



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 107<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 148

WASHINGTON, WEDNESDAY, FEBRUARY 6, 2002

No. 8

## House of Representatives

The House met at 10 a.m.

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:  
O Lord, our guardian and our refuge, in times of war it is difficult to pray. When living under the threat of attack, anxieties and fear can steal Your abiding presence.

At such times, there is so much to pray about. To lift up to You all the names of the victims of war is in itself a heavy task. To remember them in prayer keeps our love alive and unveils our mourning until we see them in Your eternal presence. Your spirit of prayer moves us to strengthen our compassion for all those orphaned and widowed by war. We pray for all who serve in the Armed Forces, those servants of security and defenders of freedom around the world. We pray for their safety and their families.

At such times, all leaders in our government, especially these Members of Congress, are in need of Your supreme guidance, Lord. May leaders of all nations be with them as they search for the ways to secure peace, to protect homelands and reconstruct those places torn apart by war's violence.

Lord, in moments like now when it is difficult to pray, perhaps it is because we cannot see Your face, for You are the author of life and love, now and forever. Amen.

### THE JOURNAL

The SPEAKER. 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. Will the gentleman from Kansas (Mr. TIAHRT) come forward and lead the House in the Pledge of Allegiance.

Mr. TIAHRT 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.

### CONGRATULATING JENNIE WEISS BLOCK FOR HER NEW BOOK EXPLORING THEOLOGY AND THE DISABILITY MOVEMENT

(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, it is estimated that there are 43 million Americans with one or more physical or mental disabilities. And while Congress attempts to empower them through legislation such as the Americans with Disabilities Act, it is often other facets of our communities, like churches and synagogues, that provide them with the support they need to achieve economic self-sufficiency, independent living, and, most importantly, inclusion and integration into all aspects of society.

My constituent, Jennie Weiss Block, a Barry University Ph.D. candidate in theology, is the author of a new book, "Copious Hosting," which explores theology and the disability movement. I proudly congratulate my constituent and dear friend, Jennie Weiss Block, for her insightful views into the lives of the disabled as portrayed in her book "Copious Hosting" and for her dedication to enabling them to make significant contributions to our society.

Felicidades, Jennie.

### WE MUST BRING OUR CHILDREN HOME

(Mr. LAMPSON asked and was given permission to address the House for 1 minute.)

Mr. LAMPSON. Mr. Speaker, every day for a year I spoke out on international child abduction. Today I will focus on one case, that of Ludwig Koons, who is being illegally kept in Rome, Italy. Until Ludwig is returned to the United States, I will speak with outrage at the injustice that is being done to this family, an example of what thousands of American parents and their children face every day.

Ludwig Koons was born in New York and was abducted from the family residence to Rome by his mother, Ilona Staller. Mr. Koons was awarded custody in the United States, but the Italian courts have refused to accept any American jurisdiction. The father has been deemed the fit parent by the courts, and U.S. and Italian psychologists have stated that Ludwig is in grave danger and must be returned to Mr. Koons. Yet he remains captive in Italy, being held by the Italian Government and by his mother, a porn star living in a pornographic compound.

Mr. Speaker, every day Members of this body and administration speak out on family values. I can think of no better way to demonstrate our commitment to family values than to return Ludwig Koons to his father now. Mr. Speaker, we must bring our children home.

### VICTIMS OF TERRORISM

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

Mr. TIAHRT. Mr. Speaker, before terrorism literally hit home on September 11, two fellow Kansans, two fellow Americans, had already been held hostage by Muslim terrorists for over 3 months. On May 27, 2001, Martin and Gracia Burnham were snatched out of bed in a Philippine vacation resort and taken hostage by Muslim terrorists, the Abu Sayaff group, which has al

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.



Printed on recycled paper.

H143

Qaeda ties and a brutal disregard for human life. A third American, Guillermo Sobero of California, was also taken hostage and subsequently beheaded in June by the terrorists.

Martin and Gracia are all that remains of the group of 21 hostages taken in May. It has been 8 long months for them and their family, especially their three young children, Jeff, Mindy and Zach. The Burnhams have lost considerable weight and have suffered from malaria, artillery wounds, eye infections and numerous sores and cuts.

I ask my fellow Members of Congress and my fellow Americans to pray for the safe and swift release of Martin and Gracia Burnham from this endless nightmare.

#### CALLING FOR A FREEZE ON FURTHER TAX CUTS

(Mr. DEFAZIO asked and was given permission to address the House for 1 minute.)

