts; and I have had the honor of presenting the Eagle Scout Badge to a young man in Tippecanoe County. I have always been impressed by these young scouts. My son is a scout. I am impressed by their enthusiasm, their devotion, and their sense of pride in their communities. That is why I am here on the floor today to stand with the Boy Scouts of America and oppose the efforts to undermine this outstanding organization.

I thank the gentleman from Indiana (Mr. HOSTETTLER) for his leadership on this issue in trying to correct this wrong. I encourage my colleagues to support his amendment.

Mr. KNOLLENBERG. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the underlying amendment for two good reasons. On June 28, 2000, the U.S. Supreme Court said that the Boy Scouts of America have the constitutional right to block gays from becoming troop leaders. That is what they said. They are the law of the land. The Court ruled 5 to 4 that the New Jersey Supreme Court was wrong in forcing the Boy Scouts to accept James Dale, who was fired from the organization when the organization learned of his sexual orientation.

The Boy Scouts of America is a private organization which does not receive public funds. They have consistently won court judgments; and they have won, in part, because they do not receive taxpayer money.

Last September, September 13, 2000, this House voted 362 to 12 to reject an effort to revoke the 80-year-old Federal charter of the Boy Scouts of America because the group excludes gays. I believe it would be inconsistent to challenge the decision of the Supreme Court of this land.

□ 1330

Mr. FATTAH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am a former Scout, and my son is a Scout. I am amazed

that we are debating this matter as part of the D.C. appropriations bill.

It is probably appropriate in the authorizing bill, or perhaps maybe not even there, since it has always been the majority party's view that local communities, those closest to the people, should make decisions; that they know best, and that we should not, as a Federal government, intervene in these local matters.

But nonetheless, absent a reversal of the Supreme Court's viewpoint, I do not know why we are in this at all. I would hope that we could move on with the more important business of the Nation, which at this time makes this matter a pretty small issue, given tens of thousands of our troops being arrayed across the world, to be here now debating back and forth a decision by the Human Rights Commission here in the District.

Maybe some want to be a Member of the D.C. City Council, and I know that there are elections coming up, and perhaps they want to offer themselves.

The CHAIRMAN. The question is on the amendment offered by the gentleman from the District of Columbia (Ms. NORTON) to the amendment offered by the gentleman from Indiana (Mr. HOSTETTLER).

The question was taken; and the Chairman announced that the noes appeared to have it.

Ms. NORTON. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from the District of Columbia (Ms. NORTON) to amendment No. 1 offered by the gentleman from Indiana (Mr. HOSTETTLER) will be postponed.

The point of no quorum is considered withdrawn.

AMENDMENT OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT:
Page 55, after line 15, insert the following new section:

SEC. ____ No funds appropriated in this Act may be made available to any person or entity that violates the Buy American Act (41 U.S.C. 10a-10c).

Mr. TRAFICANT (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TRAFICANT. Mr. Chairman, this is a straightforward amendment that would prohibit anybody from getting any grants under this bill who has violated the Buy American Act. It has been added on to all the other appropriations bills.

I want to just take one second and commend the gentleman from Pennsylvania (Mr. FATTAH). As a representative of a large city, I think he has

shown and demonstrated leadership on our side, and I want to commend the gentleman from Michigan (Mr. KNOLLENBERG), who has worked very hard and brought forward a very good bill.

Mr. KNOLLENBERG. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from Michigan.

Mr. KNOLLENBERG. Mr. Chairman, I say to the gentleman from Ohio (Mr. TRAFICANT), we have examined his amendment and we have no objection to it.

Mr. FATTAH. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. Mr. Chairman, I am prepared to accept the amendment offered by the gentleman from Ohio (Mr. TRAFICANT).

Mr. TRAFICANT. Mr. Chairman, I ask for an aye vote on the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. TRAFICANT).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. NORTON TO AMENDMENT NO. 1 OFFERED BY MR. HOSTETTLER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from the District of Columbia (Ms. NORTON) to amendment No. 1 offered by the gentleman from Indiana (Mr. HOSTETTLER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on the underlying amendment offered by the gentleman from Indiana (Mr. HOSTETTLER).

The vote was taken by electronic device, and there were—ayes 173, noes 243, not voting 14, as follows:

[Roll No. 353]

AYES—173

Ackerman	Brown (FL)	DeLauro
Allen	Brown (OH)	Deutsch
Andrews	Capps	Dicks
Baca	Capuano	Dingell
Baldacci	Cardin	Doggett
Baldwin	Carson (IN)	Dooley
Barrett	Clay	Doyle
Becerra	Clayton	Engel
Bentsen	Clyburn	Eshoo
Berkley	Condit	Etheridge
Berman	Conyers	Evans
Biggert	Coyne	Farr
Blagojevich	Crowley	Fattah
Blumenauer	Cummings	Filner
Boehrlert	Davis (CA)	Ford
Bonior	Davis (FL)	Frank
Bono	Davis (IL)	Frost
Borski	DeFazio	Gephardt
Boswell	DeGette	Gilman
Brady (PA)	Delahunt	Gonzalez

Green (TX)	Lee
Gutierrez	Levin
Harman	Lewis (CA)
Hastings (FL)	Loftgren
Hill	Lowey
Hilliard	Luther
Hinchee	Maloney (CT)
Hinojosa	Maloney (NY)
Hoefel	Markey
Holt	Matsui
Honda	McCarthy (MO)
Hooley	McCarthy (NY)
Houghton	McCollum
Hoyer	McDermott
Inslee	McGovern
Israel	McKinney
Jackson (IL)	Meehan
Jackson-Lee (TX)	Meek (FL)
Jefferson	Menendez
Johnson, E. B.	Millender-McDonald
Jones (OH)	Miller, George
Kanjorski	Mink
Kaptur	Moore
Kelly	Moran (VA)
Kennedy (RI)	Morella
Kildee	Nadler
Kilpatrick	Napolitano
Kind (WI)	Neal
Kleczka	Oberstar
Kolbe	Olver
Kucinich	Pallone
LaFalce	Pascrell
Lampson	Payne
Langevin	Pelosi
Lantos	Price (NC)
Larsen (WA)	Pryce (OH)
Larson (CT)	Rangel
Leach	Reyes

NOES—243

Aderholt	Dunn
Akin	Edwards
Armey	Ehlers
Bachus	Ehrlich
Baird	Emerson
Baker	English
Ballenger	Everett
Barcia	Ferguson
Barr	Flake
Bartlett	Fletcher
Barton	Foley
Bass	Forbes
Bereuter	Fossella
Berry	Frelinghuysen
Bilirakis	Galleghy
Bishop	Ganske
Blunt	Gekas
Boehner	Gibbons
Bonilla	Gilchrest
Boucher	Gillmor
Boyd	Goode
Brady (TX)	Goodlatte
Brown (SC)	Gordon
Bryant	Goss
Burr	Graham
Burton	Granger
Buyer	Graves
Callahan	Green (WI)
Calvert	Greenwood
Camp	Grucci
Cannon	Gutknecht
Cantor	Hall (OH)
Capito	Hall (TX)
Carson (OK)	Hansen
Castle	Hart
Chabot	Hastings (WA)
Chambliss	Hayes
Clement	Hayworth
Coble	Hefley
Collins	Herger
Combest	Hilleary
Cooksey	Hobson
Costello	Hoekstra
Cox	Holden
Cramer	Horn
Crane	Hostettler
Crenshaw	Hulshof
Cubin	Hyde
Culberson	Isakson
Cunningham	Issa
Davis, Jo Ann	Istook
Davis, Tom	Jenkins
Deal	John
DeLay	Johnson (CT)
DeMint	Johnson (IL)
Diaz-Balart	Johnson, Sam
Dreier	Jones (NC)
Duncan	Keller

Rivers	Ramstad
Rodriguez	Regula
Rothman	Rehberg
Roybal-Allard	Reynolds
Sabo	Riley
Sanchez	Roemer
Sanders	Rogers (KY)
Sawyer	Rogers (MI)
Schakowsky	Rohrabacher
Schiff	Ros-Lehtinen
Scott	Ross
Shays	Roukema
Sherman	Royce
Simmons	Ryan (WI)
Slaughter	Ryun (KS)
Smith (WA)	Sandlin
Snyder	Saxton
Solis	Schaffer
Stark	Schrock
Strickland	Sensenbrenner
Stupak	Sessions
Tauscher	Shadegg
Thompson (CA)	Shaw
Thompson (MS)	
Thurman	
Tierney	
Udall (CO)	
Udall (NM)	
Visclosky	
Waters	
Watt (NC)	
Waxman	
Weiner	
Wexler	
Woolsey	
Wu	
Wynn	

Sherwood	Thomas
Shimkus	Thornberry
Shows	Thune
Shuster	Tiahrt
Simpson	Tiberi
Skeen	Toomey
Skelton	Traficant
Smith (MI)	Turner
Smith (NJ)	Upton
Smith (TX)	Vitter
Souder	Walden
Spratt	Walsh
Stearns	Wamp
Stenholm	Watkins (OK)
Stump	Watts (OK)
Sununu	Weldon (FL)
Sweeney	Weller
Tancredo	Whitfield
Tanner	Wicker
Tauzin	Wilson
Taylor (MS)	Wolf
Taylor (NC)	Young (AK)
Terry	Young (FL)

NOT VOTING—14

Abercrombie	Obey	Towns
Doolittle	Owens	Velazquez
Hunter	Peterson (MN)	Watson (CA)
Lewis (GA)	Rush	Weldon (PA)
Meeks (NY)	Serrano	

□ 1355

Messrs. GOODLATTE, DUNCAN, SAXTON, REGULA, Mrs. CUBIN, and Messrs. GILCHREST, CLEMENT, SHADEGG, MASCARA and GREENWOOD changed their vote from "aye" to "no."

Mrs. KELLY, Mr. GREEN of Texas, Mrs. BONO and Ms. TAUSCHER changed their vote from "no" to "aye."

So the amendment to the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. HOSTETTLER).

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. HOSTETTLER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 262, noes 152, not voting 16, as follows:

[Roll No. 354]

AYES—262

Aderholt	Brown (SC)	Davis (FL)
Akin	Bryant	Davis, Jo Ann
Armey	Burr	Davis, Tom
Bachus	Burton	Deal
Baird	Buyer	DeLay
Baker	Callahan	DeMint
Ballenger	Calvert	Diaz-Balart
Barcia	Camp	Doolittle
Barr	Cannon	Doyle
Bartlett	Cantor	Dreier
Barton	Capito	Duncan
Bass	Carson (OK)	Dunn
Bentsen	Castle	Edwards
Bereuter	Chabot	Ehlers
Berry	Coble	Ehrlich
Biggert	Collins	Emerson
Bilirakis	Combest	English
Bishop	Cooksey	Everett
Blunt	Costello	Ferguson
Boehlert	Cox	Flake
Boehner	Cramer	Fletcher
Bonilla	Crane	Foley
Bono	Crenshaw	Forbes
Boucher	Cubin	Fossella
Boyd	Culberson	Frelinghuysen
Brady (TX)	Cunningham	Galleghy

Ganske	Lucas (KY)	Ryun (KS)	Millender-	Reyes	Solis	Bachus	Frost	McKeon
Gekas	Lucas (OK)	Sandlin	McDonald	Rivers	Stark	Baird	Galleghy	McKinney
Gibbons	Maloney (CT)	Saxton	Miller, George	Rodriguez	Tauscher	Baker	Ganske	McNulty
Gilchrest	Manzullo	Schaffer	Mink	Rothman	Thompson (CA)	Baldacci	Gekas	Meehan
Gillmor	Mascara	Schrock	Moore	Roybal-Allard	Thompson (MS)	Baldwin	Gephardt	Meek (FL)
Goode	Matheson	Sensenbrenner	Moran (VA)	Sabo	Tierney	Ballenger	Gibbons	Menendez
Goedlatte	McCrery	Sessions	Moralla	Sanchez	Udall (CO)	Barcia	Gilchrest	Mica
Gordon	McHugh	Shadegg	Nadler	Sanders	Udall (NM)	Barrett	Gillmor	Millender-
Goss	McInnis	Shaw	Napolitano	Sawyer	Visclosky	Barton	Gilman	McDonald
Graham	McIntyre	Sherwood	Neal	Schakowsky	Watt (NC)	Bass	Gonzalez	Miller (FL)
Granger	McKeon	Shimkus	Oliver	Schiff	Waxman	Becerra	Granger	Miller, Gary
Graves	McNulty	Shows	Pallone	Scott	Weiner	Bentsen	Greenwood	Miller, George
Green (TX)	Menendez	Shuster	Pastor	Shays	Wexler	Bereuter	Grucci	Mink
Green (WI)	Mica	Simpson	Payne	Sherman	Woolsey	Berkley	Gutierrez	Mollohan
Greenwood	Miller (FL)	Skeen	Pelosi	Simmons	Wu	Berman	Gutknecht	Moore
Grucci	Miller, Gary	Skelton	Price (NC)	Slaughter	Wynn	Biggert	Hall (OH)	Moran (VA)
Gutknecht	Mollohan	Smith (MI)	Rangel	Smith (WA)		Bilirakis	Harman	Morella
Hall (OH)	Moran (KS)	Smith (NJ)				Bishop	Hastings (FL)	Murtha
Hall (TX)	Murtha	Smith (TX)				Blagojevich	Hastings (WA)	Myrick
Hansen	Myrick	Snyder	Abercrombie	Meeks (NY)	Towns	Blumenauer	Hill	Nadler
Hart	Nethercutt	Souder	Chambliss	Obey	Velazquez	Boehlert	Hilliard	Napolitano
Hastings (WA)	Ney	Spratt	Clement	Owens	Watson (CA)	Boehner	Hinchev	Neal
Hayes	Northup	Stearns	Hunter	Peterson (MN)	Weldon (PA)	Bonilla	Hinojosa	Nethercutt
Hayworth	Norwood	Stenholm	Lee	Rush		Bonior	Hobson	Northup
Hefley	Nussle	Strickland	Lewis (GA)	Serrano		Bono	Hoefel	Nussle
Herger	Oberstar	Stump				Borski	Hoekstra	Oberstar
Hilleary	Ortiz	Stupak				Boswell	Holden	Olver
Hobson	Osborne	Sununu				Boucher	Holt	Ortiz
Hoekstra	Ose	Sweeney				Boyd	Honda	Osborne
Holden	Otter	Tancredo				Brady (PA)	Hoolley	Ose
Hostettler	Oxley	Tanner				Brown (FL)	Horn	Oxley
Hulshof	Pascarell	Tauzin				Brown (OH)	Hostettler	Pallone
Hyde	Paul	Taylor (MS)				Brown (SC)	Houghton	Pascarell
Isakson	Pence	Taylor (NC)				Burr	Hoyer	Pastor
Issa	Peterson (PA)	Terry				Buyer	Hulshof	Payne
Istook	Petri	Thomas				Callahan	Hyde	Pelosi
Jenkins	Phelps	Thornberry				Calvert	Inslee	Peterson (PA)
John	Pickering	Thune				Camp	Isakson	Phelps
Johnson (CT)	Pitts	Thurman				Cannon	Israel	Pombo
Johnson (IL)	Platts	Tiahrt				Capito	Issa	Pomeroy
Johnson, Sam	Pombo	Tiberi				Capps	Istook	Portman
Jones (NC)	Pomeroy	Toomey				Capuano	Jackson (IL)	Price (NC)
Kanjorski	Portman	Traficant				Cardin	Jackson-Lee	Pryce (OH)
Keller	Pryce (OH)	Turner				Carson (IN)	(TX)	Putnam
Kelly	Putnam	Upton				Carson (OK)	Jefferson	Quinn
Kennedy (MN)	Quinn	Vitter				Castle	John	Radanovich
Kerns	Radanovich	Walden				Chambliss	Johnson (CT)	Rahall
Kind (WI)	Rahall	Walsh				Clay	Johnson, E. B.	Ramstad
King (NY)	Ramstad	Wamp				Clayton	Jones (OH)	Regula
Kingston	Regula	Waters				Clement	Kanjorski	Rehberg
Kirk	Rehberg	Watkins (OK)				Clyburn	Kaptur	Reyes
Knollenberg	Reynolds	Watts (OK)				Condit	Keller	Reynolds
LaHood	Riley	Weldon (FL)				Conyers	Kelly	Rivers
Lampson	Roemer	Weller				Cooksey	Kennedy (RI)	Rodriguez
Largent	Rogers (KY)	Whitfield				Costello	Kildee	Rogers (KY)
Latham	Rogers (MI)	Wicker				Coyne	Kilpatrick	Rogers (MI)
LaTourette	Rohrabacher	Wilson				Cramer	Kind (WI)	Rohrabacher
Lewis (CA)	Ros-Lehtinen	Wolf				Crane	King (NY)	Ros-Lehtinen
Lewis (KY)	Ross	Young (AK)				Crenshaw	Kingston	Ross
Linder	Roukema	Young (FL)				Crowley	Kirk	Rothman
Lipinski	Royce					Cubin	Klecza	Roukema
LoBiondo	Ryan (WI)					Cummings	Knollenberg	Roybal-Allard

NOES—152

Ackerman	DeLauro	Jackson (IL)	Millender-	Reyes	Solis	Bachus	Frost	McKeon
Allen	Deutsch	Jackson-Lee	McDonald	Rivers	Stark	Baird	Galleghy	McKinney
Andrews	Dicks	(TX)	Miller, George	Rodriguez	Tauscher	Baker	Ganske	McNulty
Baca	Dingell	Jefferson	Mink	Rothman	Thompson (CA)	Baldacci	Gekas	Meehan
Baldacci	Doggett	Johnson, E. B.	Moore	Roybal-Allard	Thompson (MS)	Baldwin	Gephardt	Meek (FL)
Baldwin	Dooley	Jones (OH)	Moran (VA)	Sabo	Tierney	Ballenger	Gibbons	Menendez
Barrett	Engel	Kaptur	Moralla	Sanchez	Udall (CO)	Barcia	Gilchrest	Mica
Becerra	Eshoo	Kennedy (RI)	Nadler	Sanders	Udall (NM)	Barrett	Gillmor	Millender-
Berkley	Etheridge	Kildee	Napolitano	Sawyer	Visclosky	Barton	Gilman	McDonald
Berman	Evans	Kilpatrick	Neal	Schakowsky	Watt (NC)	Bass	Gonzalez	Miller (FL)
Blagojevich	Farr	Klecza	Oliver	Schiff	Waxman	Becerra	Granger	Miller, Gary
Blumenauer	Fattah	Kolbe	Pallone	Scott	Weiner	Bentsen	Greenwood	Miller, George
Bonior	Filner	Kucinich	Pastor	Shays	Wexler	Bereuter	Grucci	Mink
Borski	Ford	Kucinich	Payne	Sherman	Woolsey	Berkley	Gutierrez	Mollohan
Boswell	Frank	LaFalce	Pelosi	Simmons	Wu	Berman	Gutknecht	Moore
Brady (PA)	Frank	Langevin	Price (NC)	Slaughter	Wynn	Biggert	Hall (OH)	Moran (VA)
Brown (FL)	Frost	Lantos	Rangel	Smith (WA)		Bilirakis	Harman	Morella
Brown (OH)	Gephardt	Lantos				Bishop	Hastings (FL)	Murtha
Capps	Gilman	Larsen (WA)				Blagojevich	Hastings (WA)	Myrick
Capuano	Gonzalez	Larson (CT)				Blumenauer	Hill	Nadler
Cardin	Gutierrez	Leach				Boehlert	Hilliard	Napolitano
Carson (IN)	Harman	Levin				Boehner	Hinchev	Neal
Clay	Hastings (FL)	Lofgren				Bonilla	Hinojosa	Nethercutt
Clayton	Hill	Lowe				Bonior	Hobson	Northup
Clyburn	Hilliard	Luther				Bono	Hoefel	Nussle
Condit	Hinchev	Maloney (NY)				Borski	Hoekstra	Oberstar
Conyers	Hinojosa	Markey				Boswell	Holden	Olver
Coyne	Hoefel	Matsui				Boucher	Holt	Ortiz
Crowley	Holt	McCarthy (MO)				Boyd	Honda	Osborne
Cummings	Honda	McCarthy (NY)				Brady (PA)	Hoolley	Ose
Davis (CA)	Hooley	McCollum				Brown (FL)	Horn	Oxley
Davis (IL)	Houghton	McDermott				Brown (OH)	Hostettler	Pallone
DeFazio	Hoyer	McGovern				Brown (SC)	Houghton	Pascarell
DeGette	Inslee	McKinney				Burr	Hoyer	Pastor
Delahunt	Israel	Meehan				Buyer	Hulshof	Payne
		Meek (FL)				Callahan	Hyde	Pelosi
						Calvert	Inslee	Peterson (PA)
						Camp	Isakson	Phelps
						Cannon	Israel	Pombo
						Capito	Issa	Pomeroy
						Capps	Istook	Portman
						Capuano	Jackson (IL)	Price (NC)
						Cardin	Jackson-Lee	Pryce (OH)
						Carson (IN)	(TX)	Putnam
						Carson (OK)	Jefferson	Quinn
						Castle	John	Radanovich
						Chambliss	Johnson (CT)	Rahall
						Clay	Johnson, E. B.	Ramstad
						Clayton	Jones (OH)	Regula
						Clement	Kanjorski	Rehberg
						Clyburn	Kaptur	Reyes
						Condit	Keller	Reynolds
						Conyers	Kelly	Rivers
						Cooksey	Kennedy (RI)	Rodriguez
						Costello	Kildee	Rogers (KY)
						Coyne	Kilpatrick	Rogers (MI)
						Cramer	Kind (WI)	Rohrabacher
						Crane	King (NY)	Ros-Lehtinen
						Crenshaw	Kingston	Ross
						Crowley	Kirk	Rothman
						Cubin	Klecza	Roukema
						Cummings	Knollenberg	Roybal-Allard
						Cunningham	Kolbe	Sabo
						Davis (CA)	Kucinich	Sanchez
						Davis (FL)	LaFalce	Sanders
						Davis (IL)	LaHood	Sandlin
						Davis, Tom	Lampson	Sawyer
						DeFazio	Langevin	Saxton
						DeGette	Lantos	Schakowsky
						DeLahunt	Largent	Schiff
						DeLauro	Larsen (WA)	Schiff
						DeLay	Larson (CT)	Scott
						Deutsch	Latham	Shaw
						Diaz-Balart	LaTourette	Shays
						Dicks	Leach	Sherman
						Dingell	Lee	Sherwood
						Doggett	Lee	Simmons
						Dooley	Levin	Simpson
						Doolittle	Lewis (CA)	Skeen
						Doyle	Linder	Slaughter
						Dreier	Lipinski	Smith (TX)
						Edwards	LoBiondo	Smith (WA)
						Ehlers	Lofgren	Snyder
						Ehrlich	Lowe	Solis
						Emerson	Lucas (OK)	Souder
						Engel	Luther	Spratt
						English	Maloney (CT)	Stark
						Eshoo	Maloney (NY)	Stupak
						Etheridge	Markey	Sununu
						Evans	Mascara	Sweeney
						Farr	Matheson	Tanner
						Fattah	Matsui	Tauscher
						Ferguson	McCarthy (MO)	Tauzin
						Filner	McCarthy (NY)	Taylor (NC)
						Fletcher	McCollum	Terry
						Foley	McCrary	Thomas
						Ford	McDermott	Thompson (CA)
						Frank	McGovern	Thompson (MS)
						Frelinghuysen	McHugh	Thune
							McIntyre	Thurman

NOT VOTING—16

□ 1403

Mr. PASTOR changed his vote from "aye" to "no."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

This Act may be cited as the "District of Columbia Appropriations Act, 2002".

The CHAIRMAN. If there are no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. ISAKSON) having assumed the chair, Mr. BEREUTER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration 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, pursuant to House Resolution 245, he reported the bill, as amended pursuant to that rule, back to the House with further sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill 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 bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 327, nays 88, answered "present" 1, not voting 14, as follows:

[Roll No. 355]

YEAS—327

Abercrombie	Aderholt	Andrews	Bachus	Frost	McKeon
Ackerman	Allen	Baca	Baird	Galleghy	McKinney

Tierney	Walden	Wexler
Toomey	Walsh	Whitfield
Trafficant	Wamp	Wilson
Turner	Waters	Wolf
Udall (CO)	Watt (NC)	Woolsey
Udall (NM)	Watts (OK)	Wu
Upton	Waxman	Wynn
Visclosky	Weiner	Young (FL)
Vitter	Weller	

NAYS—88

Akin	Green (TX)	Platts
Army	Green (WI)	Riley
Barr	Hall (TX)	Roemer
Bartlett	Hansen	Royce
Berry	Hart	Ryan (WI)
Blunt	Hayes	Ryun (KS)
Brady (TX)	Hayworth	Schaffer
Bryant	Hefley	Schrock
Burton	Herger	Sensenbrenner
Cantor	Hilleary	Sessions
Chabot	Hunter	Shadegg
Coble	Jenkins	Shimkus
Collins	Johnson (IL)	Shows
Combest	Johnson, Sam	Skelton
Cox	Jones (NC)	Smith (NJ)
Culberson	Kennedy (MN)	Stearns
Davis, Jo Ann	Kerns	Stenholm
Deal	Lewis (KY)	Strickland
DeMint	Lucas (KY)	Stump
Duncan	Manzullo	Tancredo
Everett	McInnis	Taylor (MS)
Flake	Moran (KS)	Thornberry
Forbes	Ney	Tiahrt
Fossella	Norwood	Tiberi
Goode	Otter	Watkins (OK)
Goodlatte	Paul	Weldon (FL)
Gordon	Pence	Wicker
Goss	Petri	Young (AK)
Graham	Pickering	
Graves	Pitts	

ANSWERED "PRESENT"—1

Obey

NOT VOTING—14

Dunn	Rangel	Towns
Lewis (GA)	Rush	Velazquez
Meeks (NY)	Serrano	Watson (CA)
Owens	Shuster	Weldon (PA)
Peterson (MN)	Smith (MI)	

□ 1423

Mr. RYAN of Wisconsin and Mr. FOSSELLA changed their vote from "yea" to "nay."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. SHUSTER. Mr. Speaker, on rollcall No. 355 I was unavoidably detained. Had I been present, I would have voted "nay."

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 2944, DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2002

Mr. KNOLLENBERG. Mr. Speaker, I ask unanimous consent that the Clerk be authorized to make technical corrections and other conforming changes in the engrossment of H.R. 2944 to reflect the actions of the House.

The SPEAKER pro tempore (Mr. ISAKSON). Is there objection to the request of the gentleman from Michigan?

There was no objection.

PERMISSION FOR PERMANENT SELECT COMMITTEE ON INTELLIGENCE TO HAVE UNTIL MIDNIGHT, WEDNESDAY, SEPTEMBER 26, 2001 TO FILE A REPORT ON H.R. 2883, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2002

Mr. GOSS. Mr. Speaker, I ask unanimous consent that the Permanent Select Committee on Intelligence may have until midnight tomorrow night, September 26, 2001, to file a report on the bill (H.R. 2883) to authorize appropriations for fiscal year 2002 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

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

There was no objection.

DEFENSE PRODUCTION ACT AMENDMENTS OF 2001

Mr. OXLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2510) to extend the expiration date of the Defense Production Act of 1950, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment with an amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Senate amendment:

Page 2, strike out all after line 8 down to and including line 14 and insert "2002".

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

Section 711(b) of the Defense Production Act of 1950 (50 U.S.C. App. 2161(b)) is amended by striking "2001" and inserting "2002".

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

There was no objection.

The SPEAKER pro tempore. Without objection, the Senate amendment is agreed to, and a motion to reconsider is laid on the table.

There was no objection.

GENERAL LEAVE

Mr. OXLEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2510, the legislation just passed, and to insert extraneous material on the bill.

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

There was no objection.

VACATING PROCEEDINGS ON H.R. 2510, DEFENSE PRODUCTION ACT AMENDMENTS OF 2001

The SPEAKER pro tempore. Without objection, the previous action of the House on H.R. 2510 will be vacated.

There was no objection.

DEFENSE PRODUCTION ACT AMENDMENTS OF 2001

Mr. OXLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2510) to extend the expiration date of the Defense Production Act of 1950, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment with an amendment.

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SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

Section 711(b) of the Defense Production Act of 1950 (50 U.S.C. App. 2161(b)) is amended by striking "2001" and inserting "2002".

The Clerk read the House amendment to the Senate amendment, as follows:

House amendment to Senate amendment:

Line 3, strike "2002" and insert "2003".

Line 7, strike "2002" and insert "2003".

Mr. OXLEY. Mr. Speaker, I rise today in strong support for the reauthorization of the Defense Production Act and the amendment that will be adopted by the House today. As you are aware, the Defense Production Act gives the President important emergency powers to ensure that industry produces needed material during times of military or civil emergencies.

Unfortunately, with the events of September 11, we find ourselves in the midst of both. The President's authority under the DPA expires on Sunday, and it is important that we renew these powers during this critical period in our Nation's history.

The House passed a clean 3-year reauthorization on September 5. The Senate returned the bill to us late Friday night, limiting the President's authority to only one year. With the clock ticking, we don't want to be back in this same position next year. Therefore, in the best spirit of compromise, we are amending the Senate bill and splitting the difference—extending the DPA for 2 years. I know that some of my colleagues in the other body have some concerns about the powers granted to the President under the DPA, and particularly in how they have been used in the past. They have my assurance that we will look closely at those concerns in the interim, and make changes where they are necessary.

I want to thank Chairman KING, and ranking members LAFALCE and MALONEY for their help in moving this bipartisan legislation forward. I urge my colleagues to support this bill and this amendment.

Mr. LAFALCE. Mr. Speaker, I want to express my strong support for the extension of the Defense Production Act for a two-year period. I also want to commend the Chairman of the Financial Services Committee, as well as the Chairman and Ranking Member of the subcommittee on Domestic Monetary Policy, for their vigilance and bi-partisanship in ensuring that these statutes are extended prior to expiration.

Clearly, this body would have preferred a 3-year extension of the Act, as reflected in the earlier legislation already passed in the House. However, it is also clear that a 2-year

extension is the most prudent course of action in order to ensure that reauthorization of the Act is signed into law within the next few days.

As I have argued repeatedly during the past two weeks, the Act contains Presidential powers that may well be needed to be called upon in the aftermath of the terrorist attack. In fact, we already have indications that the DPA will be invoked in the coming weeks. One news report from this morning states, "[The DPA] is one of an array of statutes likely to be used frequently in the coming weeks as DOD seeks to expedite procurements—especially in the information technology and telecommunications sectors."

With today's action in this body, I am confident that we will have an extension of the DPA signed into law prior to its expiration on September 30, and I want to thank my colleagues again for demonstrating the wisdom and flexibility that has been necessary to make that happen.

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

There was no objection.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. OXLEY. Mr. Speaker, I once again ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2510, the legislation just passed, and to insert extraneous material on the bill.

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

There was no objection.

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 the motion 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 vote on the postponed question will be taken later.

DISTRICT OF COLUMBIA POLICE COORDINATION AMENDMENT ACT OF 2001

Mrs. MORELLA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2199) to amend the National Capital Revitalization and Self-Government Improvement Act of 1997 to permit any Federal law enforcement agency to enter into a cooperative agreement with the Metropolitan Police Department of the District of Columbia to assist the Department in carrying out crime prevention and law enforcement activities in the District of Columbia if deemed appropriate by the Chief of the Department and the United States Attorney for the District of Columbia, and for other purposes.

The Clerk read as follows:

H.R. 2199

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 "District of Columbia Police Coordination Amendment Act of 2001".

SEC. 2. PERMITTING ADDITIONAL FEDERAL LAW ENFORCEMENT AGENCIES TO ENTER INTO COOPERATIVE AGREEMENTS WITH METROPOLITAN POLICE DEPARTMENT OF THE DISTRICT OF COLUMBIA.

Section 11712(d) of the National Capital Revitalization and Self-Government Improvement Act of 1997 (D.C. Code, sec. 4-192(d)) is amended by adding at the end the following:

"(33) Any other law enforcement agency of the Federal government that the Chief of the Metropolitan Police Department and the United States Attorney for the District of Columbia deem appropriate to enter into an agreement pursuant to this section."

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Maryland (Mrs. MORELLA) and the gentleman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentlewoman from Maryland (Mrs. MORELLA).

GENERAL LEAVE

Mrs. MORELLA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2199.

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

There was no objection.

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

Our colleague the gentlewoman from the District of Columbia (Ms. NORTON) introduced this bill, H.R. 2199, on June 14 of this year. It was referred to the House Committee on Government Reform and was then referred to the Subcommittee on the District of Columbia on June 19. The subcommittee considered and marked up the legislation on June 26, forwarded it to the full committee by unanimous consent, and the committee considered and marked up H.R. 2199 on July 25 and ordered it to be reported.

Mr. Speaker, H.R. 2199 amends the National Capital Revitalization and Self-Government Improvement Act of 1997 to permit any Federal law enforcement agency to enter into an agreement with the D.C. Metropolitan Police Department in order to assist the Metropolitan Police Department with local law enforcement in the District.

□ 1330

The original 1997 legislation provided great assistance to the District of Columbia by enabling Federal law enforcement agencies to enforce local laws on or near their jurisdictional boundaries.

The 1997 legislation specified certain law enforcement agencies, inadvertently leaving out some agencies. H.R. 2199 cures this restriction by allowing

other law enforcement agencies to enter into cooperative agreements with the Metropolitan Police Department if the Chief of the Metropolitan Police Department and the United States Attorney for the District of Columbia deem it appropriate.

Mr. Speaker, I would like to express my appreciation to the gentlewoman from the District of Columbia (Ms. NORTON), the ranking minority member of the Subcommittee on the District of Columbia, for her leadership in expanding the provisions of the existing law to improve public safety and reduce crime in the Nation's capital.

I would also like to thank the chairman of the Committee on Government Reform, the gentleman from Indiana (Mr. BURTON), for his interest in District of Columbia issues and for his guidance in bringing this bill to the floor, and of course to the ranking member, the gentleman from California (Mr. WAXMAN).

Mr. Speaker, I urge all Members to support H.R. 2199, the District of Columbia Police Coordination Amendment Act of 2001.

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

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

Mr. Speaker, I rise in strong support of the bill to amend P.L. 105-33, legislation that has done much to cure our coordinated efforts of Federal and local law enforcement officials in the Nation's capital. I want to thank the chairman of the Subcommittee on the District of Columbia (Mrs. MORELLA) for her leadership and her work in bringing this bill to the floor today and moving so quickly to facilitate this important bill.

H.R. 2199, the District of Columbia Police Coordination Act of 2001, amends the Police Coordination Act I introduced in 1997, signed that year, by allowing those agencies not named in the original legislation to assist the Metropolitan Police Department with local law enforcement in the district. Inadvertently, P.L. 105-33 failed to make the language sufficiently open-ended to include agencies not mentioned in the original bill.

Prior to the Police Coordination Act, Federal agencies often were confined to agency premises and were not able to enforce local laws on or near their premises. Instead, for example, Federal officers sometimes called 911, taking hard-pressed D.C. police officers from urgent work in neighborhoods experiencing serious crime. Federal officers were trained and willing to do the job, but lacked the authority to do so before the passage of the Police Coordination Act. When our country has been attacked, this flexibility provided to Federal police officers to pursue suspects beyond their desks is both timely and necessary.

Five agencies have already signed agreements with the U.S. Attorney for the District of Columbia enabling them

to assist the Metropolitan Police Department, including the Federal Protective Service, the largest Federal force to participate. Now over 400 officers are assisting D.C. police.

Federal agencies understand that the extension of their jurisdiction will enhance safety and security within and around their agencies, while offering needed assistance as well to District residents. The Capitol Police and Amtrak police, who have the longest experience with expanded jurisdiction, report that the morale of their officers was affected positively because of the satisfaction that comes from being integrated into efforts to reduce and prevent crime in and around their agencies and in the Nation's capital.

This non-controversial technical amendment to the Police Coordination Act is another step toward achieving my goal of assuring the most efficient use of all the available police resources to protect Federal agency staff, visitors, commuters, and D.C. residents. I urge all of my colleagues to support H.R. 2199.

Once again, I thank the chairman for her work on this bill.

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

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

Mr. Speaker, I reiterate my thanks to the sponsor of the legislation, the gentlewoman from the District of Columbia (Ms. NORTON) for her leadership on these issues. I urge unanimity supporting this important bill to coordinate the police action in the District of Columbia to provide for further public safety and reduction of crime.

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

The SPEAKER pro tempore (Mr. BE-REUTER). The question is on the motion offered by the gentlewoman from Maryland (Mrs. MORELLA) that the House suspend the rules and pass the bill, H.R. 2199.

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.

PROVIDING FOR FURTHER CONSIDERATION OF H.R. 2586, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2002

Mrs. MYRICK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 246 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 246

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for further consideration of the bill (H.R. 2586) to authorize appropriations for fiscal year 2002 for military activities of the Depart-

ment of Defense, to prescribe military personnel strengths for fiscal year 2002, and for other purposes. No further amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentlewoman from North Carolina (Mrs. MYRICK) is recognized for 1 hour.

Mrs. MYRICK. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. FROST), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Yesterday, the Committee on Rules met and granted a rule providing for further consideration of H.R. 2586, the fiscal year 2002 Department of Defense Authorization Act. The rule makes in order only those amendments printed in the Committee on Rules report accompanying the resolution, which may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The rule waives all points of order against such amendments. Finally, the rule provides for one motion to recommit, with or without instructions.

Mr. Speaker, this rule allows us to finish up our work on the defense bill. All of us on both sides of the aisle recognize that we must provide for our military in this time of crisis. The gentleman from Arizona (Chairman STUMP) and the gentleman from Missouri (Mr. SKELTON) deserve great credit for coming together this week to grease the skids on this bill.

The rule simply ratifies their agreement by providing for five amendments. The gentleman from Texas (Mr. FROST), who is managing the rule for the minority, worked hard on one of these amendments. In the wake of the

terrorist attacks 2 weeks ago, the gentleman from Texas (Mr. Frost) and the gentleman from Arizona (Mr. STUMP) worked to ensure that the Pentagon commends its civilian employees who are killed and injured by terrorist attacks by awarding them a medal for the defense of freedom. This is a new medal to recognize civilian Department of Defense employees who are injured in the line of duty.

The rule makes in order another amendment that I strongly oppose, an amendment to allow abortions on our military bases overseas. There is no place for abortion at our sensitive foreign bases.

Finally, Mr. Speaker, in addition to a noncontroversial manager's amendment, the rule provides for two amendments that would beef up our military's ability to fight terrorism. All of America realizes how important this is. We can leave nothing to chance. The primary purpose of our Federal Government is to defend our citizens, and the military is our primary source of that defense.

The need for these amendments is all too clear. We must act quickly to give our men and women the tools that they need to patrol our borders and prevent terrorist attacks to protect us.

So let us pass this rule and pass the underlying defense authorization bill. At the end of the day, we will have provided \$343 billion to our Armed Forces, the largest increase in support for our military since the 1980s. At this crucial time in our history, this bill is most important.

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

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

Mr. Speaker, let me start by saying that I am glad that today the House of Representatives will complete this bill, H.R. 2586, the National Defense Authorization Act for fiscal year 2002. It is a good example of the bipartisan support America's Armed Forces enjoy. It passed the Committee on Armed Services on a bipartisan vote of 58 to 1. That is because Democrats and Republicans are strongly committed to a first-rate military that will protect this Nation and its people and that will maintain our position as the chief protector of democracy and the rule of law throughout the world.

Since the horror of September 11, Mr. Speaker, America's commitment to the finest military in the world has only become stronger. That is clear from the hard work that went into reaching bipartisan consensus in this rule.

In the interest of national unity, several of the military's strongest defenders on the Democratic side agreed to forego important priorities. For example, I am disappointed that the manager's amendment strips out the provision of the gentleman from Hawaii (Mr. ABERCROMBIE) to make contracting procedures more equitable for Department of Defense civilian employees, a provision that was passed by the Committee on Armed Services. Last night,

Democrats on the Committee on Rules tried to restore this important provision, but failed in a party line vote. I hope that we can revisit this issue at a later date.

On the other hand, I am pleased that there is bipartisan support for the amendment offered by the gentleman from Arizona (Chairman STUMP) and the ranking member, the gentleman from Missouri (Mr. SKELTON). It provides \$400 million for intelligence and counterterrorism initiatives by reducing the President's request for national missile defense. It reflects how America's national defense priorities have changed since September 11.

The rule also makes in order an amendment by the gentlewoman from California (Ms. SANCHEZ) to restore equal access to health services at overseas military hospitals for service men and women and their dependents stationed overseas.

Finally, I personally appreciate the work of the gentleman from Arizona (Chairman STUMP) and the gentleman from California (Chairman DREIER) to recognize the sacrifice of Defense Department civilians killed or injured at the Pentagon on September 11. The amendment of the gentleman from Arizona (Chairman STUMP) is a sense of the Congress resolution commending the Defense Department's decision to create a new award, a medal for the defense of freedom, to be awarded to Defense Department civilian employees killed or wounded as a result of terrorism.

Mr. Speaker, we urge the Secretary of Defense to move quickly to produce and present this new medal. These medals are typically awarded about the time of burial, and the Defense Department is now in the process of identifying the civilians killed in the September 11 attack on the Pentagon.

Until 1998, Mr. Speaker, civilian employees of the Defense Department were eligible for the Purple Heart, an honor begun by the Kennedy administration and continued during the Reagan Administration. The amendment of the gentleman from Arizona (Chairman STUMP) would ensure that once again they can receive the recognition they deserve for their service to America.

As for the bill itself, Mr. Speaker, I am pleased that it makes crucial quality of life improvements by raising military pay, improving military housing, and ensuring medical care for military retirees for the men and women of the Armed Forces and their families.

I am also pleased that the Committee on Armed Services has continued its commitment to the wide range of weapons programs that ensure our military's superiority throughout the world. The bill includes \$865 million for research and development of the F-22 Raptor, the next generation air dominance fighter for the Air Force, as well as \$2.7 billion for 13 low-rate initial production aircraft, and \$379 million for advance procurement of 24 LRIP aircraft in fiscal year 2003.