Mr. DEFAZIO. Mr. Speaker, there will be a unique opportunity today to do more than pass a birthday resolution for President Reagan. Students of history will remember that massive tax cuts passed in the first year of President Ronald Reagan's term. Just 1 year later, as deficits began to grow, President Reagan showed his mettle by joining with a Republican Senate and a Democratic House to pass into law the Tax Equity and Fiscal Responsibility Act of 1982, raising taxes in the face of a deficit. And then he signed into law several other tax increases, including the Deficit Reduction Act of 1984.

But today the Republican President and the Republican House leaders do not have the vision and the gumption of the former President. The same day that they will pass his birthday resolution, they are going to also pass a resolution saying despite the huge and mounting deficits just like in the first term of President Reagan, they are going to hold steady to the huge tax increases tilted toward the wealthiest in this country.

It would be more appropriate and more fitting to recognize the spirit and the leadership of Ronald Reagan by admitting you were wrong and rescinding or freezing further tax cuts and dealing with the deficit honestly in this House.

#### CONGRESSIONAL SPENDING

(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, keeping the American people safe is our government's most important duty. We are spending billions of dollars to fight terrorism and to keep the homeland secure. In addition, the recession has cost the government billions more in lost revenue. These things are unavoidable. And it looks like, after passing four balanced budgets in a row, the first time in 40 years, that we will

again run a budget deficit this next year.

But even with all of this necessary spending, we should put plans in place now to return to a balanced budget as soon as we can. We have worked too hard to start paying off the debt to give up now.

In his State of the Union Address, President Bush urged us to limit spending so we can return to surpluses in a year or 2.

So let us fully fund the war on terrorism, let us make sure our airports and power plants are secure, and if the other body ever passes the stimulus package, let us make it law right away. But when it comes to other things, we need to tighten our belt and rein in spending. That is the only way we will stay on track and pay off the public debt. We have paid down over half a trillion dollars in debt already. Let us pay off the rest as soon as we can.

#### WELFARE BILL REAUTHORIZATION

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

Ms. WOOLSEY. Over 30 years ago, Mr. Speaker, I was a single mom with three small children, and even though I was working, I needed AFDC, welfare, to add to my income for health care, child care and food stamps.

When Congress passed welfare reform in 1996, I warned that getting women off the welfare rolls and into dead-end jobs would not be enough, especially if we had a downturn in the economy. The goal of welfare must be to break the cycle of poverty, not just get women jobs that pay slightly above minimum wage.

Under the welfare reauthorization that is before us this year, education must count as work so we can help recipients gain access to training and education so that they can improve their economic future and the future for their children. But without skills, the skills needed for a job, a job that pays a livable wage, and the knowledge that their children are getting good child care while they are away at work, moms will have a hard time succeeding.

#### THE PRESIDENT'S BUDGET—MEETING THE GOALS OF OUR TIME

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

Mr. STEARNS. Mr. Speaker, America faces a unique moment in history. Our Nation is at war, our homeland was attacked, and our economy is in recession. The President's budget meets the requirements of victory and the test of responsibility. The President's budget holds government accountable for results that address these priorities of the American people: Winning the war on terrorism, strengthening protec-

tions of our homeland, and revitalizing our economy and creating jobs.

What his budget does is increase spending, nearly doubles homeland security spending, and provides immediate assistance to workers who have lost their jobs, while holding the growth in spending for programs outside of defense and homeland security to the cost of living. His budget provides significant funding increases for important priorities like health care, prescription drugs, education, the environment, agriculture and retirement security, and returns to budget surpluses within 2 to 3 years, if Congress adheres to the President's call for fiscal responsibility.

Mr. Speaker, this budget is an important step forward to protect this country.

#### TANF REAUTHORIZATION

(Mrs. MINK of Hawaii asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MINK of Hawaii. Mr. Speaker, this year we will be working on the reauthorization of the Temporary Assistance for Needy Families, known as TANF. It was a rewrite of the welfare law that we had previously enacted called Aid to Dependent Children. One of the major differences of the two concepts was in the old bill we cared about what happened to the families and to the children. That was our primary purpose. Under TANF it is a 5-year restricted cash assistance to families with the primary emphasis on going to work.

What has happened is that the rolls of welfare have dropped, but poverty has remained the same. What we are trying to do in the bill that I have introduced which has 57 sponsors is to put the emphasis on caregiving. It has always been the high principle of Congress to say families count first, the responsibilities of families to nurture their own children. We want to put that at the top, as the emphasis of this new reauthorization: caring for children, allowing parents to stay home to care for their small children and giving them support to build their families' economic future through education. Education must count and be equivalent to work.

#### PRESIDENT REAGAN'S LEGACY

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

Mr. PENCE. Mr. Speaker, mark your calendar. It is official. I have, in fact, as of this date and this hour heard everything: President Ronald Wilson Reagan on the occasion of his 91st birthday used as an example in the House of Representatives as a tax increaser in America and as an example of someone who believed in the virtue of tax increases.

It is a privilege to rise on the 91st birthday of President Ronald Wilson Reagan. I had the privilege of meeting him in person. I did not know then what we would all come to know, how he would bestride history as few men who have occupied the Presidency would do; how he would rebuild our economy through tax cuts, believing in American entrepreneurship and ingenuity; how he would rebuild the military after years of reckless cutbacks and bring the godless Soviet Union to its knees.

Mr. Speaker, though he cannot hear these words today or even yet remember what he did for America, I believe that soon, with eyes again young, Ronald Reagan will see what his courage has wrought and will hear those words, "Well done, good and faithful servant."

□ 1015

#### REDUCING POVERTY ALONG WITH WELFARE

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

Mr. CLAY. Mr. Speaker, I join my colleagues today as an original cosponsor of H.R. 3113, the TANF Reauthorization Act of 2001. This bill recognizes the need to build on the framework of the 1996 law and refocus our efforts to truly fight poverty in our country.

Although welfare reform "ended welfare as we knew it," it did not reduce family poverty. In many cases, it merely moved families off of welfare rolls and into the class of working poor.

As a result, despite a strong economy and a 50 percent decrease in welfare caseloads over the last 5 years, family poverty has declined by less than 13 percent, and overall poverty has fallen by less than 2 percent. Families cannot be economically secure without employment that pays a living wage.

As we work on TANF reauthorization, we also need to ensure access to Medicaid, food stamps, child care and other transitional work supports for those families leaving welfare.

I support the TANF Reauthorization Act, because it recognizes the need to shift the emphasis from reducing welfare rolls to reducing child and family poverty.

#### A SAD DAY FOR THE WORKERS OF AMERICA

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

Mr. KINGSTON. Mr. Speaker, prior to serving in the United States Congress, I served in the Georgia legislature. We were a bicameral body. We had a House and Senate; and when the Georgia House passed a bill, the Georgia Senate would take it up for debate. They would vote it up or down.

When I became a Member of the United States House of Representa-

tives, a similar bicameral body, I thought that is the way it works. But not so. Here we in this House with Republican control have passed a trade promotion bill, we have passed a farm bill, we have passed an energy bill. We have even passed a terrorism insurance bill and, most recently, a jobs creation bill.

And what has happened on the way to the President for signature? I do not know. I do not know. I know that there are some huge tax folks over here; and on Ronald Reagan's 91st birthday, they are going to celebrate by burying the job-creating bill which we need back in the heartland of America so desperately so that people can get to work again. They are going to celebrate Ronald Reagan's birthday by burying the stimulus package.

Well, it must be a great day in the liberal Democratic establishments, Mr. Speaker; but it is a sad day for the workers of the United States of America.

#### A BALANCED WARTIME BUDGET

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

Ms. HARMAN. Mr. Speaker, we have seen this movie before. Federal budget deficits as far as the eye can see; "constraints" on Federal spending as realistic as pie in the sky; heavy borrowing from Social Security and Medicare trust funds to pay for day-to-day spending.

In the early nineties, this behavior by the Federal Government retarded economic growth. The annual Federal deficit was \$300 billion a year; post-Cold War defense spending cuts sent unemployment in my congressional district into double digits; long-term interest rates stayed high, putting business borrowing and home mortgages out of reach.

Only after a series of hard-fought battles and the enactment of the Balanced Budget Act of 1997 did budget surpluses begin to emerge and to spur economic growth and millions of jobs.

With the release of Monday's budget, Mr. Speaker, it may be "deja vu all over again."

Mr. Speaker, we need a wartime budget which recognizes that defense and homeland security are our top priorities, protects Social Security, and puts everything else, spending and future tax cuts, back on the table.

We need to return to a balanced budget.

Homeland security, Mr. Speaker, must also mean economic security.

#### PHILIPPINE PEOPLE SUPPORT AMERICA

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

Mr. CUNNINGHAM. Mr. Speaker, I do not believe that the people in Iraq

support Saddam Hussein. I do not believe that people in Iran support the religious mullahs that force terrorism all over their country.