□ 1445

Mr. Speaker, H.R. 2586 also includes \$1.5 billion for continued development of the Joint Strike fighter and \$1 billion for the procurement of 12 MV-22 helicopters. These aircraft are important components in our national arsenal, and moving forward on their research and development sends a clear signal that the United States has no intention of relinquishing our air superiority.

Mr. Speaker, the first duty of the Congress is to provide for the national defense and the men and women who protect it. This bipartisan bill does a great deal to improve military readiness and to improve the quality of life of our men and women in uniform, as well as for their families. For that reason, I urge the adoption of this rule and of the bill.

Mr. Speaker, I yield 2 minutes to the gentleman from Puerto Rico (Mr. ACEVEDO-VILÁ).

Mr. ACEVEDO-VILÁ. Mr. Speaker, I am glad the House today finally agrees on a rule to approve H.R. 2586, that will authorize the adequate funds for the Defense Department at this critical time, but I want to clarify some issues with regard to Puerto Ricans and Puerto Rico's commitment at this moment to the Nation.

Puerto Ricans will continue to support this great Nation and President George W. Bush in efforts to fight against the horrific elements of terrorism. Let no one question our commitment. Governor Calderon and I have reached out to support those directly impacted by the cowardly acts of September 11, 2001. Some 800 Puerto Ricans died that day in the Pentagon and in New York. We stand in steadfast support of efforts to realize justice and to heal the many wounds inflicted on America. We recognize that this bill works toward that commitment.

Nevertheless, I am concerned, however, about language contained in the chairman's mark that would, if enacted, alter the commitment of the Navy to find sufficient alternative training grounds to Vieques by May 1, 2003. I am also concerned about how this change in policy will be received in Puerto Rico should it become law. We reaffirm our support of President Bush's position that there is no need for another referendum and that the Navy depart Vieques on or before May 1, 2003.

Furthermore, since Navy Secretary Gordon England yesterday stated in a letter dated September 24, 2001, to Senate Committee on Armed Services Committee Chairman LEVIN that the Navy will meet its goal of May 1, 2003, there is no need to change the existing commitment. Such a change would create confusion and distrust in Vieques. We do not need that at this time of national unity.

I am confident that the President, this House, and the Senate will comply with the commitment made to the people of Vieques that the Navy will leave Vieques by 2003.

I want my colleagues to appreciate how committed Puerto Ricans are to our national defense. All of the recruitment goals of the armed services have been surpassed in Puerto Rico over the last 4 years. Even as this issue has been discussed on the island, young Puerto Ricans enlist to serve our Nation in numbers that increase year after year and exceed recruiting goals of our armed services, including the Navy.

Puerto Rico's support of this Nation is unconditional. However, I believe that the administration can still meet the commitment to find alternatives to Vieques by May 1, 2003.

Mrs. MYRICK. Mr. Speaker, I would just like to say to the gentleman from Puerto Rico that I hope he will accept our condolences for all of the people of Puerto Rico who lost their lives in that senseless act.

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

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Arkansas (Mr. SNYDER).

Mr. SNYDER. Mr. Speaker, I rise in support of this rule. Both the gentleman from Utah (Mr. HANSEN) and I had asked that amendments be made in order that deal with base closure. They were not made in order; but in the spirit of comity, we understand why that is the situation.

However, the other body has clearly made its preferences clear, and this will be an item at conference. Secretary Rumsfeld also made a very strong statement within the last 24 hours that he believes the events of 2 weeks ago in Washington and New York bring home even more the importance of finding dollars to save as we transform our military into dealing with the threats of the future. So while we will not have any language in this defense bill today that deals with base closure, I believe that at conference, we need to improve the language of the Senate so that those communities that go through this process hopefully can have more peace of mind than they did in previous rounds of base closure. We need to do base closure, and at some point we will save an additional \$3 billion a year that can go into items that we need to deal with the threats of the future.

Mr. FROST. Mr. Speaker, I yield 6 minutes to the gentleman from Mississippi (Mr. TAYLOR).

Mr. TAYLOR of Mississippi. Mr. Speaker, I would like to take this opportunity to oppose this rule.

I find at a time when we are getting ready to ask another generation of Americans to lay their lives on the line for our Nation, that we are now willing to fulfill a promise made to previous generations of Americans who have served our country. One of the many promises that were made to the men and women in uniform was the promise of free lifetime health care. The implied promise for almost all of those people who served and enlisted back then was that the base hospital would

be made available to them for the rest of their lives.

Mr. Speaker, last year, after some effort to get an amendment to the floor, 406 of my colleagues voted to pass something called Medicare subvention, which would allow 65-year-old military retirees to use the base hospital and for Medicare to reimburse that base hospital so that there was no cost to the DOD for providing health care to our Nation's military retirees. Our military retirees, like every other American, pay Medicare taxes. This would allow them to take those Medicare taxes to the doctor of their choice.

Unfortunately, the other body, after we passed that by such a large vote, chose not to include that in the final version of the defense authorization bill. They took our language that said "you must do it" and said "you may do it." Unfortunately, events have shown that neither HCFA, which is Medicare, nor the DOD could reach an agreement on the compensation.

So now, because the Committee on Rules said we would have to waive the budget rule, we cannot take care of our Nation's military retirees. I guess the gentleman from Arizona (Mr. HAYWORTH) and I would be the only two guys in this room to know that there is a song by the Isley Brothers called "Harvest for the World." The rhetorical question is why do those who pay the price come home with the least? Mr. Speaker, if these Americans have paid the price, then why are they coming home with the least?

We are told that for hundreds of millions of dollars, we cannot reimburse the base hospitals with their own Medicare money. Mr. Speaker, 31 times this year, the Committee on Rules has seen fit to waive the budget rules; but almost always, it was for someone who had a big PAC, folks who made big contributions. Well, military retirees do not have big PACs; and they do not make big contributions, not the least donation-wise. What they have done is contributed their lives to our Nation, and we are not even willing to see to it that we can keep the promise to them.

So I am going to oppose this rule, and I would ask my fellow colleagues to oppose it.

I would also like to point out that one more budget tightening that is going on has to do with concurrent receipt. Federal employees who are disabled on the workplace are allowed to draw their disability and their retirement pay. Once again, the only Americans who are singled out to get one or the other are our Nation's military retirees. As the President just pointed out, we are going to have casualties in this war against terrorism; and if those casualties happen to have been someone who served our Nation for 20 years or more, and if they become disabled as a result of their military service, they will get their disability; but it will be deducted from their retirement pay.

Mr. Speaker, I want my colleagues, the Committee on Rules, I want the

gentleman from California (Mr. THOMAS) of the Committee on Ways and Means, I want somebody to come to this floor and tell me that that is fair. Just last week we bailed out the airlines, and I voted for it, and some of the people we bailed out make \$20 million and \$30 million a year to run those companies, and they have not run them very well. We have seen to it that the wealthiest 5 percent of all Americans got more than their fair share of 1 trillion, 200 billion dollars worth of tax breaks; but we cannot take care of folks who have been disabled serving their country, and we cannot honor the promise of lifetime health care to our Nation's military retirees.

I want the Speaker of the House, I want the gentleman from California (Mr. THOMAS), I want someone to come forward and just tell me if they think that is fair, because if we are willing to do it behind the cloak of secrecy, if we are willing to get the folks on the Committee on Rules to do our dirty work for us, then please do not have the nerve 2 months from now to go to Veterans' Day celebrations, and when that military retiree comes to you and says, you know what, they will not let me in the base hospital, and when that disabled veteran comes to you, and says, you know what, I can get my military pay or disability pay, but I have earned both of them, and I cannot get both, you can look that guy in the eye and say, well, I was not aware of that, and maybe he will forget about it a year from November, or you can tell him the truth: yes, I knew you had a problem, but we were trying to move that bill along, so we just ignored you one more time.

Just last week we found \$18 billion to bail out the airlines. The week before that we allocated \$40 billion additional defense funds, but not one of those pennies is allocated to solve either one of these problems. Does somebody want to tell me that is right? This defense bill is more famous for what it does not do. It does not balance the budget. As of the end of August, even before the tragedy on September 11, our Nation was \$31 billion in the red, again. It does not build ships. At the rate we are going, we are losing 15 ships a year, that is the impact, and headed towards a 200 ship fleet. I say to my colleagues, not the 400-ship fleet of just a few years ago and not the 600-ship fleet of the Reagan years. So someone tell me where the heck all the money goes and why we cannot set better priorities.

So for a lot of reasons, on behalf of my 405 colleagues who supported Medicare subvention last year, and who only asked for a fair up and down vote on that issue so that we can fulfill the promise to our Nation's military retirees, I ask my colleagues to oppose this rule.

Mr. FROST. Mr. Speaker, we have no additional speakers. I urge adoption of the rule, and I yield back the balance of my time.

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

move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

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 2 o'clock and 57 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1747

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. McHUGH) at 5 o'clock and 47 minutes p.m.

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 25, 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 25, 2001 at 4:41 p.m.

That the Senate PASSED without amendment H.J. Res. 65.

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
Clerk of the House.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2002

The SPEAKER pro tempore. Pursuant to House Resolution 246 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2586.

□ 1748

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the 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, with Mrs. BIGGERT in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Thursday, September 20, 2001, proceedings pursuant to the order of the House of

Wednesday, September 19 had been completed.

Pursuant to House Resolution 246, no further amendment to the committee amendment in the nature of a substitute is in order, except amendments printed in House Report 207-218. Amendments printed in the report may be considered only in the order printed, may be offered only by a Member designated in the report, shall be considered read, and shall not be subject to a demand for a division of the question.

It is now in order to consider amendment No. 1 printed in House Report 107-218.

AMENDMENT NO. 1 OFFERED BY MR. STUMP

Mr. STUMP. Madam Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. STUMP:

At the end of subtitle A of title I (page 18, after line 25), insert the following new section:

SEC. ____ ADDITIONAL AMOUNT FOR SHIP-BUILDING AND CONVERSION, NAVY.

(a) INCREASE IN SCN AMOUNT.—The amount provided in section 102(a)(3) for shipbuilding and conversion for the Navy is hereby increased by \$57,100,000, to be available for the U.S.S. Eisenhower (CVN-69) Refueling Complex Overhaul program.

(b) OFFSET.—The amount provided in section 301(5) is hereby reduced by \$57,100,000, to be derived from amounts for consulting services.

Strike section 121 (page 20, line 2, through page 21, line 2).

At the end of subtitle B of title II (page 27, after line 24), insert the following new sections:

SEC. ____ COST LIMITATION APPLICABLE TO F-22 AIRCRAFT PROGRAM ENGINEERING AND MANUFACTURING DEVELOPMENT.

Section 217(c)(3) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85; 111 Stat. 1660) is amended by inserting "plus \$250,000,000" after "and (2)".

SEC. ____ C-5 AIRCRAFT MODERNIZATION.

(a) INCREASE IN AIR FORCE RDTE AMOUNT.—The amount provided in section 201(3) for Research, Development, Test, and Evaluation for the Air Force is hereby increased by \$30,000,000, to be available for Re-engineering and Avionics Modernization for the C-5 aircraft.

(b) OFFSET.—The amount provided in section 301(5) is hereby reduced by \$30,000,000, to be derived from amounts for consulting services.

Strike section 331 (page 58, beginning on line 19) and insert the following:

SEC. 331. WORKFORCE REVIEW LIMITATIONS.

(a) LIMITATION PENDING GAO REPORT.—No more than 50 percent of the workforce reviews planned during fiscal year 2002 may be initiated before the date that is the earlier of (1) May 1, 2002, or (2) the date on which the Comptroller General submits to Congress the report required by section 832 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted by Public Law 106-398; 114 Stat. 1654A-221), regarding policies and procedures governing the transfer of commercial activities from Government personnel to Federal contractors.

(b) REQUIRED COST SAVINGS LEVEL FOR CHANGE.—(1) A commercial or industrial type function of the Department of Defense may not be changed to performance by the

private sector as a result of a workforce review unless, as a result of the cost comparison examination required as part of the review that employed the most efficient organization process described in Office of Management and Budget Circular A-76 or any successor administrative regulation or policy, at least a 10-percent cost savings would be achieved by performance of the function by the private sector over the term of the contract.

(2) The cost savings requirement specified in paragraph (1) does not apply to any contracts for special studies and analyses, construction services, architectural services, engineering services, medical services, scientific and technical services related to (but not in support of) research and development, and depot-level maintenance and repair services.

(3) The Secretary of Defense may waive the cost savings requirement if—

(A) the written waiver is prepared by the Secretary of Defense, or the relevant Assistant Secretary or agency head; and

(B) the written waiver is accompanied by a detailed determination that national security interests are so compelling as to preclude compliance with the requirement for a cost comparison examination.

(C) The Secretary of Defense shall publish a copy of the waiver in the Federal Register.

(c) WORKFORCE REVIEW DEFINED.—In this section, the term "workforce review" with respect to a function of the Department of Defense performed by Department of Defense civilian employees, means a review conducted under Office of Management and Budget Circular A-76 (or any successor administrative regulation or policy).

Strike subtitle G of title III (page 71, beginning on line 12), relating to the Department of Defense Service Contracting Reform Act of 2001.

At the end of subtitle F of title III (page 71, after line 11), insert the following new section:

SEC. ____ SENSE OF CONGRESS REGARDING SECURITY TO BE PROVIDED AT THE 2002 WINTER OLYMPIC GAMES.

It is the sense of Congress that the Secretary of Defense should provide essential and appropriate public safety and security support for the 2002 Winter Olympic Games in Salt Lake City, Utah.

Page 179, line 18, insert "(a) ACCESS TO DIRECTORY INFORMATION.—" before "Section".

Page 180, after line 3, insert the following:

(b) ENHANCED RECRUITER ACCESS.—Section 503(c)(5) of such title is amended by striking "do not apply to—" and all that follows through "(B)" and inserting "do not apply to".

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on July 1, 2002, immediately after the amendment to section 503(c) of title 10, United States Code, made, effective that date, by section 563(a) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106-398; 114 Stat. 1654A-131).

Strike section 715 (page 231, beginning on line 8, and all that follows through page 234, line 18) and insert the following new section:

SEC. 715. CLARIFICATIONS AND IMPROVEMENTS REGARDING THE DEPARTMENT OF DEFENSE MEDICARE-ELIGIBLE RETIREE HEALTH CARE FUND.

(a) CLARIFICATION REGARDING COVERAGE.—Subsection (b) of section 1111 of title 10, United States Code, is amended to read as follows:

"(b) In this chapter:

"(1) The term 'Department of Defense retiree health care programs' means the provisions of this title or any other provision of law creating an entitlement to or eligibility

for health care under a Department of Defense or uniformed service program for a member or former member of a participating uniformed service who is entitled to retired or retainer pay, and an eligible dependent under such program.

"(2) The term 'eligible dependent' means a dependent (as such term is defined in section 1072(2) of this title) described in section 1076(a)(2) (other than a dependent of a member on active duty), 1076(b), 1086(c)(2), or 1086(c)(3).

"(3) The term 'medicare-eligible', with respect to any person, means entitled to benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395c et seq.).

"(4) The term 'participating uniformed service' means the Army, Navy, Air Force, and Marine Corps, and any other uniformed service that is covered by an agreement entered into under subsection (c)."

(b) PARTICIPATION OF OTHER UNIFORMED SERVICES.—(1) Section 1111 of such title is further amended by adding at the end the following new subsection:

"(c) The Secretary of Defense may enter into an agreement with any other administering Secretary (as defined in section 1072(3)) for participation in the Fund by a uniformed service under the jurisdiction of that Secretary. Any such agreement shall require that Secretary to make contributions to the Fund on behalf of the members of the uniformed service under the jurisdiction of that Secretary comparable to the contributions to the Fund made by the Secretary of Defense under section 1116, and such administering Secretary may make such contributions."

(2) Section 1112 of such title is amended by adding at the end the following new paragraph:

"(4) Amounts paid into the Fund pursuant to section 1111(c)."

(3) Section 1115 of such title is amended—

(A) in subsection (a), by inserting "participating" before "uniformed services";

(B) in subparagraphs (A)(ii) and (B)(ii) of subsection (b)(1), by inserting "under the jurisdiction of the Secretary of Defense" after "uniformed services";

(C) in subsection (b)(2), by inserting "(or to the other executive department having jurisdiction over the participating uniformed service)" after "Department of Defense"; and

(D) in subparagraphs (A) and (B) of subsection (c)(1), by inserting "participating" before "uniformed services".

(4) Section 1116(a) of such title is amended in paragraphs (1)(B) and (2)(B) by inserting "under the jurisdiction of the Secretary of Defense" after "uniformed services".

(c) CLARIFICATION OF PAYMENTS FROM THE FUND.—(1) Subsection (a) of section 1113 of such title is amended to read as follows:

"(a) There shall be paid from the Fund amounts payable for the costs of all Department of Defense retiree health care programs for the benefit of members or former members of a participating uniformed service who are entitled to retired or retainer pay and are medicare eligible, and eligible dependents described in section 1111(b)(3) who are medicare eligible."

(2) Such section is further amended by adding at the end the following new subsections:

"(c)(1) In carrying out subsection (a), the Secretary of Defense may transfer periodically from the Fund to applicable appropriations of the Department of Defense, or to applicable appropriations of other departments or agencies, such amounts as the Secretary determines necessary to cover the costs chargeable to those appropriations for Department of Defense retiree health care programs for beneficiaries under those programs who are medicare-eligible. Such transfers may include amounts necessary for the administration of such programs. Amounts so

transferred shall be merged with and be available for the same purposes and for the same time period as the appropriation to which transferred. Upon a determination that all or part of the funds transferred from the Fund are not necessary for the purposes for which transferred, such amounts may be transferred back to the Fund. This transfer authority is in addition to any other transfer authority that may be available to the Secretary.

“(2) A transfer from the Fund under paragraph (1) may not be made to an appropriation after the end of the second fiscal year after the fiscal year that the appropriation is available for obligation. A transfer back to the Fund under paragraph (1) may not be made after the end of the second fiscal year after the fiscal year that the appropriation to which the funds were originally transferred is available for obligation.

“(d) The Secretary of Defense shall by regulation establish the method or methods for calculating amounts to be transferred under subsection (c). Such method or methods may be based (in whole or in part) on a proportionate share of the volume (measured as the Secretary determines appropriate) of health care services provided or paid for under Department of Defense retiree health care programs for beneficiaries under those programs who are medicare-eligible in relation to the total volume of health care services provided or paid for under Department of Defense health care programs.

“(e) The regulations issued by the Secretary under subsection (d) shall be provided to the Comptroller General not less than 60 days before such regulations become effective. The Comptroller General shall, not later than 30 days after receiving such regulations, report to the Secretary of Defense and Congress on the adequacy and appropriateness of the regulations.

“(f) If the Secretary of Defense enters into an agreement with another administering Secretary pursuant to section 1111(c), the Secretary of Defense may take actions comparable to those described in subsections (c), (d), and (e) to effect comparable activities in relation to the beneficiaries and programs of the other participating uniformed service.”.

(d) SOURCE OF FUNDS FOR MONTHLY AC-CRUAL PAYMENTS INTO THE FUND.—Section 1116 of such title is further amended—

(1) in subsection (a)(2)(B) (as amended by subsection (b)(7)), by striking the sentence beginning “Amounts paid into”; and

(2) by adding at the end the following new subsection:

“(c) Amounts paid into the Fund under subsection (a) shall be paid from funds available for the health care programs of the participating uniformed services under the jurisdiction of the respective administering Secretaries.”.

(e) LIMITATION ON TOTAL AMOUNT CONTRIBUTED DURING A FISCAL YEAR.—Section 1116 of such title is further amended by adding at the end the following new subsection:

“(d) In no case may the total amount of monthly contributions to the Fund during a fiscal year under subsection (a) exceed the amount paid from the Fund during such fiscal year under section 1113.”.

(f) TECHNICAL AMENDMENTS.—(1) The heading for section 1111 of such title is amended to read as follows:

“§ 1111. Establishment and purpose of Fund; definitions; authority to enter into agreements”.

(2) The item relating to section 1111 in the table of sections at the beginning of chapter 56 of such title is amended to read as follows: “1111. Establishment and purpose of Fund; definitions; authority to enter into agreements.”.

(3) Section 1115(c)(1)(B) of such title is amended by inserting an open parenthesis before “other than for training”.

(g) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of chapter 56 of title 10, United States Code, by section 713(a)(1) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106-398; 114 Stat. 1654A-179).

(h) FIRST YEAR CONTRIBUTIONS.—With respect to contributions under section 1116(a) of title 10, United States Code, for the first year that the Department of Defense Medicare-Eligible Retiree Health Care Fund is established under chapter 56 of such title, if the Board of Actuaries is unable to execute its responsibilities with respect to such section, the Secretary of Defense may make contributions under such section using methods and assumptions developed by the Secretary.

At the end of title X (page 307, after line 20), insert the following new sections:

SEC. ____ AMENDMENTS RELATING TO COMMISSION ON THE FUTURE OF THE UNITED STATES AEROSPACE INDUSTRY.

(a) DEADLINE FOR REPORT.—Subsection (d)(1) of section 1092 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106-398; 114 Stat. 1654A-302) is amended by striking “March 1, 2002” and inserting “one year after the date of the first official meeting of the Commission”.

(b) TERMINATION OF COMMISSION.—Subsection (g) of such section is amended by striking “30 days” and inserting “60 days”.

SEC. ____ AUTHORITY TO ACCEPT MONETARY CONTRIBUTIONS FOR REPAIR AND RECONSTRUCTION OF PENTAGON RESERVATION.

Section 2674(e) of title 10, United States Code, is amended—

(1) by redesignating paragraph (2) as paragraph (3);

(2) by inserting after paragraph (1) the following new paragraph:

“(2) The Secretary of Defense may accept monetary contributions made for the purpose of assisting to finance the repair and reconstruction of the Pentagon Reservation following the terrorist attack that occurred on September 11, 2001. The Secretary shall deposit such contributions in the Fund.”; and

(3) in paragraph (3), as redesignated, by inserting at the end the following new sentence: “However, contributions accepted under paragraph (2) shall be available for expenditure only for the purpose specified in such paragraph.”.

At the end of title XIV (page 348, after line 8), insert the following new section:

SEC. 1408. RELATIONSHIP TO AUTHORITIES AND RESPONSIBILITIES OF DIRECTOR OF CENTRAL INTELLIGENCE.

Nothing in this title or the amendments made by this title shall modify, alter, or supersede the authorities and responsibilities of the Director of Central Intelligence.

Strike section 2863 (page 424, line 9, through page 426, line 6), and insert the following new section:

SEC. 2863. MANAGEMENT OF THE PRESIDIO OF SAN FRANCISCO.

(a) AUTHORITY TO LEASE CERTAIN HOUSING UNITS FOR USE AS ARMY HOUSING.—Title I of division I of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333; 16 U.S.C. 460bb note) is amended by adding at the end the following new section:

“SEC. 107. CONDITIONAL AUTHORITY TO LEASE CERTAIN HOUSING UNITS WITHIN THE PRESIDIO.

“(a) AVAILABILITY OF HOUSING UNITS FOR LONG-TERM ARMY LEASE.—Subject to sub-

section (c), the Trust shall make available for lease, to those persons designated by the Secretary of the Army and for such length of time as requested by the Secretary of the Army, 22 housing units located within the Presidio that are under the administrative jurisdiction of the Trust and specified in the agreement between the Trust and the Secretary of the Army in existence as of the date of the enactment of this section.

“(b) LEASE AMOUNT.—The monthly amount charged by the Trust for the lease of a housing unit under this section shall be equivalent to the monthly rate of the basic allowance for housing that the occupant of the housing unit is entitled to receive under section 403 of title 37, United States Code.

“(c) CONDITION ON CONTINUED AVAILABILITY OF HOUSING UNITS.—Effective after the end of the four-year period beginning on the date of the enactment of this section, the Trust shall have no obligation to make housing units available under subsection (a) unless, during that four-year period, the Secretary of the Treasury purchases new obligations of at least \$80,000,000 issued by the Trust under section 104(d)(2). In the event that this condition is not satisfied, the existing agreement referred to in subsection (a) shall be renewed on the same terms and conditions for an additional two years.”.

(b) INCREASED BORROWING AUTHORITY AND TECHNICAL CORRECTIONS.—Paragraphs (2) and (3) of section 104(d) of title I of division I of the Omnibus Parks and Public Lands Management Act of 1996, as amended by section 334 of appendix C of Public Law 106-113 (113 Stat. 1501A-199) and amended and redesignated by section 101(13) of Public Law 106-176 (114 Stat. 25), are amended—

(1) in paragraph (2), by striking “including a review of the creditworthiness of the loan and establishment of a repayment schedule,” the second place it appears; and

(2) in paragraph (3)—

(A) by striking “\$50,000,000” and inserting “\$150,000,000”; and

(B) by striking “paragraph (3) of”.

At the end of subtitle A of title XXXI (page 461, after line 6), insert the following new section:

SEC. ____ INCREASED AMOUNT FOR NON-PROLIFERATION AND VERIFICATION.

(a) NATIONAL NUCLEAR SECURITY ADMINISTRATION.—The amounts provided in section 3101 for activities of the National Nuclear Security Administration, and in paragraph (2) of that section for defense nuclear nonproliferation, are each hereby increased by \$10,000,000, for operation and maintenance for nonproliferation and verification research and development (and the amounts provided in subparagraph (A) of such paragraph (2) and in clause (i) of such subparagraph are each hereby increased by such amount).

(b) OFFSET.—The amount provided in section 301(5) is hereby reduced by \$10,000,000, to be derived from amounts for consulting services.

Strike section 3304 (page 483, lines 9 through 16) and insert the following new section:

SEC. 3304. EXPEDITED IMPLEMENTATION OF AUTHORITY TO DISPOSE OF COBALT FROM NATIONAL DEFENSE STOCKPILE.

(a) DISPOSAL AUTHORIZED DURING FISCAL YEAR 2002.—Subsection (a)(1) of section 3305 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85; 50 U.S.C. 98d note) is amended by striking “fiscal year 2003” and inserting “the two-fiscal year period ending September 30, 2003”.

(b) LIMITATIONS ON DISPOSAL AUTHORITY.—Subsection (b)(1) of such section is amended by adding at the end the following new sentence: “The total quantity of cobalt disposed

of under such subsection during fiscal year 2002 may not exceed 700,000 pounds.”.

The CHAIRMAN. Pursuant to House Resolution 246, the gentleman from Arizona (Mr. STUMP) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona (Mr. STUMP).

Mr. STUMP. Madam Chairman, I yield myself such time as I may consume.

The amendment that I offer at this point in the bill has been developed in consultation with the gentleman from Missouri (Mr. SKELTON), the committee's ranking member, and results mostly from the unusual process the Committee on Armed Services had to deal with this year.

As Members are aware, we did not receive the administration's amended budget proposal for the Department of Defense until after the July 4 break. Details regarding the submission and backup justification materials continued to come into the committee throughout the month of July and even into August. However, the gentleman from Missouri (Mr. SKELTON) and I determined that in order to get the defense bill to the floor this month, the committee needed to get through the markup before the August district period.

The committee compressed what would normally be a 3-month deliberation into less than a month, but strived to accomplish the committee's usual comprehensive work product. Unfortunately, the reality of moving so quickly while greater levels of detail kept arriving from the administration, inevitably necessitated that a variety of changes be made to the bill based on that information.

Some of the provisions are more technical than others but, again, all have been worked out in consultation with the gentleman from Missouri (Mr. SKELTON), and I urge my colleagues to support the amendment.

Madam Chairman, I reserve the balance of my time.

Mr. SKELTON. Madam Chairman, I claim the time in opposition, and I yield myself such time as I may consume.

Madam Chairman, one might call this a “cats and dogs” amendment. In this bill, as in every bill, there are minor housekeeping matters and new ideas and agreements that do not require their own specific amendment; and the gentleman from Arizona (Mr. STUMP), the chairman of the committee, and I have rounded up the strays and now present them en bloc. I have worked with the chairman to resolve these items. I support all of them, and I ask the Members to join us in the passage of this amendment.

Madam Chairman, I reserve the balance of my time.

Mr. STUMP. Madam Chairman, I yield myself such time as I may consume.

I rise to engage the gentleman from Nebraska (Mr. BEREUTER), the vice

chairman of the Permanent Select Committee on Intelligence, in a colloquy on space launch.

Madam Chairman, I yield to the gentleman from Nebraska (Mr. BEREUTER), the vice chairman of the House Select Committee on Intelligence for a colloquy regarding section 121 of the bill.

Mr. BEREUTER. Madam Chairman, I thank the gentleman for yielding.

The gentleman from Florida (Mr. GOSS), the chairman of the Select Committee on Intelligence, and I appreciate the willingness of the gentleman from Arizona (Mr. STUMP), the chairman of the committee, to reach common ground on the issue of responsibility for contracts on defense space launches. We are particularly grateful that he has agreed with our amendment to remove section 121 from the bill.

As the gentleman knows, the House Permanent Select Committee on Intelligence included a provision in the fiscal year 2001 intelligence authorization bill that would encourage the National Reconnaissance Office to have greater input with respect to contracting related to the launch of national reconnaissance payloads. There have been positive developments from the introduction of this language in last year's intelligence bill, even though that language was removed by the other body prior to final passage. Since the beginning of 2001, the U.S. Air Force has been more forthcoming with the NRO on contracting matters, and this trend needs to be encouraged.

Mr. STUMP. Madam Chairman, reclaiming my time, it is my understanding that the House Select Committee on Intelligence does not plan to adopt any additional space launch contracting provisions in the fiscal year 2002 intelligence authorization bill; is that correct?

Mr. BEREUTER. Madam Chairman, the chairman's understanding of our position is correct.

Mr. STUMP. Madam Chairman, I reserve the balance of my time.

Mr. SKELTON. Madam Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. Madam Chairman, I rise to engage the gentleman from Arizona (Mr. STUMP), the chairman of the committee, in a colloquy.

Madam Chairman, I appreciate the gentleman's willingness to discuss an issue that takes on even more significance in light of the attacks on September 11, and that is computer cybersecurity. I had proposed an amendment to provide \$2 million to the Secretary of Defense in order to assist the Department of Defense in ensuring that computers and computer-related products that the Department purchases from the commercial sector meet the highest level of national security and information security requirements. Unfortunately, my amendment was not ruled in order. This is a very important topic to me, and I hope to have the chairman's support as I continue to

discuss and promote the need for information assurance within the Department of Defense.

Mr. STUMP. Madam Chairman, will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from Arizona.

Mr. STUMP. Madam Chairman, the gentleman raises a very important issue. In this day and age, information assurance and security of the Department's computers is vital. Our national defense relies on it. I assure the gentleman that I will continue to work with the gentleman on this matter.

Madam Chairman, I am pleased to yield 1 minute to the gentlewoman from West Virginia (Mrs. CAPITO).

Mrs. CAPITO. Madam Chairman, I thank the gentleman for yielding me this time.

I would like to speak in support of the manager's amendment, but I would like to talk briefly about part of that amendment that came from the heart of West Virginia.

The day after the tragedy on September 11, the eighth grade class of Moorefield Middle School, Mr. Sisler's class, got together and talked about what they could do to help. One of the girls in the class said, I would like to give some money to rebuild the Pentagon. So we engaged in a conversation; and what we came up with was a specific bill, part of this amendment, that would allow children and adults throughout the country to specifically donate to the Department of Defense to create a fund to rebuild and restructure our Pentagon. That is part of this manager's amendment.

It is with great pride that I offer this from the Moorefield Middle School children, from the hearts of West Virginia to the hearts of America; and I thank the gentleman for letting me be a part of this.

Mr. SKELTON. Madam Chairman, I reserve the balance of my time.

Mr. STUMP. Madam Chairman, I am pleased to yield 1 minute to the gentlewoman from Virginia (Mrs. JO ANN DAVIS).

Mrs. JO ANN DAVIS of Virginia. Madam Chairman, I thank the gentleman for yielding me this time.

I rise today in strong support of the manager's amendment of the gentleman from Arizona (Mr. STUMP). This amendment contains \$57.1 million to complete the funding required for the refueling of the U.S.S. *Eisenhower* and will help to ensure our carrier force is ready for war.

Madam Chairman, there is no question that we have underfunded our true defense needs for over 10 years. Now is the time to correct this. Now is the time to fully fund our carriers.

Who could have imagined just 2 weeks ago that we would require two carriers in the New York Harbor flying combat air patrols? Who could have imagined that just 2 weeks ago we would require four carriers in just one theater of operation?

Madam Chairman, H.R. 2586 is a start toward funding our military at adequate levels, but it is only a start. This

manager's amendment will rush critical funding not only to our carriers, but C-5 aircraft modernization. These are two critical areas that need our immediate attention, and the gentleman from Arizona's amendment does just that.

In closing, I encourage all Members of the House to vote in support of this critical amendment.

Mr. SKELTON. Madam Chairman, I yield back the balance of my time.

Mr. STUMP. Madam Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. STUMP).

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 2 printed in House report 107-218.

AMENDMENT NO. 2 OFFERED BY MR. STUMP

Mr. STUMP. Madam Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. STUMP:

At the end of subtitle E of title V (page 161, after line 12), insert the following new section:

SEC. ____ . SENSE OF CONGRESS ON NEW MEDAL TO RECOGNIZE CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE KILLED OR WOUNDED AS A RESULT OF HOSTILE ACTION.

(a) FINDINGS.—Congress makes the following findings:

(1) The role and importance of civilian nationals of the United States as Federal employees and contractors in support of operations of the Armed Forces worldwide has continued to expand.

(2) The expanded role performed by those civilians, both in the United States and overseas, has greatly increased the risk to those civilians of injury and death from hostile actions taken against United States Armed Forces, as demonstrated by the terrorist attack on the Pentagon on September 11, 2001, in which scores of Department of Defense civilian and contractor personnel were killed or wounded.

(3) No decoration exists for the recognition of civilian nationals of the United States who, while serving under competent authority in any capacity with the Armed Forces, are killed or wounded in the line of duty under circumstances which, if they were members of the Armed Forces, would qualify them for the award of the Purple Heart.

(4) Both the Congress and the Secretary of Defense have previously agreed to the need for such a decoration.

(5) On September 20, 2001, the Deputy Secretary of Defense approved the creation of a new award, a medal for the defense of freedom, to be awarded to civilians employed by the Department of Defense who are killed or wounded as a result of hostile action and at the same time directed that a comprehensive review be conducted to develop a more uniform approach to the award of decorations to military and civilian personnel of the Department of Defense.

(b) COMMENDATION OF CREATION OF NEW AWARD.—Congress commends the decision announced by the Deputy Secretary of Defense on September 20, 2001, to approve the creation of a new award, a medal for the defense of freedom, to be awarded to civilians employed by the Department of Defense who are killed or wounded as a result of hostile action.

(c) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense—

(1) should move expeditiously to produce and award the new medal referred to in subsection (b); and

(2) should develop a more comprehensive, uniform policy for the award of decorations to military and civilian personnel of the Department of Defense.

The CHAIRMAN. Pursuant to House Resolution 246, the gentleman from Arizona (Mr. STUMP) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona (Mr. STUMP).

Mr. STUMP. Madam Chairman, I yield myself such time as I may consume.

My amendment expresses a sense of Congress regarding the recognition of civilian employees within the Department of Defense who are killed or wounded as a result of hostile action.

□ 1800

For those in the uniformed services who have died or were injured in the recent terrorist attacks, the services have a variety of decorations that may be awarded in recognition of their service, including the Purple Heart. However, appropriate medals or decorations have not been available to recognize the sacrifices of civilian employees of the Department of Defense who befall fates similar to those of their military counterparts.

In the 105th Congress, we realized the need to give proper recognition to U.S. civilians who were killed or wounded while serving in an official capacity with our Armed Forces. Public Law 105-261 required the Secretary of Defense to study the need for such awards. Subsequently, former Secretary of Defense William Cohen signed a letter to the Speaker of the House dated January 28, 2000, which stated that in situations that are, "analogous to the circumstances wherein military members receive the Purple Heart, we will move forward to create an appropriate recognition for civilian nationals of the United States within the near future."

Unfortunately, nothing came to fruition during this 18 months, and DOD did not have an appropriate civilian award in place. I understand that now the Department is finally moving forward to establish an award appropriately recognizing civilians.

Many veterans' organizations and military associations that believe the Purple Heart should remain an exclusive military decoration support the Department's action. My amendment commends the Department of Defense for approving the creation of a new medal, a medal in the defense of freedom to be awarded to civilians employed by the Department of Defense who are killed or wounded as a result of hostile action.

I urge my colleagues to support this amendment.

Mr. SKELTON. Madam Chairman, I ask to claim the time in opposition.

The CHAIRMAN. The Chair recognizes the gentleman from Missouri in opposition to the amendment.

Mr. SKELTON. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, let me state that I do rise in support of the amendment offered by my friend and our chairman, the gentleman from Arizona (Mr. STUMP). This amendment expresses the sense of Congress that the Secretary of Defense should move expeditiously to produce an award of a freedom medal to be awarded to civilians employed with the Department of Defense who are killed or wounded as a result of hostile action.

It also urges the Secretary of Defense to develop a comprehensive, uniform policy for the award of decorations to military and civilian personnel.

The tragic and deadly attack of the Pentagon by terrorists has raised public awareness that our Nation's civilian personnel also take an oath to defend and protect our Nation. Their selfless contributions and their sacrifices are just as vital to our efforts to protect the constitutional freedoms that we enjoy.

On September 11, nearly 200 of our finest military personnel and civil servants gave the ultimate sacrifice, their lives, in a terrorist war against our Nation. Members of the Armed Forces who were killed or wounded in the Pentagon attack will receive the Purple Heart. Sadly, the sacrifices of their civilian coworkers will not be acknowledged, since no decoration existed to recognize civilians who were also killed or wounded in the line of duty.

These and many other civilians often work with their military colleagues side by side, and oftentimes are deployed to hostile areas in support of military operations. They are essential to support military operations worldwide, and it is right and just that we recognize their contributions and sacrifices on behalf of our Nation.

On September 20, the Deputy Secretary of Defense approved of a new defense of freedom medal for civilians of the Department of Defense who were killed or wounded as a result of hostile action. The defense of freedom medal, like the Purple Heart, will recognize the sacrifices of our civilian personnel.

I urge the support of my colleagues.

Madam Chairman, I reserve the balance of my time.

Mr. STUMP. Madam Chairman, I yield such time as he may consume to the gentleman from Utah (Mr. HANSEN).

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

Mr. HANSEN. Madam Chairman, I rise in support of my friend and chairman, the gentleman from Arizona, and his efforts in this Purple Heart area. I think he has given us a very great argument on it, and one that I totally support.

I would like to say on the manager's amendments that he just recently passed, the State of Utah will be

hosting the 2002 Winter Games starting in coming February. A lot of people go to that, and in the other body there was a very misguided amendment that said that the U.S. military could have nothing to do with the Winter Games, and that is the law we have now.

Fortunately, that amendment that the gentleman from Arizona (Mr. STUMP) recently carried here would straighten that thing out. I do not think people realize how many people watch the downhill, for an example. Do Members know how many people watched the last Winter Games downhill? Take this figure, 3 billion people.

So this is not something that just the State of Utah is going to be doing, it is basically something the United States is going to be doing. The world watches this. The men's downhill, that is the number one thing they watch. They watch the skating, they watch every part of it, which they find interesting.

Our Nation has a responsibility to our citizens and the citizens of the world to ensure that these games are very safe and they are very successful. The Department of Defense must be freed from unnecessary bureaucratic red tape and misguided past legislation to provide all necessary security for this event that only the United States military can provide.

In light of something that happened 2 weeks ago, it would seem to me the very prudent and reasonable approach to this is the amendment offered by the gentleman from Arizona (Mr. STUMP), and which has been accepted by this body. I compliment the chairman for putting that in and support him completely, and the Secretary, to ensure safe and successful Winter Games, which should be a wonderful thing that we will all take great pride in next winter.

Mr. REYES. Madam Chairman, I ask unanimous consent to control the time in opposition.

The CHAIRMAN. Without objection, the gentleman from Texas may control the time.

There was no objection.

Ms. JACKSON-LEE of Texas. Madam Chairman, I rise in support of the Stump Amendment to H.R. 2586.

This amendment recognizes the role that civilians play in support of our Armed Services during peace and war. I am happy to join my colleagues in commending the Defense Department for its decision to create a new medal for civilians employed by the Department of Defense who are wounded or killed as a result of their presence in or near the theatre of action.

There are numerous duties carried out by government civilians during wartime. Civilians conduct the necessary tests on essential military equipment and serve as liaisons between government contracts and active duty field commanders.

At a time when we have seen the personal sacrifice that American civilians are willing to make in defense of freedom, an amendment honoring Defense Department civilian employees is a meaningful way to show our friends and foes the resolve of the American people.

Madam Chairman, we must ensure that those civilians who risk their lives for us are never forgotten.

Mr. REYES. Madam Chairman, I yield back the balance of my time.

Mr. STUMP. Madam Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. STUMP).

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 3 printed in House Report 107-218.

AMENDMENT NO. 3 OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Madam Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. TRAFICANT:

At the end of subtitle C of title X (page 271, after line 17), insert the following new section:

SEC. ____ . ASSIGNMENT OF MEMBERS TO ASSIST IMMIGRATION AND NATURALIZATION SERVICE AND CUSTOMS SERVICE.

(a) ASSIGNMENT AUTHORITY OF SECRETARY OF DEFENSE.—Chapter 18 of title 10, United States Code, is amended by inserting after section 374 the following new section:

“§ 374a. Assignment of members to assist border patrol and control

“(a) ASSIGNMENT AUTHORIZED.—Upon submission of a request consistent with subsection (b), the Secretary of Defense may assign members of the Army, Navy, Air Force, and Marine Corps to assist—

“(1) the Immigration and Naturalization Service in preventing the entry of terrorists and drug traffickers into the United States; and

“(2) the United States Customs Service in the inspection of cargo, vehicles, and aircraft at points of entry into the United States to prevent the entry of weapons of mass destruction, components of weapons of mass destruction, prohibited narcotics or drugs, or other terrorist or drug trafficking items.

“(b) REQUEST FOR ASSIGNMENT.—The assignment of members under subsection (a) may occur only if—

“(1) the assignment is at the request of the Attorney General, in the case of an assignment to the Immigration and Naturalization Service, or the Secretary of the Treasury, in the case of an assignment to the United States Customs Service; and

“(2) the request of the Attorney General or the Secretary of the Treasury (as the case may be) is accompanied by a certification by the President that the assignment of members pursuant to the request is necessary to respond to a threat to national security posed by the entry into the United States of terrorists or drug traffickers.

“(c) TRAINING PROGRAM REQUIRED.—The Attorney General or the Secretary of the Treasury (as the case may be), together with the Secretary of Defense, shall establish a training program to ensure that members receive general instruction regarding issues affecting law enforcement in the border areas in which the members may perform duties under an assignment under subsection (a). A member may not be deployed at a border location pursuant to an assignment under subsection (a) until the member has successfully completed the training program.

“(d) CONDITIONS OF USE.—(1) Whenever a member who is assigned under subsection (a)

to assist the Immigration and Naturalization Service or the United States Customs Service is performing duties at a border location pursuant to the assignment, a civilian law enforcement officer from the agency concerned shall accompany the member.

“(2) Nothing in this section shall be construed to—

“(A) authorize a member assigned under subsection (a) to conduct a search, seizure, or other similar law enforcement activity or to make an arrest; and

“(B) supersede section 1385 of title 18 (popularly known as the ‘Posse Comitatus Act’).

“(e) ESTABLISHMENT OF ONGOING JOINT TASK FORCES.—(1) The Attorney General or the Secretary of the Treasury may establish ongoing joint task forces when accompanied by a certification by the President that the assignment of members pursuant to the request to establish a joint task force is necessary to respond to a threat to national security posed by the entry into the United States of terrorists or drug traffickers.

“(2) When established, any joint task force shall fully comply with the standards as set forth in this section.

“(f) NOTIFICATION REQUIREMENTS.—The Attorney General or the Secretary of the Treasury (as the case may be) shall notify the Governor of the State in which members are to be deployed pursuant to an assignment under subsection (a), and local governments in the deployment area, of the deployment of the members to assist the Immigration and Naturalization Service or the United States Customs Service (as the case may be) and the types of tasks to be performed by the members.

“(g) REIMBURSEMENT REQUIREMENT.—Section 377 of this title shall apply in the case of members assigned under subsection (a).

“(h) TERMINATION OF AUTHORITY.—No assignment may be made or continued under subsection (a) after September 30, 2004.”

(b) COMMENCEMENT OF TRAINING PROGRAM.—The training program required by subsection (b) of section 374a of title 10, United States Code, shall be established as soon as practicable after the date of the enactment of this Act.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 374 the following new item:

“374a. Assignment of members to assist border patrol and control.”

The CHAIRMAN. Pursuant to House Resolution 246, the gentleman from Ohio (Mr. TRAFICANT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio (Mr. TRAFICANT).

Mr. TRAFICANT. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, 2 weeks ago a foreign force came across our borders and attempted to take away our domestic tranquility. In 1941, Japan attacked Pearl Harbor, a nation with evil intent, and their victims claimed were less than half of that, of three terrorist strikes, with no Nation coming forward to claim, if you will, that debacle.

We are not talking about the border between D.C. and Virginia, we are not talking about the border between Pennsylvania and Ohio, and we are not talking about only the Southwest borders of the United States. The two planes that struck the World Trade Center, those individuals came through Canada.

The Traficant amendment does not mandate anything at this point. It does not deal with illegal immigration. I think the Border Patrol is well capable of doing that. The Traficant amendment allows the President, Mr. Ridge, my friend and former neighbor, now in charge of our homeland security, the Pentagon, in conjunction with the Secretary of the Treasury, and the U.S. Attorney General, to provide that support, land or air.

I say to this Congress again, if 300,000 illegal immigrants trying to find a better life can gain access to America, do not believe for one moment that a larger contingent of people with evil intentions could not gain entry into America and continue to kill American citizens.

Madam Chairman, I reserve the balance of my time.

The CHAIRMAN. Who rises to control the time in opposition?

Mr. REYES. Madam Chairman, I rise in strong opposition to this amendment.

The CHAIRMAN. The gentleman from Texas (Mr. REYES) is recognized for 5 minutes.

Mr. REYES. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, I want to, first of all, commend my colleague, the gentleman from Ohio (Mr. TRAFICANT). Year after year he comes to the floor, out of sheer frustration with this recommendation.

I am here this afternoon, Madam Chair, because I spent a whole career on the border between the United States and Mexico, so I know and understand the frustrations that we face as a country about controlling and doing a better job, and understanding and identifying and stopping those that are coming into this country. This arises perhaps out of frustration, making sure that we do a better job.

But this amendment is not a good idea. It was not a good idea 4 years ago, it was not a good idea last year, and it certainly is less of a good idea today, because just recently, President Bush activated 50,000 reservists. That tells us, it sends a very clear message that we do not have enough troops to go around.

Those reservists that have been activated have been activated because we are about to go and make those accountable for the very acts that my colleague mentioned, the bombing and the terrible and tragic acts against the World Trade Center and against our own Pentagon.

This is not an argument about illegal immigration, this is not an argument that we are engaged here in about who has a better plan. It is a practical understanding of the limitations that our military is capable of carrying out.

We clearly do not have enough active military to carry out the mission that the President has stated will be necessary against terrorism, so he has activated 50,000 reservists.

I would ask my colleague to, instead, work to get a plan to fund on, an overtime basis, police and sheriff's department personnel to augment and better staff our already understaffed Border Patrol and Customs personnel.

Madam Chairman, I yield 1½ minutes to my good friend and colleague, the gentleman from Texas (Mr. ORTIZ), the distinguished gentleman who, prior to coming to Congress, was in law enforcement as a sheriff.

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

Mr. ORTIZ. Madam Chairman, I stand in opposition to the Traficant amendment.

Madam Chairman, I understand that my friend from Ohio, he is a very good friend, and I think his amendment has some merits, but I think this is the wrong time to be moving troops and to be positioning them at the border when we have a more serious problem of dealing with terrorists.

It takes people at the border who understand the skills, or who have the skills to do the right job. The military, and I served in the military, we are trained to do a different job: to destroy the enemy, to do covert operations. We are dealing with a friendly country on both sides, Canada and the United States.

Now, this new war that we are now involved in includes a host of fronts which include law enforcement on our borders, which includes Customs, Border Patrols, the INS, and just like what we are trying to do now, to be sure that when we get people who work at airports, that we pay them a decent salary, that they have the skills necessary so that they know exactly what they are dealing with, what they are looking for. Stationing troops at the border will not do the job.

I was in law enforcement for about 8 years.

Mr. TRAFICANT. Madam Chairman, I continue to reserve my time.

Mr. REYES. Madam Chairman, I yield 15 seconds to the gentleman from Missouri (Mr. SKELTON), my colleague and the distinguished ranking member.

Mr. SKELTON. Madam Chairman, let me say, in recent testimony, Madam Chairman, the Chief of Staff of the United States Army, as well as the Secretary of the Army, testified that they are in need of at least 40,000 additional soldiers for our present missions. I have recommended publicly at least an additional 20,000.

I would point out that these are soldiers, as opposed to those who are policemen. Their job is to protect America's interests as soldiers.

□ 1815

Mr. TRAFICANT. Madam Chairman, might I inquire how much time is remaining on either side?

The CHAIRMAN. The gentleman from Ohio (Mr. TRAFICANT) has 3 minutes. The gentleman from Texas (Mr. Reyes) has ¾ of a minute, and the gen-

tleman from Texas has the right to close.

Mr. TRAFICANT. Madam Chairman, I yield myself such time as I may consume.

Over 6,300 Americans are now dead since our last debate. President Bush has shown wisdom in calling up 50,000 reservists. If we need more, tell me what is more important than the national security of the United States nor the charge that we have here in Congress.

I am a former sheriff. Sheriffs and police chiefs do not fight wars. Border patrols and customs do not fight wars. They are a great help.

All this business about traffic and deploying troops is an absolute lie. We, in fact, through legislation create the training for a specific mechanism of military combat to terrorism. We do not know who our enemy is, but I know this: on September 11 there was one other unusual headline. China signed a cooperative agreement economically with the Taliban government, and today there was another headline, that China is testing super missiles.

If not now, when? If not this, what? We cannot guard all these borders. We give the chance to make sure that there is adequate training; that we support our President; that there is a strong aviation presence; and that if there are to be troops deployed, they are deployed as former-President Bush did with his task force that worked successfully. Yes, there were some setbacks, but never has America been more threatened.

Let me ask this question of Congress. How do we defend our home if our back door and our front door is unlocked? It is unlocked. That is not offending customs. That is not offending border patrol. There is one border patrol for every two miles, and that is not talking about the northern border. I am not talking about the Southwest border. Quite frankly, I think the most inviting aspect to most terrorists now looks to the North.

We have a responsibility to secure our Nation. This is a national security location checkpoint, our border. I know the politics. It took me 12 years to pass changing the burden of proof in the civil tax case, 12 years. It was the right thing to do and seizures of homes dropped from 10,050 to 51.

We have lost double the amount from three terrorist strikes than we did from an attack from Japan. My God, what do we stand for? If we cannot secure our borders, how many more Americans will die? I hate to say this, but I assure you they will, because if 300,000 illegal immigrants come across a border, an army could come across one, perhaps maybe with a nuclear device, in some subway.

I ask the Members and urge them to vote aye on this amendment and fight to keep it in our conference.

The CHAIRMAN. The time of the gentleman from Ohio (Mr. TRAFICANT) has expired.

Mr. REYES. Madam Chairman, I yield myself the remainder of my time.

I know this puts my colleagues in a difficult situation, whether to show the courage to vote against this amendment, which is the right thing to do, or whether to go along and seem patriotic by saying let us put our troops on the border.

My colleague mentioned we do not know who our enemy is but we do know that the people who live along the border, both on the Southern border and the Northern border, are not the enemy; and we should not deploy the military to the Southern border or the Northern border.

Let us use some of that money that we just authorized, that \$40 billion, to augment through overtime the presence of professional law enforcement personnel to help the border patrol and to help customs. That is the rational thing to do. That is the right thing to do. Putting the military on the border has never been a good idea.

Marshal law is not a good idea just because we fear terrorism. President Bush, the Secretaries this afternoon have said, let us go back to normal life. A normal life is not marshal law. I urge all my colleagues to vote against this amendment.

Mr. STUMP. Madam Chairman, I rise in support of the amendment offered by the gentleman from Ohio, Mr. TRAFICANT.

The amendment would reaffirm existing authorities of the President to use members of the Armed Forces in support of law enforcement operations to deny terrorists and drug traffickers entry into the United States. The Department of Defense currently provides personnel, equipment, and intelligence to assist local, state, and federal law enforcement organizations to include the Customs Service and the U.S. Border Patrol.

I believe the Department of Defense must continue to be prepared to respond to the range of threats against the nation and participate where appropriate with law enforcement. While this amendment does not mandate any specific actions by the President, it would establish a process by which the Secretary of Defense may make available additional personnel at the request of the Attorney General or the Secretary of the Treasury.

Mr. Chairman, the amendment is reasonable and I support its adoption.

Ms. JACKSON-LEE of Texas. Madam Chairman, I rise in opposition to the Traffificant Amendment to H.R. 2586.

The Traffificant Amendment would assign, at the request of the Attorney General and the Treasury Department, military personnel to assist in patrolling the borders of the United States. The Traffificant amendment also provides for the establishment of a task force by either the Treasury Department or the Justice Department to aid in counter-terrorism and drug interdiction efforts.

The Traffificant Amendment is a bad amendment for a number of reasons. First, Mr. Chairman, our military forces are spread too thin internationally. This amendment would cause additional stress on our service men and women and their families at a time when our forces are engaged in the world's largest terrorist eradication campaign. Even our Na-

tional Guard and reserve units around the country are engaged in this effort. To use military personnel in civilian roles is simply not an efficient use of this nation's manpower, especially when our border patrol agents can accomplish the same goals with the assistance of new rules and regulations. Let me point out a few key reasons why we need a policy change in our current structure.

The U.S.-Canadian border, which extends for approximately 4,000 miles (excluding Alaska) is one of the longest land borders in the world. Approximately 300 Border Patrol Agents assigned to one of eight Sectors share responsibility for controlling this vast border.

The current national strategy of the Border Patrol directs the vast majority of Border Patrol resources to the Southwest border which is about half the length of the U.S.-Canada border. We need more resources to be directed to the northern border. Currently, threadbare resources have left the United States vulnerable to terrorist sneaking into the country from Canada.

Monitoring the Northern Border is an enormous task and we do not have enough border patrol agents to be dispatched when illegal crossings are detected and there is a lack of agents on duty from midnight to sunrise.

With such a low number of agents assigned to each station that only cover a portion of the border—and no coverage of the border at certain hours—it is surprising that people are apprehended at all.

The best enforcement strategy should be a regional one that will ultimately focus key screening efforts at the two countries external borders through the use of joint intelligence.

Madam Chairman, I do acknowledge the fact that State and federal military personnel have been used in civilian law enforcement activities. For example, the U.S. Forest Service and U.S. Customs Service have used federal military personnel to plan drug interdiction operations. But, the utilization of federal military personnel is rarely used to implement and carryout full blown civilian law enforcement activities.

The Traffificant Amendment goes too far and could very well violate the posse comitatus prohibition found in Title 10 of the U.S. Code which, in most cases, prohibits the use of full time active U.S. personnel for civilian law enforcement purposes. I urge my colleagues to oppose the Traffificant Amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. TRAFICANT).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. TRAFICANT. Madam Chairman, I demand a recorded vote; and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Ohio (Mr. TRAFICANT) will be postponed.

The point of no quorum is considered withdrawn.

The CHAIRMAN. It is now in order to consider amendment No. 4 printed in House Report 107-218.

AMENDMENT NO. 4 OFFERED BY MS. SANCHEZ

Ms. SANCHEZ. Madam Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Ms. SANCHEZ:

At the end of title VII (page 234, after line 18), insert the following new section:

SEC. 7. LIMITING RESTRICTION OF USE OF DEPARTMENT OF DEFENSE MEDICAL FACILITIES TO PERFORM ABORTIONS TO FACILITIES IN THE UNITED STATES.

Section 1093(b) of title 10, United States Code, is amended by inserting "in the United States" after "Defense".

The CHAIRMAN. Pursuant to House Resolution 246 the gentlewoman from California (Ms. SANCHEZ) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California (Ms. SANCHEZ).

Ms. SANCHEZ. Madam Chairman, I yield myself 1 minute.

Today, I join my colleague the gentlewoman from California (Ms. HARMAN) to offer this amendment. Our amendment is about safety and choice, and it is simple and fair.

This amendment allows military personnel and their dependents overseas to use their own funds to obtain legal, safe abortion services in military hospitals. The amendment has been redrafted to leave no room for misinterpretation. It only affects U.S. military bases overseas.

In light of the recent events, I cannot think of a better time to address this issue. The President has already started to activate reserve units, and our brave men and women are being deployed overseas.

The military will not transport a woman out of a forward deployment unit to obtain medical services in a U.S. hospital. That is why our amendment has never been more important.

Women who volunteer to serve in our Armed Forces already give up many freedoms and risk their lives to defend our country. They should not have to sacrifice their privacy, their health, and their basic constitutional rights because of a policy with no valid military purpose.

This is a health care concern. Local facilities in foreign nations are not equipped to handle procedures. This is a matter of fairness.

Our amendment does not allow taxpayer-funded abortions at military hospitals nor does it compel any doctor who opposes abortion on principle to perform an abortion.

Vote for the Sanchez-Harman amendment.

Madam Chairman, I reserve the balance of my time.

Mr. RYUN of Kansas. Madam Chairman, I rise in opposition, and I yield myself such time as I may consume.

Our military serves to protect the lives of the innocent. This is clear to us now more than ever. Military treatment centers are dedicated to healing and nurturing life. They should not be forced to facilitate the taking of the most innocent of human life, the child in the womb.

Supporters of abortion in military hospitals argue that women in countries where abortion is not permitted will have nowhere else to turn. However, the U.S. military follows the prevailing laws and rules of the host country regarding abortions. Military doctors must obey the laws of the country where they are providing services, so abortions still could not be performed in these locations even if we passed this amendment that we are considering today.

This is also the wrong time for Congress to allow overseas military treatment facilities to become abortion clinics. Our administration is working hard to recruit Muslim countries to be a part of our coalition against terrorism. They are working to build a partnership to allow our military to operate in these countries. It would be counterproductive to risk eroding relationships with these countries that oppose abortion.

For the past 5 years, since 1996, the House has rejected attempts to overturn the ban on overseas abortions. The Sanchez amendment is simply one more attempt to reopen a contentious issue that this House has rejected from time to time. I urge my colleagues to maintain current law by voting "no" on the Sanchez amendment.

Madam Chairman, I reserve the balance of my time.

Ms. SANCHEZ. Madam Chairman, I yield 1 minute to the gentlewoman from California (Ms. HARMAN), my colleague and the cosponsor of this amendment.

(Ms. HARMAN asked and was given permission to revise and extend her remarks.)

Ms. HARMAN. Madam Chairman, I thank my colleague, the gentlewoman from California (Ms. SANCHEZ), for her leadership and co-leadership on this very important issue.

Madam Chairman, as we mount our multilayered global efforts to fight terrorism, we need America's best talent. All of it. That includes the majority of Americans: women. And those women serving in our military overseas need access to health care.

As we have heard, this amendment is about health care, which may be denied these women, especially serving in austere countries, as travel back to the United States may become impossible.

We are not asking that the Federal Government pay for abortions for women overseas. Women who want this procedure will have to pay for it themselves. We are not asking that health professionals who do not wish to perform abortions be required to do so. Only willing doctors would provide this service.

As women deploy abroad, it is time to send the right message: as they protect our constitutional rights to life and liberty, we need to protect theirs.

Mr. RYUN of Kansas. Madam Chairman, I yield 1 minute to the gentlewoman from Virginia (Mrs. JO ANN DAVIS).

Mrs. JO ANN DAVIS of Virginia. Madam Chairman, I rise today to speak against this amendment to expand abortion services in overseas military hospitals.

Madam Chairman, let us be clear what we are talking about here. We need to put aside all the rhetoric. What this amendment does is allow the use of hard-earned taxpayer money to fund the procurement of abortions in our military hospitals overseas. The other side will throw out all kinds of false arguments and accusations concerning this, but the amendment is fundamentally about how we use our taxpayer dollars.

This is not a controversial issue. The overwhelming majority of taxpayers oppose the use of publicly held Federal tax dollars for abortion. This is an amendment that has been rejected five times by this same House. Do the right thing and vote against passage of this amendment again.

Ms. SANCHEZ. Madam Chairman, I yield 1 minute to the gentleman from Illinois (Mr. KIRK), my colleague on the committee.

Mr. KIRK. Madam Chairman, I thank the gentlewoman for yielding the time, and rise in support of this amendment.

Currently, Congress bans all abortions for military service members and their dependents in U.S. military hospitals overseas, including those which are privately funded. Women stationed overseas depend on base hospitals for medical care, often situated in areas where local facilities are inadequate. Prohibiting women from using their own funds to obtain these services endangers their health and well-being.

Madam Chairman, I speak as someone who served in Operation Northern Watch at Incirlik Air Base in Turkey just last year. The thought of sending one of our service women from Incirlik to a Turkish hospital in Adana for the kind of services they would receive there is not something I want to support.

I think our women in uniform deserve the very best health care, especially when they use their own funds.

Mr. RYUN of Kansas. Madam Chairman, I yield 1 minute to the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Madam Chairman, I was in the Army Medical Corps when the original policy banning abortions in U.S. military facilities was instituted by Ronald Reagan back in the early 1980s. And I could best describe the climate in those hospitals at the time as a collective sigh of relief.

While there were many people who were pro life, who objected to having abortions performed in the military facilities, there were quite a few people who were pro choice that I encountered who, nonetheless, took the position that they did not want to in any way, directly or indirectly, be affiliated with the performance of an abortion.

Anyone who has ever seen an abortion can understand why I am saying that. Typically, at the conclusion of

the procedure, the abortionist attempts to reassemble the body of the aborted baby to make certain that they obtained all of the products of the conception, quote-unquote. It is quite a grisly procedure, and I think a lot of people who perhaps maybe lean on the pro choice side would nonetheless prefer it be done elsewhere.

I believe the current policy should be supported. This amendment should be voted down.

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Ms. SANCHEZ. Madam Chairman, may I inquire how much time is remaining on both sides?

The CHAIRMAN. The gentlewoman from California (Ms. SANCHEZ) has 2 minutes. The gentleman from Kansas (Mr. RYUN) has 1½ minutes.

Ms. SANCHEZ. I reserve the balance of my time, Madam Chairman.

Mr. RYUN of Kansas. Madam Chairman, I yield 1 minute to the gentleman from Maryland (Mr. BARTLETT).

(Mr. BARTLETT of Maryland asked and was given permission to revise and extend his remarks.)

Mr. BARTLETT of Maryland. Madam Chairman, the best reason to reject this amendment is because the military medical personnel want you to. It has only been fairly recently we actually had a law enforcing the policy that has been in effect for a long time that we are not going to do abortions in military medical facilities. Our military medical personnel do not want abortions done in their facilities no matter who pays for it. It is very important now to support our military. Please reject this amendment. This is not helpful to our military.

The CHAIRMAN. The gentleman from Kansas (Mr. RYUN) has 1 minute remaining. The gentlewoman from California (Ms. SANCHEZ) has 2 minutes. The gentleman from Kansas has the right to close.

Ms. SANCHEZ. Madam Chairman, I yield 1 minute to my colleague, the gentlewoman from California (Ms. HARMAN).

Ms. HARMAN. Madam Chairman, as I said earlier, this is an amendment on which I have spent considerable time. Let us understand what we are talking about.

The gentleman from Maryland (Mr. BARTLETT) just said personnel in military hospitals do not want to perform this service. They do not have to under this legislation.

He said let us support our military while deployed abroad. That is my point too.

Our military includes American women who have a constitutional right to reproductive health care. So let us give them access. Let us support them while they are deployed aboard. If there were easy answers, easy ways for them to return to the United States to have these procedures, that might be fine, but that is not the case.

If they are in Pakistan or other far-off places where access to quality

health care may be difficult, they will not be able to return to the United States and their constitutional rights will be abridged.

The point I made earlier, consistent with the thrust of this amendment, is that we need to respect women and men in our military. We need to pass the Sanchez amendment.

Ms. SANCHEZ. Madam Chairman, I will leave the closing of this amendment to the gentlewoman from New York. I yield the balance of my time to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Madam Chairman, I rise in support of the Sanchez-Harman amendment.

Our country is at war. Our troops overseas are risking their lives to protect our lives and our rights as U.S. citizens. One of those rights is a woman's right to choose. But women serving effectively lose this constitutional right at U.S. military bases where they literally cannot even buy an abortion.

A male member of the armed services needing medical attention receives the best. A female member needing a specific medical procedure must return to the United States, often at great expense, or go to a foreign hospital which may be unsanitary and dangerous. All she wants is the right to choose and the right to pay for the bill.

We need to come together as a Nation to support our armed services. Passing this amendment is the least that we can do.

Mr. RYUN of Kansas. Madam Chairman, I yield the balance of my time to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Madam Chairman, have not we had enough violence lately? With all due respect to the gentlewoman from California (Ms. SANCHEZ), the amendment she offers will result in babies being brutally killed by abortion and will force pro-life Americans to facilitate the slaughter of innocent children. Sanchez will turn military hospitals into abortions mills. I want no part of the carnage.

Madam Chairwoman, abortion is violence against children. Some abortion methods dismember and rip apart the fragile little bodies of children. Other abortion methods chemically poison children. There is nothing benign or "curing" or nurturing about abortion. It is violence.

We worry today about the agony of chemical attack. Yet abortionists routinely attack unborn children with lethal chemicals. Abortionists turn the babies spines to jelly. Abortionists turn children's bodies into burned corpses, a direct result of the caustic effect of salt poisoning and other methods of chemical abortions. It's gruesome yet the apologists sanitize the awful deed with soothing, misleading rhetoric.

Abortion methods are particularly ugly, Madam Chairman, because under the guise of choice, they turn human baby girls and baby boys into dead

baby boys and baby girls. We have had enough loss of innocent life. Reject the Sanchez amendment.

Ms. SCHAKOWSKY. Madam Chairman, I strongly support the amendment offered by the Gentlewoman from California to lift the ban which forbids service women and female military dependants from using their own funds for abortions at overseas military hospitals. At a time when we are sending more military personnel overseas, we must not limit the medical care those individuals will have to be able to access.

These brave women serving our Nation risk their lives for our freedom and they deserve the same constitutionally protected health care we enjoy in the United States. Their lives should not be further endangered because they can not receive quality health care while they are serving in the line of duty. This policy is unfair. It denies women in the military the right to make their own decisions regarding their reproductive health. Is this the way we really want to treat women who are overseas or heading overseas to defend our Nation?

We as lawmakers can not continue to place the reproductive health of American women in uniform at risk. I urge my colleagues to join me in supporting this amendment and repealing this ban which discriminates against our Nation's service women and their dependents, preventing them from obtaining needed medical services simply because they are stationed overseas.

Ms. JACKSON-LEE of Texas. Madam Chairman I rise in support of the Sanchez/Harman Amendment to H.R. 2586, the National Defense Authorization Act for Fiscal Year 2002. This amendment would reverse the ban on privately funded abortion services at U.S. military bases overseas.

The brave men and women serving our Nation risk their lives for our freedom, and they give up liberties that many of us take for granted. But our soldiers and their families deserve the same constitutionally protected health care as we enjoy living in the United States. This amendment is not only in the best interest of our military families, but will help our national recruiting and retention efforts as well.

The facts are simple: No Federal funds would be used for these abortion services. Health care professionals who are opposed to performing abortions as a matter of conscience or moral principle would not be required to do so. This simply repeals the statutory prohibition on abortions in overseas military hospitals, allowing women stationed overseas to use their own funds for abortions. It returns the policy to the way it was for decades—during administrations of both parties.

Our soldiers cannot do their jobs when they have to go off base—often in hostile nations—for medical care. And they cannot do their jobs if they are taking time off to go halfway around the world to come back to the United States for a procedure they should have been able to get on base. This is a legal procedure available to all other American women.

Further, this is not the time to debate abortion, or to argue over whether it's right or wrong. Roe v. Wade guarantees the right to choose, and that should be the rule for military bases as well. Abortion is legal, and the law should apply to all U.S. citizens, not just those who don't wear our country's uniform.

In the past this amendment has been supported by the Department of Defense. And let

me repeat, this amendment requires no taxpayer money, no public funds for any expenses related to an abortion.

I urge my colleagues to correct this misguided policy and vote for the Sanchez-Harman amendment.

Ms. MCKINNEY. Madam Chairman, I rise in support of the Sanchez amendment. Though the U.S. Supreme Court has affirmed the right of women to seek abortions if they choose, this right does not carry with women when they travel overseas with our military. This amendment would simply permit service women and female dependents who serve or reside overseas to obtain privately funded abortions in military facilities. Should we instead force them to seek such medical procedures in back alleys or third world hospitals, or are we ceding ourselves the authority of the Supreme Court in prohibiting a woman's right to choose? We all respect women's health, we all support the sanctity of the Supreme Court, and we should all support this important amendment.

Ms. MILLENDER-MCDONALD. Madam Chairman, I rise today in support of the Sanchez/Harman amendment because I believe in healthcare parity. Our servicemen and servicewomen operate under the premise that the level of health care they receive anywhere they are stationed will be consistent with the same quality of care they would receive in the United States.

This amendment is not about the legal merits of Roe v. Wade. We are not evaluating the moral merits of a woman's right to choose. We are debating the policy of parity and the assurance that uniform health care services will be delivered to service people wherever they are stationed. Medical services will be provided consistent with historical practice, medical convention and statutory requirements consistent with the laws of the state where they reside. The facts are clear. Federal funds will not be used to terminate pregnancies. Furthermore, physicians opposed to performing said operations are not forced to do so.

Finally, the provision of health services should not be predicated on one's ability to pay for it. We must ensure that all female service personnel can avail themselves of legal medical services that are comparable to those in the United States, even if they are on a military base. Otherwise we will be creating a caste system, whereby only persons with the financial means to return to the states to receive the medical treatment they want and need would be able to do so. I ask my colleagues to support the Sanchez/Harman amendment.

Ms. WATERS. Madam Chairman, I rise in support of the amendment being offered by Representatives SANCHEZ and HARMAN. This amendment is a common sense approach to the question of abortion procedures for servicewomen at bases overseas.

The law is clear here in the United States: women have the right to choose to have an abortion and to obtain it without undue interference from the government. Roe v. Wade established that right nearly 30 years ago, and no case since then has struck it down. That right belongs to all women residing in the U.S. It should not be taken away when our women decide to serve this country and are stationed overseas.

Without this amendment, our servicewomen will not have access to safe abortion procedures in U.S. military medical facilities overseas. They are at risk of being subjected to unsafe methods in non-military medical facilities. Meanwhile, overseas servicemen and servicewomen seeking any other type of health care are able to access good, safe health care at military medical facilities.

This amendment does not ask the government or taxpayers to fund the abortions. And the amendment would not force anyone in a U.S. military medical facilities overseas to perform the procedure. Rather, this amendment merely gives our servicewomen the right to have an abortion in a safe facility, provided that they pay the cost of the procedure and the doctor agrees to perform it.

This is the very right those same women would have here in the United States, if they had not willingly sacrificed so much to serve our country. The amendment simply would restore previous policy that was in effect for decades, through both Democratic and Republican administrations. It is the least we can do for our servicewomen.

Mrs. LOWEY, Madam Chairman I rise in strong support of the Sanchez amendment, which would allow military women and dependents stationed overseas to obtain abortion services with their own money. And I want to thank my colleague LORETTA SANCHEZ for her fine work on this important issue.

Over 100,000 women live on American military bases abroad. These women risk their lives and security to protect our great and powerful Nation. These women work to protect the freedoms of our country. And yet, these women—for the past 7 years—have been denied the very Constitutional rights they fight to protect.

My colleagues, this restriction is un-American, undemocratic, and would be unconstitutional on U.S. soil. How can this body deny constitutional liberties to the very women who toil to preserve them? Mr. Speaker, as we work to promote and ensure democracy worldwide we have an obligation to ensure that our own citizens are free while serving abroad. Our military bases should serve as a model of democracy at work, rather than an example of freedom suppressed.

This amendment is not about taxpayer dollars funding abortions because no federal funds would be used for these services. This amendment is not about health care professionals performing procedures they are opposed to because they are protected by a broad exemption. This amendment is about ensuring that all American women have the ability to exercise their Constitutional right to privacy and access to safe and legal abortion services.

As our Nation prepares for a severe and lengthy battle to preserve our freedoms and democracy, now is not the time to put barriers in the path of our troops overseas. We know that not one of these restrictions on abortion does anything to make abortion less necessary—it simply makes abortion more difficult and dangerous.

It is time to lift this ban, and ensure the fair treatment of our military personnel. I urge passage of the Sanchez amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. SANCHEZ).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. RYUN of Kansas. Madam Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California (Ms. SANCHEZ) will be postponed.

The CHAIRMAN. It is now in order to consider amendment No. 5 printed in House Report 107-218.

AMENDMENT NO. 5 OFFERED BY MR. STUMP

Mr. STUMP. Madam Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. STUMP:

At the end of division A (page 348; after line 8), insert the following new title:

TITLE XV—ACTIVITIES TO COMBAT TERRORISM

Subtitle A—Increased Funding to Combat Terrorism

SEC. 1501. INCREASED FUNDING.

(a) IN GENERAL.—The amount provided in section 301(5) for Operation and Maintenance, Defense-wide Activities, is hereby increased by \$400,000,000, to be available as follows:

(1) INTELLIGENCE PROGRAMS.—For increased situational awareness and upgrades to intelligence programs to enhance United States security posture, \$100,000,000.

(2) ANTI-TERRORISM INITIATIVES.—For enhanced anti-terrorism and force protection initiatives to reduce vulnerabilities at United States military installations and facilities in the United States and worldwide, \$150,000,000.

(3) COUNTER-TERRORISM INITIATIVES.—For offensive counter-terrorism initiatives, \$100,000,000.

(4) CONSEQUENCE MANAGEMENT ACTIVITIES.—For consequence management activities, \$50,000,000.

(b) TRANSFER AUTHORITY.—The amounts specified in subsection (a) are available for transfer to other current accounts of the Department of Defense, as determined by the Secretary of Defense.

(c) OFFSETTING REDUCTIONS.—

(1) The amount provided in section 201(4) for Research, Development, Test, and Evaluation, Defense-Wide is hereby reduced by \$265,000,000, to be derived from amounts for the Ballistic Missile Defense Organization, of which—

(A) \$145,000,000 shall be derived from the Mid-Course Defense Segment program element (PE603882C); and

(B) \$120,000,000 shall be derived from the Boost Phase Defense Segment program element (PE603883C) for space-based activities.

(2) The amount provided in section 301(5) for Operation and Maintenance, Defense-wide Activities, is hereby reduced by \$135,000,000, to be derived from amounts for consulting services.

SEC. 1502. TREATMENT OF TRANSFERRED AMOUNTS.

Funds transferred under authority of section 1501(a) shall be merged with, and shall be available for the same time period as, the appropriations to which transferred. The transfer authority under that section is in addition to the transfer authority provided by section 1001.

Subtitle B—Policy Matters Relating to Combating Terrorism

SEC. 1511. ASSESSMENT OF DEPARTMENT OF DEFENSE ABILITY TO RESPOND TO TERRORIST ATTACKS.

(a) ASSESSMENT.—The Secretary of Defense shall conduct an assessment of the ability of the Department of Defense to provide support for the consequence management activities of other Federal, State, and local agencies, directly taking into account the terrorist attacks on the United States on September 11, 2001, and the changed situation regarding terrorism.

(b) RECOMMENDATIONS.—The Secretary of Defense shall submit to the President and Congress a report providing recommendations for ways to enhance the ability of the Department of Defense to provide support described in subsection (a). The report shall address the recommendations made by the Vice President in his report to the President on the development of a coordinated national effort to improve national preparedness, including efforts to combat terrorism, as directed by the President in May 2001. The report shall be submitted not later than 60 days after the date on which the Vice President submits to the President the report under the preceding sentence.

SEC. 1512. REPORT ON DEPARTMENT OF DEFENSE ABILITY TO PROTECT THE UNITED STATES FROM AIRBORNE THREATS.

Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the ability of the Department of Defense to protect the United States from airborne threats, including threats originating from within the borders of the United States. The report shall identify improvements that can be made to enhance the security of the American people against these threats and shall recommend actions, including legislative proposals, designed to address and overcome existing vulnerabilities.

SEC. 1513. ESTABLISHMENT OF COMBATING TERRORISM AS A NATIONAL SECURITY MISSION.

Section 108(b)(2) of the National Security Act of 1947 (50 U.S.C. 404a(b)(2)) is amended by inserting “, including acts of terrorism,” after “aggression”.

SEC. 1514. DEPARTMENT OF DEFENSE COORDINATION WITH FEMA AND FBI.

The Secretary of Defense shall seek an agreement with the Director of the Federal Bureau of Investigation and the Director of Federal Emergency Management Agency that clarifies the roles of Department of Defense Weapons of Mass Destruction Civil Support Teams in relation to both agencies with respect to coordination of the roles and missions of those teams in support of crisis management and consequence management efforts.

The CHAIRMAN. Pursuant to House Resolution 246, the gentleman from Arizona (Mr. STUMP) and a Member opposed each will control 20 minutes.

Mr. TIERNEY. Madam Chairman, I claim the time in opposition.

The CHAIRMAN. The gentleman from Massachusetts (Mr. TIERNEY) will be recognized for 20 minutes.

The Chair recognizes the gentleman from Arizona (Mr. STUMP).

Mr. STUMP. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, I rise in support of this amendment. The September 11 terrorist attack on the United States was a wake-up call for our country. It demonstrated the vulnerability of our Nation to attack on a magnitude unseen

since Pearl Harbor. Thousands of innocent Americans lost their lives as a result of terrorist attacks that we failed to detect and prevent. This situation must never be allowed to happen again.

Terrorists have declared war on the United States, and it is up to the Congress to ensure that the United States has the appropriate means to respond. H.R. 2586 provides nearly \$6 billion to the Department of Defense for the purpose of combating terrorism. This amendment would authorize an additional \$400 million as a down payment on additional improvements to ensure that our ability to detect, prevent and, if necessary, respond to terrorist attacks is strong and effective.

Madam Chairman, this amendment would increase funds to the Department of Defense in a number of important areas that will strengthen our ability to combat terrorism. It would provide an additional \$100 million for improved intelligence.

It includes an additional \$150 million for antiterrorism initiatives. Force protection is an essential priority if we are to reduce existing vulnerabilities at military installations at home and abroad.

An additional \$100 million would be dedicated to improvements in our offensive counterterrorism capabilities. In addition, the amendment would add \$50 million to improve DOD's ability to assist in the effort to deal with the consequences of a terrorist attack.

Clearly, more than this will be needed to respond and to properly equip the Pentagon to deal with this new challenge. This amendment provides an initial down payment until the President can better assess the long-term needs.

Finally, this amendment would grant the Secretary of Defense the flexibility he needs to apply these additional funds to the most critical priorities. The amendment also contains a number of legislative initiatives designed to improve DOD's overall ability to protect Americans against the threat of terrorism.

This amendment has been carefully crafted with the support of the committee's ranking member, the gentleman from Missouri (Mr. SKELTON), and is well balanced; and I thank the gentleman for his cooperation. I urge my colleagues to support the amendment.

Madam Chairman, I yield such time as he may consume to the gentleman from Missouri (Mr. SKELTON).

Mr. SKELTON. Madam Chairman, I support this amendment because I believe it correctly sets out today's priorities for the Department of Defense. I have to say that this amendment represents an unusual, but successful, collaboration.

The gentleman from South Carolina (Mr. SPRATT) and I set out earlier this year to revise what we believed to be a disproportionate increase in the amount dedicated to missile defense. Members from both sides recognize the gentleman from South Carolina (Mr.

SPRATT) as a true authority on the subject with a grasp of detail which is astonishing. We believe that other items in the budget deserve a higher priority, so we proposed to move a substantial amount from national missile defense into increased pay and improved family housing and counterproliferation efforts. And had matters turned out differently, this may have been a very spirited debate.

Then America was struck with an abominable act that demanded a united response. Both parties, from the Speaker and the minority leader on down, agree whatever our differences are on this subject, the Nation would not be served by a divisive debate. So we reached a compromise.

While I support missile defense, and the gentleman from South Carolina (Mr. SPRATT) supports missile defense, we have clear differences on how rapid and wide-ranging the research effort should be. But those differences pale next to our common goal of enhancing the security of our country from its most proximate threat.

Today, that threat is acts of terror against the innocent by the inhuman. This revealed importance of fighting terrorism has joined us in common cause.

The public is so often cynical about agreements in Congress, but we made an agreement; and this is one that aims toward the highest military priority, the fight against terrorism; and that is what this amendment does.

Mr. TIERNEY. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, I, too, have high words of praise for the gentleman from South Carolina (Mr. SPRATT) and the gentleman from Missouri (Mr. SKELTON) and the gentleman from Arizona (Mr. STUMP), who worked hard on this issue.

However, I have to make mention that I think we are going in the right direction perhaps in reducing the amount of money allocated to national missile defense, but we are not going far enough. We would all love to throw an umbrella around this country and stop any type of missile projection coming in here; and if we could do that, there would not be a Member of Congress that would hesitate to vote for it.

The fact of the matter is that we do not have a system that works that way, and every reputable scientist indicates that we will not have a system like that in the foreseeable future, if at all.

The Pentagon's own operations office and research office and technical office has indicated that not only have the tests not been successful to indicate that a system would work, but that the regime for testing as we go forward is not adequate to ever give us the confidence that any system would be reliable. In essence, we would be buying a false sense of national security.

We have to as a Nation set our priorities on this issue. We have been set-

ting our priorities supposedly in line with what dangers, what risks, what threats may actually exist. But our intelligence services do not tell us that the primary risk threat to us is an intercontinental ballistic missile sent from a so-called rogue nation.

It is, instead, something along the lines of what we experienced on September 11, and yet we do not align our national security budget in that direction. We are going to pay the price if we do not pay attention on that.

There are a number of reasons why we should not go beyond just testing this system; and yet this budget calls for not only testing a national missile defense system, but actually deploying it and violating the ABM treaty in the process, something which many in this country do not think is wise, certainly our allies do not think is wise, and gives great concern to Russia and China, nations upon whom we are now calling for their cooperation, yet telling them at the same time that we are going to unilaterally violate an agreement, a treaty, binding their countries and ours.

□ 1845

It does not make sense, it is not good fiscal policy, and frankly it is not good national security policy. If we want to really protect this country and give our citizens some feeling that we are secure in our lives and in this land, we should organize our priorities, understand which risks really are threats of immediacy, and allocate our resources in that direction. Spending 60 to \$100 billion on a system we have not yet proven can work and have not yet shown that we can have any confidence in its reliability is not the right direction.

Putting resources into home front security, where we know now especially what our concerns are, knowing that we have some 40 agencies whose efforts have to be coordinated, knowing that we have to work diplomatically, through intelligence, through law enforcement, as well as the military, and we have to make sure we have cooperation of everyone throughout the world, we know that this is going to be expensive, and we know that we still have a domestic budget and items that we have to confront at the same time.

We should get our priorities straight, Madam Chairman. We should not put this excessive money into national missile defense. Even those of us who think that we are nowhere near ready to go forward can get others to agree that we should just, at most, do testing and not move us into this dangerous path of starting to build before we are ready, before we have something that can be shown to work. We have done that in other programs, the F-22, the Osprey, at our great risk and disappointment and sometimes lives. We ought not to start down this particular path.