But the issue I would like to bring to the floor today is that for generations, for 100 years, the Filipino people have supported the United States; not just in thought, but in blood. I spent a lot of time in the Philippines and I know the people. I have lived there and been with them. Over 90 percent of the Filipinos support the United States presence there and the war against terrorism.

I have heard some negative things about the Filipinos, and I would like to let this House know that they are loyal, they support the United States, they support democracy.

#### REMEMBERING SUSAN CLYNE

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

Mr. ISRAEL. Mr. Speaker, today I am joined in the gallery by Mr. Charlie Clyne of Lindenhurst, who lost his wife in the World Trade Center on September 11.

Mr. Clyne and I have just met with special master Ken Feinberg to work towards a victim's compensation fund that is fair and just, and I just wanted to share with my colleagues Mr. Clyne's comments and recollections and remembrances about his wife Susan.

She loved her job at Marsh and loved her view from her 96th floor office. She loved computers; and since computer law was not very popular at the time, she chose to stay in insurance where she carved her niche, first as a programmer and then rose through the ranks.

But her greatest love was her children, and she shared that love with her kids. She juggled work, family and studying. Her children were her treasures. She adored them, and they worshipped her. Her office was filled with pictures. She developed a family Web site with pictures, slide shows, and, most recently, streaming video.

As Mr. Clyne wrote in a note to me, "They were truly her angels. Sue got up every morning at 4:45 and was on the 6 a.m. train to the city. We never saw her that morning. We never even had a chance to say good-bye. In an instant, some radical religious moron decided it was her time."

Mr. Speaker, I know that this entire House expresses our condolences and best wishes to Mr. Charlie Clyne and all of the families of victims of that horrible day.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. FOSSELLA). The Chair must remind Members that during a session of the House, it shall not be in order for a

Member, Delegate, or Resident Commissioner to introduce to or bring to the attention of the House an occupant of the galleries of the House.

#### STOP THE RAID ON SOCIAL SECURITY AND MEDICARE TRUST FUNDS

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

Mr. DOGGETT. Mr. Speaker, the Administration's new budget is wrapped in the flag. Literally. It has a beautiful red, white and blue cover. But the fine print inside should be written mostly in red ink. Contrary to one pledge after another, from one Administration official after another, this plan rejects a balanced budget in favor of a "borrow and spend" approach.

The central principle on which this budget relies is to take payroll taxes right out of the pocket of employees around this country—on their hard-earned wages that they paid in, thinking it was going for Social Security and Medicare—and uses them for something other than Social Security and Medicare.

This raid on Social Security is not only fiscally irresponsible, it not only shifts the cost of what we are doing now to our children and our grandchildren, but it could well produce a direct cut in Social Security and Medicare benefits. It is wrong; it is misguided. This "borrow and spend" approach should be rejected.

#### REDUCE POVERTY ALONG WITH WELFARE ROLLS

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

Mr. DAVIS of Illinois. Mr. Speaker, as we move towards reauthorization of TANF, I am pleased to join with my colleagues this morning in a discussion of welfare reform. We must focus on reducing poverty as well as reducing the welfare rolls.

Although welfare rolls are down nearly 50 percent in 5 years, many former recipients have been pushed into low-wage jobs that keep them in poverty. Families cannot be economically secure without work that pays a living wage.

We need to reduce poverty, not just caseloads, by focusing on employment that will lift families out of poverty and really make work pay. Therefore, one of the best ways to reduce poverty is to raise the minimum wage to a livable wage. Let us make this a part of welfare reform.

#### WELFARE REAUTHORIZATION

(Mrs. MEEK of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MEEK of Florida. Mr. Speaker, as Congress takes up the reauthorization of the welfare law this year, we must fashion a truly successful welfare system, one which does not abandon people who need help.

Most families who have worked their way off welfare are far from achieving self-sufficiency and are still living in poverty. We must return to making poverty reduction an explicit goal of welfare reform.

Many ex-welfare recipients have been unable to pay rent, buy food or afford medical care. In 1999, even in the midst of an economic boom, ex-welfare recipients who worked earn an average of nearly \$7,200 a year, approximately \$6,000 below the poverty line for a family of three. The success or failure of welfare reform cannot be measured solely by whether caseloads decline; lower welfare case leads must reflect the integration of former welfare recipients into our economic system.

If, on the other hand, lower caseloads only reflect a benefit cutoff in which people disappear from the system without help, an adequate safety net, then welfare reform must be viewed as a failure.