We ask people to consider that when they vote on this particular amendment. It does not go far enough in cutting funds for national missile defense. It does not put our priorities in the proper order. It does not give us true national security but, rather, gives us a prospect of national insecurity.

Madam Chairman, I reserve the balance of my time.

Mr. STUMP. Madam Chairman, I yield 3 minutes to the gentlewoman from New Mexico (Mrs. WILSON).

Mrs. WILSON. Madam Chairman, I thank the gentleman for yielding time. I rise to support his amendment and also support his intent.

He talks about this being a down payment on what we are going to need to do to fight a war on terrorism, and it is. It is really just a placeholder, a down payment on what will be required in conference with the Senate. All of us know in this Chamber that with respect to fighting the war on terrorism, this bill is woefully inadequate. It is a pre-September 11 bill.

I would like to highlight some of the things that we are going to have to do in conference with the Senate and with the assistance and the leadership of the President of the United States. Our job is to look forward at what are the capabilities we need to make sure are in place to defend this country when our men and women are called upon to defend this country. We need to establish in law the Office of Homeland Security. I am glad Governor Ridge will be taking up that responsibility. But we need to give him the support he will need to do the job.

We are going to have to completely rebuild airport security in this country. What we have now is inadequate, and everyone who travels on our airlines knows it. We are going to have to fund the operations, readiness and munitions accounts at much higher levels. The assumptions in this bill on operational tempo do not take into account what we are currently asking our military to do. And, perhaps most importantly, the most gaping hole that has been shown to the world in the last 2 weeks is the gaping hole in domestic intelligence. Without even changing the laws on what the government can gather for information, we are not coordinating the information that we have now between the Border Patrol and Customs and local law enforcement and the FBI. Without doing that, we will never be able to provide the protection that we need that will come first and foremost from intelligence.

Finally, Madam Chairman, this bill is inadequate with respect to what it funds for the National Nuclear Security Agency. We have authorized the refurbishment of four classes of weapons. Yet we do not fund that refurbishment. We have said that we want to have science-based stockpiled stewardship so we can have a safe, reliable nuclear weapons stockpile without nuclear testing, but we do not fund it. We are short \$300 million in those ac-

counts. We are short also on cybersecurity in the National Nuclear Security Agency which the Cox report and the President's foreign intelligence advisory board have said is a major priority for this country. That total shortfall of over \$800 million in the National Nuclear Security Agency must be remedied.

We are going to have to make major changes in this bill in conference. I think all of my colleagues understand that.

Mr. TIERNEY. Madam Chairman, I yield 2 minutes to the gentleman from Massachusetts (Mr. DELAHUNT).

Mr. DELAHUNT. I thank the gentleman for yielding me this time.

Madam Chairman, on September 11, America was assaulted, attacked, not with missiles, but with knives. This amendment reflects that new reality. It reduces funds for programs that could violate the ABM treaty and shifts that money to counterterrorism and sends the message that America honors its commitment.

Former Secretary of Defense Mel Laird, who played a key role in the treaty's ratification under President Nixon, recently said, and I am quoting, "An amended ABM treaty remains as relevant to peace and security today as it was 30 years ago. Deep-sixing the treaty instead of negotiating amendments would only create a less stable relationship."

Last week, there were reports that the U.S. was about to withdraw from the treaty, but since then, Secretary Powell has reaffirmed our commitment to a new understanding with Russia on missile defense. That is eminently wise. Russia will be a key ally in the days ahead as the administration attempts to create an international coalition to fight terrorism.

So let us support those efforts and commit resources to the real threat we face today.

Mr. STUMP. Madam Chairman, I yield 1 minute to the gentleman from Florida (Mr. FOLEY).

Mr. FOLEY. Madam Chairman, let me thank the chairman and obviously the Congress for looking very critically at this amendment. This is very, very important.

I never served in the military. My father did. But one thing I know for certain, the responsibility of the Federal Government is to provide for national security and domestic tranquility. These two points of view that are shared in this bill are essential to that operation.

I appreciate the work of the gentleman from Missouri (Mr. SKELTON) and certainly of the gentleman from Arizona (Mr. STUMP) and all the Members who have been active in military preparedness for this Nation. Yes, September 11 was a horrifying day. It woke this Member up to the fact that we are ill prepared to meet the challenge and this is vitally important.

People have scoffed at missile defense, they have said it is not nec-

essary, and they make the representation that the attack was by knives. I agree. There were issues in that attack that knives were used. But if we allow our safeguard to diminish, if we do not properly apply technology and we do not thoroughly fund this program, we will rue the day we were ill prepared to defend American soil.

I applaud the manager's amendment, and I support the underlying legislation.

Mr. TIERNEY. Madam Chairman, I yield myself 45 seconds.

First, we will have national insecurity, not national security if we start down the path of deploying and actually building and producing a system that is not yet workable. I do not think anybody can make a logical argument that this system is ready to work. I understand everybody would love to have it, but it just does not work that way. Our testing is not there. That is simply the argument here. Are we going to give in this budget so much money that it goes beyond testing and starts with building when it is not ready, therefore giving us national insecurity?

Are we going to give ourselves just the amount that we need for testing and continue to do that until testing shows that we have something that is workable, or are we going to waste resources by building something and then have to go back to the beginning at far more expense, at possibly the expense of lives, because we relied on something that does not work? For \$1.6 billion, we can put money into airline security that we choose to put it in this way, and that is wrong.

Mr. STUMP. Madam Chairman, I yield 4 minutes to the gentleman from Pennsylvania (Mr. WELDON).

(Mr. WELDON of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. WELDON of Pennsylvania. Madam Chairman, I rise in an attempt to try to set the record straight on some of the facts for those who have spent the time attending all the classified hearings and briefings and asking the questions of both the intelligence community and the members of the committee. I might say for the 6 years that I chaired the Research Committee, we opened up our briefings and hearings to every member. I do not know how many of those my colleague attended. I know I attended 160.

So we can get up on the floor publicly and talk about something, but it is something else to sit in on all the classified briefings and ask the tough questions of the people who are making these decisions. I am not challenging the gentleman's motives because he has the right to do what he thinks is in the best interests of the country, but I also think we need to understand that many of our colleagues have sat through these briefings, and let us clarify some misinformation.

First of all, we do not have an adequate testing program. It was this Congress for the past 6 years, 7 years, with

an overwhelmingly bipartisan vote that called for more money for testing. It was this Congress, in spite of the objections of those who opposed missile defense, who now say we need more testing, who opposed us when we put more money in for testing. It was this Congress who led the effort to find a way to come together in a bipartisan effort to support a consensus around missile defense. It is this Congress that tomorrow will send 12 Members of Congress to Russia to seek very deliberate discussions to build a cooperative arrangement with the Russians that does not have them feel as though they are isolated.

I invite my colleague to go with us. We still have room on the plane. I can get him a visa tomorrow so that he can support our effort which his colleagues will be a part of to meet with the Russian Duma leaders, to meet with the Russian defense ministry to show them that we do care about a cooperative arrangement as opposed to sitting on the floor of the House and in some cases, not particularly perhaps the gentleman, but in some cases demagoging this issue.

Let us get down to the facts and let us talk about tests. The last time I checked, we had about 31 tests of our missile defense programs. Sixteen times, I will admit, we did not have successes. But that was not because of missile defense. It was because the contractors could not get the rocket in the atmosphere.

Now, if the gentleman's argument is that that constitutes a failure, then he better shut down Cape Kennedy, because the same technology for stage separation, the same technology for launching a ballistic missile is the same identical technology for launching rockets. If you believe that is a reason to cancel missile defense, you better shut down our space program. It is the same technology.

Of the 15 times that we had tests where we did get out to the atmosphere, we hit the target 13. We missed it twice. Thirteen of 15 where the interceptor saw the target and hit it is not a bad track record. I ask for my colleague to dispute that with the facts. I will back mine up with ballistic missile defense organization numbers. So, in fact, our testing program has been successful.

The point is, Madam Chairman, the colleague is saying we need more money for weapons of mass destruction. Cut me a break. If you check the facts of our defense bill, in each of these last 7 years, we have put more money into weapons of mass destruction than the President asked for. We have put more money into cyberterrorism, more money into detection systems by hundreds of millions of dollars every year. And my colleague says, well, an airplane is not going to be impacted by a missile defense system.

Well, I hate to make the comparison here, but what do you think an air-

plane is? It is a large missile. It just so happens that these terrorists could use people on that plane because they did not have the technology ready to put that missile on a cargo ship off of our coast. We have no defense against that kind of capability. I can tell you, when the Iranians, when the Iraqis, the Syrians and Libyans have that capability, which they are very close to now, we are not going to have the capability to defeat it and then it will not be an airplane, it will be a missile without people in it.

So I say to my colleagues, support the compromise. I am not happy with this. But the gentleman and the ranking member do what they have to. Support it. It is good policy and it is a good vote in favor of, I think, a logical solution.

Mr. TIERNEY. Madam Chairman, I yield myself such time as I may consume only because I do not want to let time pass between the gentleman's comments and reality.

The fact of the matter is, I heard the word "demagogue" used in there, and I certainly hope that it was not pointed in this direction after what I just heard. The true fact of the matter is we only have to look at scientists. There are a number of people missing from this debate that would not be in favor of national missile defense. They are basically most scientists, our European allies and friends in other countries and a large part of our military.

The fact of the matter also is that we do not rely on the same technology for NASA that we rely on for the missiles because if NASA fails, we understand that we need to go forward in there, we can have other attempts at this. If we are relying on a missile defense system and it fails, we are all dead. The fact of the matter is we need to test to make sure it works.

As to further facts on that, I have been to classified briefings. You would think after 106, that that would settle in and the information would come out clearer. It does not take 106 to understand what is going on here and what is happening with the allocation of resources. This system has never fully tested the exact system that will be used ultimately. It has never shown that that would work. In fact, when there have been so-called successes here, it has usually been because there has been a beacon, because there has been some other sort of radar systems working other than the ones that will eventually come in. We have spent over \$60 billion in the last several years on trying to design a national missile defense system that has not worked.

□ 1900

If we are going to continue to spend money, it ought to be testing to get to a system that we can then have some level of confidence in its reliability, not start building something that the Pentagon's own Office of Testing and Evaluation tells us has not been tested properly, has not been tested to show it

is successful, and whose testing regime does not show that.

It is not a lack of money. Colonel Welch on the panel says clearly, you can keep throwing money at this. Money is not the issue. The issue is doing the tests, doing them properly, and getting to a point where you have some success on that.

Madam Chairman, I yield 3½ minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Madam Chairman, I thank the gentleman for yielding me time and for the opportunity to work with him on this. I also want to thank the gentleman from Pennsylvania (Mr. WELDON), because in the time I have been in Congress, there are not many people as patriotic and concerned about defending America as the gentleman from Pennsylvania (Mr. WELDON). I have had the chance to go to Russia with him and travel with him on many opportunities.

We may not agree on this issue, but I do not doubt for a second the gentleman's commitment to this country. And I would ask that our commitment to our country not be doubted when we say that it is really time to look at missile defense with great skepticism. When we look at the events of the last 2 weeks, we have seen our President put together a coalition of countries from around the world, a world coalition that is going to challenge terrorism.

I think that now, more than ever, we have an opportunity to build from this world cooperation; to get rid of nuclear weapons once and for all, which was the promise of the non-proliferation treaty, it was the promise of the ABM treaty, and the United States has a new opportunity here.

I think the gentleman from Massachusetts is right when he raises questions that go to the heart of national missile defense, because the truth of the matter is if we pursue national missile defense, we inevitably deconstruct the ABM treaty, which is a basis for bringing nations together. And that ought to be our effort now as we are in the 21st century, at a time when democratic institutions are under attack.

I rise in support of the amendment, because I think the amendment reflects the new priorities of our Nation in the wake of the terrorist attacks. And I appreciate the ranking member's work and the chairman of the committee for their work in crafting the amendment.

The events of September 11, I would submit, have demonstrated that missile defense is ineffective in the threats facing the Nation today. Who can argue that a missile shield would have protected against the events of 2 weeks ago? We know that that attack on our country was so devastating, precisely because it was perpetrated anonymously and amorously, disarming and instilling fear in our Nation.

Aggressors employing this type of battle, what Pentagon experts have

long known as fourth generational warfare, shun the conventional. Rather than intercontinental ballistic missiles, they employ car bombs; rather than armies, they target civilians and institutions. That is why this transfer of funds, from the development of an unproven, ineffective weapons system, to programs that will immediately help protect Americans citizens from attack, is so crucial.

Madam Chairman, let me say there is no illusion here. This amendment is not nearly enough. The defense bill authorizes the expenditure of \$343 billion. We must ask ourselves, will the expenditure of this money protect our Nation from the type of attack we faced 2 weeks ago?

Madam Chairman, I believe we need a new set of principles to guide our national defense. We need a lighter, more mobile force, capable of adapting to changing circumstances, including the emergence of terrorists and other fourth generational threats. We need to recognize that people, not machines, are our most effective asset. It is not excusable that our armed service members go wanting for housing and proper equipment, while we sink money into an unworkable weapons system.

We need to demand financial accountability from the Pentagon, which has not once passed the test of an independent audit. Similarly, we need a new comprehensive threat and risk assessment; and we need to combine these efforts to a comprehensive program to prevent attacks like we had 2 weeks ago.

Mr. STUMP. Madam Chairman, we have only one speaker remaining. I reserve the balance of my time.

Mr. TIERNEY. Madam Chairman, I yield 3 minutes to the gentleman from South Carolina (Mr. SPRATT).

Mr. SPRATT. Madam Chairman, the gentleman from Missouri (Mr. SKELTON) and I began with an amendment of \$920 million to be taken out of ballistic missile defense and transferred into a pay raise, family housing, homeland defense, and counterproliferation, all urgent needs, none of which is fully met.

It became apparent to us, particularly after September 11, that we were not going to be able to sell an amendment cutting this amount. So we, in the spirit of bipartisanship, made a deal. We agreed to lower the amount of the amendment to \$400 million, of which \$135 million had already been cut or reduced by the gentleman from California (Mr. HUNTER), the chairman of the subcommittee with jurisdiction over this matter. That left \$265 million to be taken from basically two places in the BMDO budget.

First of all we took \$120 million out of space-based lasers. Why? To put it in common parlance, we are simply saying, walk before you run. We have got an airborne laser system which has yet to prove itself. We should prove that technology on an airborne platform before we try to put it in outer space.

This is a futuristic system, way over the horizon. Ballistic missile defense does not lose anything at all by that cut.

Secondly, we took \$145 million out of mid-course systems and particularly out of sea-based mid-course systems. Why? The Navy has two systems now which are ship based. One is an area-wide system called "lower tier," the other is a theater-wide system called "upper tier." The area-wide system has just been slipped 20 months. The upper tier system has yet to make the first intercept. We are simply saying again, walk before you run, and, for goodness sake, do not start up a proliferation of programs that cannot be sustained in follow-on budgets. So we would trim there.

We made the cuts discreetly. We did not make hand-fisted, meat-ax cuts; we made discrete cuts that will allow this program to go forward more, I think more efficiently and more effectively.

Where did we put the money? Well, September 11 caught us nodding, and it also caught us focused on a threat, almost fixated on this threat, and ignoring other threats. So taking a page, a cue from the lesson of September 11, we took this \$400 million and put \$100 million into intelligence programs, \$150 million into antiterrorism initiatives, \$100 million into counterterrorism initiatives, and \$50 million into consequence-management activities, the kind of activities that will have to occur in the wake of the next tragedy, God forbid that there be one.

So we have made the cuts wisely and discreetly. We have made the allocation of the savings wisely as well. This is a good compromise, it is a good amendment. I urge support for it.

Madam Chairman, on September 6, 2001, Ranking Member IKE SKELTON and I filed an amendment with the Rules Committee affecting the Ballistic Missile Defense Organization (BMDO) title of H.R. 2586, the National Defense Authorization Act for Fiscal Year 2002.

The amendment would have taken less than one-third, \$918 million, out of the \$3 billion increase proposed for BMDO and transferred the money to three areas of urgent national security interest: \$450 million for an additional 1 percent pay raise for military personnel; \$250 million to address the most pressing family housing improvement needs; and \$219 million for homeland defense and counterproliferation efforts. Even with our amendment, spending on ballistic missile defense (BMD) programs would have increased next year by \$2 billion to \$7.3 billion, or 38 percent.

The largest cut in our amendment as originally filed would have come from Fort Greely, Alaska, and here's why:

Greely is said to be part of the Pacific test bed, but in truth, no missiles can be launched and tested from the silos at Fort Greely, as the booster stages would separate and drop over populated areas.

The booster on the missiles to be based at Fort Greely is not the objective booster; it's an improvised Minuteman booster. The kinetic kill vehicle that sits atop the booster is also a test article, far from being proven. Its configuration will surely change as a result of testing before the final production design is selected.

The site at Fort Greely lacks an X-band radar for tracking incoming re-entry vehicles and guiding the interceptors as they close on their targets; a radar with this kind of range and resolution is essential to a mid-course intercept system.

Finally, the system of Low-Earth Orbit, Space-Based Infrared Sensors known as "SBIRS-Low" is still years away from being deployed; any ground-based intercept system without X-band radar and SBIRS-Low is going to be an extremely limited system.

BMDO argues that the 5 interceptors at Ft. Greely may give us an "early capability" against an emerging threat. But with test article components and a subpar radar, this system will have little, if any, utility against a threat launched against the West Coast of the United States, and BMDO freely admits it will have no capability whatsoever against a missile launched at the East Coast.

I felt then that given the unmet needs in this budget, it was not wise to sink so much money into these silos, for such little gain. Frankly, I continue to believe that. However, in the wake of the horrible events of September 11th, Members on both sides of the aisle have come together to seek a compromise on this issue.

We have agreed not to cut funding for Ft. Greely, but in truth, many on this side of the aisle continue to have concerns about that proposal. In the interest of bipartisanship, we are putting aside this issue today, but I expect that we will revisit this issue in the next budget cycle. As a result, the amount of the cut contained in the compromise amendment is far below the level contained in the Skelton-Spratt amendment. However, two important elements of our original amendment have been largely preserved. I want to thank Chairman STUMP for his willingness to work on this with us.

The compromise makes a total cut below the President's request for BMDO of \$400 million. \$120 million of this total is taken from Space-Based Programs. This is the same amount as was cut by the Skelton-Spratt amendment, and reflects the good government logic that this immature technology should be funded only at a concept development level.

Another \$145 million is taken from the Mid-Course Intercept program. I argued for this cut to come out of Sea-Based Mid Course intercept, which is where the Skelton-Spratt amendment would have taken it, but the agreement leaves the cut less specific. I believe the cut should be made out of the Sea-Based NMD account, and it is my hope we can make the cut more specific at a future time.

A sea-based mid-course defense would entail an entirely new NMD platform, and before embarking on such an effort, BMDO should first demonstrate the maturity of the Navy's theater defense programs, which are technically less demanding. At present, however, the Navy Area Wide program has seen its schedule slip by 20 months, and the Navy Theater Wide program has yet to have a successful intercept. Until these simpler technological hurdles are cleared, it does not make sense to pour hundreds of millions into an even more challenging, and even less mature system like sea-based NMD.

The balance of the \$400 million is a cut of \$135 million, based on the grounds that the funding could not be executed wisely in 2002.

I have been saying for many years now that Congress needs to stop treating missile defense like a political totem. And while this compromise is disappointing to many on both sides, perhaps it represents a small step in that direction. I urge my colleagues to support the Stump-Skelton amendment.

Mr. TIERNEY. Madam Chairman, I yield 2 minutes to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK. Madam Chairman, I rise reluctantly in support of this amendment, not because in the current context I have any hesitations about it, but because I would rather that we have been having the fuller debate on this issue that a few weeks ago it looked like we could have. Obviously, we regret, all of us terribly, the circumstances that have compressed this.

I believe that the continued expenditure on missile defense is gravely mistaken. I understand that to have a debate under these circumstances would not be in our interests on the broader aspects of this, because, frankly, given the impulse, the understandable and laudable impulse to show our unity and support, I think the project would get more votes than it might get in a calmer atmosphere. I look forward to our being able to debate this at a future time, because I think the leadership on our side, on the committee and on the Committee on Appropriations subcommittee, has done an excellent job of vetting this project. So I am going to vote for this amendment because it is the most reasonable thing to do in this context.

But I want to repeat again what I think is a very important point to the President: there is an accommodation going forward here. There is less of a debate on this issue and less of an attempt to reduce it than would otherwise have happened in the interests of showing national unity.

I hope we will see a reciprocal response, in particular at a time when we are trying to build an international cooperative coalition with Russia, with China, and with other nations. It would ill-behoove this Nation to take unilateral action to undermine the ABM treaty. It would be an error to use the fact that the House has said, okay, and the other body has said okay, we understand that this is not the appropriate time to have the full debate. I regret that, but I understand the decision.

But I hope we will not see the executive branch take advantage of that to go forward with steps that would lead to a fracturing of our efforts to build an international coalition and that would inappropriately unilaterally undermine the ABM treaty and the international cooperative framework.

Mr. TIERNEY. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, listening as this debate goes on to both the gentleman from South Carolina (Mr. SPRATT), who eloquently set forth his position, and the gentleman from Massachusetts

(Mr. FRANK), who also did the same, I think they make convincing arguments about why, as much as many of us feel this does not go nearly as far as it should go, it may in this instance be all that we can get, as sad as that is to say.

It is important that we spend the money on intelligence and that we spend it on antiterrorism and counterterrorism and consequence management. It is just amazing sometimes to some of us that we do not think to do that without extracting a price of overspending on a system that has not been tested, and starting to deploy a system that, I think, in many ways will work to our disadvantage; that we will have \$2.9 billion, or 55 percent of an increase over current spending on this. That we would have initial deployment that would lead to the breaching of the ABM treaty is somewhat beyond comprehension.

As I mentioned earlier, for \$1.6 to \$2 billion, we could secure Americans in their air travel. Yet we will put \$2.9 billion instead on getting way ahead of ourselves, starting to build something before it is adequately tested, pursuant to the Pentagon's own operations and testing and evaluation firm.

We are risking the stability internationally that this might present in unilaterally breaking that treaty. We are certainly going well beyond this Congress' intention, who said we should move forward only if it ever proved feasible. We are certainly failing to put our priorities in proper order. Where it is clear we are spending some \$60 billion to \$100 billion on an item that has not been proven to work and our own intelligence services say falls well behind the needs for security against terrorism, it just does not seem to make sense.

But I do want to commend the gentleman from South Carolina (Mr. SPRATT) and the gentleman from Missouri (Mr. SKELTON) for the work they have done on this. I was with them at the \$920 million mark. I was a little beyond that, as were many, because that is what we really ought to be doing, being sensible.

But I join in congratulating them for getting at least something from folks that do not seem to want to take a really objective look at this and see where we are going.

I say that the gentleman from Massachusetts (Mr. FRANK) is probably right. Let us see what we get for a reciprocal response. Let us hope that this administration can evaluate the entire situation and understand that this would not be the time to unilaterally violate this treaty. This would be the time to show good faith, and we can be responsible partners in cooperating with people as we ask for their cooperation internationally.

Madam Chairman, I yield back the balance of my time.

Mr. STUMP. Madam Chairman, I yield the balance of my time to the gentleman from California (Mr. HUNTER).

Mr. HUNTER. Madam Chairman, I want to thank the chairman and the ranking member for putting together this compromise that allows us to stand united during this defense bill and not send out the wrong signal to the world, and yet continue to move forward on missile defense.

It has been suggested that the question of the day is will we ever be attacked by ballistic missiles? Is it possible, is it imaginable that someday Americans will be killed by ballistic missiles?

Well, that question has been answered. It was answered 10 years ago when 28 Americans were killed, the first American casualties, by ballistic missiles during Desert Storm.

□ 1915

They were killed by the slow ballistic missile known as the Scud, the Model-T of ballistic missiles, the ones that are proliferated around the world.

So the facts are, we have been struck by ballistic missiles, they have killed Americans, they are a real threat, and Democrats and Republicans agree that we have to be able to stop these thousands of ballistic missiles that are proliferating around the world, some of them a function of military sales where countries like North Korea and China and Russia sell these missiles to countries and to groups that would aim them at us; and the other one as a result of information and technology now that is going to rogue groups, going to nations that are not our friends around the world which, indeed, will aim these systems at the United States.

Now, let me just address this compromise and what it does. First, it has been suggested over and over again by the gentleman from Massachusetts (Mr. TIERNEY) that we do not want to use these things; we do not want to deploy a ballistic missile defense system until we know it works. That is the point. Most of the testing is for the so-called national missile defense system, that is, being able to stop the fast ballistic missiles that can go intercontinental. It is for testing.

Now, we just had a test about a month ago, a successful test in which we shot our standard shot; and when we shot our standard shot, we launched a target missile from Vandenberg Air Base. It went west across the Pacific. It was hit, it went about 4,800 miles, it cleared Hawaii; and after it cleared Hawaii, we fired up an interceptor missile out of Kwajalein Island that hit it about 148 miles above the Earth's surface and killed it. Now, we fired that shot several times; and if we ask the ballistic missile defense program, can we make that shot, we can make that shot. With that angle, with that speed, with those physics, we can make that shot.

But the critics of the system have said, wait a minute. There are other things we have to be able to do. How about the tougher angles? How about the faster closing speeds? How about

the different closing speeds? How about all of those things that are variables?

Well, the answer is to this cry for tough testing, we have to expand the test range to have tough testing; and that means we cannot have the same shot time after time where we shoot over Hawaii and we come up with an intercept from Kwajalein Island. We have to now have the Alaskan dimension. The Alaskan dimension is going to make the closing angles, the shooting angles. Just like we are shooting on a skeet range, instead of shooting at the clay bird going straightaway every time, we are now going to have to shoot one that is going at a fast angle. It is going to give us a variety of speeds that we have to shoot at. It is going to give faster interceptor speeds. It is going to make all the difficult challenges that our critics are telling us and that the gentleman from Massachusetts (Mr. TIERNEY) alluded to when he talked about these commissions that have said we have to make tougher testing. It is going to give us tougher testing.

So I would say to my colleagues, whether one is for missile defense or against missile defense, we certainly want to know what the outcome of these tough tests are going to be.

Well, I have news for my colleague. There is not going to be any outcome for us to judge if we do not build the range. Most of the money that goes into this system goes to build the range.

Now, let me just say with respect to the Soviet Union, because the ABM Treaty has been mentioned, and I think everybody has reflected on the effect of this strike on America with respect to our position in the world, our relationship with the Soviet Union. We told the Soviet Union, we did make the agreement, the ABM agreement, not to defend ourselves. That is an agreement not to defend ourselves. But we have always said to them, we are not just worried about you, we are worried about these other people. We are worried about all of these nations that are depicted here on this map of the world which are now building and developing ballistic missiles and none of these countries, none of these groups signed any treaty not to defend themselves. They did not sign the ABM Treaty, and we are concerned about that. I think that the Russians now are looking at this more realistically, and I think the President has more credibility in his statement when he said we are truly worried about the unimaginable happening.

For those people who said up until a few weeks ago a strike on the United States is unimaginable, a missile strike on the United States is unimaginable, it now becomes apparent to us that unimaginable things happen.

So what we need is not just defense against people that take over airlines, it is not just defense at our borders against cargo containers coming in, it is not just defense against submarines

and ships and guerrilla warfare and terrorism; it is broad capability against a number of threats. We live today, I say to my colleagues, in an age of missiles; and we are going to have to learn to defend against those missiles if we are going to maintain the national security.

Our two leaders have put together a compromise that I do not fully agree with; it does make a \$265 million cut from this missile defense budget. However, they did it in a spirit of compromise to get this bill moving, to move it into the conference, and to be able to work our will from that point. Because of that, and because of the need to let the world know that we stand together, that we are not fractured, I support this compromise. I urge everyone to vote for it.

Ms. MCKINNEY. Madam Chairman, I rise in support of the Stump/Skelton amendment to combat terrorism. If there is one thing that we have learned from the tragedy of September 11, it is that the greatest threat to our Nation is not from high-tech weapons such as ballistic missiles being launched at our Nation. Therefore, the defense that is of the greatest priority to our Nation is not an \$8.3 billion missile defense shield that has no guarantee to work. Instead, we need to protect ourselves from the modern threat of terrorism, protecting our airports and hubs of activity, seeking out those who are responsible for previous attacks, to be aware of and prepared for plans of future attacks, and to act appropriately with the intelligence we gather. This amendment takes away less than 9 percent of the increase for missile defense research and development, and only 3 percent of the entire missile defense budget. I believe that we should reprogram much more towards protecting our constituents from the real threats that our Nation is facing, and spend much less on some Star Wars program. This amendment supports that concept of refocusing our priorities on the true threats to our Nation, and I urge my colleagues to support it.

Mr. UNDERWOOD. Madam Chairman, I rise in strong support of this amendment and I thank the Chairman and the Ranking Member for bringing it to the floor in a bi-partisan fashion. This amendment deserves our attention and support if we are to begin addressing our pressing national needs in combating the horrific practice of terrorism. The tragic events of September 11th prompt use to do more in this effort and this amendment gives us the opportunity to enact sound policy in this regard. By providing \$400 million in new funding for intelligence, anti-terrorism and counter-terrorism initiatives, this amendment equips the Department of Defense with the resources needed to begin defending our nation against future terrorist aggression.

Combating terrorism is and should be a national security concern and this amendment establishes it as such. This amendment is a significant step towards overcoming existing vulnerabilities, as it requires DoD to report on their ability to defend the nation against airborne threats. Furthermore, as assessment of DoD's ability to respond to terrorist attacks and provide support for Federal, State, and local consequence management activities as required by this amendment will ensure that our government is better prepared to handle any future terrorist crisis.

This amendment addresses our national security needs with regards to terrorism without compromising our need to protect and defend the nation against ballistic missile attacks. As the individual in this body representing Guam, well within striking range of nations like North Korea, I am keenly aware of our Nation's vulnerability to the threat of a ballistic missile attack. But I am also acutely aware of our need to defend our people against terrorism.

If we are to protect our nation, safeguard our democracy, and rid the world of terror, we must begin to vigorously combat terrorism. Passage of this amendment is a significant start towards this end and it is necessary if we are to reduce vulnerabilities at our military installations and facilities, not only within the continental United States, but also in Guam, and throughout the world.

Mr. RODRIGUEZ. Madam Chairman, I rise in support of the Stump-Skelton amendment to take \$400 million from the national missile defense program to fund intelligence, anti-terrorism, force protection, and counter-terrorism efforts. The funding shift in the amendment is a good start but more needs to be done.

We must question spending an additional \$2.5 billion next year and possibly \$100 billion in the future to establish a national missile defense system when deadly terrorist attacks can occur with the purchase of an airline ticket.

Don't get me wrong. I strongly support a theatre missile defense system to protect our troops and allies on the battlefield. But not a national missile defense system that threatens our world wide treaties. But, let's take this one step at a time in light of our many priorities. The enormous sum of \$100 billion could be better spent on intelligence, diplomacy, rebuilding the military, and protecting America's ports of entry.

My Congressional district includes several border crossings between the U.S. and Mexico. The U.S. Customs agents at the border crossings are undermanned and underfunded even though they are on the frontline of protecting our Nation.

For three years Customs has been attempting to upgrade its computer systems to enhance the inspection of goods crossing U.S. borders. Funding shortfalls have prevented the implementation of this critical system.

Customs is only one example of where money could be better spent to protect Americans from terrorist attacks.

I urge my colleagues to support the amendment.

Mr. HOLT. Madam Chairman, I rise in strong support of the Stump/Skelton amendment. As our Nation is working to deal with the tremendous needs of our armed forces in the wake of the September 11 terror attacks, this is one amendment that is particularly important.

The Stump/Skelton bipartisan amendment cuts \$400 million from the President's request for National Missile Defense programs, and transfers these funds to intelligence and counter-terrorism initiatives. The Stump/Skelton amendment represents a consensus, compromise position that all of us should support.

As a Nation, there are many lessons to be learned from the recent attacks on the World Trade Center and the Pentagon. One of the things that is underscored by the events of September 11 is how careful we must be about where we put our defense dollars and

the priorities that we as a nation fund in our defense budget.

The pursuit of a National Missile Defense is an expensive, unproven and destabilizing policy that should be rejected. There are so many more important needs to fund in our defense budget. While this amendment does not eliminate all of the funds the President has requested for a National Missile Defense system, it does make important reductions in that account and important increases in areas where we clearly need to make investments, particularly in our intelligence and counter intelligence efforts.

The National Missile Defense as proposed would not be effective. It would be costly to deploy and easily circumvented. It could be confused with decoys. It could be bypassed with suitcase bombs and pickup trucks and sea-launched missiles or need I say it, wayward airlines. It would be billions of dollars down the drain. But it is not just a diversion of precious resources that we are told are not available for health care, for smaller class sizes, for modern school facilities, for securing open space or for taking care of America's veterans.

It is worse than a waste. Simple strategic analysis will tell us that provocative yet permeable defenses are destabilizing and lead to reduced security.

The U.S. has not been able to develop a workable missile defense system after 40 years of trying and spending \$108 billion.

Clearly this money is better spent in supporting up our intelligence and counter intelligence efforts. I urge all of my colleagues to support the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. STUMP).

The amendment was agreed to.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: amendment No. 3 by Mr. TRAFICANT of Ohio and amendment No. 4 by Ms. SANCHEZ of California.

The Chair will reduce to 5 minutes the time for the second electronic vote.

AMENDMENT NO. 3 OFFERED BY MR. TRAFICANT

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 3 offered by the gentleman from Ohio (Mr. TRAFICANT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

POINT OF ORDER

Mr. TIERNEY. Madam Chairman, I make a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. TIERNEY. Madam Chairman, just looking around and counting, I am

not sure that I reached the same conclusion that the Chairman did, and I am wondering if she might want to count again.

The CHAIRMAN. A recorded vote has been ordered.

The vote was taken by electronic device, and there were—ayes 242, noes 173, not voting 15, as follows:

[Roll No. 356]

AYES—242

Aderholt	Granger	Pallone
Akin	Graves	Pascrell
Armey	Green (WI)	Pence
Bachus	Greenwood	Phelps
Baker	Grucci	Pickering
Ballenger	Gutknecht	Pitts
Barcia	Hall (OH)	Platts
Barr	Hall (TX)	Pombo
Bartlett	Hansen	Pomeroy
Barton	Hart	Portman
Bass	Hastings (WA)	Price (NC)
Biggert	Hayes	Pryce (OH)
Bilirakis	Hayworth	Quinn
Bishop	Hefley	Ramstad
Blunt	Henger	Regula
Boehrlert	Hilleary	Rehberg
Bonilla	Hobson	Reynolds
Bono	Hoekstra	Riley
Boswell	Horn	Rivers
Boyd	Hostettler	Roemer
Brady (TX)	Houghton	Rogers (KY)
Brown (SC)	Hulshof	Rogers (MI)
Bryant	Hunter	Rohrabacher
Burr	Hyde	Ros-Lehtinen
Burton	Isakson	Rothman
Callahan	Israel	Roukema
Calvert	Issa	Royce
Camp	Istook	Ryun (KS)
Cannon	John	Saxton
Cantor	Johnson (CT)	Schaffer
Capito	Johnson (IL)	Schrock
Carson (OK)	Johnson, Sam	Sensenbrenner
Castle	Jones (NC)	Sessions
Chabot	Kaptur	Shadegg
Chambliss	Keller	Shaw
Coble	Kelly	Shays
Collins	Kennedy (MN)	Sherwood
Combest	Kerns	Shimkus
Cooksey	Kildee	Shows
Costello	Kind (WI)	Shuster
Cox	King (NY)	Simmons
Cramer	Kingston	Simpson
Crane	Kirk	Smith (NJ)
Crenshaw	Knollenberg	Smith (TX)
Cubin	LaHood	Souder
Culberson	Langevin	Spratt
Cunningham	Lantos	Stearns
Davis (FL)	Largent	Stenholm
Davis, Jo Ann	Latham	Strickland
Davis, Tom	LaTourette	Stump
Deal	Lewis (CA)	Sununu
DeLay	Lewis (KY)	Sweeney
DeMint	Linder	Tancredo
Deutsch	Lipinski	Tauscher
Diaz-Balart	LoBiondo	Tauzin
Doolittle	Lowe	Taylor (MS)
Duncan	Lucas (KY)	Taylor (NC)
Dunn	Lucas (OK)	Thomas
Emerson	Luther	Thune
English	Maloney (CT)	Thurman
Eshoo	Manzullo	Tiaht
Etheridge	Matheson	Tiberi
Everett	McCarthy (MO)	Toomey
Ferguson	McCarthy (NY)	Traficant
Fletcher	McCrery	Udall (CO)
Foley	McHugh	Udall (NM)
Forbes	McIntyre	Upton
Fossella	McKeon	Vitter
Frelinghuysen	McNulty	Walden
Galleghy	Mica	Walsh
Gekas	Miller (FL)	Wamp
Gephardt	Miller, Gary	Watkins (OK)
Gibbons	Moran (KS)	Watts (OK)
Gilchrist	Morella	Weldon (FL)
Gillmor	Myrick	Weldon (PA)
Gilman	Nethercutt	Weller
Goode	Ney	Wicker
Goodlatte	Northup	Wolf
Gordon	Norwood	Young (AK)
Goss	Nussle	Young (FL)
Graham	Otter	

Abercrombie	Frost	Oberstar
Ackerman	Ganske	Obey
Allen	Gonzalez	Oliver
Andrews	Green (TX)	Ortiz
Baca	Gutierrez	Osborne
Baird	Harman	Ose
Baldacci	Hastings (FL)	Owens
Baldwin	Hill	Oxley
Barrett	Hilliard	Pastor
Becerra	Hinchev	Paul
Bentsen	Hinojosa	Payne
Bereuter	Hoeffel	Pelosi
Berkley	Holden	Petri
Berman	Holt	Putnam
Berry	Honda	Radanovich
Blagojevich	Hooley	Rahall
Blumenauer	Hoyer	Rangel
Boehner	Inslee	Reyes
Bonior	Jackson (IL)	Rodriguez
Borski	Jackson-Lee	Ross
Boucher	(TX)	Roybal-Allard
Brady (PA)	Jefferson	Ryan (WI)
Brown (FL)	Jenkins	Sabo
Brown (OH)	Johnson, E. B.	Sanchez
Buyer	Jones (OH)	Sanders
Capps	Kanjorski	Sandlin
Capuano	Kennedy (RI)	Sawyer
Cardin	Kilpatrick	Schakowsky
Carson (IN)	Kleczka	Schiff
Clay	Kolbe	Scott
Clayton	Kucinich	Sherman
Clement	LaFalce	Skeen
Clyburn	Lampson	Skelton
Condit	Larsen (WA)	Slaughter
Coyne	Larson (CT)	Smith (MI)
Crowley	Leach	Smith (WA)
Cummings	Lee	Snyder
Davis (CA)	Levin	Solis
Davis (IL)	Lewis (GA)	Stark
DeFazio	LoFgren	Stupak
DeGette	Maloney (NY)	Tanner
Delahunt	Markey	Terry
DeLauro	Mascara	Thompson (CA)
Dicks	Matsui	Thompson (MS)
Dingell	McCollum	Thornberry
Doggett	McDermott	Tierney
Dooley	McGovern	Turner
Doyle	McKinney	Waters
Dreier	Meehan	Watt (NC)
Edwards	Meek (FL)	Waxman
Ehlers	Menendez	Weiner
Ehrlich	Millender	Wexler
Evans	McDonald	Whitfield
Farr	Miller, George	Wilson
Fattah	Mink	Woolsey
Filner	Moore	Wu
Flake	Murtha	Wynn
Ford	Napolitano	
Frank	Neal	

NOT VOTING—15

Conyers	Moran (VA)	Serrano
Engel	Nadler	Towns
McInnis	Peterson (MN)	Velazquez
Meeks (NY)	Peterson (PA)	Viscosky
Mollohan	Rush	Watson (CA)

□ 1946

Ms. MCKINNEY, Ms. DELAURO, and Messrs. INSLEE, HOLDEN, and DINGELL changed their vote from "aye" to "no."

Mrs. NORTHUP and Messrs. JOHNSON of Illinois, BURTON of Indiana, WATKINS of Oklahoma, LANTOS, SHIMKUS, AKIN, SPRATT, ISRAEL, DEUTSCH, BLUNT, ISSA, RYUN of Kansas, CARSON of Oklahoma, and REYNOLDS changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

□ 1945

AMENDMENT NO. 4 OFFERED BY MS. SANCHEZ

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 4 offered by the gentlewoman from California (Ms. SANCHEZ) on which further proceedings

were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 199, noes 217, not voting 14, as follows:

[Roll No. 357]

AYES—199

Abercrombie	Frost	Miller, George
Ackerman	Gephardt	Mink
Allen	Gilchrest	Moore
Andrews	Gilman	Moran (VA)
Baca	Gonzalez	Morella
Baird	Gordon	Napolitano
Baldacci	Green (TX)	Neal
Baldwin	Greenwood	Obey
Barrett	Gutierrez	Olver
Bass	Harman	Ose
Becerra	Hastings (FL)	Owens
Bentsen	Hill	Pallone
Berkley	Hilliard	Pascarell
Berman	Hinchee	Pastor
Biggert	Hinojosa	Payne
Bishop	Hoeffel	Pelosi
Blagojevich	Holt	Pomeroy
Blumenauer	Honda	Price (NC)
Boehrlert	Hooley	Pryce (OH)
Bonior	Horn	Ramstad
Bono	Houghton	Rangel
Boswell	Hoyer	Reyes
Boucher	Inslee	Rivers
Boyd	Isakson	Rodriguez
Brady (PA)	Israel	Rothman
Brown (FL)	Jackson (IL)	Roukema
Brown (OH)	Jackson-Lee	Roybal-Allard
Capito	(TX)	Sabo
Capps	Jefferson	Sanchez
Capuano	Johnson (CT)	Sanders
Cardin	Johnson, E. B.	Sandlin
Carson (IN)	Jones (OH)	Sawyer
Carson (OK)	Kaptur	Schakowsky
Castle	Kelly	Schiff
Clay	Kennedy (RI)	Scott
Clayton	Kilpatrick	Shaw
Clement	Kind (WI)	Shays
Clyburn	Kirk	Sherman
Condit	Kleczka	Simmons
Coyne	Kolbe	Slaughter
Cramer	Lampson	Smith (WA)
Crowley	Lantos	Snyder
Cummings	Larsen (WA)	Solis
Davis (CA)	Larson (CT)	Spratt
Davis (FL)	Leach	Stark
Davis (IL)	Lee	Strickland
DeFazio	Levin	Tanner
DeGette	Lewis (GA)	Tauscher
Delahunt	Lofgren	Thomas
DeLauro	Lowey	Thompson (CA)
Deutsch	Luther	Thompson (MS)
Dicks	Maloney (CT)	Thurman
Dingell	Maloney (NY)	Tierney
Doggett	Markey	Turner
Dooley	Matheson	Udall (CO)
Dunn	Matsui	Udall (NM)
Edwards	McCarthy (MO)	Walden
Ehrlich	McCarthy (NY)	Walters
Eshoo	McCollum	Watt (NC)
Etheridge	McDermott	Waxman
Evans	McGovern	Weiner
Farr	McKinney	Wexler
Fattah	Meehan	Woolsey
Filner	Meek (FL)	Wu
Foley	Menendez	Wynn
Ford	Millender	
Frank	McDonald	
Frelinghuysen	Miller (FL)	

NOES—217

Aderholt	Barr	Boehner
Akin	Bartlett	Bonilla
Armey	Barton	Borski
Bachus	Bereuter	Brady (TX)
Baker	Berry	Brown (SC)
Ballenger	Bilirakis	Bryant
Barcia	Blunt	Burr

Burton	Hostettler	Radanovich
Buyer	Hulshof	Rahall
Callahan	Hunter	Regula
Calvert	Hyde	Rehberg
Camp	Issa	Reynolds
Cannon	Istook	Riley
Cantor	Jenkins	Roemer
Chabot	John	Rogers (KY)
Chambliss	Johnson (IL)	Rogers (MI)
Coble	Johnson, Sam	Rohrabacher
Collins	Jones (NC)	Ros-Lehtinen
Combest	Kanjorski	Ross
Cooksey	Keller	Royce
Costello	Kennedy (MN)	Ryan (WI)
Cox	Kerns	Ryun (KS)
Crane	Kildee	Saxton
Crenshaw	King (NY)	Schaffer
Cubin	Kingston	Schrock
Culberson	Knollenberg	Sensenbrenner
Cunningham	Kucinich	Sessions
Davis, Jo Ann	LaFalce	Shadegg
Davis, Tom	LaHood	Sherwood
Deal	Langevin	Shimkus
DeLay	Largent	Shows
DeMint	Latham	Shuster
Diaz-Balart	LaTourette	Simpson
Doolittle	Lewis (CA)	Skeen
Doyle	Lewis (KY)	Skelton
Dreier	Linder	Smith (MI)
Duncan	Lipinski	Smith (NJ)
Ehlers	LoBiondo	Smith (TX)
Emerson	Lucas (KY)	Souder
Ose	Lucas (OK)	Stearns
English	Manzullo	Stenholm
Everett	Mascara	Stump
Ferguson	Flake	Stupak
Ganske	McCrary	Sununu
Gekas	McHugh	Sweeney
Gibbons	McIntyre	Tancredo
Gillmor	McKeon	Tauzin
Goode	McNulty	Taylor (MS)
Goodlatte	Mica	Taylor (NC)
Goss	Miller, Gary	Terry
Graham	Moran (KS)	Thornberry
Granger	Murtha	Thune
Graves	Myrick	Tiahrt
Green (WI)	Nethercutt	Tiberi
Grucci	Ney	Toomey
Gutknecht	Northup	Traficant
Hall (OH)	Norwood	Upton
Hall (TX)	Nussle	Vitter
Hansen	Oberstar	Walsh
Hart	Ortiz	Wamp
Hastings (WA)	Osborne	Watkins (OK)
Hayes	Otter	Watts (OK)
Hayworth	Oxley	Weldon (FL)
Hefley	Paul	Weldon (PA)
Herger	Pence	Weller
Hilleary	Petri	Whitfield
Hobson	Phelps	Wicker
Hoekstra	Pickering	Wilson
Holden	Pitts	Wolf
	Platts	Young (AK)
	Pombo	Young (FL)
	Portman	
	Putnam	
	Quinn	

NOT VOTING—14

Conyers	Nadler	Towns
Engel	Peterson (MN)	Velazquez
McInnis	Peterson (PA)	Visclosky
Meeks (NY)	Rush	Watson (CA)
Mollohan	Serrano	

□ 1956

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. STUMP. Madam Chairman, I ask unanimous consent to strike the last word.

The SPEAKER pro tempore. Without objection, the gentleman from Arizona is recognized for 5 minutes.

There was no objection.

Mr. STUMP. Madam Chairman, as the House is about to move to final passage on this defense authorization bill, I think it is appropriate that we take a moment to note that this will be the first defense bill in over 30 years that we have passed that Floyd Spence did not have a part in. Floyd had a hand in shaping and guiding all the defense bills for the last 3 decades, and

particularly in the last 6 years where he served as chairman of the House Committee on Armed Services.

Madam Chairman, there was not a stronger defender of our military, no truer friend of the men and women in uniform, and no tougher critic on those who allowed our defenses to deteriorate over the years. Floyd Spence had vision, he had sense of purpose, and he had a clear commitment to ensuring that the Congress fulfill its constitutional obligation to provide for the common defense.

We all miss Floyd, but I did not want this moment to go without the record reflecting his leadership, his commitment, and his wise counsel on national security matters, which still burns bright in the many of us that were privileged to work with this quiet, unassuming and passionate American patriot.

Mr. SKELTON. Madam Chairman, will the gentleman yield?

Mr. STUMP. I yield to the gentleman from Missouri.

Mr. SKELTON. Madam Chairman, I applaud the gentleman on his comments and his memory of Floyd Spence. He was truly a gentleman's gentleman, a true Southern gentleman, from his infectious laugh to his strong support of the troops. We will recall him very, very fondly; and I thank the gentleman for his remembrance of him.

And for 19 years, I might say, sitting next to me on the Committee on Armed Services was our colleague Norm Sisisky, who made such a great contribution. At this moment, I would also like to pay tribute to his memory for the wonderful work that he did. And I thank the gentleman.

□ 2000

Mr. STUMP. Madam Chairman, may I take a moment to thank our staff on both sides of the aisle for the tremendous job and the many late nights that they have spent here and put up with us and produced this good bill.

Madam Chairman, I urge everyone to support the bill.

Mr. SHAYS. Madam Chairman, as a long-time critic of the manner in which we finance our nation's military, I had intended to oppose the legislation being considered today.

This year's defense budget contains a number of deficiencies, the most glaring of which is this: it is not designed to equip our military for the task at hand. Written prior to the attack of September the 11th, this legislation continues the mistakes of the past decade. It is designed to fight the cold war, but that war ended years ago, and as we saw all too brutally in New York and Washington, the world is a far more dangerous place.

Furthermore, this bill leaves our military, on the eve of an epic undertaking, with a number of acute needs that have yet to be adequately addressed—needs we've known about for many years.

As the chairman of the Government Reform Subcommittee on National Security, which has oversight jurisdiction over the entire Department of Defense, I have seen first hand the needs of our military. We need to do a better

job attracting new enlistees and maintaining the necessary level of reenlistment. Our training has suffered in recent years. We lack the necessary munitions for new encounters. We are cannibalizing existing planes, tanks and other equipment for their parts, in order to make other equipment operational. Our soldiers, sailors, pilots and Marines are overworked and underpaid. At least this last part we have begun to address. And I strongly support the military pay raise included in this legislation.

Regretfully, like its predecessors, this year's National Defense Authorization Act fails to cancel the procurement of expensive, unnecessary weapon systems; close unnecessary bases and depots, at home and overseas; and require our allies, particularly Europeans, to pay their fair share of stationing U.S. troops in their countries.

So why will I vote for this bill? Because I strongly support the President of the United States and the campaign against terrorism on which we've embarked. And I don't want anyone, particularly our enemies, to misunderstand a No vote.

Unlike the climate in which we debated past budgets, today our country is entering a new, uncharted period. In these trying times, I want to be certain we're providing the brave men and women of our military with every resource they will need in the difficult days, months and years to come.

The Government Reform Subcommittee on National Security has conducted 19 hearings on our preparedness against terrorist threats, chemical and biological defense programs, the Defense Department's role in homeland security, and proposals to reorganize our terrorism programs. We know waging the war on terrorism will require not only enormous expenditures, but also a fundamental reexamination of our changing national security needs.

Unfortunately, this legislation provides the funding, but not the reforms. I pray future defense bills address these glaring needs, but mostly I pray for the brave men and women going into battle.

Mr. STARK. Madam Chairman, I rise in support of our armed forces that are preparing to deliver justice to the organizations who initiated the attack on the United States on September 11, 2001. However, I must still oppose the Defense Department Authorization bill before us today. This legislation simply fails to meet the mark for what is needed to defend our nation today.

It does have several measures that I support including: pay raises for the average soldier and increased funding for medical benefits. However, all that's bad in this bill outweighs these positive components.

Like previous defense authorization bills, it wastes billions of dollars on attack submarines, advanced destroyers, a National Missile Defense (NMD) System, and continues to fund the outdated F-22 program.

The investment of hundreds of billions of dollars in aircraft carriers and ships has done little to protect American citizens from attack. It has only been used to line the pockets of big defense contractors who are more interested in profit margins than defending the United States. We continue to waste billions of dollars to build these ships at the cost of truly effective military investments like training in counter-terrorism, anti-guerrilla warfare tactics, and intelligence gathering—all of which would

yield far greater benefits than the big ticket items currently included in the bill.

The F-22 program is another wasteful program. We continue to fund this program despite its consistent cost overruns and failures to meet performance and production guidelines. This program made sense in the late 1990's when we were still preparing to defend against advanced Soviet technology, but today that is no longer the case. Our potential enemies are flying old Soviet fighters Su-22's and MiG-21's. These planes are on par with our old F-4 Phantoms which were the premier fighter when we were fighting in Vietnam.

Finally it provides over \$8 billion to continue to develop the National Missile Defense system. The attack on September 11th proves that any potential enemy would be far wiser to invest a couple million dollars to train people to fly a plane into the US to delivery weapons of mass destruction, rather than hundreds of billions of dollars to develop an Inter-Continental Ballistic Missile. In light of this reality, it seems foolish, wasteful and completely inappropriate to direct huge sums of money at a national missile defense system that has never been proven to work and is probably irrelevant to the dangers we face today.

It is for these reasons that I must oppose this authorization bill.

Mr. UNDERWOOD. Madam Chairman, I rise in support of H.R. 2586, the National Defense Authorization Act for FY02. Among the many provisions included in this legislation are a number of measures that directly support Guam and its military infrastructure. Our nation's military readiness stands to benefit from over \$66 million in new construction and improvements to Guam's military installations and facilities. The people of Guam welcome this funding as it strengthens U.S. military presence and national security in the Asia-Pacific region in addition to providing an economic boost for our island.

Seven major military construction projects for Guam are included in this bill. Phase II of the Guam Army Guard Readiness Center will receive \$7 million and \$4 million is included for a training facility for the Guam Air National Guard. Other projects include \$4.5 million for a Forward Operation Location War Reserve Material Facility at Andersen Air Force Base and \$24 million for the upgrading of the Navy's Bachelor Enlisted Quarters and Public Works Waterfront Utilities. The bill also includes \$20 million for the continued replacement of Andersen's hydrant fuel system. These projects are significant towards modernizing Guam's military infrastructure and equipping our troops stationed in the Western Pacific with the resources they need to meet our increased national security demands.

In addition to military construction projects, the bill also provides for the conveyance of a water supply system at Andersen Air Force Base and the construction of a war memorial on Guam to honor the victims of the Yigo Massacre, which occurred during World War II. Guam was the only U.S. State or Territory with a civilian population to suffer occupation during World War II. Immediately following the liberation of Guam, decapitated bodies of 45 men were discovered in the village of Yigo. Today, it is presumed that these men were forcibly conscripted by the Japanese forces to be of service to them during their retreat. The story of these men has largely been forgotten since the time they were forcibly separated

from their homes and families. The memorial included in this bill will commemorate the sacrifices made by these men and resurrect and preserve their story in history.

I am also pleased that the House Armed Services Committee has addressed the issue of the Department of Defense's responsibility and duty to clean up former military sites. Guam was home to significant and tremendous military activity during World War II. Unexploded ordnance and other weaponry have been found on Guam in recent years as a result of this activity. The report accompanying this bill stresses the need for the Department of Defense to be more aggressive in their management and clearance of unexploded ordnance and other dangerous weaponry found on Guam. This language is essential in ensuring that the proper attention is devoted towards the cleanup of our island.

In conclusion, this bill goes a long way towards improving our nation's military readiness and supports Guam role in contributing to our national security. The people of Guam welcome the forthcoming military construction activity and look forward to doing their part in providing for the national defense.

Mr. DEFAZIO. Madam Chairman, I have worked for more than a decade to reorient federal budget priorities so they better reflect the needs and wants of average Americans.

I have also been a vocal advocate for taking a serious look at the spending priorities within the Department of Defense (DOD). I have regularly drafted legislation and amendments to force the Pentagon to reevaluate and justify how it spends taxpayer money.

We demand accountability from all other federal agencies. We should demand no less of the DOD. After all, the \$343 billion authorized in this legislation represents one of every two dollars in discretionary spending that can be appropriated by Congress.

There are clearly significant flaws with H.R. 2586. While the basic needs of many of our young men and women in uniform have not been met, this legislation provides tens of billions of dollars to fund weapons systems that are of dubious necessity, over-budget, behind schedule, and fail to meet performance requirements.

For example, at G.I. Joe's in Eugene, Oregon, I met a dad who was buying a waterproof bag for his son in the Marines. He told me his son was issued an expensive radio without any waterproof protection. All the Pentagon supplied was a plastic garbage bag.

The legislation provides around \$8 billion for an ill-defined, unworkable national missile defense system. This represents more than a 50 percent increase over current spending levels. American taxpayers have already generously provided more than \$60 billion over the last two decades to develop this system with little to show for it.

Even if the system could be made to work consistently, it doesn't address the most significant threat our nation faces. As I've said in debates over NMD in past years, given our awesome retaliatory power, one of the least likely threats confronting the U.S. is an intercontinental missile with a return address. In those previous debates, I went on to raise concerns about the money NMD was diverting from our preparation for more likely attacks by terrorists with primitive delivery systems like rental trucks, freighters, or even suitcases.

The legislation continues to fund the development of three new fighter jets when one

should do, and continues to fund an oversized nuclear stockpile.

I am concerned that the spending priorities reflected in this bill are oriented to fighting the last war, not meeting the threats our nation faces today.

That said, I am going to support this legislation. I do not make this decision lightly. The world changed on September 11, 2001. The terrorist strikes on U.S. soil have created a sense of urgency to guarantee our troops are adequately supplied and supported in order to respond and defend our country.

Some of the funds in this legislation and the emergency package approved by Congress last week will go to make sure our men and women in uniform have everything they need to deal with the current crisis. However, I fully intend to revisit the spending priorities of the Pentagon next year and look forward to reviewing Secretary Rumsfeld's plans for retooling our nation's military to more adequately meet the threats of today.

But, that critical debate can wait for another day. In this time of crisis, I will vote in favor of this legislation in order to stand firmly behind our young men and women in uniform who may soon be put in harm's way.

Ms. BALDWIN. Madam Chairman, when President Dwight D. Eisenhower gave his farewell address in 1961, he spoke about the "military-industrial complex." He said, "In the councils of government, we must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex. The potential for the disastrous rise of misplaced power exists and will persist."

It is forty years later, and yet his words still ring true. The corporations and organizations that profit so much from military build-ups are unaccountable to the American people. That was true in 1961, it was true on September 10th, 2001, and it remains true today. In America, the nation's military priorities ought to be set by the people.

For that reason, I have been a harsh critic of our nation's military budget.

I have regarded its priorities as misplaced.

I have vehemently opposed deploying National Missile Defense.

I have disagreed with the decision to build the F-22 Raptor.

I have questioned the need for new attack submarines, battleships and guided missile destroyers.

I lament our failure to adequately compensate the men and women who serve in the Armed Forces and our failure to keep our promises to our nation's veterans.

I decry the failure to fully fund our non-proliferation efforts and nuclear disarmament programs.

I have opposed every defense authorization and defense appropriation bill put before me since I came to Congress.

And I would expect to do so again in the future, if I am not able to have greater influence on their content, their magnitude and their priorities.

But today is different. I have struggled with this vote as I have struggled with no other. Here is where that struggle has brought me. I regard my two central duties at this unprecedented time to be the protection of American lives and the protection of the American way of life—our freedoms of speech, our expectation of privacy, our right to due process.

I do not know what our President is being told by our intelligence agencies or by the criminal investigators. I do not know what tools our President will need to protect our families from further attacks and threats. I could not accept the responsibility for denying those charged with protecting our immediate safety and security with the tools they need. The Administration has told us that these are the tools they need. Not knowing what they know, I take them at their word.

No one should interpret this vote as any indication that I will not continue to question and criticize policy that I believe is wrong. No one should take this vote as an indication that we should not push to reconfigure, rethink and reprioritize our national defense program.

In this unprecedented time, we give our President what he has requested in order to protect American life. At the same time, I do not forget General Eisenhower's caution that we must guard against the acquisition of unwarranted influence by the military-industrial complex.

Mr. BLUMENAUER. Madam Chairman, in these times of extreme pressure on our national security team, we want to be assured that America is properly prepared. This defense authorization bill has much that I find commendable. It provides funding for providing the essential defense requirements that will assure that the United States continues to have the most powerful armed forces anywhere in the world, far and away superior to the next seven countries combined. There are many improvements that are made to quality of life for our fighting men and women including increased resources for their pay and for their housing which are critical and which I strongly support. It also recognizes work that I've been championing to have the military clean up after itself and deal with unexploded ordnance and other military pollution. Having an inventory of these contaminated sites is an important step forward and I appreciate the work that Committee leadership and staff have done in that regard.

I reluctantly vote in opposition to this defense authorization because of the continued clear misallocation of resources it includes for national missile defense. In fact, I have grave reservations about several of our patterns in military technology and hardware. For example, we are still developing three new tactical aircraft systems simultaneously. It is critical that we deal with the meat and potatoes of our nation's defense and the support of our military retirees before launching forth with some of these troubling weapons systems. The most problematic of them all is missile defense.

There is nearly \$8 billion in this bill for a system that was demonstrated two weeks ago to not be our top priority. We were caught flat-footed with a severe act of domestic terrorism illustrating that we need to be doing more to protect against conventional threats: intelligence on the ground and improving civilian capacity to assist our citizens. It is ill-advised to continue to feed money into a system for remote risks that are far into the future which may not even work and may further destabilize the world balance of power.

We need to focus our efforts now more than ever before on making sure that our armed forces are equipped to deal with today's threats and responsibilities, not what we wish they would be in the future or know they were in the past. Missile defense is the worst example of both these premises.

I hope that we will be able, in the course of this Congress, to do a better job of effectively evaluating our threats and redeploying our resources to protect our citizens and support our fighting men and women.

Ms. BROWN of Florida. Madam Chairman, as you may know, the Senate has authorized another round of military base closures. I rise in opposition to any attempts to weaken our national defense through another round of base closing.

Another round of base closing will subject the future of our national defense to a political and arbitrary process of back-room-deals and broken promises. All of the past BRAC rounds have been full of last-minute games, empty promises, false cost savings and unreliable data.

At a time when our nation has been attacked by terrorist forces, further base closures would make our country look weak and further undermine the security of the American people. Closing additional military installations will make our remaining bases easier targets.

Why should we be shutting down existing bases when we are only beginning to understand the extent of our enemies evil wishes?

Why should we be shutting down existing bases when we are still learning of our enemies' ability to completely surprise even our best defenses?

Why should we be shutting down existing bases when we need all of our people and materials to fight against the terrorist enemy?

I rise in strong opposition to another round of base closing and encourage our conferees to do the same.

Ms. LOFGREN. Madam Chairman, I had urged that this Department of Defense spending bill be brought up without including the controversial missile defense program. It was my belief that we, as a Congress, would be best served by taking up a bill that most of us could vote for, which could then be followed with the controversial missile defense bill about which so many of us disagree.

Last week, on the floor, I had occasion to discuss the missile defense plan with a Congressman from across the aisle. There has been a lot of that lately, discussions among Republicans and Democrats that are respectful. He said he would vote for "missile defense" if it would save one American city from nuclear annihilation.

Well, so would I. But this missile defense program won't do that. It won't make us safer. The technology doesn't work. Further, in order to proceed, we also have to abrogate treaties just at the time when we need international allies in the war against terrorism.

As the September 11 attacks on our country showed us so terribly, we need more and better defenses. Some of those defenses need to be in the Department of Defense and in the Department of Justice, and I favor increased funding to enhance those capabilities. Enhancement of our intelligence capabilities is also called for along with better coordination and communication between intelligence and law enforcement. Improved airport and airline safety is also a necessity.

But spending billions on missile defense, in my view, will not make our country safer. It wouldn't stop the terrorists who attacked us on September 11th and it won't work to stop "nuclear terrorism" either. Unfortunately, the technology isn't even advanced enough to stop the so called rogue nations that are identified to be its target.

I favor additional funding for avionics, parts, upgraded technology and military pay. I wish I were able to vote for such good things separately from this flawed missile defense plan.

Mr. GUTIERREZ. Madam Chairman, I rise in strong opposition to the language in this bill concerning the future of the Puerto Rican island of Vieques.

The United States Navy has trained in Vieques for more than sixty years.

The effects of that training on the environment of the island and on the lives of its 9300 residents are painfully clear.

Thousands of acres on that beautiful topical island are devastated, bearing witness to the presence of hundreds of thousands of tons of metals, chemicals and materials that have been shown to increase the incidence of cancer and other diseases.

Vieques, which was once a thriving, albeit developing agricultural, fishing and tourist society of 12,000 residents, has been mired in poverty, unemployment, forced migration and underdevelopment for several decades, because the largest "tenant" on the island—the U.S. Navy—who occupies close to two thirds of the total land mass of the island, prevents the development of any significant economic activity in Vieques.

After the accidental death of David Sanes—a civilian security guard from Vieques—the people of Vieques, supported by the people of Puerto Rico and by many people from the United States declared that they had enough of the bombing, enough of the contamination, enough of the constraining of their lives hopes and aspirations by the U.S. Navy. Together with the religious, civic, political, and labor leadership of Puerto Rico, the people of Vieques began a sustained campaign of peaceful protest and peaceful civil disobedience to put a stop to the abuses of their land by the Navy.

Madam Chairman, last year President Clinton and this Congress attempted to mediate in the dispute.

I believe that President Clinton, as commander-in-chief under our Constitution could have resolved the issue the same way President Ford had resolved the matter of Culebra in 1975, or President Bush had resolved the issue of Kahoolawe in 1991, by simply ordering his subordinates in the U.S. Navy to cease operations in Vieques.

He chose, instead, to do a combination of Executive orders and Congressional action.

That is now known as the Clinton-Rosselló agreement.

I opposed that "compromise" precisely because I suspected that what is happening here today—that Congress is literally going back on its word given to the people of Vieques and the people of Puerto Rico could happen. That is why I called on President Clinton to resolve the matter once and for all.

Madam Chairman: The people of Vieques have expressed their aspirations for peace in every peaceful manner possible. They have protested peacefully, they have engaged in peaceful civil disobedience . . . and they voted—overwhelmingly, 70 percent of the vote—for the Navy to leave them in peace.

And this Congress had promised them that the Navy would indeed leave, if—we told them last year—you vote in a federally sponsored referendum to be held at a date of the Navy's choosing, for the Navy to leave.

That referendum, that opportunity for the people of Vieques to once again express their

wish to live in peace and free of contaminants and threats to their lives and their safety, was going to take place on November, on the date chosen by the Navy.

But the Navy and their allies in Congress now know what I always said, that the people of Vieques, whom the Navy was called their "neighbors" no longer want the Navy in their land.

So, what do we do when the people of Vieques are about to beat the Navy at a game whose rules were designed by the Navy and its political allies in Congress? We will now change the rules, to prevent the people of Vieques from winning fair and square.

In this time of crisis, we are all feeling a growing sense of patriotism. I am pleased and proud that the people of our nation are rallying to our country and about what it stands for. Sadly, what this Congress intends to do to the people of Vieques does not represent the best of America. It disrespects the clearly and democratically expressed will of the majority of the people of Vieques.

Madam Chairman, tonight I will vote for this DOD authorization bill, because, despite this and many other disagreements I have with this bill, its enactment is necessary for the defense of our country and of our democracy.

But I want to make clear for the record that we are committing a grave injustice to a peaceful people who have the right, the same right as any of my constituents or any of the constituents represented in this body to live in peace, free of fear, free of deadly contamination with a hope for a decent future for themselves and their children. I vote for this bill to support that defense of our nation—and despite language regarding Vieques that is unjust and counterproductive.

Mr. BENTSEN. Madam Chairman, I rise in strong support of this legislation, which authorizes appropriations for the Department of Defense for a total of \$343 billion in budget authority, consistent with the President's amended defense budget request.

H.R. 2586 provides the men and women in our nation's armed forces with the tools needed to address the challenges our country will face in the next decade and beyond. This legislation provides much needed increases in weapons procurement; research and development; operations and maintenance; and a 32 percent increase in military construction and family housing. This legislation also addresses military health care by fully funding lifetime health care for military retirees and their eligible family members. I am pleased that this bill contains the largest military pay raise since 1982 and provides significant increases in funding for key military readiness accounts. The bill also makes great strides in beginning to address our aging military infrastructure and makes a modest down payment toward the next priority—the modernization of our fleet of combat equipment. Perhaps most importantly, this bill takes critical steps toward ensuring that the United States is ready to meet the challenges that lie ahead, including the challenge of meeting and defeating international terrorism.

I also want to express my strong support for the Stump/Skelton managers amendment to transfer \$400 million from missile defense to intelligence and anti-terrorism measures. From the bill's \$8.2 billion authorization for missile defense programs, the amendment would direct \$100 million to offensive counter-terrorism

initiatives; \$100 million for enhanced intelligence programs; \$150 million for increased security at U.S. military bases, and \$50 million for consequence management activities. The amendment would also require the Defense Department to assess its capability to respond to terrorist attacks; require a DoD assessment report on airborne threats and establish counter-terrorism as a national security priority. I believe this amendment offers a reasonable approach to counter the growing threat of terrorism on our soil, while providing the funds necessary to continue development of the missile defense program. In fact, the funds provided under the underlying bill for missile defense are 55 percent more than the amount appropriated for FY2001. As such, I believe the \$400 million transfer included in the Stump/Skelton amendment is a reasonable trade-off to bolster our nation's intelligence and counter-terrorism initiatives, and I urge my colleagues to support its passage.

As we all know, the September 11, 2001 terrorist attacks on the World Trade Center and the Pentagon have forever changed our nation. This horrible incident removed forever the belief that Americans here at home were safe from the kinds of attacks that have occurred against our citizens, our military personnel, and our allies overseas. It is clear that the United States itself is a target, and that terrorists will not hesitate to use whatever means at their disposal to kill innocent Americans on a massive scale. Our response to the terrorist actions must be deliberate and calculated. As we consider this bill today, our armed forces are preparing again to defend our nation—this time from the scourge of terrorism. While I have no doubt that they will respond effectively, we must make sure that they have the necessary tools and resources to do the job. To that end, this legislation authorizes \$6 billion for Department of Defense programs to combat terrorism.

While this bill is carefully balanced to address the most critical needs of our military forces, we must be prepared to provide additional resources, if needed. The war against terrorism cannot be won in a single year, and we must be prepared to provide the funding necessary to get the job done. We must also recognize that our responsibility to protect the citizens of the United States against other emerging threats cannot be assured with a single year of defense increases. The effort to improve our nation's defenses and our people's security must be significant and it must be sustained. With that in mind, the funding levels provided in this legislation may not be sufficient to support the level of effort that the DoD must undertake to track down the perpetrators of last week's terrorist attack. The Administration in consultation with the Pentagon are working to identify the additional resources required and we stand ready to address these needs in the near future.

I urge my colleagues to support passage of this critical legislation. By enacting this legislation today, we are reaffirming our commitment to our national security, and to the men and women who so ably serve and defend our nation.

Mr. CARDIN. Madam Chairman, I rise today in support of this important bill. Since 1987, my first year in the House of Representatives, perhaps no defense authorization vote has been more timely or more significant, and I am proud to join my colleagues on the floor as we consider this legislation.

The health care provisions of this bill are key. In an effort to fully meet America's promises to the military, last year Congress created a Senior Pharmacy Benefit that took effect last April 1, and authorized expanding TRICARE to Medicare-eligible retirees and their dependents. Starting Oct. 1, 2001, all military retirees and their dependents who are age 65, or who are otherwise eligible for Medicare will be able to use TRICARE as a second payer. This year's bill authorizes full funding for these programs, a necessary and important step that our military retirees and their spouses deserve.

In the past, military retirees who reached the age of 65 lost their TRICARE eligibility and were required to purchase supplemental policies, which are often prohibitively expensive, to cover Medicare's deductibles and coinsurance. By expanding TRICARE to the 65 years of age and older population, Congress can ensure that these men and women who served our nation are eligible for the best health care this nation can offer.

There is one more step that Congress should take as soon as possible to ensure that every Medicare-eligible retiree can access the health care benefits to which they are entitled. I recently became aware of an inequitable situation facing many military retirees. Under current law, seniors who failed to enroll in Medicare Part B when they first became eligible are subject to a premium penalty of 10 percent for every year they did not enroll, effectively increasing the monthly premium for a 70-year old first-time enrollee from \$50 to \$75 for the rest of his or her life. Because military retirees could not have anticipated how their benefits would change, tens of thousands of retirees are now subject to these late penalties.

On June 6, 2001, the 57th anniversary of D-Day, I introduced the TRICARE Retirees Opportunity Act, legislation to waive the penalty for military retirees who enroll between January 1, 2001 and December 31, 2002. There is another barrier to full participation facing our military retirees. Current law permits late enrollees to sign up only during Medicare's annual open enrollment period—January 1 through March 31—with benefits beginning on July 1. My legislation will create a continuous open enrollment period through the end of 2002 for military retirees so that these prospective beneficiaries may access their new coverage immediately.

Because the cost of this bill—a scant \$10 million a year, as scored by the Congressional Budget Office—would affect the Medicare Part B Trust Fund, this authorization bill is not the appropriate venue to correct this inequity. However, I want to urge Congress to adopt this provision with all deliberate speed this year.

Madam Chairman, this country has done a good job of meeting the health care needs of our active duty military. The Floyd A. Spence National Defense Authorization Act of Fiscal Year 2001 was a milestone in our efforts to help the military retirees who devoted years of their lives to defend this nation. This year's authorization bill builds upon that work. My bill takes one more important step to ensure that these retirees, their spouses, and their survivors have full access to the benefits we enacted for them last year. I urge all my colleagues to join me in support of this key legislation so that we may truly fulfill our promise to the nation's military retirees this year.

Mr. STRICKLAND. Madam Chairman, last year a single group of veterans in my district, the 6th District of Ohio, volunteered to perform military honors at over 60 funerals. They perform this solemn duty out of the kindness of their hearts and with the deepest respect for our nation's fallen heroes. A sad fact is that many of these same veterans lack the financial resources necessary to purchase the appropriate uniform for a full rendering of military honors.

The Department of Defense (DoD) implemented important provisions with the FY00 Defense Authorization Act, providing support for honor guard details performing military honors to veterans. The bill specifies the Secretary of Defense may provide material, equipment, and training to support non-governmental organizations as necessary to support honor guard details.

However, in discussion with DoD about their proposed plans to implement these provisions, I have been told that no uniforms will be provided to a veteran performing military honors. The DoD has even said no to the idea of providing uniforms to veterans who can demonstrate financial hardship. This decision by DoD is arbitrary and indefensible.

I am pleased that the committee leadership accepted my amendment as part of the en bloc amendment which passed on September 20, 2001. This provision will require the DoD to supply the appropriate civilian uniforms to those veterans performing an honor guard program who demonstrate a financial need for such support. Posing little difficulty, this authority gives the DoD broad discretion in developing a policy of which we all can be proud.

On another matter, I would like to bring to your attention a provision in the Senate Defense Authorization Act that is of importance to workers and their survivors who were made ill as a result of their employment in the nations' nuclear weapons facilities and beryllium suppliers to the energy Department across the nation. One of these facilities, the Portsmouth Gaseous Diffusion Plant, enriched uranium for the nation's nuclear deterrent and naval propulsion programs in my district.

The Senate included technical corrections to the Energy Employees Occupational Illness Compensation Program Act of 2000—a compensation program that was included in Title 36 of the FY 2001 Defense Authorization Act. These changes embodied in Section 3151 of the Senate Committee report include:

Expanding the definition of a "survivor" for uranium miners and nuclear weapons workers to eliminate a requirement that survivors must have been under the age of 18 when the covered worker died.

Adjusting definition of the disease "silicosis" to conform to the medically accepted definition of 1/0.

Setting a 10% cap on attorney fees for contested compensation claims beyond the 2% cap for the initial filing of compensation claim.

Clarifying that rights of third party tort claimants to receive federal benefits who did not receive any recovery from these suits prior to the date of enactment of the FY'02 Defense Authorization Act.

Requiring a study on residual radiation and beryllium contamination in facilities that supplied materials to the Department of Energy for use in nuclear weapons.

Clarifying that leukemia will be covered without regard to age of occupational exposure to

radiation (currently the law only covers those exposed after age 20) for those in a Special Exposure Cohort.

These amendments were accepted on a bipartisan basis in the Senate and the costs estimated at \$100 million are covered within direct spending authorized for the Defense Authorization Act as part of the FY'02 budget resolution.

These amendments respond to concerns that were raised by hundreds of participants at over 50 field meetings conducted by the Department of Labor in its implementation of the EEOICPA. It is my understanding that the Department of Labor has no formal position on these amendments, and has not raised any specific objections.

In conclusion, I hope the Armed Services Committee will agree to include in these amendments in the final legislation.

Mr. SPRATT. Madam Chairman, the devastation wreaked by terrorists on September 11, 2001 was horrendous. But had the terrorists used nuclear weapons, the death and destruction would have been even worse. The one essential element terrorists lack in making nuclear weapons is fissile materials, and we should make every effort to ensure that they do not obtain them. Only days before September 11, smugglers were apprehended in Turkey trying to move weapons-grade uranium out of Russia. This was not the first instance, and there is no doubt that terrorists and their sponsors are trying. There is however, reason to doubt that we are doing all that we should to keep such materials and nuclear know-how out of their hands.

The Department of Energy shares the non-proliferation campaign with the Department of Defense and focuses on its particular realm of expertise: nuclear materials. Despite the gravity of this mission, this bill follows President Bush's request, and without explanation, cuts the DOE budget for stopping the spread of nuclear materials.

The Department of Energy oversees several programs to stem the spread of weapons of mass destruction, particularly nuclear weapons. All told, the DOW non-proliferation budget for FY 2001 is \$874 million. The President cut those programs in his FY 2002 budget request by \$101 million, a cut of almost 12 percent. The committee's original mark did not restore this cut at all, even though the House and Senate Appropriations Committees added \$71 million and \$106 million, respectively, to the President's budget. The manager's amendment to the bill before us today restores only \$10 million, leaving the DOE's non-proliferation budget \$90 million below the 2001 level, and well below the appropriated levels in the House or Senate.

DOE'S NON-PROLIFERATION AND VERIFICATION R&D

Los Alamos National Laboratory and Lawrence Livermore National Laboratory have been involved for years in developing sensors placed on U.S., satellites to monitor the production, testing, or use of nuclear, biological, or chemical weapons. Before 1991, the program was diffuse and unfocused. This changed in the aftermath of the Persian Gulf when U.N. inspectors discovered that Iraq's weapons of mass destruction programs were far more advanced than the U.S. intelligence community or anyone else had anticipated. Shortly after the Gulf War, Congress established a specific line in the DOE budget for non-proliferation and verification to develop

technologies that detect the production, testing, transfer, or use of such weapons.

The President's budget request for this critical research in FY 2002 is \$170 million, which is \$57.5 million (25 percent) below the 2001 level of \$227.5 million. The bill ratifies the administration's request—not one dime is added to restore this cut. Here are examples of items that will not be funded if these cuts are not reversed:

New seismic monitoring devices that will help ensure that Russia, China, or others are not improving their nuclear weapons by conducting underground tests with a nuclear yield below 1 kiloton.

The Biological Aerosol Sentry and Information System ("BASIS") which is designed to detect a bio-terrorism attack within a few hours so that public health agencies can react quickly and effectively to stop the spread of the agent. We do not have this capability in hand, but it is maturing: BASIS was field-tested at Salt Lake City in March 2001. This cut will slow down the development of a promising technology.

Development of new sensors that can detect atmospheric nuclear explosions. Our satellites that have such sensors are retiring. We do not have any of the old sensors on hand—they were all custom built. This cut may delay the effort to build new sensors in time to be placed on replacement satellites. If not built on time, the U.S. will not be assured of the ability to detect an atmospheric nuclear explosion.

New sensors specifically geared to go on platforms to detect the production, testing, transfer, or use of WMDs. The sensors detect various "signatures"—tell-tale clues that may be chemical, electromagnetic, infrared, optical, or radio-nuclide in nature—all absolutely critical to improving the ability of the U.S. intelligence community to keep watch on what countries like North Korea, Iran, Iraq, and Libya are doing.

Although the threat of WMDs is seen as the gravest threat facing the U.S., we are depriving our intelligence community of the resources to improve the technical means to gather information and track the threat if this cut stands.

Another victim of this cut is people. Dr. John Browne, Director of Los Alamos, was in my office a few weeks ago. Besides the programmatic impacts I just described, Dr. Browne is worried that these cuts will force long-time employees to seek employment elsewhere. And when they leave, they will leave for good. They will not come back to their work when the funding comes back, and not only will we lose their expertise, we will lose their ability to pass their expertise on to the next generation of scientists and engineers at the national labs.

That's way these cuts are so shortsighted and the exact opposite of what we should be doing. I had an amendment in committee that would simply have restored funding to the 2001 level, and I sought, to no avail, to do the same through my BMD amendment included in the managers' amendment. We should not be so single-minded, so focused on the threat of ballistic missiles that we allow cuts like these to stand while bestowing a 49 percent increase on BMD.

SUMMARY OF DOE NON-PROLIFERATION ACTIVITIES

Non-Proliferation and Verification Research and Development—This program develops technologies to help the U.S. meet four primary goals:

1. Detecting nuclear weapons development efforts. The labs develop sensors that detect the tell-tale signatures of a nuclear weapons development program—which can be chemical, infrared, optical, radionuclide, or electromagnetic in nature.

2. Monitoring Nuclear Explosions. The labs develop methods to detect nuclear explosions, either atmospheric events or underground, low-yield events that require seismic detection.

3. Detering the Spread of Nuclear Weapons. The labs develop technologies needed to improve the detection and tracking of fissile materials. These technologies include handheld devices for border security forces and autonomous sensing devices that can be stationed at fissile material holding areas.

4. Responding to Chemical and Biological Attacks. The labs are developing technologies that will quickly identify the exact nature of a chemical or biological weapon. Quick identification is essential to providing first responders the information they need to treat victims and to contain the damage caused by such weapons.

Arms Control—The Office of Arms Control and Non-Proliferation includes several programs well known to Congress: the long-standing Reduced Enrichment Research and Test Reactor (RERTR) program, the Nuclear Cities Initiative, and the Initiatives for Proliferation Prevention. The office also provides DOE expertise to ensure that nuclear reductions are transparent, improve export controls, and generally strengthen existing nonproliferation agreements. The major responsibilities of this office include:

1. Nonproliferation in the Newly Independent States (NIS). The DOE tries to make sure that nuclear materials and human expertise in nuclear weapons resident in the NIS do not spread to other countries, such as North Korea, Iran, or Iraq. Two recent programs to stop such proliferation are the Nuclear Cities Initiative (NCI) and the Initiatives for Proliferation Prevention (IPP). The IPP tries to prevent "brain drain" from the ten major laboratories and engineering institutes that were involved in the former Soviet Union nuclear weapons programs. IPP establishes projects that gainfully employ these scientists, engineers, and technicians. Some of the projects are joint ventures with U.S. industry. The Nuclear Cities Initiative is a "sister" program to IPP that focuses exclusively on the closed nuclear cities of the former Soviet Union, creating new jobs through economic diversification at these closed cities.

2. Nuclear Nonproliferation throughout the World. The Arms Control office supports programs that aim to curb the ability of countries to convert spent nuclear fuel into nuclear weapons. Activities include: (i) a major program to control and protect spent fuel in Kazakhstan; (ii) implementation of the agreement with North Korea to switch to nuclear reactors that produce little weapons-grade fissile materials; and (iii) the Reduced Enrichment Research and Test Reactor program (begun by the Eisenhower Administration) to ensure that spent fuel from test and research reactors throughout the world is not used for military purposes.

3. Export Controls. DOE is active in U.S. government efforts to internally improve and enforce export controls on nuclear materials, and to help train other nations in detecting/interdicting illegal exports of nuclear materials.

4. International Safeguards and Treaties. DOE helps verify that other countries are living up to various nonproliferation agreements and treaties. The Arms Control Office is the principal U.S. entity for assessing and proposing new treaties and agreements, and the means to verify and enforce them.