I commend my good friend, the gentlewoman from Hawaii (Mrs. MINK), for introducing H.R. 3113.

#### PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 342 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 342

*Resolved*, That it shall be in order at any time on the legislative day of Wednesday, February 6, 2002, for the Speaker to entertain motions that the House suspend the rules relating to the following measures:

(1) The concurrent resolution (H. Con. Res. 312) expressing the sense of the House of Representatives that the scheduled tax relief provided for by the Economic Growth and Tax Relief Reconciliation Act of 2001 passed by a bipartisan majority in Congress should not be suspended or repealed.

(2) The joint resolution (H.J. Res. 82) recognizing the 91st birthday of Ronald Reagan.

(3) The resolution (H. Res. 340) recognizing and honoring Jack Shea, Olympic gold medalist in speed skating, for his many contributions to the Nation and to his community throughout his life.

THE SPEAKER pro tempore. The gentleman from Washington (Mr. HASTINGS) is recognized for 1 hour.

Mr. HASTINGS of Washington. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), 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. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, this resolution provides that it shall be in order at any time on the legislative day of Wednesday, February 6, 2002, for the Speaker to entertain motions that the House suspend the rules relating to the following measures: the concurrent resolution, H. Con. Res. 312, expressing the sense of the House of Representatives that the scheduled tax relief provided for by the Economic Growth and Tax Relief Reconciliation Act of 2001, passed by a bipartisan majority in Congress, should not be suspended or repealed;

Second, the joint resolution, H.J. Res. 82, recognizing the 91st birthday of our 40th President, Ronald Reagan; and,

Three, the resolution, H. Res. 340, recognizing and honoring Jack Shea, Olympic gold medalist in speed skating, for his many contributions to the Nation and to his community throughout his life.

Mr. Speaker, following the adoption of this rule, the House will take up H. Con. Res. 312, expressing our collective will that the bipartisan tax relief plan passed by the Congress and signed into law by President Bush should take effect as scheduled.

Recently, several Members of Congress have proposed that key provisions of the Economic Growth and Tax Relief Reconciliation Act should be repealed, delayed, or postponed. H. Con. Res. 312 reiterates our full commitment to all tax relief provisions in this act, including the across-the-board tax cuts, the marriage penalty relief, the elimination of the death tax, doubling of the per-child tax credit and IRA expansion.

Further, H. Con. Res. 312 states that repealing or delaying provisions of President Bush's tax relief plan would in fact constitute a tax increase; that increasing taxes during a recession would hurt the economy and American workers; and that Congress should work with the President to promote long-term economic growth through a fair Tax Code that puts the least possible burden on taxpayers.

□ 1030

Mr. Speaker, last June when the President signed into law the Economic Growth and Tax Relief Reconciliation Act of 2001, it provided millions of American taxpayers with the first meaningful tax relief they had had since 1981.

All Americans who pay Federal income taxes have benefited from the act and will benefit from our vote today, making it clear that we have no intention of weakening or softening in any way our commitment to provide the relief that they were promised, especially not now, when to do so would weaken the economy and further endanger the well-being of millions of lower- and middle-income American workers and their families.

Therefore, Mr. Speaker, I encourage my colleagues to support this rule so

that we may proceed with H. Con. Res. 312, as well as additional measures honoring former President Ronald Reagan and the late Olympian Jack Shea.

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

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I hope the reporter is not confused with these two Hastings this year. This is a first for the gentleman from Washington (Mr. HASTINGS), my good friend and colleague, and I thank him for yielding the time. Let me assure the gentleman that we will try to make this debate more friendly than the last Battle of Hastings in 1066.

Mr. Speaker, as the gentleman from Washington (Mr. HASTINGS) has already explained, under rule XV of the House rules, bills may be considered on the House floor under suspension of the rules only on Mondays and Tuesdays. Therefore, this resolution is required in order to consider the bills on today's schedule.

The gentleman has done an adequate job of explaining why, in the leadership's opinion, these bills must come to the floor today and in this manner. Mr. Speaker, I respectfully disagree and oppose adoption of this rule.

There is no need to rush to judgment on these bills. There is simply no good reason to handle these bills outside the normal parameters of the way the House should conduct its business. Moreover, when the House does operate this way, it effectively curtails our rights, and I am talking about the Members, and responsibilities as serious legislators. Members should be very wary of allowing this leadership or any leadership to usurp our rights.