Material Protection, Control, and Accounting (MPC&A)—This program was established by provisions that I helped write in the FY 1994 Defense Authorization Act. MPC&A helps Russia improve security at the 95 sites identified as having nuclear weapons or nuclear materials. These sites contain about 850 metric tons of weapons-usable fissile materials, and many are poorly protected. These sites include 53 Navy sites, 11 MinAtom sites, and 31 civilian sites. To date, MPC&A has completed security upgrades at 37 of these sites which contain about 400 metric tons of weapons-usable fissile materials. Security improvements are underway at many, but not all, of the remaining 58 sites.

HEU Transparency—DOE is in charge of the 1993 Highly Enriched Uranium (HEU) Purchase Agreement between the U.S. and the Russian Federation. Under this agreement, the U.S. is to purchase civilian reactor fuel derived from 500 tons of weapons-grade HEU over a 20-year period. This activity verifies that the fuel the U.S. is buying is indeed from former Soviet nuclear weapons, and supports reciprocal monitoring by Russia to ensure that the U.S. is using the HEU for fuel. Through December 30, 2000, this program has resulted in the purchase of 111.3 metric tons of NEU.

Fissile Material Control and Disposition—The DOE is in charge of safely disposing of surplus U.S. fissile materials (plutonium and HEU) as well as helping Russia get rid of its surplus stocks. Both countries have agreed to track each other's progress toward elimination of these materials, so that both can be confident the other will not be able to quickly expand its stock of nuclear materials (a "break-out" scenario) and gain strategic dominance in nuclear weapons. These U.S. efforts with Russia are currently focused on plutonium disposition, since the 1993 agreement on HEU is already underway. U.S. and Russia have to convert much of their respective plutonium (34 metric tons each) into mixed oxide (MOX) fuel to be burned in civilian nuclear reactors. The U.S. also plans to vitrify (also known as "immobilize") approximately 13 of its 47 or so metric tons of plutonium because these materials are not in a form suitable for easy conversion into MOX.

International Nuclear Safety—This program helps Russia and the NIS prevent another Chernobyl disaster. There are 66 operating nuclear powered reactors at 21 sites in Russia and 7 NIS countries. Many of these reactors are either identical to the Chernobyl reactors or have their own serious design defects. This program helps these nations improve the training of their operators and create safety procedures for these plants, which still operate far below international safety and operational standards.

Program Direction—This pays the salaries of the Nuclear Proliferation workforce, as well as the expenses normally charged to salary and expense accounts. The workforce is comprised of 233 Full-Time Equivalents (FTEs) at DOE headquarters, 34 FTEs in field offices, and 25 FTEs in offices located abroad.

Ms. MCCOLLUM. Madam Chairman, I rise today in support of the Defense Authorization

Act (H.R. 2586), and in support of our armed forces and the service men and women who defend our great country. In this time of national awareness of the very real threat of terrorism, I believe it is our responsibility as lawmakers to ensure the readiness and quality of life of our military by providing these forces with the necessary resources, equipment and training to defend our nation's interests and to keep the American people secure.

I am encouraged that the Armed Services Committee, the Administration and our joint Congressional leaders have crafted legislation that firmly addresses many of our military's most pressing needs. I am firmly committed to maintaining a strong national defense, especially during this time of domestic and international crisis. I am also very pleased we have not forgotten our equally important responsibility of improving the quality of life of our military personnel. The current defense budget includes significant commitments to military salaries, health care, housing allowances and housing construction opportunities. We need to assure our military that as we continue to support their readiness capabilities, we remember the personal well being of the men and women in uniform as well as their families.

While I am supporting passage of this authorization, I am particularly concerned that we are placing too high an emphasis on an untested and unproven method of defense. Specifically, I am opposed to provisions in this bill that authorize an increase in funding for national missile defense. By moving forward with a costly national missile defense system, we are investing billions of scarce federal dollars in an unproven and dangerous scheme. Deployment and testing of the proposed missile defense system will jeopardize our obligations under the Anti-Ballistic Missile Treaty that has served our nation and the world well for nearly three decades. In addition, evident by the recent attacks on our country, we must consider the possibility that an anti-missile system completely fails to address one of our most serious threats of attack the introduction of chemical, biological or nuclear weapons by non-state actors through as pedestrian means. The proposed missile defense system not only does not make our nation more secure, it diverts resources away from the very real human investments needed to keep our military, intelligence agencies and domestic security agencies strong.

Before we add billions of additional dollars to untested and unproven programs that destabilize relationships with allies and undermine our treaty obligations, let's use this appropriation to focus on strengthening our home security and providing our citizens with the appropriate resources necessary to ensure the events of September 11th never happen again on American soil.

Mr. ABERCROMBIE. Madam Chairman, I rise in strong support of the National Defense Authorization Act for Fiscal Year 2002, and urge my colleagues to support this important measure.

This year, we lost two great friends on the House Armed Services Committee, our former Chairman, Floyd Spence from South Carolina, and Norm Sisisky from Virginia. Both of these men dedicated the majority of their time here in Congress to ensuring the defense of our Nation, and they are deeply missed on the Committee and in this Congress. Their tre-

mendous contributions to our national defense serve as an example to this Congress as we look to strengthen our military and continue to improve living and working conditions for our men and women in uniform.

I would like to recognize Chairman Stump and Ranking Member Skelton for their astute leadership of this Committee and for the bipartisan manner in which they have crafted a bill to address the immediate needs of our Armed Forces. In the venerable tradition of the Armed Services Committee, these gentlemen have worked side by side, across party lines, to provide our military with the means to defend our Nation.

I would also like to commend my good friend and colleague, Jim Saxton, Chairman of the Military Installations and Facilities Subcommittee, whom I have been so fortunate to work closely with, both on Armed Services and the Resources Committees. His sincere concern for the quality of life of our troops, as well as his truly bipartisan, cooperative leadership, have guaranteed an equitable bill that directly answers the pressing needs of our military infrastructure.

Finally, I would like to thank the Committee staff for their tireless work and invaluable expertise. I would especially like to thank the Military Installations and Facilities Subcommittee professional staff, George Withers and Phil Grone, who is leaving the Committee to serve as an Administration official at the Pentagon.

As Ranking Member of the Military Installations and Facilities Subcommittee, I am particularly proud of the remarkable boost this bill will give to our military housing and infrastructure. The Military Construction provisions build upon a healthy budget proposed by the President, and I am gratified to see that when it comes to taking care of our service members and their families, we are all unified in opinion. Our people, and their living and working conditions, must continue to be our number one priority.

The unspeakable events of September 11, 2001, should not alter our commitment to quality of life initiatives. Five carrier battlegroups are currently underway, preparing for potential offensive operations. The President has authorized mobilization of up to 50,000 Ready Reservists. Now more than ever, it is imperative that we show our appreciation for those who volunteer to go in harm's way. Even in light of extreme uncertainty about the future, these young men and women pledge to support and defend American democracy, both at home and abroad. We owe it to them, and to their families, to keep our promise of increased safety and morale in the home and in the workplace.

This bill does just that. It authorizes \$10.3 billion for construction and renovation of critical infrastructure and family housing, approximately \$350 million more than the Administration's request. Our bill includes \$1.2 billion to build 51 new barracks and dormitories for single and unaccompanied service personnel. Often, our junior, single soldiers, sailors, airmen, and marines get overlooked in the rush to raise the standards on quality of life. This Committee has taken substantive steps to remedy this inequity, through improved living accommodations and a significant pay raise. The bill authorizes \$1.1 billion for new construction and modernization of 6,800 family housing units—a down payment on our com-

mitment to eradicate deteriorating, World War II-era living conditions. It also makes permanent the authorities in the Military Housing Privatization Initiative that use private sector expertise and capital to accelerate improvement of government-owned housing and help eliminate a serious shortage of quality affordable housing. Of special note, the Committee has responded to the concerns of our modern military families by recommending \$36.2 million for six child development centers—a critical need for couples who both work as well as single parents.

Our achievements in Military Construction will be an ongoing effort aimed at providing quality living and working facilities for our entire military family, stationed at home and overseas. I know that under Mr. SAXTON's excellent stewardship, the Subcommittee on Military Installations and Facilities will continue to focus on raising the living and working standards for our Armed Forces. They have volunteered to protect our freedom. Now we must protect them by building safe, modern facilities for the 21st century military.

Again, I urge my colleagues to support this measure.

Mr. ACEVEDO-VILÁ. Madam Chairman, Puerto Ricans will continue to support this great nation and President George W. Bush in efforts to fight against the horrific elements of terrorism. Let no one question our commitment. Governor Calderón and I have reached out to support those directly impacted by the cowardly acts on September 11, 2001. Some 800 Puerto Ricans died that day. We stand in steadfast support of efforts to realize justice and to heal the many wounds inflicted on America. I am concerned however about language contained in the Chairman's mark that would, if enacted, alter the commitment of the Navy to find sufficient alternative training grounds to Vieques by May 1, 2003. I am also concerned about how this change in policy will be received in Puerto Rico should it become law. We reaffirm our support of President Bush's position that there is no need for another referendum and that the Navy depart Vieques on or before May 1, 2003.

Furthermore, since Navy Secretary Gordon England stated in this letter dated September 24, 2001, to Senate Armed Services Committee Chairman LEVIN that the Navy would meet its goal of May 1, 2003, there is no need to change the existing commitment. Such a change would create confusion and distrust in Vieques. We do not need that at this time of national unity.

I want my colleagues to appreciate how committed Puerto Ricans are to our national defense. All the recruitment goals of the armed services have been surpassed in Puerto Rico over the last four years. Even as the divisive issue surrounding Vieques continues to be at the forefront of our conscience, young Puerto Ricans enlist to serve our nation in numbers that increase year after year and exceed recruiting goals of our armed services, including the Navy.

Furthermore, Congress should remember that in 1990, then President George Bush issued an executive order that called for the immediate cessation of bombing on Kaho'olawe, Hawaii. President Bush, despite protestations from the Navy that mirror those used today concerning Vieques, signed the executive order on the eve of the Gulf War.

Puerto Rico's support to this nation is unconditional. However, I believe that the Administration can still meet the commitment to find alternatives to Vieques by May 1, 2003.

Mrs. TAUSCHER. Madam Chairman, I would like to lend my strong support for Mr. STUMP's manager's amendment to the Defense authorization bill. This important provision adds \$10,000,000 to the National Nuclear Security Agency (NNSA)'s vital defense nuclear nonproliferation activities.

The tragic events of September 11 and repeated incidents of groups trying to purchase unsecured Russian nuclear material, demonstrate in no uncertain terms that groups hostile to the United States may seek to cause wide-scale destruction to our nation using weapons of mass destruction.

The increased funding in Mr. STUMP's amendment will enable the NNSA to continue to develop technologies to detect weapons of mass destruction, from a small nuclear device concealed in a ship's cargo-hold to anthrax spores hidden in a suitcase. These threats are elusive and hard to counter, but our national laboratories, through the NNSA, are working on critical technologies to make our nation less vulnerable.

Madam Chairman, I remain concerned that the overall defense authorization bill does not restore the President's cuts to the Department of Energy's vital non-proliferation activities. These programs are instrumental in downsizing Russia's aging nuclear weapons complex, accounting for and securing Russia's nuclear material, and preventing the outflow from Russia of nuclear weapons expertise.

I am pleased, however, that Mr. STUMP's amendment takes a step toward improving our ability to counter the threat of weapons of mass destruction and I will work in conference to fully restore the funding to this year's level. I strongly encourage my colleagues to support this amendment.

The CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SIMPSON) having assumed the chair, Mrs. BIGGERT, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration 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, pursuant to House Resolution 246, she reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. BONIOR

Mr. BONIOR. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. BONIOR. I am, in its present form, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. BONIOR moves to recommit the bill H.R. 2586 to the Committee on Armed Services with instructions to report the same back to the House forthwith with the following amendments:

Strike section 331.

At the end of title III, insert the text of subtitle G of title III (Service Contracting Reform) of the bill, as reported (page 71, line 12, through page 81, line 15).

The SPEAKER pro tempore. The gentleman from Michigan (Mr. BONIOR) is recognized for 5 minutes.

Mr. BONIOR. Mr. Speaker, let me start by saying, if this motion is adopted, we will immediately vote on final passage without further delay. It is reported back forthwith or immediately back to the House. So we will vote on final passage immediately following this vote no matter what the outcome of this vote is on the motion to recommit.

The motion to recommit simply reinstates the original provision on the question of service contracting processes that was adopted on a bipartisan basis in the Committee on Armed Services.

The motion to recommit will make the service contracting process at the Department of Defense more fair to Federal employees and more accountable to taxpayers. It will save an enormous amount of taxpayer dollars.

Right now, Mr. Speaker, less than 1 percent of defense contracts allow Federal employees a chance to openly compete for their work before it goes to the private sector. Less than 1 percent. That is not fair. When given a chance to compete, Federal employees actually win 60 percent of the contracts. Why? Because they do a great job, and they do it for less money. It is as simple as that, Mr. Speaker.

Too often what happens at our bases, and those of you who have facilities know this, private contractors get the work, they fail to do the job; and then when the Federal Government has to take over, the employees are gone. Their work experience is gone. Competition for defense contracts can reduce costs and give workers a chance to compete for their jobs before they are contracted out.

This would not prevent the Department of Defense from contracting out as long as it is done fairly. DOD is

given the maximum flexibility and can waive the requirement if it is threatened by national security.

This motion to recommit is a win for the Department of Defense, a win for Federal employees, and I think a win for the taxpayers.

Mr. Speaker, I just want to reiterate again, it is like voting on an amendment. It will be brought back forthwith whether it passes or does not pass. It is a good amendment for Federal employees, for saving tax dollars and to make sure we have competition in this sector.

Mr. Speaker, I yield 1 minute to my distinguished colleague, the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. Mr. Speaker, if a military base is deciding whether or not to contract out car washing at that military base, this amendment says before they can make that decision to take those jobs away from public employees, they must give those public employees a fair chance to compete for and win the contract.

Mr. Speaker, the record shows that privatization is often a failure. It means lower quality at a higher price. It means taking jobs away from people with benefits and giving them to people without benefits for private profit. But this motion is not anti-privatization. It is pro-competition and it is pro-taxpayer and it is pro-Department of Defense.

Mr. Speaker, I would urge a vote in favor of the motion to recommit.

Mr. BONIOR. Mr. Speaker, I yield the balance of my time to the gentleman from Maryland (Mr. HOYER).

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

Mr. Speaker, I rise in support of this motion to recommit. I am a strong supporter of the contracting community. I have a very vibrant contracting community in my district. They perform an invaluable service for the defense of this Nation, in my case, for the United States Navy.

The gentleman from Michigan (Mr. BONIOR) and the gentleman from New Jersey (Mr. ANDREWS) have stated it well. What we want is we want a competition which will produce the best product for the best price. What this amendment that the gentleman from Michigan (Mr. BONIOR) is adding simply says that in the competition we will not exclude Federal employees who were doing the job now. If they lose that competition, the job will be contracted out as it ought to be.

On the other hand, if they win the competition, and the competition shows that the Federal employees can do it cheaper and better, then it ought to be done in-house because that is what the taxpayer would want.

I think that is good for America. I frankly think it is good in the final analysis for contractors, and it clearly is fair to our Federal employees.

Mr. Speaker, I thank the gentleman for yielding me this time in support of the motion to recommit.

Mr. BONIOR. Finally, Mr. Speaker, let me say that basically what we are saying to Federal employees is, we will not take your job away without letting you make your case. Then we will decide based on your opportunity to make your case. That is all this does. It is fair. It is supported on a bipartisan basis in committee. As I said, it will not kill this bill or send it back to committee. It will come forthwith back to the House. I hope Members will vote for it.

The SPEAKER pro tempore. The gentleman from Arizona (Mr. STUMP) is recognized for 5 minutes in opposition to the motion to recommit.

Mr. STUMP. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. WELDON).

Mr. WELDON of Pennsylvania. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I have served on the Committee on Armed Services for 15 years, and I love that committee because we are a bipartisan committee. I have as much respect for the gentleman from Missouri (Mr. SKELTON) as the gentleman from Arizona (Mr. STUMP) because the two gentlemen work in concert on every issue.

We have had a bipartisan approach under Floyd Spence, under Ron Delums, and under Les Aspin. We have worked together to reach compromises that may not be what we want at the time, but in the end worked to the best interest of our military and our personnel. We worked out our differences.

The amendment my colleague seeks to offer today was offered identically by the gentleman from Hawaii (Mr. ABERCROMBIE) in the committee. The amendment has some problems. Despite what my colleague has said, the Pentagon has estimated it will cost \$100 million a year to implement this.

Despite what my colleague has said, it will require us to establish a new classification system that will require every private contractor to open their records, and we do not even know what it will look like.

My colleague knows that I am a friend of labor. I have been with my colleagues on that side of the aisle on some key labor issues. I do not want anyone thinking I am not in favor of equal competition for workers.

Mr. Speaker, what bothers me about this motion to recommit is we sat down, the gentleman from Missouri (Mr. SKELTON), the gentleman from Arizona (Mr. STUMP), the chairmen of the subcommittees, the ranking members from the other side of the aisle, we worked out a good-faith agreement.

Mr. Speaker, my colleagues will notice the gentleman from Hawaii (Mr. ABERCROMBIE) is not offering this amendment. The gentleman from Hawaii (Mr. ABERCROMBIE) told me on the way over that the gentleman did not even talk to the gentleman from Hawaii (Mr. ABERCROMBIE) about this amendment.

My friend and my colleague on the other side knows full well that we reached an agreement to solve a problem that the gentleman from Hawaii (Mr. ABERCROMBIE), the gentleman from Texas (Mr. ORTIZ), the gentleman from New York (Mr. MCHUGH), and the gentleman from North Carolina (Mr. JONES) raised that I agree with; but this is not the solution.

This Congress 1 year ago in our defense authorization bill with a bipartisan vote established a task force, which organized labor has a member of that, will report back in March on a plan to correct the A-76 process.

My amendment that we offered with the support of the gentleman from Hawaii (Mr. ABERCROMBIE) in the en bloc amendment puts a moratorium of 50 percent of all A-76 work through that time.

We also require that there must be a 10 percent threshold met. It was a good-faith compromise that the administration reluctantly accepted.

Now my colleague comes up on the final vote, without consulting with the members of the leadership of his own party on the committee, and seeks to undo the bipartisan spirit of trying to resolve the A-76 process which I agree needs to be changed and modified. This is not, in my opinion, a good-faith effort on behalf of working people.

This is a chance to perhaps have Members of the other side score points when we had a good-faith agreement with the leadership on the other side of the aisle on the committee, a unanimous agreement to move forward and resolve this problem.

I ask my friends and colleagues to follow the request of the leadership of this committee, the leadership of the gentleman from Arizona (Mr. STUMP), the leadership of the gentleman from Texas (Mr. ORTIZ), the leadership of the gentleman from Hawaii (Mr. ABERCROMBIE), the leadership of the gentleman from North Carolina (Mr. JONES), and the other Members on both sides of the aisle and allow us to enact this bill and reject this amendment and do the right thing for the military in this country and move on to resolve the problems with the A-76 process.

Ms. WATERS. Mr. Speaker, I rise today to express my disappointment that the Ambercrombie language is not included in the Defense Authorization bill, and I support the motion to recommit so that it may be restored.

Representative Abercrombie's amendment was an effort to ensure that the most knowledgeable and experienced individuals are contracted with to do the work for the Department of Defense. And his amendment was adopted in Committee by a bipartisan majority.

But what the other side wants to do is contract out these projects which does not guarantee the best workers for the job, it does not guarantee that the work will be done at a lower cost. All it does is jeopardize the jobs of thousands of federal employees and put the lives of Defense employees on the line.

The language was intended to place Federal employees on equal footing as private contractors.

It does not say that the Federal government cannot contract out but rather that the best people must be employed to do the job. The government must look at all the options.

The recent events have illustrated that our federal employees are constantly on the front line. We should be doing everything possible to protect them and their jobs.

I urge that my colleagues support the motion to recommit.

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

PARLIAMENTARY INQUIRIES

Mr. BONIOR. Mr. Speaker, is there a way to respond to the gentleman from Pennsylvania?

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. BONIOR. Mr. Speaker, is there a way to respond to the gentleman from Pennsylvania, who has made allegations and has thrown names around in this House before this vote? Is there a way to respond to the inaccurate statements of the gentleman from Pennsylvania with respect to the leadership of my own party here on the committee?

The SPEAKER pro tempore. All time for debate has expired.

Mr. LANTOS. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. LANTOS. Mr. Speaker, is it proper for a Member to question the good faith of a colleague? It is fine to disagree with his position, but the good faith of the gentleman from Michigan (Mr. BONIOR) was questioned, which I think is outrageous.

The SPEAKER pro tempore. The Chair cannot rule on the words. The words were not taken down.

Mr. LANTOS. Mr. Speaker, I ask that the gentleman's words be taken down.

The SPEAKER pro tempore. The gentleman's request for the words to be taken down is not timely.

Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. HOYER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of final passage.

The vote was taken by electronic device, and there were—ayes 197, noes 221, not voting 12, as follows:

[Roll No. 358]

AYES—197

Ackerman	Barcia	Bishop
Allen	Barrett	Blagojevich
Andrews	Becerra	Blumenauer
Baca	Bentsen	Bonior
Baird	Berkley	Borski
Baldacci	Berman	Boswell
Baldwin	Berry	Boucher

Boyd	Insee	Olver	Kerns	Pence	Skeen	Culberson	Issa	Pallone
Brady (PA)	Israel	Ortiz	King (NY)	Petri	Smith (MI)	Cummings	Istook	Pascrell
Brown (FL)	Jackson (IL)	Owens	Kingston	Pickering	Smith (NJ)	Cunningham	Jackson-Lee	Pastor
Brown (OH)	Jackson-Lee	Pallone	Kirk	Pitts	Smith (TX)	Davis (CA)	(TX)	Payne
Capps	(TX)	Pascrell	Knollenberg	Platts	Souder	Davis (FL)	Jefferson	Pelosi
Capuano	Jefferson	Pastor	Kolbe	Pombo	Stearns	Davis (IL)	Jenkins	Pence
Cardin	John	Payne	LaHood	Portman	Stump	Davis, Jo Ann	John	Petri
Carson (IN)	Johnson, E. B.	Pelosi	Largent	Pryce (OH)	Sununu	Davis, Tom	Johnson (CT)	Phelps
Carson (OK)	Jones (NC)	Phelps	Latham	Putnam	Sweeney	Deal	Johnson (IL)	Pickering
Clay	Jones (OH)	Pomeroy	Leach	Quinn	Tancredo	DeFazio	Johnson, E. B.	Pitts
Clayton	Kanjorski	Price (NC)	Lewis (CA)	Radanovich	Tauzin	DeGette	Johnson, Sam	Platts
Clement	Kaptur	Rahall	Linder	Ramstad	Taylor (NC)	Delahunt	Jones (NC)	Pombo
Clyburn	Kennedy (RI)	Rangel	LoBiondo	Regula	Terry	DeLauro	Jones (OH)	Pomeroy
Condit	Kildee	Reyes	Lucas (OK)	Rehberg	Thomas	DeLay	Kanjorski	Portman
Conyers	Kilpatrick	Rivers	Manzullo	Reynolds	Thornberry	DeMint	Kaptur	Price (NC)
Costello	Kind (WI)	Rodriguez	McCrery	Riley	Thune	Deutsch	Keller	Pryce (OH)
Coyne	Kleczka	Roemer	McHugh	Rogers (KY)	Tiahrt	Diaz-Balart	Kelly	Putnam
Crowley	Kucinich	Ross	McKeon	Rogers (MI)	Tiberi	Dicks	Kennedy (MN)	Quinn
Cummings	LaFalce	Rothman	Mica	Rohrabacher	Toomey	Dingell	Kennedy (RI)	Radanovich
Davis (CA)	Lampson	Roybal-Allard	Miller (FL)	Ros-Lehtinen	Traficant	Doggett	Kerns	Rahall
Davis (FL)	Langevin	Sabo	Miller, Gary	Roukema	Upton	Dooley	Kildee	Ramstad
Davis (IL)	Lantos	Sanchez	Mollohan	Royce	Vitter	Doolittle	Kilpatrick	Rangel
DeFazio	Larsen (WA)	Sanders	Moran (KS)	Ryan (WI)	Walden	Doyle	Kind (WI)	Regula
DeGette	Larson (CT)	Sandlin	Moran (VA)	Ryun (KS)	Walsh	Dreier	King (NY)	Rehberg
Delahunt	LaTourette	Sawyer	Morella	Saxton	Wamp	Duncan	Reyes	Kingston
DeLauro	Lee	Schakowsky	Murtha	Schaffer	Watkins (OK)	Dunn	Kirk	Reynolds
Deutsch	Levin	Schiff	Myrick	Schrock	Watts (OK)	Edwards	Edwards	Riley
Dicks	Lewis (GA)	Scott	Nethercutt	Sensenbrenner	Weldon (FL)	Ehlers	Ehlers	Rivers
Dingell	Lewis (KY)	Sherman	Ney	Sessions	Weldon (PA)	Ehrlich	Kolbe	Rodriguez
Doggett	Lipinski	Shows	Northup	Shadegg	Weller	Emerson	Kucinich	Roemer
Doyle	Lofgren	Skelton	Norwood	Shaw	Whitfield	English	LaFalce	Rogers (KY)
Edwards	Lowey	Slaughter	Nussle	Shays	Wicker	Etheridge	LaHood	Rogers (MI)
Eshoo	Lucas (KY)	Smith (WA)	Osborne	Sherwood	Wilson	Evans	Lampson	Rohrabacher
Etheridge	Luther	Snyder	Ose	Shimkus	Wolf	Everett	Langevin	Ros-Lehtinen
Evans	Maloney (CT)	Solis	Otter	Shuster	Young (AK)	Farr	Lantos	Ross
Farr	Maloney (NY)	Spratt	Oxley	Simmons	Young (FL)	Fattah	Largent	Rothman
Fattah	Markey	Stark	Paul	Simpson		Ferguson	Larsen (WA)	Roukema
Filner	Mascara	Stenholm				Flake	Larson (CT)	Roybal-Allard
Ford	Matheson	Strickland				Fletcher	Latham	Royce
Frank	Matsui	Stupak	Engel	Peterson (MN)	Towns	Foley	LaTourette	Ryan (WI)
Frost	McCarthy (MO)	Tanner	McInnis	Peterson (PA)	Velazquez	Forbes	Leach	Ryun (KS)
Gephardt	McCarthy (NY)	Tauscher	Meeks (NY)	Rush	Visclosky	Ford	Levin	Sabo
Gilman	McCollum	Taylor (MS)	Nadler	Serrano	Watson (CA)	Fossella	Lewis (CA)	Sanchez
Gonzalez	McDermott	Thompson (CA)				Frelinghuysen	Lewis (GA)	Sanders
Gordon	McGovern	Thompson (MS)				Frost	Lewis (KY)	Sandlin
Green (TX)	McIntyre	Thurman				Ganske	Linder	Sawyer
Gutierrez	McKinney	Tierney				Gekas	Lipinski	Saxton
Hall (OH)	McNulty	Turner				Gephardt	LoBiondo	Schaffer
Hall (TX)	Meehan	Udall (CO)				Gibbons	Lofgren	Schiff
Hastings (FL)	Meek (FL)	Udall (NM)				Gilchrest	Lowey	Schrock
Hill	Menendez	Waters				Gillmor	Lucas (KY)	Scott
Hilliard	Millender-	Watt (NC)				Gilman	Lucas (OK)	Sensenbrenner
Hinchev	McDonald	Waxman				Gonzalez	Luther	Sessions
Hinojosa	Miller, George	Weiner				Goode	Maloney (CT)	Shadegg
Hoefel	Mink	Wexler				Goodlatte	Maloney (NY)	Shaw
Holden	Moore	Woolsey				Gordon	Manzullo	Shays
Holt	Napolitano	Wu				Goss	Markey	Sherman
Honda	Neal	Wynn				Graham	Mascara	Sherwood
Hooley	Oberstar					Granger	Matheson	Shimkus
Hoyer	Obey					Graves	Matsui	Shows

NOT VOTING—12

□ 2031

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. STUMP. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5 minute vote.

The vote was taken by electronic device, and there were—ayes 398, noes 17, not voting 15, as follows:

[Roll No. 359]

AYES—398

Abercrombie	Cooksey	Goode	Abercrombie	Bilirakis	Cantor	Hastings (FL)	Hayes	Millender-	Spratt
Aderholt	Cox	Goodlatte	Ackerman	Bishop	Capito	Hastings (WA)	Hayworth	McDonald	Stearns
Akin	Cramer	Goss	Aderholt	Blagojevich	Capps	Hefley	Hefley	Miller (FL)	Stenholm
Armedy	Crane	Graham	Akin	Blunt	Capuano	Heger	Heger	Miller, Gary	Strickland
Bachus	Crenshaw	Granger	Allen	Boehlert	Cardin	Hill	Hill	Mink	Stump
Baker	Cubin	Graves	Andrews	Boehner	Carson (IN)	Hilleary	Hilleary	Mollohan	Stupak
Ballenger	Culberson	Green (WI)	Armedy	Bonilla	Carson (OK)	Hilliard	Hilliard	Moran (KS)	Sununu
Barr	Cunningham	Greenwood	Baca	Bonior	Castle	Hinchev	Hinchev	Moran (VA)	Sweeney
Bartlett	Grucci	Greenwood	Bachus	Bono	Chabot	Hinojosa	Hinojosa	Morella	Tancredo
Barton	Davis, Jo Ann	Grucci	Baird	Borski	Chambless	Hobson	Hobson	Murtha	Tanner
Bass	Davis, Tom	Gutknecht	Baker	Boswell	Clay	Hoefel	Hoefel	Myrick	Tauscher
Bereuter	Deal	Hansen	Baldacci	Boucher	Clayton	Hoekstra	Hoekstra	Napolitano	Tauzin
Bigert	DeLay	Harman	Baldwin	Boyd	Clement	Holden	Holden	Neal	Taylor (MS)
Billirakis	DeMint	Hart	Ballenger	Brady (PA)	Clyburn	Holt	Holt	Nethercutt	Taylor (NC)
Blunt	Diaz-Balart	Hastings (WA)	Barcia	Brady (TX)	Coble	Honda	Honda	Ney	Terry
Boehlert	Dooley	Hayes	Barr	Brown (FL)	Collins	Hooley	Hooley	Northup	Thomas
Boehner	Doolittle	Hayworth	Barrett	Brown (OH)	Combost	Horn	Horn	Norwood	Thompson (CA)
Bonilla	Dreier	Hefley	Barton	Brown (SC)	Condit	Hostettler	Hostettler	Norwood	Thompson (MS)
Bono	Duncan	Heger	Bass	Bryan	Cooksey	Houghton	Houghton	Nussle	Thornberry
Brady (TX)	Dunn	Hilleary	Becerra	Burr	Costello	Hoyer	Hoyer	Oberstar	Thune
Brown (SC)	Ehlers	Hobson	Berens	Burton	Cox	Hulshof	Hulshof	Obey	Thurman
Bryant	Ehrlich	Hoekstra	Bereuter	Buyer	Coyne	Hunter	Hunter	Ortiz	Tiahrt
Burr	Emerson	Horn	Berkley	Callahan	Cramer	Hyde	Hyde	Osborne	Tiberi
Burton	English	Hostettler	Berry	Camp	Crane	Inslee	Inslee	Toomey	
Buyer	Everett	Houghton	Biggert	Cannon	Crenshaw	Isakson	Isakson	Otter	Traficant
Callahan	Ferguson	Hulshof			Crowley	Israel	Israel	Oxley	Turner
Calvert	Flake	Hunter							
Camp	Fletcher	Hyde							
Cannon	Foley	Isakson							
Cantor	Forbes	Issa							
Capito	Fossella	Istook							
Castle	Frelinghuysen	Jenkins							
Chabot	Gallely	Johnson (CT)							
Chambless	Ganske	Johnson (IL)							
Coble	Gekas	Johnson, Sam							
Collins	Gibbons	Keller							
Combost	Gilchrest	Kelly							
	Gillmor	Kennedy (MN)							

Udall (CO)	Watt (NC)	Wicker
Udall (NM)	Watts (OK)	Wilson
Upton	Waxman	Wolf
Vitter	Weiner	Wu
Walden	Weldon (FL)	Wynn
Walsh	Weldon (PA)	Young (AK)
Wamp	Weller	Young (FL)
Waters	Wexler	
Watkins (OK)	Whitfield	

NOES—17

Blumenauer	Lee	Paul
Conyers	McDermott	Schakowsky
Eshoo	McKinney	Stark
Filner	Miller, George	Tierney
Frank	Olver	Woolsey
Jackson (IL)	Owens	

NOT VOTING—15

Berman	Meeks (NY)	Serrano
Cubin	Nadler	Towns
Engel	Peterson (MN)	Velazquez
Galleghy	Peterson (PA)	Visclosky
McInnis	Rush	Watson (CA)

□ 2042

Mr. GREEN of Texas changed his vote from "no" to "aye."

So the bill was passed.

The result of the vote was announced as above recorded.

The title was amended so as to read: "A bill to authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes."

A motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN THE ENGROSSMENT OF H.R. 2586, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2002

Mr. STUMP. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 2586, the Clerk be authorized to correct section numbers, punctuation, cross-references, and the table of contents, and to make such other technical and conforming changes as may be necessary to reflect the action of the House in amending the bill.

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

There was no objection.

ADJOURNMENT FROM WEDNESDAY, SEPTEMBER 26, 2001, TO FRIDAY, SEPTEMBER 28, 2001

Mr. KENNEDY of Minnesota. Mr. Speaker, I ask unanimous consent that when the House adjourns on Wednesday, September 26, 2001, it adjourn to meet at 10 a.m. on Friday, September 28, 2001.

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

There was no objection.

ADJOURNMENT FROM FRIDAY, SEPTEMBER 28, 2001, TO TUESDAY, OCTOBER 2, 2001

Mr. KENNEDY of Minnesota. Mr. Speaker, I ask unanimous consent that

when the House adjourns on Friday, September 28, it adjourn to meet at 12:30 p.m. on Tuesday, October 2, 2001, for morning hour debates.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY, OCTOBER 3, 2001

Mr. KENNEDY of Minnesota. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday, October 3, 2001.

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

There was no objection.

PREPARING OUR MILITARY TO FIGHT THE WAR OF TODAY

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, during the debate of the Stump-Skelton amendment regarding missile defense, I did not have the opportunity to submit my statement; and I believe with the vote cast today it is extremely important to acknowledge that we are in a crisis.

We do need to fund our military and ensure that our men and women are prepared, but I still believe that the missile defense funding is excessive and unnecessary. I, frankly, believe that we have a new war and a new day, but we need to use those dollars to prepare our military and to prepare us with the resources that we need and to be able to use those dollars to be able to really attack terrorism where it is.

I think it is important to provide more dollars for FEMA. I think it is important to provide more dollars for our senior citizens, our veterans; and yes, I believe in a strong defense, as evidenced by my just recent vote.

But I ask the President, I ask the administration, to clearly rethink the investment in missile defense. Let us invest more in our military in terms of its preparedness, so we can fight the war of today.

□ 2045

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. PENCE). 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 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 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 Minnesota (Mr. RAMSTAD) is recognized for 5 minutes.

(Mr. RAMSTAD 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.)

LOSS OF NORTHWEST ALLOYS CREATES VOID FOR WASHINGTON STATE

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

Mr. NETHERCUTT. Mr. Speaker, I rise today to honor the workers of Northwest Alloys, a company located in Addy, Washington, in the north part of the Fifth Congressional District. Since beginning operations in 1975, Northwest Alloys has become the largest private sector employer in Stevens County. It employs about 350 people. These are good people with good paying jobs and a wide variety of families that support the community of Addy and Stevens County, Washington.

The void that the absence of this company will leave in our communities is immeasurable, because they have supported our schools, they have supported youth activities, community activities, and provided a great resource for northeast Washington State.

The plant at Northwest Alloys in Addy, Washington, is only one of two magnesium smelters in the entire United States, and Northwest Alloys has had a sterling reputation ever since it has been in business over the years. It received OSHA's Voluntary Protection Plan Merit Status one year ago for a comprehensive evaluation of its safety processes and performance. The company recently received Star Status, the highest level of achievement within OSHA's Voluntary Protection Plan, making it one of only three manufacturing locations to do so in Washington State. Safety was their code word, their standard. They worked very, very hard to have a safe manufacturing plant of magnesium.

So I am deeply saddened by the events that have lead to the closure of Northwest Alloys and the impact the closure is having on families and the communities surrounding this facility in our State. But I also remain hopeful that new opportunities will arise out of such adversity. The reason the plant is closing in large measure is because countries like China and Russia have flooded the market with magnesium, and that has put tremendous pressure on community operations like that which is located in Addy in Northwest Alloys.

The employees have been remarkably upbeat; and under the leadership of Jerry Turnbow, they have worked against incredible odds, considering the market situation, production, and energy conditions. They have been fighting a battle to try to get low-cost energy to run this plant, and they worked in a very cost-effective way to have a safe work environment.

Their commitment to our communities in the Fifth Congressional District has been a blessing. It will be sorely missed. I will be there this week to pay tribute as they close the plant and finish their job operations this Friday and to wish them well and all of God's blessings as they move on in life; and we will do everything we can at the Federal level to assist them in their next steps along the way.

EXPRESSING WHOLEHEARTED GRATITUDE AND PRIDE FOR OUR BRAVE AND HEROIC EMERGENCY PERSONNEL

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

Mr. MORAN of Virginia. Mr. Speaker, on September 11, the world watched in horror as the primary symbols of our Nation's strength and prosperity were attacked. There is an aching in our hearts as we mourn for the senseless loss of life, and we share the grief of the victims' families, friends, and coworkers.

As the list of casualties from the World Trade Towers, from the Pentagon, and from Pennsylvania grows to 6,500, it is frightening to imagine that the toll would have been higher, even higher, were it not for the extraordinary courage and valor exhibited by our firefighters, police officers, and emergency rescue workers. For this reason I rise today to pay homage to all emergency service personnel, but particularly to the brave and heroic men and women of the Arlington County, City of Alexandria, and Fairfax County Fire and Rescue Department and Police Department. These, along with the Federal firefighters at Fort Myer, are the emergency service personnel who first responded to the attack on the Pentagon.

If there is one thing that distinguishes firefighters from the rest of us, it is that they are trained to run to-

ward a blaze while the rest of us run away from it. Every day, these men and women face risks and challenges that few of us can relate to. With little regard for their own safety and well-being, these firefighters responded within minutes after the attack to the Pentagon. The Arlington County Fire Department and Police Department, which have primary responsibility for first response at the Pentagon, were among the first emergency teams to arrive at the scene of the plane crash.

Firefighters and emergency medical service personnel from Arlington and assisted by response teams from around the area courageously fought the flames, rescued victims trapped inside the building, and treated and transported the injured. A few days after the attack, I had the opportunity to tour the destruction site at the Pentagon. In the midst of the ruins and the lingering smoke, the firefighters were working around the clock to extinguish the blaze and continue with rescue and recovery efforts. Response teams from the entire D.C. area, including fire and rescue teams from Fort Myer, the Metropolitan Washington Airport Authority, the City of Alexandria, Fairfax County, and many localities are to be commended for their bravery and life-saving efforts.

Mr. Speaker, I would like to express my wholehearted gratitude toward these men and women who are responsible for saving so many lives. Together with the firefighters and police of New York City, they reminded all of us of what it means to exhibit courage and valor. It is with great pride and admiration that I rise today to honor these firefighters and rescue personnel for their commitment on behalf of our country.

I want to particularly commend Fire Chief Ed Plaughter of the Arlington County Fire Department and Police Chief Ed Flynn for their leadership during this terrible time in our community. The fire chief and police chief of Alexandria and those of Fairfax County also were able to command their forces with the kind of courage and immediate responsiveness that reflects their professional dedication, their selflessness and unwavering dedication which is an inspiration to all Americans.

Mr. Speaker, history will show that during a time of one of America's greatest tragedies, a heroic group of firefighters, police officers, emergency personnel, and volunteers from around the Washington Metropolitan area brought our community and our country immense pride and honor.

OUR ETERNAL GRATITUDE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mrs. MALONEY) is recognized for 5 minutes.

Mrs. MALONEY of New York. Mr. Speaker, it has been nearly 2 weeks since war came to New York City, Vir-

ginia, Pennsylvania, and America. These cowards have waged war not on our Army and Navy, but on ordinary men and women who were killed simply because they showed up for work.

This unspeakable tragedy has been New York's darkest hour, but it has also been its finest hour. We knew New York's bravest and finest would respond with great courage; but we did not know how many firefighters, police officers, and other rescue workers we would lose.

Last week, the gentleman from New York (Mr. FOSSELLA) and I introduced legislation honoring Mayor Giuliani for his leadership, the rescue workers, and the people of New York City for their courage, volunteerism and enduring spirit. Through their selfless attempts to save innocent people, hundreds of rescue workers and citizens made the ultimate sacrifice. We appreciate all that they have done.

We owe them our eternal gratitude.

Mr. Speaker, our city and country are mobilizing as never before.

The day after the terrorist attack at ground zero I saw not only the devastation but the determination in all New Yorkers and Americans to rescue, rebuild—and repay the terrorists in calculated, just, multi-national strikes at them and those who harbor them.

We're getting back to work to rebuild Lower Manhattan and to keep our economy strong.

From the bottom of my heart I thank my colleagues for their swift support for the \$20 billion we've approved to rebuild.

I've never seen this Congress more united or more determined.

The airline bill passed last Friday was also a boon to New York.

It included funds to support the victims and their families. And it helped keep planes flying into New York.

Today we will make this airline initiative more comprehensive by passing legislation that supports airline workers who were laid off through no fault of their own.

The impact of this tragedy is being felt far beyond ground zero.

New York City's second largest industry is tourism.

Right now restaurants are empty. Hotel rooms are vacant and Broadway shows are closing.

Yesterday morning I met with Don Winter, a Chamber of Commerce President.

He said small businesses in particular are being devastated and that they pass under the radar screen of many relief efforts.

Last week to help address this problem and bring people back to New York Congressman REYNOLDS and I introduced the "I Love New York Tax Deduction Act".

For the next year it would allow individuals to deduct from their income taxes up to \$500 and families up to \$1,000 for spending money in NYC restaurants, lodging and entertainment outlets whether or not they itemize their taxes.

All Americans who want to help the relief effort would be eligible for this deduction. All they would have to do is come to New York and help our economy by enjoying all that our city has to offer.

Right now, tourism is patriotism.

3,000 New York City hotel workers have already lost their jobs.

The City's 300,000 food service workers are facing heavy layoffs.

Eleven current Broadway productions have closed.

I think it's important that we as a country remember both this tragedy and the extraordinary human response that is fundamentally American.

Even as the ground-zero cleanup continues I've been assured by Ken Holden, Commissioner of the New York City Department of Design and Construction, that fragments of shells of the Twin Towers which landed in the ground like daggers in our heart will be preserved for the purpose of creating a national monument. A reminder of the day our lives turned upside down. And how we have come together as a city and nation.

A NEW RELATIONSHIP WITH RUSSIA

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

Mr. WELDON of Pennsylvania. Mr. Speaker, tonight I rise to applaud those colleagues of ours who will join me tomorrow, equally divided between both sides of the aisle. Ten of our colleagues will join me as we travel to Moscow. The purpose of our trip is to lay the foundation for a new relationship with the Russian people and the Russian Government.

Over the past 2 months, we have worked out an in-depth assessment of a way to engage the Russian people. Not to pour massive amounts of American money into Russia, because that is not the answer, but ways to continue to support those efforts that are already underway by private foundations, by nonprofit groups, by academic institutions, and, in some cases, by governmental entities.

The document and the process that will be speaking to our Russian counterparts will include a new era of engaging Russia, the culture, the economy, the environment, justice and legal system, health care, science and technology, defense and security, agriculture, space, local government and energy.

Today, I had a chance to brief our colleagues on the other side of the Capitol in both parties, and the White House and the National Security Council as well. This new initiative is designed to create a new era of opportunity for us where Americans and Russians can work together. We will also be providing an opportunity for the Russian Parliament, the Duma, and the Federation Council to enact a piece of legislation that I will be introducing in the Congress, and they are identical, that calls for a joint task force on terrorism, a legislative task force that has Russian members of the Duma and the Federation Council working with Members of the Congress and the Senate, the House and the Senate. This will follow and support the efforts of our two Presidents. Our meetings will include senior leaders of the

Duma, members of the Federation Council, the Minister of Interior for Russia, and members of President Putin's leadership in terms of security and foreign policy and the other major issues that we will be dealing with.

We will leave Moscow on Saturday and travel to Rome where we have planned meetings with the King of Afghanistan, who is in exile, and leaders of the opposition forces in that country. We will be extending our best wishes and our praise to the King as he attempts to reunify the people of that troubled country and to let him know that Americans do not have a problem with the Afghan people, that we want to be their friends.

We will leave Rome and travel on to Turkey where we will meet with the leadership of the Turkish Government, letting them know that we appreciate their support and solidarity with the U.S. and the allies, that we appreciate the work of the Turkish military, and that we appreciate their friendship during this troubled time.

I look forward to the trip. Our colleagues are giving up time that they could be home with their constituents. It is an important role they are playing to support our President in his effort to have a unified world in eradicating the terrorism that has done so much devastation here in this country in this past month.

So I thank our colleagues for being involved in this process. We will issue a report upon our return, giving the response by the various parties that we meet and making recommendations back to our colleagues about future actions.

□ 2100

TRIBUTE TO TED C. CONNELL, A PATRIOT AND TRUE PUBLIC SERVANT

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

Mr. EDWARDS. Mr. Speaker, on Sunday, September 16, Texas and the Nation lost a patriot and a true public servant, Mr. Ted C. Connell. My friend, our Nation's friend, passed away at his home in Killeen, Texas, after a courageous battle with cancer.

Ted Connell lived a life of service to others and to his beloved country. He was a World War II combat veteran, was elected Commander-in-Chief of the Veterans of Foreign Wars. He was a great friend of my political mentor, former Congressman Olin E. (Tiger) Teague, and he was a friend of President Lyndon Johnson and the Johnson family.

Ted Connell was born in 1924 in the small town of Hamlin, Texas, the fifth of ten sons. He dropped out of high school, but finished his diploma while serving in the U.S. Army field artillery on the island of Guam during World War II.

During his 30-month tour in the South Pacific with the 316th Tank Destroyer Battalion of the 98th Division, he also fought in Saipan, Tinian and Okinawa. He eventually rose to the rank of Lieutenant Colonel in the Army Reserve.

While on Okinawa, in one of the bloodiest battles of the war, Ted Connell rescued a young Marine who had been shot in the chest. He sat with his mortally wounded comrade for 3 hours, comforting him in the last moments of his life. When Ted returned to the United States, he traveled to the Marine's hometown in Colorado to tell his parents in person about their son's death.

That mission of comfort and solace opened a new chapter of service in Ted Connell's life. The Marine's father was heavily involved in veteran's affairs, and encouraged Ted, young Ted Connell, to do likewise.

He did just that, becoming active in his local VFW post, and rising to the leadership at the State and national levels, culminating with his election as national Commander-in-Chief of the VFW in 1960.

Ted Connell was a friend and confidante of President Lyndon Johnson, coordinating and advancing Presidential visits to Guam, Uruguay, Central America, South Vietnam, Australia, and Pakistan, and serving as an on-scene coordinator for a meeting with Pope Paul VI with the Vatican.

He served on several congressional and Presidential fact-finding missions, taking him to Vietnam five times, to Laos, Thailand, Malaysia, and Korea.

Ted Connell also served the State of Texas with great distinction as a member of the Texas Veterans Land Board, chairman of the Texas Veterans Commission, and as a member of the Sam Rayburn Foundation.

When his hometown of Killeen needed leadership, Ted Connell answered the call to duty once again, spearheading efforts to build the Lake Belton Dam, Central Texas College, and Metroplex Hospital, and to strengthen the U.S. Army's Fort Hood.

He served two terms as mayor of Killeen, was director and president of the Killeen Chamber of Commerce, the Industrial Foundation, a director of the Metroplex Hospital, and chairman of the hospital's building fund campaign.

Somewhere in all of this service to the public Ted Connell found time to operate his successful car dealership for 46 years, and to further leave his mark by bringing local airline service to his community. He opened an airline in 1965, eventually merging it with Hood Airlines and with Rio Airways. By 1974, Rio, serving small- and medium-sized cities in central, north, and south Texas, had become the seventh largest commuter airline in the country.

Fittingly, the Killeen City Council recently named the new passenger terminal at the about-to-be-completed,

over the next few years, Fort Hood-Killeen Joint-Use Airport in honor of this great veteran and community leader.

Ted Connell fought for his Nation, Mr. Speaker, in time of war, and served his community and country in time of peace. His indomitable optimism and love of country were quintessential American values. He represented the special spirit that makes me optimistic about our Nation's future.

As a businessman and community leader, Ted Connell worked tirelessly for jobs, prosperity, and opportunities for central Texans. His unparalleled record of public service and his enduring legacy to his community are matched only by his countless quiet acts of caring for those in need.

All those who knew or were the beneficiaries of Ted Connell and his humanity were enriched by his life and are diminished by his passing. Winston Churchill once said, "We make a living by what we get, but we make a life by what we give." By that high measure, Ted Connell's life was a true success.

Mr. Speaker, if I could just finish with one story, at Ted Connell's funeral recently in Killeen, Texas, a friend of his, Gaylen Christy, told the story, in the last 2 years where he and Mr. Connell were sitting in a coffee shop, but this time Ted was a patient of chemotherapy.

Rather than worrying about his own concerns, he heard a middle-aged couple at a table nearby talking about their problems. Their son had just been assigned to Fort Hood, but recently thereafter was asked to go to serve his Nation in Bosnia as a helicopter mechanic.

Their problem was they did not know how to get their son's belongings to the airport in Austin to be freighted back to Pennsylvania to their home, and then to get their son's car back. Mr. Connell, having heard their concern over their son's matters, walked over to their table, gave them a card, and said, come talk to me at my car dealership and we will take care of your problem.

He proceeded to provide a driver and a car to take that son's belongings to Austin, Texas, and then provided a driver to drive their son's car back to Pennsylvania, and paid for that driver to fly back to Texas. When Mr. Connell made this offer to this great family, they responded to him by saying, "Sir, we don't know how we can pay you back." Ted Connell's answer was, "You have already paid me back by raising a son who was willing to serve his Nation in uniform."

That was the man, Ted Connell. Our Nation will forever remember and be better for his spirit and public service.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mrs. KELLY) is recognized for 5 minutes.

(Mrs. KELLY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

AMERICA'S RESPONSE TO THE SEPTEMBER 11 ATTACKS

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

Mr. LANGEVIN. Mr. Speaker, Sunday was an important day in the United States as we come to terms with the senseless terrorist attacks of September 11. In a brief mourning ceremony at Camp David, President Bush watched as the U.S. flag was hoisted to a full staff for the first time in 12 days.

Later that afternoon, thousands of mourners gathered at Yankee Stadium in New York for a multi-faith event to remember their loved ones and all those lost in the terrorist attacks.

Our collective grief and confusion during the last 2 weeks have not waned and will likely remain with us for years. However, Sunday's two events remind all Americans of the strong foundation on which this Nation is built, and of the need to defend our citizens and principles from future threats.

Paramount among America's concerns following the attacks was the realization that terror could strike on our own soil. However, we cannot live in constant fear and hand a victory to the terrorists, so it is incumbent upon Congress to restore faith in national security. We need immediate action to enhance safety in airports and on planes by improving passenger and baggage screening procedures, strengthening airplane security features, and installing sky marshals on flights.

Additionally, we must identify other vulnerabilities in our infrastructure, and work to safeguard food and water supplies, financial institutions, electricity grids, energy production facilities, and transportation and communications networks.

Once we have improved any shortcomings in our infrastructure, we can enact fundamental reforms such as ensuring police departments, firefighters, rescue workers, health care systems, and local governments are prepared in the event of biological or chemical attacks.

The Rhode Island Disaster Initiative has served as a pioneer in developing a model disaster plan for every State in the Nation. I am proud of this initiative, and hope that it will play an integral role in developing national solutions to problems revealed on September 11.

Also, an investment in mental health services, whose importance is often overlooked in times of tragedies, would help Americans, especially children, deal with the trauma of witnessing violence and terrorism around the globe.

All of these efforts must be pursued in conjunction with a careful, coordinated counterterrorism program. The new Office of Homeland Security is an essential step towards preventing terrorism, and Congress must provide this office with the authority it needs to be effective.

By consolidating existing responsibilities from the 40 different agencies managing terrorism prevention, and by establishing information-sharing procedures with the FBI and CIA, the Office of Homeland Security can safeguard our lands, citizens, and facilities from future threats.

I also look forward to working with the administration on its request for increased authority to combat terrorism. As terrorists gain access to new technology, our law enforcement offices must be equipped to intercept and analyze these communications.

However, in our rush to action, any new authority Congress grants must be consistent with the civil liberties guaranteed in the Constitution and upheld by the courts.

Furthermore, we must focus on the true perpetrators of terrorist crimes, and condemn the unfounded targeting or harassment of innocent Americans because of their skin color, customs, or beliefs.

Mr. Speaker, we are just beginning to fathom the implications of the September 11 attacks. Yet, we may take comfort that our Nation's principles are still intact. The valiant and selfless efforts of emergency responders are to be commended. The generosity of those who have donated to relief efforts and the multifaith ceremony at Yankee Stadium all demonstrate that Americans of all backgrounds join in condemnation of terrorism.

For many years to come, when we look at our flag proudly waving at full staff, we will remember the victims of September 11, but we will also be reminded of the principles that make the United States a great Nation, and which we must always strive to preserve.

INTRODUCING H.R. 2953, LEGISLATION TO EXTEND SOCIAL HEALTH MAINTENANCE ORGANIZATIONS AND MAKE THEM PART OF MEDICARE+CHOICE PLANS PERMANENTLY

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

Mr. HORN. Mr. Speaker, today I introduced H.R. 2953, which is legislation to extend and make social health maintenance organizations a permanent part of Medicare+Choice. It is an important benefit option helping seniors maintain a healthy lifestyle longer in their own homes. As such, it represents a fiscally sound approach to managing our long-term health care needs in this country, and I urge all of my colleagues to support this important legislation.

I am fortunate to represent one of the four social HMOs that were approved as part of the initial Medicare demonstration project in 1985. This effort, called the Seniors Care Action Network, or SCAN, provides coordinated personal and health care to more

than 50,000 Medicare beneficiaries in Los Angeles, Orange, Riverside, and San Bernardino Counties in southern California.

The concept actually originated more than 20 years ago when a group of seniors in my district became frustrated with how difficult it was to get both personal care and health care services. The principle underlying SCAN is that some individuals, although relatively happy and healthy, may need some outside assistance to remain in their homes.

These extra services, in the case of SCAN, includes, among other things, transportation assistance, light house-keeping, prescription drug services, home health care, adult day care, and caregiver relief programs. By providing these services, SCAN expects to keep its seniors healthier longer, relieving the need for them to enter into more costly long-term care facilities.

Participants are not charged an extra fee for the coordinated care approach by SCAN. Instead, SCAN is reimbursed by the centers for Medicaid and Medicare services based on a formula that provides additional reimbursement for more seriously ill seniors, but a slightly smaller fee for healthier participants.

The demonstration project, first approved by Congress as part of the 1994 Deficit Reduction Act, has been revalidated by five subsequent acts of Congress. Unfortunately, only four demonstration sites exist now, which means that huge groups of seniors are denied coordinated care as a meaningful alternative to nursing home facilities.

It is time to expand the number of individuals who can benefit from this option by including the social HMOs as a permanent part of Medicare+Choice program. My legislation takes the necessary steps to realize this objective, and I urge all of my colleagues to join with me to pass this important bill.

FOREIGN INTERVENTIONISM

The SPEAKER pro tempore (Mr. SIMPSON). Under the Speaker's announced policy of January 3, 2001, the gentleman from Texas (Mr. PAUL) is recognized for 60 minutes as the designee of the majority leader.

Mr. PAUL. Mr. Speaker, the last 2 weeks have been tough for all Americans. The best we can say is that the events have rallied the American spirit of shared love and generosity. Partisanship was put on hold as it well should have been. We now, as a free people, must deal with this tragedy in the best way possible. Punishment and prevention is mandatory.

We must not, however, sacrifice our liberties at the hand of an irrational urgency. Calm deliberation in our effort to restore normalcy is crucial. Cries for dropping nuclear bombs on an enemy not yet identified cannot possibly help in achieving this goal.

Mr. Speaker, I returned to Congress 5 years ago out of deep concern about

our foreign policy of international interventionism and a monetary and fiscal policy, I believe, would lead to a financial and dollar crisis.

Over the past 5 years, I have frequently expressed my views on these issues and why I believe our policies should be changed. This deep concern prompted me to seek and receive seats on the Committee on Financial Services and the Committee on International Relations.

I sought to thwart some of the dangers I saw coming, but as the horrific attacks shows, these efforts were to no avail. As concerned as I was, the enormity of the two-pronged crisis that we now face came with a ferocity no one ever wanted to imagine. Now we must deal with what we have and do our best to restore our country to a more normal status.

I do not believe this can happen if we ignore the truth. We cannot close our eyes to the recent history that has brought us to this international crisis. We should guard against emotionally driven demands to kill many bystanders in an effort to liquidate our enemy. These efforts could well fail to punish the perpetrators while only expanding the war and making things worse by killing innocent noncombatants and further radicalizing Muslim people.

It is obviously no easy task to destroy an almost invisible ubiquitous enemy spread throughout the world without expanding the war or infringing on our liberties here at home. Above all else that is our mandate and our key constitutional responsibility, protecting liberty and providing for national security.

My strong belief is that in the past efforts in the U.S. Congress to do much more than this has diverted our attention and, hence, led to our neglect of these responsibilities. Following the September 11 disasters, a militant Islamic group in Pakistan held up a sign for all the world to see. It said: "Americans, think! Why you are hated all over the world." We abhor the messenger, but we should not ignore the message.

Here at home we are told that the only reason for the suicidal mass killing we experienced on September 11 is that we are hated because we are free and prosperous. If these two conflicting views are not reconciled we cannot wisely fight nor win the war in which we now find ourselves. We must understand why the hatred is directed toward Americans and not any other Western country.

In studying history, I, as many others, have come to the conclusion that war is most often fought for economic reasons, but economic wars are driven by moral and emotional overtones. Our own revolution was fought to escape from the excessive taxation but was inspired and driven by our desire to protect our God-given right to liberty.

The War Between the States, fought primarily over tariffs, was nonetheless inspired by the abhorrence of slavery.

It is this moral inspiration that drives people to suicidally fight to the death as so many Americans did between 1861 and 1865.

Both economic and moral causes of war must be understood. Ignoring the importance of each is dangerous. We should not casually ignore the root causes of our current fight nor pursue this fight by merely accepting the explanation that they terrorize us out of jealousy.

It has already been written that Islamic militants are fighting a holy war, a jihad. This drives them to commit acts that to us are beyond comprehension. It seems that they have no concern for economic issues since they have no regard even for their own lives, but an economic issue does exist in this war. It is oil.

When the conflict broke out between Iraq and Iran in the early 1980s, we helped to finance and arm Iraq and Saddam Hussein. At that time, Anwar Sadat of Egypt profoundly stated, "This is the beginning of the war for oil." Our crisis today is part of this long-lasting war over oil.

Osama bin Laden, a wealthy man, left Saudi Arabia in 1979 to join American-sponsored so-called freedom fighters in Afghanistan. He received financial assistance, weapons and training from our CIA, just as his allies in Kosovo continue to receive the same from us today.

Unbelievably, to this day our foreign aid continues to flow into Afghanistan, even as we prepare to go to war against her. My suggestion is, not only should we stop this aid immediately, but we should never have started it in the first place.

It is during this time, bin Laden learned to practice terror tragically with money from the U.S. taxpayer, but it was not until 1991 during what we referred to as the Persian Gulf War that he turned fully against the United States. It was this war, said to protect our oil, that brought out the worst in him. Of course, it is not our oil. The oil, in fact, belongs to the Arabs and other Muslim Nations on the Persian gulf.

Our military presence in Saudi Arabia is what most Muslims believe to be a sacred violation of holy land. The continuous bombing and embargo of Iraq has intensified the hatred and contributed to more than a million deaths in Iraq. It is clear that protecting certain oil interests and our presence in the Persian Gulf helps drive this holy war.

Muslims see this as an invasion and domination by a foreign enemy which inspires radicalism. This is not new. This war, from their viewpoint, has been going on since the Crusades 1,000 years ago. We ignore this history at our own peril.

The radicals react as some Americans might react if China dominated the Gulf of Mexico and had air bases in Texas and Florida. Dominating the Persian Gulf is not a benign activity. It

has consequences. The attack on the U.S.S. *Cole* was a warning we ignored. Furthermore, our support for secular governments in the moderate Arab country is interpreted by the radicals as more American control over their region that they want.

There is no doubt that our policies that are seen by the radicals as favoring one faction over another in the long-lasting Middle East conflict adds to the distrust and hatred of America.

The hatred has been suppressed because we are a powerful economic and military force and wield a lot of influence. But this suppressed hatred is now becoming more visible. And we, as Americans, for the most part, are not even aware of how this could be. Americans have no animosity toward a people they hardly even know. Instead, our policies have been driven by the commercial interests of a few, and now the innocent suffer.

I am hopeful that shedding a light on the truth will be helpful in resolving this conflict in the very dangerous period that lies ahead. Without some understanding of the recent and past history of the Middle East and the Persian Gulf, we cannot expect to punish the evildoers without expanding the nightmare of hatred that is now sweeping the world. Punishing the evildoers is crucial. Restoring safety and security to our country is critical. Providing for a strong defense is essential. But extricating ourselves from a holy war that we do not understand is also necessary if we expect to achieve the above-mentioned goals.

Let us all hope and pray for guidance in our effort to restore the peace and tranquility we all desire. We did a poor job in providing the security that all Americans should expect, and this is our foremost responsibility. Some Members have been quick to point out the shortcomings of the FBI, the CIA, and the FAA, and to claim more money will rectify the situation. I am not so sure. Bureaucracies, by nature, are inefficient. The FBI and CIA records come up short. The FBI loses computers and guns and is careless with records. The CIA rarely provides timely intelligence. The FAA's idea of security against hijackers is asking all passengers who packed their bags.

The clamor now is to give more authority and money to these agencies. But remember, important industries like our chemical plants and refineries do not depend on government agencies for security. They build fences and hire guards with guns. The airlines have not been allowed to do the same thing. There was a time when airline pilots were allowed and did carry guns, and yet this has been prohibited by government regulations. If this responsibility had been left with the airlines to provide safety, they may well have had armed guards and pilots on the planes, just as our industrial sites have.

Privatizing the FAA, as other countries have, would also give airlines more leeway in providing security. My

bill, H.R. 2896, should be passed immediately to clarify that the Federal Government will never place a prohibition on pilots being armed. We do not need more laws restricting our civil liberties, we need more freedom to defend ourselves.

We face an enormous task to restore the sense of security we have taken for granted for so long, but it can be done. Destroying the evildoers while extricating ourselves from this unholy war is no small challenge. The job is somewhat like getting out of a pit filled with venomous snakes. The sooner we shoot the snakes that immediately threaten us, the sooner we can get safely away. If we are not careful, though, we will breed more snakes; and they will come out of every nook and cranny from around the world and little will be resolved.

It is no easy task, but before we fight, we had better be precise about whom we are fighting and how many there are and where they are hiding; or we will never know when the war is over and our goals are achieved. Without this knowledge, the war can go on for a long, long time. And the war for oil has already been going on for more than 20 years. To this point, our President and his administration has displayed the necessary deliberation. This is a positive change from unauthorized and ineffective retaliatory bombings in past years that only worsened various conflicts. If we cannot or will not define the enemy, the cost to fight such a war will be endless.

How many American troops are we prepared to lose? How much money are we prepared to spend? How many innocent civilians in our Nation and others are we willing to see killed? How many American civilians will be jeopardized? How much of our civil liberties are we prepared to give up? How much prosperity will we sacrifice?

The founders and authors of our Constitution provided an answer for the difficult task that we now face. When a precise declaration of war was impossible due to the vagueness of our enemy, the Congress was expected to take it upon themselves to direct the reprisal against an enemy not recognized as a government. In the early days, the concern was piracy on the high seas. Piracy was one of only three Federal crimes named in the original Constitution. Today, we have a new type of deadly piracy in the high sky over our country.

The solution the founders came up with under these circumstances was for Congress to grant letters of marque and reprisal. This puts the responsibility in the hands of Congress to direct the President to perform the task, with permission to use and reward private sources to carry out the task, such as the elimination of Osama bin Laden and his key supporters. This narrows targeting the enemy.

This effort would not preclude the President's other efforts to resolve the crisis but, if successful, would preclude

a foolish invasion of a remote country with a forbidding terrain like Afghanistan, a country that no foreign power has ever successfully conquered throughout all of history. Lives could be saved, billions of dollars could be saved, and escalation due to needless and senseless killing could be prevented.

□ 2130

Mr. Speaker, we must seriously consider this option. This answer is a world apart from the potential disaster of launching nuclear weapons or endless bombing of an unseen enemy. Marque and reprisal demands the enemy be seen and precisely targeted with minimal danger to others. It should be considered, and for various reasons, is far superior to any effort that could be carried out by the CIA.

We must not sacrifice the civil liberties that generations of Americans have enjoyed and fought for over the past 225 years. Unwise decisions in response to the terror inflicted on us may well fail to destroy our enemy, while undermining our liberties here at home. That will not be a victory worth celebrating.

The wise use of marque and reprisal could negate the need to undermine the privacy and rights of our citizens. As we work through this civil task, let us resist the temptation to invoke the most authoritarian of all notions that not too many years ago tore this Nation apart, the military draft.

The country is now unified against the enemy. The military draft does nothing to contribute to unity, nor as the Pentagon again has confirmed, does it promote an efficient military.

Precise identification of all travelers on our air flights is a desired goal. A national ID issued by the Federal Government would prove to be disastrous to our civil liberties and should not be considered. This type of surveillance power should never be given to an intrusive, overbearing government no matter how well intentioned the motives.

The same result can be better achieved by the marketplace. Passenger IDs voluntarily issued by the airlines could be counterfeit-proof, and loss or theft of an ID could be immediately reported to the proper authorities. An ID, fingerprints, birth certificates, or any other information can be required without any violations of anyone's personal liberty.

This delicate information would not be placed in the hands of the Government agents, but could be made available to law enforcement officers, like any other information obtained with probable cause in a search warrant.

The heat of the moment has prompted calls by some of our officials for great sacrifice of our liberties and privacy. This poses great danger to our way of life and will provide little help in dealing with our enemies.

Efforts of this sort will only punish the innocent and have no effect on a

would-be terrorist. We should be careful not to do something just to do something, even something harmful.

Mr. Speaker, I fear that some big mistakes could be made in pursuit of our enemies if we do not proceed with great caution, wisdom, and deliberation. Action is necessary. Inaction is unacceptable.

No doubt others recognize the difficulties in targeting such an elusive enemy. This is why the principle behind the *marque* and reprisal must be given serious consideration. In retaliation, an unintended consequence of a policy of wanton destruction without benefit to our cause could result in the overthrow of moderate Arab nations by the radicals that support bin Laden. This will not serve our interests and will surely exacerbate the threat to all Americans.

As we search for a solution to the mess we are in, it behooves us to look at how John F. Kennedy handled the Cuban crisis in 1962. Personally, that crisis led to a 5-year tour in the U.S. Air Force for me. As horrible and dangerous as the present crisis is, those of us that held our breath during some very tense moments that October realized we were on the brink of a worldwide nuclear holocaust.

That crisis represented the greatest potential danger to the world in all of human history. President Kennedy held firm and stood up to the Soviets as he should have and the confrontation was resolved. What was not known at the time was the reassessment of our foreign policy that placed nuclear missiles in the Soviet's back yard in Turkey. These missiles were quietly removed a few months later, and the world became a safer place in which to live. Eventually we won the Cold War without starting World War III.

Our enemy today, as formidable as he is, cannot compare to the armed might of the Soviet Union in the fall of 1962. Wisdom and caution on Kennedy's part in dealing with the crisis was indeed a profile in courage. But his courage was not only in his standing up to the Soviets, but his willingness to reexamine our nuclear missile presence in Turkey which, if it had been known at the time, would have been condemned as an act of cowardice.

President Bush now has the challenge to do something equally courageous and wise. This is necessary if we expect to avert a catastrophic World War III. When the President asks for patience as he and his advisors deliberate seek a course of action, all Americans should surely heed this request.

Mr. Speaker, I support President Bush and voted for the authority and the money to carry out his responsibilities to defend this country. But the degree of death and destruction and chances of escalation must be carefully taken into consideration.

It is, though, only with sadness that I reflect on the support, the dollars, the troops, the weapons and training

provided by U.S. taxpayers that are now being used against us. Logic should tell us that intervening in all the wars of the world has been detrimental to our own self-interest and should be reconsidered.

The efforts of a small minority in Congress to avoid this confrontation by voting for the foreign policy of George Washington, John Adams, and Thomas Jefferson and all the 19th century Presidents went unheeded.

The unwise policy of supporting so many militants who later became our armed enemies makes little sense, whether it is bin Laden or Saddam Hussein. A policy designed to protect America is wise and frugal, and hopefully it will once again be considered.

George Washington, as we all know, advised strongly, as he departed his Presidency, that we should avoid all entangling alliances with foreign nations.

The call for a noninterventionist policy over the past year has fallen on deaf ears. My suggestions made here today will probably meet the same fate. Yet, if truth is spoken, ignoring it will not negate it. In that case, something will be lost. But if something is said to be true and it is not and it is ignored, nothing is lost. My goal is to contribute to the truth and to the security of this Nation.

What I have said today is different from what is said and accepted in Washington as conventional wisdom, but it is not in conflict with our history and our Constitution. It is a policy that has, whenever tried, generated more peace and prosperity than any other policy for dealing with foreign affairs. The authors of the Constitution clearly understood this. Since the light of truth shines brightest in the darkness of evil and ignorance, we should all strive to shine that light.

EVERY WEAPON IN ARSENAL NEEDED TO DEFEAT TERRORISM

The SPEAKER pro tempore (Mr. SIMPSON). Under the Speaker's announced policy of January 3, 2001, the gentleman from Colorado (Mr. TANCREDO) is recognized for 60 minutes.

Mr. TANCREDO. Mr. Speaker, during my comments tonight, I will refer to one phrase that I think is important to place on the minds of the people of this country, and that phrase is this: "The defense of the Nation starts with the defense of our borders."

Mr. Speaker, we have begun a massive buildup of forces as a result of the events of September 11. Indeed, the President has issued a call for units of the National Guard to be activated. Troops are being dispatched, planes, ships, all over the world. The President has issued an executive order to restrict the flow of capital so that we will, hopefully, inhibit the ability of terrorists around the world in that particular capacity.

We have done a great deal to try to figure out how to make it more dif-

ficult for hijackers to take over planes. We have increased security at all of our airports. Recently, we ordered that even crop dusters would not be allowed to fly for fear that some sort of chemical agent might be introduced into the atmosphere. We have increased security around water facilities and power plants throughout the Nation for fear of some sort of, again, biological or chemical attack that might come in that direction.

We have, indeed, created a brand-new, or will create a brand-new, cabinet level agency for homeland defense that I hope will do what is desperately needed to be done, and that is to coordinate the activities of all of our agencies that are designed to provide some sort of defense for this Nation.

The President and the Secretary of State have been extremely successful up to this point in time in creating some sort of international coalition to help fight terrorism everywhere that it rears its ugly head. We have even talked about trying to tighten up on visas, visas that are given to people who might have backgrounds that are suspicious, have terrorist connections, not allow them to either enter the United States, or if they are here, to be held perhaps even indefinitely.

All of these things are good, and I totally support them. They are all important. We were told today by a general in the Israeli Army at a briefing that was available to any Member, it was not classified, but it was, indeed, a fascinating discussion. We were told about the Israeli experience in dealing with terrorists for now well over 2 or 3 decades.

Mr. Speaker, one of the things that this particular general said was that it is imperative that we think about terrorism as a phenomenon, as a system. What he meant by that is it is global in nature. It is not anything like we have ever dealt with before; and, of course, we have heard many, many people, including the President of the United States in his address to the Nation just last week in a very articulate and incredibly compelling address to the Nation say it is a brand-new world in a way, and a brand-new kind of war. The Israeli general that gave the briefing today was talking about the fact that low-intensity warfare, a minimum of power, it is not an appropriate approach.

Terrorism, he said, requires maximum power to be applied against it in order to be successful; and that because it is a systemic problem, you must treat it systematically or holistically, treat it in every way you can. Attack the problem every way you possibly can.

He suggested that we should look at terrorism as a cancer; and that just like any other cancer that invades the body, if it is attacked in a piecemeal way, even though several different kinds of approaches may be tried, it

will eventually gain control and overtake the body, the host body. Therefore, it must be attacked with every single thing in one's arsenal.

Mr. Speaker, the President said from that podium just a few nights ago essentially the same thing. He said, we will use every weapon in our arsenal to defeat terrorism. Every weapon in the arsenal.

□ 2145

I for one was heartened to hear that, because that is exactly what we are going to have to do.

I refer again, however, to the phrase that I opened these comments with, that the defense of the Nation begins with the defense of our borders. It begins with our ability, our desire, the necessity of defending our borders, of making sure that we as a Nation, to the greatest extent possible, are able to determine who comes into the United States and for how long and when they leave, and how many will come into the United States. This is what is referred to as an immigration policy. It is something we do not really have. It is something we have abandoned over the course of the last couple of decades.

And we have abandoned this policy, we have abandoned our borders, we have succumbed to the siren song of open borders, a phrase used so often by organizations like the Wall Street Journal and the Cato Institute and others, libertarians and liberals looking for votes from the massive number of immigrants that would come into the country and perhaps become part of a voting bloc that they could then take advantage of.

For all of these reasons, we have abandoned our borders for all intents and purposes. They do not really exist. No one believes that they are there in reality. They may be there on maps, but they are not there in reality, because if a border is important for determining who comes, how many and how long, then, of course, America is just this place on a map, not distinguishable by lines that separate it from any other country on the globe. That has been the desire of a great many people. Many industrialists, many members of the, quote, elitist establishment in this country, many of the biggest, the Fortune 500 companies, other individuals who employ cheap labor, illegal immigrants, because, of course, they can be hired cheaply, they can work cheaply, and they are frightened to turn their employers in for ill treatment, all of those people have formed a bloc over the course of the last couple of decades to destroy our borders.

And, Mr. Speaker, I suggest to you that one part of the result that we witnessed that came from this process, of the destruction of our borders, were the events of September 11. Every single person that we now know that was involved in the hijackings, in the suicide bombing, that is, turning the plane into a bomb and crashing it into the World Trade Center and the Pen-

tagon and the other attempt that was made outside Pittsburgh, and I am told, I understand that now they believe that there were several other planes, there was a great possibility that the same thing had been planned but they were not, for whatever reason, able to accomplish it, thank God, accomplish their goals, but every one of the people that we know that were on those planes that took them over, that killed the airplane crew, members of the crew, that took over and crashed them, every one of them was here on some sort of visa or were here illegally, and even the ones that were here on visas, we are not really sure exactly what kind.

We have written now, my office and other Members have asked the INS for clarification about the status of each one of these people. They sent me back a list of the names of every single one of them and the status of only two, two, they said, that were here on visas, one with a visa that had expired, essentially illegally.

It is now my understanding that every one of them were here on some sort of visa, but many of them were, in fact, here illegally because they had overstayed their visa or they were not living up to the obligations of the visa. But we did not care. Or we did not know. Or if we knew, we simply paid no attention to that particular problem, because, Mr. Speaker, we do not pay attention to the fact that there are millions, I say millions, of people in the United States who are here illegally. You know it. I know it. Everyone hearing my words knows that there are millions of people in the United States who are here illegally.

Now, I do not for a moment suggest that the vast majority of those people, or even a small percentage factually are involved with terrorist activity or are people that we should be concerned about because of the threat to the Nation. At least not a direct threat to the Nation. But I do suggest to you that it is the philosophy, it is the attitude that we ignore millions of people here illegally, millions coming across the border illegally, that makes it impossible for us to then go back and say, well, but these folks, this particular group, maybe they are Middle Eastern by ethnicity and heritage and, therefore, we should watch them more carefully. Well, that is not going to happen. I mean, that is, of course, profiling. We would not ever want to do a thing like that. You cannot segregate out these particular portions of the population for a different kind of treatment.

If they are here illegally, they should be sent home. I do not care where they are from. It does not matter to me if they are from Mexico, or Egypt, or Lebanon, or Brazil, or Bolivia. It does not matter. It is of no consequence, the place of origination. The fact is they are here illegally and we as a Nation have a duty for the protection of our system of government, and, indeed, for our very lives, we have a duty to secure

our borders, because, again, I will say, Mr. Speaker, that the defense of the Nation begins at our borders.

We can do all of the things that I have outlined at the beginning of this presentation, and I agree with every single one of them. You notice that I left to the end any discussion about tightening up on visas, because the only thing I have seen so far as part of the administration's proposal to deal with terrorism that deals specifically with the issue of immigration is this aspect of tightening up on visas.

Mr. Speaker, let me suggest to you that although I completely and totally support that particular provision, the horses are out of the barn at that point in time. The people are already here. The task we have ahead of us, the task we must face, is the one that would prevent them from getting here. It is defending our borders. It is defending the sovereignty of this Nation. That is what we seek.

Mr. Speaker, it has been many, many hours that I have spent almost right here, at various podiums on this floor, cajoling, arguing, using all of the effort that I can muster, any degree of articulation of the issue that I can possibly develop over the past several months, long before this event, by the way, of September 11, I have come to this floor and asked my colleagues to please join me in an attempt to make our borders secure. It has been a relatively lonely fight. I have been assailed by some of my colleagues.

I have certainly been assailed by members of the general public, e-mails and letters and calls and that sort of thing. I have been called a racist, I have been called xenophobic, I have been called a lot of things that I certainly do not want to repeat on the floor of the House. But I persist, Mr. Speaker, because I believe that this is one of the most important, one of the most significant issues with which this body can deal, and, that is, the determination of our own system of government, how long our system will survive. I really believe it has that kind of significance.

There are literally hundreds of reasons that I can bring forward to argue my case for lower immigration, for tightening our borders, for controlling our borders, I should say, for determining who comes in, and they certainly deal with just the simple issues of population growth, the pressure it puts on the infrastructure of the United States, of every community in the country, the costs that are involved, the economic costs involved, the cultural issues that come up when we balkanize America with different languages and different ideas about government and philosophies of life. All of those things we can confront. And I certainly have done so from this floor. But they all pale in comparison to the importance of this issue that was brought home to us all in the most stark of manners, in the most horrendous proof I can possibly offer.

What can I say, Mr. Speaker, what can I possibly say on the floor of this House that could ever compare in terms of encouragement to do something about the control of immigration? What can I say or do that could ever compare with the events of September 11?

Mr. Speaker, if that does not help my colleagues come to some conclusion about the need to do something about immigration, I do not know what else will. And there will still be libertarians who come to the floor as my dear friend did just before me here, the gentleman from Texas (Mr. PAUL), whom I respect immensely, on almost every issue I have been supportive of what he has tried to do, but I must admit I disagree with him wholeheartedly on the issue of, especially immigration controls and our policy now, the policy we should now adopt vis-a-vis the terrorists that reside in Afghanistan and, indeed, around the world.

But there will still be voices like the gentleman from Texas. There will still be voices like many of my colleagues on the other side tonight who fought against an amendment which, I might add, passed overwhelmingly, and which I was just amazed to see the number. It was an amendment by the gentleman from Ohio (Mr. TRAFICANT) that simply said that the Armed Forces of the United States could be employed, if requested by the Attorney General, could be employed in the protection of our borders.

Now, there were individuals who stood up and argued that, and there were 180, if I remember correctly, 180 some people who voted against it. Even in light of what has happened, 100 and some of our colleagues, I do not recall the exact number now, but well over 100 said, No, I don't think I would use the military on the border to protect our sovereignty, to protect our Nation.

And so you say to yourself, Mr. Speaker, my God, what does it take? What does it take? How many people in this country have to lose their lives before we come to the understanding that the defense of the Nation begins at the defense of our borders? All the other things we talk about are important, but, Mr. Speaker, nothing surpasses the importance of our borders and their integrity. That is why I will continue to raise this issue, as long as I have breath, anyway, and as long as I am a Member of this body, because I can think of nothing more important.

There are hundreds of issues with which I have been involved, I am confronted by them as you are, and every other Member of our body here every single day, important issues, and I say, I have got to do something about that, and we should do something about that. You want to go off in about 20 different directions, but always I am pulled back to this, always I am grounded in this particular issue, because everything begins to come back to it, everything I hope to accomplish for the Nation, everything I hope to

add my voice in defense of depends upon our ability as a Nation to control our own destiny. And to control our own destiny, we must control our own borders.

It is a world, Mr. Speaker, that has changed so dramatically in so many ways. There are intellectuals, I think, perhaps I would refer to them as, a famous old reference to them, perhaps pseudo-intellectuals, effete snobs, there were a couple of other things that I can remember, people who pride themselves on talking about a brand new day dawning in the world, that it is really a world that should not be separated by borders, that there is really no purpose for borders anymore. Now, these things we did hear before September 11. I must admit, Mr. Speaker, I have not heard as much of that recently.

□ 2200

But we will begin as soon as things calm down a little bit. I assure you there will be; they will be out in force. They will be saying things like, we really do not need to defend our borders so much, so long as we go out there and we make sure we attack terrorism in other lands, that we root them out, as we have heard often. I am all for doing that, do not get me wrong. Draining the swamp, all those other things, absolutely need to be done. So they will suggest if we can just do that, somehow we do not have to have borders.

I refer back to now the presentation and the little briefing that we had today by this particular Israeli general, who again talked about the systemic approach to this; that you had to use every single thing in your arsenal. That it was not enough just to go out and find them, it had to be done, you will have to go outside of your borders and find the people who are trying to kill you, and you will have to kill them. You will have to disrupt their organization.

You will have to do all of that, Mr. Speaker, but you recognize, and we all recognize, the fact that Israel has another aspect of that core policy, that holistic approach, and that is they defend their borders. They defend their borders in every way they possibly can, using every kind of technology, low-tech and high-tech, barbed wire to electronic surveillance, they use it all to defend their borders.

Now, they have an easier task than we would have, it is true, a smaller land mass, a more homogenous population. All of those things are true. It does not, however, excuse us from the responsibility.

What more are we to do here? What else is more important for us, Mr. Speaker? Is it the Department of Health and Human Services? Is it the Department of Natural Resources? Is it the Department of Transportation? I know I would encourage you to think about that one, Mr. Speaker. Is it the variety of things we do out there, that

this Federal Government does, that we spend hundreds of billions of dollars every single year doing? Are all of those things as important as the protection of the life and property of the citizens of this Nation?

No, sir. In my opinion, my humble opinion, they all pale in comparison. I mean from HHS-Labor, which is a thing we are going to be voting on here, and we will dump hundreds of billions of dollars on that thing to get it out the door, and it is more important, yes, even than the Department of Education. I know, there I have said it. The defense of the Nation, the security of the people of the Nation, yes, it is, Mr. Speaker, it is more important than all of the other things we do.

So I am not opposed to efforts to increase, in fact, I heartily support all efforts to increase the appropriations for our military. As I say, it is the most important thing we can do. But how can we ignore in that process, how can we ignore perhaps the most important aspect of that defense system? Where can we be expected to draw the line, so-to-speak, if it is not at our borders?

Mr. Speaker, one of our colleagues, a very respected Member of this body, the gentleman from Connecticut (Mr. SHAYS), he is also the chairman of one of the security committees of this Congress and has been a member of that committee for many years, and I respect his observations. And I have seen him now on television and I have heard him on the radio in the past couple of days, and he has stated unequivocally that it is not a matter of if we are ever going to be confronted by biological or chemical or even nuclear attack by terrorists; it is indeed, he says, a matter of when.

Mr. Speaker, we are well aware of the fact that many countries, several countries anyway, that have already demonstrated their mastery of this particular form of warfare, that is, biological and chemical especially, Iraq, I refer to specifically, as it has used this particular weapon, biological weapons, against its own people, the Kurds, killed many thousands of them a few years ago.

We know that there are governments out there that have perfected these particular weapons. We know that those governments harbor terrorists. We know that those governments provide succor to terrorists, provide support; not just physical support, not just a place to live and some food on the table, but support of every kind and variety.

What makes us think for a moment, Mr. Speaker, that they have not provided them, or at least are not willing to provide them, with these other agents to carry out their dastardly deeds?

Now, I do not know if the gentleman from Connecticut (Mr. SHAYS) is right or wrong when he says it is a matter of when, not a matter of if we are confronted with this. I can certainly say that the odds are that we will be in

some way, at some time, confronted with that kind of a situation.

I pray to God that it will not happen and that we will do everything in our power to make sure that it does not, and there are things we can do. That is the other side. That is the thing to think about. We should not dwell on the inevitability so much of this particular kind of terror, but we should dwell on our ability to stop it.

There are many things we can do, and certainly finding the terrorists out there, that is number one. But how can we suggest for a moment, even a second, how can it be in anyone's mind in this body, that as part of our defense against that next act of terrorism would not be the closure of our borders to anybody who is not well-known to us, anybody who we can determine is not a threat to this Nation's survival?

How can we not do it? If something were to happen, Mr. Speaker, of this nature, and, again, I pray to God, of course, that it never does, but if it does, and if we have done nothing to increase our ability to protect our borders, then there is culpability here, because this is not, as they say, rocket science.

I do not suggest for a moment, Mr. Speaker, that if we did everything we possibly could, if we put troops on the border, if we reduced immigration dramatically so we could actually get a handle on it for a while, if we tightened up on INS regulations, if we found out where all of the people in the United States who are here illegally are and sent them home, if we did all of that, I am not able, of course, to promise that we would make ourselves immune to or impervious to or unable to be attacked in the way we have suggested. All I know is it is something we have to do.

To those who suggest that there are other options open to us that do not include controlling our own borders, I just say this: perhaps there are others, perhaps in times past there were others who said, look, let us explain to the Vandals in ancient Rome, or the Huns, that there is no reason to be all that upset to us; we will open our borders to them and let them in and just discuss it with them. We will just peacefully deal with it, because, really they are just all members of the human race, you know? The Nazis, the Japanese militarists, you could go on and on and on.

There were people here who said, I am sure, not many, thank heavens, but people who suggested that there probably is some way we could have just negotiated our way out of and around the Second World War, and any other war with which we have been involved, because, after all, they are just people, just like us.

What are their needs? How are they different from us? There are still people who say that, and I suggest that it is almost irrational. People who suggest that we should not care about who comes across our borders are, to a certain extent, maybe to a large extent,

irrational. Because I guarantee you this, Mr. Speaker: the American public, they do not feel that way. The vast majority of the American people believe in their heart of hearts in the very common sense idea of controlling our own borders; and they are not heartless, cruel people, who just hate foreigners. No, they all recognize that all of our roots are from someplace else. Even if you call yourself a Native American, your ancestors, how far back, came across a land bridge from Siberia, from Asia.

So all of us are immigrants. That is not the issue. The issue is will we be able to control who comes for how long and how many. Will we be able to do that? And the American people want us to do that.

There is only one way, of course, Mr. Speaker, that this body will ever move in the direction that we are hoping for tonight, even though there was a great sign that things may have changed tonight with that vote on the Traficant amendment to put troops on the borders. However, I am told that has passed before, it has always been taken out in the conference committee. Perhaps it is different tonight. Perhaps September 11 changed all of that. I certainly hope so.

I certainly hope that there were more people in this body who were voting for that amendment without the thought in mind that it would be taken out, and they could easily cast their vote and sort of cover their tracks. They say, well, I voted for it, but knowing in their heart of hearts it will probably be taken out in committee.

I hope there were not many like that in our body. I hope the 250-odd people who voted for it tonight did so because they know what we are saying here tonight, that it is the duty, the responsibility, of every Nation on the face of the Earth, including our own, to defend our borders, and that in our case, because of the geographic problems that we confront, it will require perhaps a far stronger force than we have available to us tonight in the INS, and it may in fact require the positioning of Armed Forces on our borders. That is, of course, what the Armed Forces are for, to defend our borders. It is not an inappropriate use, it is an absolutely logical use of our Armed Forces, because it is very difficult for us to patrol the length of our borders. I understand that.

Mr. Speaker, there was an op-ed that was written by a gentleman by the name of Mark Krikorian who is with an organization called the Center for Immigration Studies. I am going to enter it in the RECORD and read it tonight as my final statement, because I believe that it encapsulates so much of what it is I am trying to say here this evening.

It stays, "As we consider our response to last week's horrific attacks, we must be careful not to seek scapegoats among foreigners who live among us. But if immigrants in general are not the problem, a broken immigration

system almost certainly is partly to blame. While much attention has been focused on the failure of intelligence and airport security, it is also clear that we have failed to properly police our borders, borders being any place where foreign citizens enter the United States. It would be a grave error if we did not ask ourselves the fundamental question: How did these terrorists get in? Despite all the cant about globalization, borders are not irrelevant in today's world, nor are they unenforceable. In fact, the need to secure them is more pressing than ever, given ease of travel, coupled with very real terrorist threats. "Most Americans understand that our border is not an obstacle to be overcome by travelers and businesses but, instead, a critical tool for protecting America's national interests. Unfortunately, much of America's elite does not get it.

"Most notorious among the cheerleaders for open borders have been libertarians such as the Cato Institute. The Wall Street Journal has frequently called for a 5-word amendment to the Constitution: 'There shall be open borders.'"

□ 2215

I have not heard that recently from the Wall Street Journal. In fact, as an aside, I had a reporter from the Wall Street Journal call me the other day saying, has there been a change of attitude in Congress about immigration as a result of what has happened? I said, it is funny you should ask that question. I had exactly the same question for you. Has there been a change on the Wall Street Journal editorial board about immigration as a result of what happened on September 11? He just laughed and said, Well, you are not the first person to ask.

Back to Mr. Krikorian's op-ed: "Even minimal borders to strengthen controls have been stymied. Congress in 1996 directed the Immigration and Naturalization Service to record arrivals and departures of foreigners at border crossings so as to identify people overstaying their visas. Business interests prompted Congress to postpone this requirement several times and ultimately to eliminate it.

"If we take the physical safety of our people seriously, we cannot continue to allow libertarian ideologues, immigration lawyers, cheap-labor business interests, and ethnic pressure groups to hobble our ability to manage our borders. What, then, is to be done?

"The Border Patrol, despite recent increases, remains almost laughably inadequate. At any given time, there are only about 1,700 agents patrolling the southern border, an average of less than 1 agent per mile, and the northern border is even less well defended.

"Establishing a computerized system to track entries and exits from the United States should not even be a subject of debate. There are no technological obstacles, merely a lack of will and funding. What is more, the practice

of requiring permanent residents who are not yet citizens to annually register their whereabouts with government, which was discontinued in the 1970s, should be revived.

"The State Department's visa officers overseas need to be recognized as 'America's other Border Patrol.' Visa officers often have only 2 or 3 minutes to consider an application, and are pressured to approve a high proportion of applicants to avoid offending the host country. The granting of visas should become a freestanding, well-funded function that people sign up for from the start, rather than today's dreaded right of passage for rookie Foreign Service officers.

"The very morning of the September 11 attack, the House was about to resurrect a provision called 245(i), which allows illegal aliens to receive green cards in the United States rather than in their home countries.

"Because personnel abroad are best equipped to screen applicants, 245(i) negates any efforts to keep out those judged to be ineligible.

"Finally, whatever one thinks about the level of immigration, a temporary reduction in legal immigration and the admission of temporary workers and students is essential to allow the overhaul of our immigration infrastructure."

Did we hear that, Mr. Speaker? "A temporary reduction in legal immigration," and I will say a pause in all immigration; I want a pause. I will soon be introducing a bill to that effect. A pause, at least a 6-month pause, in all immigration into the United States, except for special circumstances, maybe national defense-related issues. But other than that, let us stop it. Because we have an overhaul to do with our entire system. Let us let the Department, let us let our new Secretary for the Department of Homeland Defense determine how best to go back into the field and try to defend our borders. But let us call a pause or a halt to immigration for at least 6 months.

"Only by lightening the INS' load can the agency both process its huge backlog and strengthen border controls.

"Improved border and visa controls may not catch all malefactors, but it will help alert us to conspiracies such as last Tuesday's attacks. If only a dozen of the conspirators had been identified by consular officers during visa processing or border inspectors, it is very possible the entire conspiracy would have been unraveled. We have, of course, seen some home-grown terrorists as well, but there is no reason to neglect border control.

"We should not overreact by eviscerating constitutional rights, including those of Muslim Americans, but an overhaul of our lax border controls is precisely the kind of reasonable reform that would make future attacks less likely and does not represent any threat to the civil liberties of American citizens. Americans are going to

have to wait in longer lines at airports, and it is not too much to ask people entering into the country to do the same.

"Moreover, more foreign citizens may be denied visas."

"The measure of a successful immigration system is not how many people are allowed to enter and how fast, but rather whether the broad national interests of the United States are being served, including the safety of Americans."

Mr. Krikorian is the executive director, as I say, for the Center for Immigration Studies here in Washington, D.C.; and I certainly commend his reading and his efforts, by the way, which I am sure one can go online and get. In fact, it is on here: <http://www.cis.org>. One can go on the Net and look into the Center for Immigration Studies and Work. They do great stuff.

And the other thing, of course, everyone must do, Mr. Speaker, is to let their representatives in this body and in the other body know how they feel. Believe it or not, Mr. Speaker, believe it or not, there are still people in this body who are opposed to immigration reform, even after September 11; and there is only one way they are ever going to change their mind. There is only one way they are ever going to see the light and that, of course, is when they feel the heat.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. WATSON of California (at the request of Mr. GEPHARDT) for today on account of illness.

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 Mrs. MALONEY of New York) to revise and extend their remarks and include extraneous material:

Mr. DEFAZIO, for 5 minutes, today.

Mr. SHERMAN, for 5 minutes, today.

Mr. MORAN of Virginia, for 5 minutes, today.

Mrs. MALONEY of New York, for 5 minutes, today.

Mr. EDWARDS, for 5 minutes, today.

Mr. LANGEVIN, for 5 minutes, today.

The following Members (at the request of Mr. NETHERCUTT) to revise and extend their remarks and include extraneous material:

Mr. NETHERCUTT, for 5 minutes, today.

Mr. HORN, for 5 minutes, today.

Mrs. KELLY, for 5 minutes, today.

Mr. WELDON of Pennsylvania, for 5 minutes, today.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly an enrolled bill

and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2603. An act to implement the agreement establishing a United States-Jordan free trade area.

H.J. Res. 65. Joint resolution making continuing appropriations for the fiscal year 2002, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House reports that on September 25, 2001 he presented to the President of the United States, for his approval, the following bills.

H.R. 2603. To implement the agreement establishing a United States-Jordan free trade area.

ADJOURNMENT

Mr. TANCREDO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 22 minutes p.m.), the House adjourned until tomorrow, Wednesday, September 26, 2001, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

3839. A letter from the Deputy Congressional Liaison, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Credit by Brokers and Dealers; List of Foreign Margin Stocks [Regulation T] received August 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3840. A letter from the Counsel for Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—Government National Mortgage Association Mortgage-Backed Securities Program—Payments to Securityholders; Book-Entry Procedures [Docket No. FR-4629-F-02] (RIN: 2503-AA16) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3841. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Amendments for Testing and Monitoring Provision Removal of a Provision for Opacity Monitoring [FRL-7039-2] received August 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3842. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Idaho: Final Authorization of State Hazardous Waste Management Program Revision [FRL-7031-5] received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3843. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Finding of Attainment for PM-10; Shoshone County (City of Pinehurst and Pinehurst Expansion Area)[Docket ID-01-003; FRL-7042-5] received August 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3844. A letter from the Principal Deputy Associate Administrator, Environmental

Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, El Dorado County Air Pollution Control District [CA 248-0288a; FRL-7028-7] received August 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3845. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Interim Final Determination that the State of California Has Corrected Deficiencies and Stay of Sanctions, El Dorado County Air Pollution Control District [CA 248-0288c; FRL-7028-9] received August 21, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3846. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Final Full Approval of Operating Permit Programs; North Carolina, Mecklenburg County, and Western North Carolina [NC-T5-2001-02; FRL-7047-2] received August 29, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3847. A communication from the President of the United States, transmitting a report, consistent with the War Powers Resolution and Senate Joint Resolution 23, to help ensure that the Congress is kept fully informed on actions taken to respond to the threat of terrorism; (H. Doc. No. 107-127); to the Committee on International Relations and ordered to be printed.

3848. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone: Japanese Fisheries High School Training Vessel EHIME MARU Relocation and Crew Member Recovery, Pacific Ocean, South Shores of the Island of Oahu, HI [COTP Honolulu 01-054] (RIN: 2115-AA97) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3849. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Fireworks Display, New Jersey Pierhead Channel and Kill Van Kull [CGD01-01-118] (RIN: 2115-AA97) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3850. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Oswego Harbor, Oswego, NY [CGD09-01-083] (RIN: 2115-AA97) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3851. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Lake Michigan, Grand Haven, MI [CGD09-01-067] (RIN: 2115-AA97) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3852. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Naval Force Protection, Bath Iron Works, Kennebec River, Bath, Maine [CGD01-01-093] received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3853. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Lower Mississippi River, LMR mile 531.3 to 537, Vaucluse Trenchfill [COTP Memohis 01-007]

(RIN: 2115-AA97) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3854. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone: Naval Force Protection, Bath Iron Works, Bath, ME [CGD01-01-047] (RIN: 2115-AA97) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3855. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Summerfest 2000—Harbor Island Lagoon Activities, Milwaukee, Wisconsin [CGD09-01-075] (RIN: 2115-AA97) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3856. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Naval Submarine Base Bangor and Naval submarines, Puget Sound and Strait of Juan De Fuca, WA [CGD13-01-015] (RIN: 2115-AA97) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3857. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zone; Vicinity of Atlantic Fleet Weapons Training Facility, Vieques, PR and Adjacent Territorial Sea [CGD07-01-036] (RIN: 2115-AA97) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3858. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Inner Harbor Navigation Canal, LA [CGD08-01-018] received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3859. A letter from the Regulations Officer, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting the Department's final rule—Controlled Substances and Alcohol Use and Testing [Docket No. FMCSA-2000-8456] (RIN: 2126-AA58) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3860. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; PGA Boulevard Bridge (ICW), West Palm Beach, FL [CGD07-01-045] (RIN: 2115-AE47) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3861. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operations Regulation; Lake Washington Ship Canal, Seattle, WA [CGD13-01-001] received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3862. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Donald Ross Road Bridge (ICW), West Palm Beach, FL [CGD07-01-047] received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3863. A letter from the Chief, Regulations and Administrative Law, USCG, Department

of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Chelsea River, MA [CGD01-01-055] received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3864. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; Inner Harbor, Patapsco River, Baltimore, Maryland [CGD05-01-027] (RIN: 2115-AE46) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3865. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Newton Creek, Dutch Kills, English Kills and their tributaries, NY [CGD01-01-089] (RIN: 2115-AE47) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3866. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Kennebec River, ME [CGD01-01-098] received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3867. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Bay City Relay for Life Fireworks, Saginaw River, MI [CGD09-01-114] (RIN: 2115-AA97) received August 28, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3868. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; John Limehouse Bridge (ICW), Johns Island, SC [CGD07-01-078] (RIN: 2115-AE47) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3869. 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 [CGD01-01-129] received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3870. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Manitowoc River, Wisconsin [CGD09-01-001] (RIN: 2115-AE47) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3871. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Brorein Street Bridge, across the Hillsborough River, Tampa, FL [CGD07-01-027] received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3872. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Brooks Memorial (S.E. 17th Street) bridge Atlantic Intracoastal Waterway, Ft. Lauderdale, FL [CGD07-01-035] received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3873. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Connecticut River, CT [CGD01-01-060] received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3874. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Atlantic Intracoastal Waterway, Fort Lauderdale, Broward County, FL [CGD07-01-034] (RIN: 2115-AE47) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3875. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Harlem River, Newtown Creek, NY [CGD01-01-054] (RIN: 2115-AE47) received August 23, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. BAKER:

H.R. 2948. A bill to direct the Administrator of the Federal Aviation Administration to provide for random deployment of Federal air marshals on certain commercial air passenger flights, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. FARR of California (for himself, Mr. SHAYS, Mr. HALL of Ohio, Mr. WALSH, Mr. HONDA, and Mr. PETRI):

H.R. 2949. A bill authorizing the President of the United States, on behalf of the Congress, to present a gold medal to Sargent Shriver; to the Committee on Financial Services.

By Mr. YOUNG of Alaska (for himself and Mr. QUINN):

H.R. 2950. A bill to provide for the financing of high-speed rail infrastructure, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on 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 Mr. GANSKE (for himself, Mr. ANDREWS, Mr. LEACH, Mr. DINGELL, Mr. GRAHAM, Mr. SHAYS, Mr. NORWOOD, Mr. SMITH of New Jersey, and Mr. TOM DAVIS of Virginia):

H.R. 2951. A bill to improve aviation security, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. CUBIN:

H.R. 2952. A bill to ensure the orderly development of coal, coalbed methane, natural gas, and oil within a designated Dispute Resolution Area in the Powder River Basin, Wyoming, and for other purposes; to the Committee on Resources.

By Mr. HORN:

H.R. 2953. A bill to amend title XVIII of the Social Security Act to make the social health maintenance organization a permanent option under the MedicareChoice program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, 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. 2954. A bill to prohibit the importation into the United States of colombo tantalite from certain countries involved in the conflict in the Democratic Republic of the Congo, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on International Relations, 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 Mr. GEPHARDT (for himself, Mr.

HASTINGS of Florida, Mr. BONIOR, Mr. LARSEN of Washington, Mr. DINGELL, Mr. GEORGE MILLER of California, Mr. RANGEL, Mr. BACA, Mr. BAIRD, Mr. BARCIA, Mr. BARRETT, Ms. BERKLEY, Mr. BISHOP, Mr. BOUCHER, Mr. BRADY of Pennsylvania, Ms. BROWN of Florida, Ms. CARSON of Indiana, Mr. CLEMENT, Mr. COYNE, Mr. CROWLEY, Mr. DELAHUNT, Ms. DELAURIO, Mr. DOYLE, Mr. FARR of California, Mr. GONZALEZ, Mr. HILLIARD, Mr. HINCHAY, Mr. HOEFFEL, Mr. HOLDEN, Mr. HOLT, Mr. HONDA, Mr. INSLEE, Mr. ISRAEL, Ms. JACKSON-LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KENNEDY of Rhode Island, Mrs. MALONEY of New York, Mr. MARKEY, Mrs. MCCARTHY of New York, Ms. MCCARTHY of Missouri, Ms. MCCOLLUM, Mr. MCDERMOTT, Ms. MILLENDER-MCDONALD, Mr. NADLER, Mrs. NAPOLITANO, Mr. OBERSTAR, Mr. OBEY, Mr. PAYNE, Mr. RAHALL, Mr. REYES, Ms. ROYBAL-ALLARD, Mr. SANDERS, Ms. SOLIS, Mr. THOMPSON of Mississippi, Mrs. JONES of Ohio, Mr. UNDERWOOD, and Ms. WOOLSEY):

H.R. 2955. A bill to provide assistance for employees who are separated from employment as a result of reductions in service by air carriers, and closures of airports, caused by terrorist actions or security measures; 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 Mrs. CAPITO:

H.R. 2956. A bill to amend title 10, United States Code, to authorize the Secretary of Defense to accept contributions for the Pentagon Reservation Maintenance Revolving Fund to be used to repair the damage caused by the terrorist attack on the Pentagon that occurred on September 11, 2001; to the Committee on Armed Services.

By Mr. CASTLE:

H.R. 2957. A bill to amend title 49, United States Code, to direct the Administrator of the Federal Aviation Administration to implement a criminal background check program for pilot and flight service training applicants, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CUNNINGHAM:

H.R. 2958. A bill to improve passenger airline safety and security; to the Committee on Transportation and Infrastructure.

By Ms. HOOLEY of Oregon:

H.R. 2959. A bill to authorize former Federal employees who receive voluntary separation incentive payments under the Department of Agriculture program to accept subsequent employment with the Federal Government, without loss of their payments, when such employment is directly related to fighting forest fires; to the Committee on Government Reform, and in addition to the

Committee on Agriculture, 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 Mr. HUNTER (for himself, Mr.

BARTLETT of Maryland, Mrs. JO ANN DAVIS of Virginia, Mr. DOOLITTLE, Mr. GRAHAM, Mr. DEMINT, Mr. SEXTON, Mr. CANTOR, Mr. WOLF, Mr. OTTER, Mr. BURTON of Indiana, Mr. BARR of Georgia, Mr. HALL of Texas, Mr. TAYLOR of Mississippi, Mr. BASS, Mrs. CUBIN, Mr. POMBO, Mr. WALDEN of Oregon, Mr. SHIMKUS, Mrs. EMERSON, Mrs. MYRICK, Mr. GALLEGLY, Mr. CRENSHAW, Mr. HANSEN, Mr. WELDON of Pennsylvania, Mr. HAYES, Mr. SCHROCK, Mr. CHAMBLISS, Mr. GRAVES, Mr. PENCE, Mr. NORWOOD, Mr. CHABOT, Mr. AKIN, Mr. HAYWORTH, Mr. COBLE, and Mr. ROYCE):

H.R. 2960. A bill to require inspection of all cargo on commercial trucks and vessels entering the United States; to the Committee on Ways and Means.

By Mr. LAFALCE (for himself, Mrs.

MALONEY of New York, Mr. MALONEY of Connecticut, Ms. HOOLEY of Oregon, Ms. LEE, Mr. GONZALEZ, Mr. HINOJOSA, Mr. ROSS, Mr. RANGEL, Mr. BONIOR, Mrs. MEEK of Florida, Mr. FERGUSON, Mr. JONES of North Carolina, and Mrs. MORELLA):

H.R. 2961. A bill to authorize the Administrator of the Small Business Administration to make loans under section 7(b)(2) of the Small Business Act to small business concerns and certain other business concerns that suffered substantial economic injury as a result of the terrorist attacks on the United States that occurred on September 11, 2001; to the Committee on Small Business.

By Mr. MCCRERY:

H.R. 2962. A bill to reduce employer taxes and simplify tax filing, to reform the administrative funding of the unemployment compensation and employment service programs, and for other purposes; to the Committee on Ways and Means.

By Mr. MCINNIS:

H.R. 2963. A bill to establish the Deep Creek Wilderness Area, and for other purposes; to the Committee on Resources.

By Mr. PICKERING:

H.R. 2964. A bill to provide clarification regarding the market name for the fish Pangasius bocourti and compliance with section 403 of the Federal Food, Drug, and Cosmetic Act, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SHAYS (for himself and Mr. HALL of Ohio):

H.R. 2965. A bill to amend the Immigration and Nationality Act to provide for the exchange of information by electronic means between the Federal Bureau of Investigation and other Federal agencies; to the Committee on the Judiciary.

By Ms. SOLIS (for herself, Mr. GON-

ZALEZ, Mr. MENENDEZ, Mr. GUTIERREZ, Mr. BACA, Mr. BECERRA, Ms. VELAZQUEZ, Mr. RODRIGUEZ, Mrs. NAPOLITANO, Mr. HINOJOSA, Ms. ROYBAL-ALLARD, Mr. SERRANO, Mr. PAS-TOR, Mr. REYES, Mr. FROST, Mr. FILLNER, Mr. WYNN, and Ms. MCKINNEY):

H.R. 2966. A bill to authorize the Secretary of the Interior to conduct a special resource study of sites associated with the life of Cesar Estrada Chavez and the farm labor movement to determine appropriate methods for their preservation and interpretation; to the Committee on Resources.

By Mrs. THURMAN:

H.R. 2967. A bill to provide duty-free treatment for certain foodstuffs originating in

NAFTA countries; to the Committee on Ways and Means.

By Mr. TIAHRT (for himself, Ms. DUNN, Mr. SERRANO, Ms. HART, and Mrs. CHRISTENSEN):

H.R. 2968. A bill to amend the Internal Revenue Code of 1986 to allow expanded penalty-free withdrawals from certain retirement plans during periods of unemployment for any employee of an air carrier or of a manufacturer of aircraft or parts or components of aircraft; to the Committee on Ways and Means.

By Ms. WATERS (for herself, Ms. ESHOO, Mr. SAWYER, Mr. HOYER, Mr. FORD, Mr. MCGOVERN, Ms. LOFGREN, Mr. TRAFICANT, Mr. MARKEY, Ms. PELOSI, Mr. MORAN of Virginia, Mr. LANGEVIN, Mr. DEFazio, Mr. TURNER, Mr. KUCINICH, Mr. HOLT, Mrs. MALONEY of New York, Mr. REYES, Mr. PASTOR, Mr. HINOJOSA, Mrs. NAPOLITANO, Mr. LAMPSON, Mr. GONZALEZ, Mr. CLEMENT, Mr. RODRIGUEZ, Mr. CLAY, Ms. CARSON of Indiana, Mr. DAVIS of Illinois, Mr. FATTAH, Mr. BALDACCI, Mr. HOLDEN, Mr. CUMMINGS, Mr. DELAHUNT, Mr. SANDLIN, Mr. FARR of California, Mr. MATSUI, Mr. CLYBURN, Mr. JACKSON of Illinois, Mr. WATT of North Carolina, Mr. WYNN, Ms. WOOLSEY, Mrs. MEEK of Florida, Mr. PAYNE, Ms. BROWN of Florida, Mr. OWENS, Ms. JACKSON-LEE of Texas, and Mrs. CLAYTON):

H.R. 2969. A bill to amend the Internal Revenue Code of 1986 to restore a partial deduction for personal interest and thereby to encourage economic recovery and to avoid the need to borrow against home equity; to the Committee on Ways and Means.

By Mr. WELLER (for himself and Mr. CROWLEY):

H.R. 2970. A bill to amend the Internal Revenue Code of 1986 to allow businesses to expense qualified security devices; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. ENGEL introduced a bill (H.R. 2971) for the relief of Inna Hecker Grade; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 17: Mrs. NAPOLITANO.
 H.R. 123: Mr. CALVERT.
 H.R. 134: Mr. MANZULLO.
 H.R. 189: Mr. CALVERT and Mr. CULBERSON.
 H.R. 208: Mr. MANZULLO.
 H.R. 257: Mr. CAMP.
 H.R. 265: Mrs. NAPOLITANO.
 H.R. 270: Mr. TANCREDO.
 H.R. 281: Mr. PASCARELL.
 H.R. 311: Mr. KERNS.
 H.R. 320: Mr. MANZULLO.
 H.R. 368: Mr. TANCREDO.
 H.R. 370: Mr. TANCREDO.
 H.R. 442: Mr. MANZULLO and Ms. MCCOLLUM.
 H.R. 488: Ms. HOOLEY of Oregon.
 H.R. 506: Mr. FROST.
 H.R. 534: Mr. STRICKLAND and Mr. STUMP.
 H.R. 544: Mrs. NAPOLITANO and Ms. DELAURO.
 H.R. 590: Mrs. NAPOLITANO.
 H.R. 604: Mr. HINCHEY and Mr. SCHIFF.
 H.R. 655: Mrs. NAPOLITANO.

H.R. 781: Mr. BOYD.
 H.R. 840: Ms. SCHAKOWSKY, Mr. KELLER, Mr. QUINN, Mr. BENTSEN, and Ms. BALDWIN.
 H.R. 848: Ms. MCCARTHY of Missouri.
 H.R. 898: Mr. LUCAS of Kentucky and Mr. WAXMAN.
 H.R. 919: Mrs. MINK of Hawaii.
 H.R. 936: Mr. MANZULLO and Mr. ROTHMAN.
 H.R. 959: Ms. WATERS.
 H.R. 968: Mr. HERGER.
 H.R. 1086: Mrs. NAPOLITANO.
 H.R. 1092: Mr. OLVER.
 H.R. 1125: Mr. OWENS.
 H.R. 1143: Mr. BECERRA, Ms. JACKSON-LEE of Texas, and Ms. RIVERS.
 H.R. 1191: Ms. DELAURO and Mrs. NAPOLITANO.
 H.R. 1194: Ms. VELÁZQUEZ.
 H.R. 1198: Mr. GOODLATTE, Ms. KAPTUR, Mr. FORD, Mr. BENTSEN, and Mr. MILLER of Florida.
 H.R. 1343: Mr. LOBIONDO, Mr. DAVIS of Florida, Mr. CLEMENT, and Mrs. BONO.
 H.R. 1401: Mrs. CHRISTENSEN.
 H.R. 1440: Ms. ROS-LEHTINEN.
 H.R. 1450: Mr. SHAW.
 H.R. 1487: Mr. KNOLLENBERG.
 H.R. 1509: Mr. LAHOOD.
 H.R. 1522: Mr. BROWN of Florida.
 H.R. 1582: Mr. DAVIS of Illinois and Mrs. NAPOLITANO.
 H.R. 1594: Mr. STUPAK.
 H.R. 1609: Mr. WELDON of Pennsylvania and Mr. GEKAS.
 H.R. 1613: Mrs. CLAYTON.
 H.R. 1624: Mr. BARTON of Texas, Mr. KELLER, Mr. MATHESON, and Mr. GOODLATTE.
 H.R. 1645: Mr. CARSON of Oklahoma and Ms. LOFGREN.
 H.R. 1693: Mrs. NAPOLITANO.
 H.R. 1700: Mr. GEKAS.
 H.R. 1744: Mr. CUMMINGS and Mr. BLAGOJEVICH.
 H.R. 1764: Mr. REYNOLDS, Ms. MCCOLLUM, and Mr. ENGLISH.
 H.R. 1841: Mr. LATOURETTE, Mr. PETERSON of Minnesota, Mr. UNDERWOOD, Mr. MORAN of Virginia, Mr. EHRLICH, Mr. WALSH, Mr. DEUTSCH, Mr. EVANS, Mr. BAIRD, and Mr. TERRY.
 H.R. 1851: Mrs. NAPOLITANO.
 H.R. 1890: Mr. ARMBY, Mr. NORWOOD, Mr. BALLENGER, Mr. CANNON, and Mr. DEMINT.
 H.R. 1897: Mr. KUCINICH.
 H.R. 1911: Mr. PICKERING.
 H.R. 1918: Ms. HART, Mrs. MORELLA, Mr. KING, Mr. CROWLEY, Ms. LOFGREN, Mr. MATHESON, Mr. WEXLER, Mr. HINOJOSA, Mr. REYES, Mr. BACA, Mr. GEORGE MILLER of California, Mr. FARR of California, Mr. FILNER, Ms. WATERS, Ms. SOLIS, Mr. RUSH, Mr. ANDREWS, Mr. PASCARELL, Mr. OWENS, Mr. RODRIGUEZ, Mr. RANGEL, Mrs. NAPOLITANO, Mr. FRANK, Mr. ENGEL, and Mr. GONZALEZ.
 H.R. 1964: Mrs. MINK of Hawaii, Ms. WOOLSEY, and Mr. FARR of California.
 H.R. 1975: Mr. REHBERG.
 H.R. 1979: Mr. STENHOLM.
 H.R. 1990: Mrs. NAPOLITANO.
 H.R. 1992: Mr. BURTON of Indiana, Mr. PAUL, Ms. HART, Mr. PLATTS, and Mr. PETRI.
 H.R. 2008: Mr. BONIOR and Mr. ROSS.
 H.R. 2097: Mr. ENGEL, Mr. KENNEDY of Rhode Island, and Mr. UDALL of New Mexico.
 H.R. 2117: Ms. DELAURO, Mr. PALLONE, and Mr. WAMP.
 H.R. 2123: Mr. PICKERING.
 H.R. 2181: Mr. SHERMAN, Mr. CONYERS, and Mr. SANDLIN.
 H.R. 2208: Mr. HINCHEY.
 H.R. 2219: Ms. HART.
 H.R. 2220: Mr. MORAN of Kansas, Mr. KUCINICH, Mr. WOLF, Mr. LAHOOD, Mr. STUPAK, and Mr. GILCREST.
 H.R. 2235: Mr. SOUDER, Mr. SHOWS, and Mr. SCHAFFER.
 H.R. 2269: Mr. CANNON, Mr. KELLER, Mr. BASS, Mr. JONES of North Carolina, and Mr. BURR of North Carolina.

H.R. 2293: Mr. VITTER and Mr. OTTER.
 H.R. 2348: Mr. KUCINICH and Mr. ABERCROMBIE.
 H.R. 2352: Mr. STUPAK.
 H.R. 2354: Mr. CAMP and Ms. HOOLEY of Oregon.
 H.R. 2357: Mr. TOOMEY, Mr. FLETCHER, Mr. TAYLOR of North Carolina, Mr. MANZULLO, Mr. YOUNG of Alaska, Mr. SHADEGG, and Mr. DOOLITTLE.
 H.R. 2362: Mr. WALSH and Ms. MCKINNEY.
 H.R. 2410: Mr. TANCREDO.
 H.R. 2418: Mr. NORWOOD.
 H.R. 2423: Mr. LEACH, Mr. LAHOOD, Mr. REHBERG, Mr. SHIMKUS, Mr. POMEROY, Mr. LATHAM, and Mr. NUSSLE.
 H.R. 2457: Mr. PAUL, Mrs. JO ANN DAVIS of Virginia, Mr. FORBES, Mr. NORWOOD, Mr. SCHAFFER, Mr. BONILLA, Mr. HAYES, and Mr. WALDEN of Oregon.
 H.R. 2485: Mr. SESSIONS and Mr. WAMP.
 H.R. 2546: Mr. GRAVES and Mr. KIRK.
 H.R. 2561: Mr. HERGER.
 H.R. 2623: Mr. BACA and Mr. STUPAK.
 H.R. 2636: Ms. DELAURO.
 H.R. 2663: Mr. LANTOS.
 H.R. 2667: Mr. PICKERING.
 H.R. 2675: Mr. STUPAK and Ms. MCCOLLUM.
 H.R. 2690: Mr. WATT of North Carolina.
 H.R. 2692: Mr. DOYLE and Ms. ROS-LEHTINEN.
 H.R. 2709: Mr. GREENWOOD.
 H.R. 2725: Ms. CARSON of Indiana, Mrs. CUBIN, Ms. DEGETTE, Mr. SWEENEY, Mrs. JOHNSON of Connecticut, Mrs. MINK of Hawaii, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. FRELINGHUYSEN, Ms. BALDWIN, Ms. KILPATRICK, Mrs. MEEK of Florida, Mrs. NAPOLITANO, Mrs. NORTHUP, Ms. SANCHEZ, Ms. WATERS, Mrs. WILSON, Mr. HOBSON, Mr. BOEHLERT, Mr. ENGEL, Ms. RIVERS, Mr. HOUGHTON, Mr. ISRAEL, Mr. QUINN, Mr. BACHUS, Mr. LAHOOD, Mr. OSE, and Mr. HONDA.
 H.R. 2740: Mrs. JONES of Ohio, Mr. GREENWOOD, Mr. WAXMAN, Mr. GOODLATTE, and Mr. DOYLE.
 H.R. 2787: Mrs. NAPOLITANO.
 H.R. 2794: Mr. PRICE of North Carolina and Mr. CUNNINGHAM.
 H.R. 2800: Mr. SCHAFFER.
 H.R. 2809: Mr. PAUL and Mr. CUMMINGS.
 H.R. 2820: Mr. GREEN of Texas, Mr. MCGOVERN, Mr. WEINER, Mr. SANDERS, Mr. FOLEY, Mr. GOODE, Mr. GILLMOR, Mr. BRADY of Pennsylvania, Mr. WEXLER, Mr. OWENS, and Ms. MCKINNEY.
 H.R. 2839: Ms. MCKINNEY, Ms. CARSON of Indiana, Mr. FILNER, Mr. MCGOVERN, Mr. FROST, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HINCHEY, Mr. EVANS, and Ms. ROYBAL-ALLARD.
 H.R. 2846: Mr. LAHOOD.
 H.R. 2887: Mr. FRANK.
 H.R. 2894: Mr. OSBORNE and Mr. CALVERT.
 H.R. 2895: Mr. GONZALES, Mr. BARRETT, Mr. HOEFFEL, Mr. BLUMENAUER, and Mr. MOORE.
 H.R. 2896: Mr. CULBERSON and Mr. HALL of Texas.
 H.R. 2897: Mr. BACA, Mr. ACEVEDO-VILA, Mr. TOWNS, Mr. PASTOR, and Mr. ORTIZ.
 H.R. 2899: Mr. KING.
 H.R. 2900: Mr. FROST and Mr. WALSH.
 H.R. 2902: Mr. MORAN of Virginia and Mrs. NAPOLITANO.
 H.R. 2906: Mr. GREENWOOD.
 H.R. 2907: Mr. HORN, Mr. BERMAN, Mr. BARTON of Texas, Mr. COMBEST, Mr. MALONEY of Connecticut, Mr. RUSH, Mr. NADLER, Mr. BOUCHER, Mr. JACKSON of Illinois, Mr. POMEROY, Mr. LANGEVIN, Mr. RODRIGUEZ, Mr. RANGEL, Mr. MOORE, Mr. PAYNE, Mr. DOOLEY of California, Mr. NORWOOD, Mr. BALDACCI, and Mrs. MEEK of Florida.
 H.R. 2908: Ms. HOOLEY of Oregon.
 H.R. 2932: Mrs. THURMAN, Mr. HOEFFEL, Mr. GREENWOOD, Mr. GREENWOOD, Mr. BARTLETT of Maryland, Mr. STEARNS, Mr. CASTLE, Mr. TOM DAVIS of Virginia, and Mr. GRAHAM.

H.R. 2940: Mr. HASTINGS of Florida, Mrs. NAPOLITANO, Ms. BALDWIN, Mrs. CAPPAS, Ms. KAPTUR, Mrs. JONES of Ohio, Ms. SCHAKOWSKY, Ms. JACKSON-LEE of Texas, Mrs. MORELLA, Ms. MILLENDER-MCDONALD, Mrs. BIGGERT, Ms. MCCARTHY of Missouri, and Mrs. MEEK of Florida.

H.R. 2946: Mr. FARR of California, Ms. HOOLEY of Oregon, Mr. DICKS, Mrs. MCCARTHY of New York, Mr. CLYBURN, Mr. RODRIGUEZ, Mr. WEXLER, Mr. JEFFERSON, Mr. ROSS, Mrs. MEEK of Florida, Ms. SCHAKOWSKY, Mr. BISHOP, Mr. WATT of North Carolina, Mr. CROWLEY, Mr. WYNN, Mr. PHELPS, Mr. LUCAS of Kentucky, Mrs. MALONEY of New York, Mr. GREEN of Texas, Ms. RIVERS, Mr. COSTELLO, Mrs. EMERSON, Mr. REYES, Mrs. CLAYTON, Ms. DUNN, Ms. MCCOLLUM, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SMITH of Washington, Mr. FORD,

Mr. MOORE, Mr. GONZALEZ, Ms. DEGETTE, Mr. BOUCHER, Mr. PALLONE, Mr. OBERSTAR, Mr. EVANS, Mr. SIMMONS, Mrs. JONES of Ohio, Mr. MCDERMOTT, Ms. BROWN of Florida, Mr. LAFALCE, Mr. TRAFFICANT, Mr. LATOURETTE, Mr. TOM DAVIS of Virginia, Mr. ENGEL, Mr. DEUTSCH, and Mr. UNDERWOOD.

H. Con. Res. 102: Mr. PASTOR.
H. Con. Res. 104: Mr. DEUTSCH, Mrs. MALONEY of New York, Mr. UNDERWOOD, and Mr. SCHROCK.

H. Con. Res. 182: Mr. FROST, Mr. OWENS, Mr. KLECZKA, and Ms. NORTON.

H. Con. Res. 184: Mr. SESSIONS, Mr. WELDON of Florida, Mr. BRYANT, Mr. TIBERI, Mr. SAM JOHNSON of Texas, Mr. HYDE, Mr. CALLAHAN, and Mr. HERGER.

H. Con. Res. 188: Mr. SCHAFFER.
H. Con. Res. 199: Mrs. MINK of Hawaii.

H. Con. Res. 202: Mr. SAXTON, Mr. OWENS, and Mr. DOYLE.

H. Con. Res. 232: Mr. COBLE, Mr. JONES of North Carolina, Mr. BERMAN, Mrs. MINK of Hawaii, Mrs. TAUSCHER, Mr. JOHNSON of Illinois, Mr. EVERETT, Mr. STENHOLM, Mr. PUTNAM, Mrs. MORELLA, Mr. CASTLE, Mr. TERRY, Mr. WHITFIELD, Mr. GILLMOR, and Mr. HORN.

H. Con. Res. 233: Mr. TURNER, Mr. KIRK, Mr. LANTOS, Mr. MANZULLO, and Mr. OTTER.

H. Con. Res. 234: Ms. HART, Mr. SANDERS, Mr. MURTHA, Mr. DINGELL, and Mr. NEY.

H. Res. 50: Mr. OWENS.

H. Res. 52: Mrs. MYRICK and Mr. FALCOMAVAEGA.

H. Res. 133: Mr. PETERSON of Minnesota, Mr. COSTELLO, and Ms. LEE.

H. Res. 198: Ms. CARSON of Indiana.

H. Res. 226: Ms. PRYCE of Ohio and Mr. WYNN.