There are Members of this body who have serious concerns with at least one of the resolutions we may consider today, and I think that we may hear quite a bit in due time from several distinguished members of the House Committee on Ways and Means regarding their concerns, in addition to other fiscally responsible Members.

Mr. Speaker, it was shocking to me today to read on the front page of today's Washington Post about the deaths of six people in this city yesterday because of the cold weather. It strains credulity that we still have people freezing to death in this great country. So what is Congress going to do to help these people? Well, unfortunately, the answer from the administration is nothing more. Sorry, they say. No money for additional heating is available.

In my home of Broward County in the State of Florida, we are facing millions of dollars of shortfalls to deal with serious human needs, from sheltering the homeless to feeding the hungry to administering medical care, and I spent a lot of time studying that particular problem during the last month in my area. To the infirm persons who are not to receive assistance, to paving

roads and, most importantly, in leaving no child behind, we are getting ready to leave some behind in my home county because we do not have the funds to modernize the schools; we have already dropped the summer school program that is proposed, and cuts are everywhere, which means that there are serious problems. The people of south Florida and throughout this country have serious human needs which the President's budget neglects.

As a member of the Permanent Select Committee on Intelligence, I am keenly aware of what our domestic and national security needs are. I do not quibble with the President's request for this funding. What I do take umbrage with is the insistence that the administration does not have enough cash or proposed same for the other serious needs in our country.

At the same time I remain committed to homeland security, I also remain committed to security in folks' homes and in their families. We need to realize that September 11 was not just an attack on the World Trade Center and the Pentagon; rather, it was an attack against America's economy, America's values, and all of the American people.

As we fund the war on terrorism abroad and within our own borders, we cannot and will not forget our casualties here at home. And, Mr. Speaker, I am not just talking about the significant number of Americans, nearly 3,000 or more, who died on September 11 or in the subsequent anthrax attacks. I am also talking about the more than 1.8 million hard-working Americans who are jobless as a result of our recession. Every day we pick up the paper and another company is firing or laying off thousands of workers.

I am glad to see that the President includes a 13-week extension of unemployment benefits for those who lost their job as a result of the attacks on our Nation. This extension is a move that I, for one, along with several of my colleagues, in a bipartisan fashion have been pushing for since I first introduced my plan to extend unemployment and job training benefits, as well as health care benefits, to the unemployed, when I offered an amendment to the Airline Stabilization Act on September 21. My plan currently has more than 150 bipartisan cosponsors, the most of any plan in the House at this time.

But while the budget extends unemployment, it cuts 20 out of 48 job training programs the Federal Government currently offers to those who wish to improve their on the job skills. In addition, the budget does nothing to extend the health care benefits to displaced workers.

The bottom line, Mr. Speaker, is that in less than 1 year, the health care benefits for the 1.3 million already displaced workers and their families is going to expire. Although the recession may be slowing, we nonetheless remain in a recession. Just because unemploy-

ment levels may only be increasing by .1 percent every month and not the 1.5 percent as we saw a few months ago, we are in no way re-creating the jobs that we have already lost. It is going to be a long time until the economy will recover enough to the point that we can actually re-create jobs instead of losing them. Until then, we need to protect the unemployed because times are not getting any easier for them.

As I mentioned at the outset, and for the reasons just explained, I oppose adoption of this rule.

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

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

Mr. HASTINGS of Florida. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Michigan (Mr. LEVIN), my good friend.

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

Mr. LEVIN. Mr. Speaker, I very much oppose this resolution and H. Con. Res. 312 that would be brought up under it. Mr. Speaker, H. Cons. Res. 312 is nothing but a smoke screen. It is to try to hide the fact that the Social Security and Medicare surplus is going up in smoke, going up in smoke, because of the way this administration and this House have handled the economy and the budget. It is an effort to hide the fact that the lockbox of Social Security and Medicare is not only being unlocked, but it is being thrown into the scrap heap.

On five occasions this House voted on lockboxes for Social Security and Medicare: On May 26, 1999; June 20, 2000; September 18, 2000; September 19, 2000; and February 13, 2000. But what has happened? The lockbox is essentially gone.

President Bush just a year ago said this: "To make sure the retirement savings of America's seniors are not diverted to any other program, my budget protects all \$2.6 trillion of the Social Security surplus for Social Security and for Social Security alone."

But look at this chart, what has happened. A surplus of \$5.6 trillion will be down this year to less than \$1 trillion, and probably less than that; a loss of \$5 trillion in 1 year, much of it Social Security and Medicare.

The L.A. Times yesterday in the headlines said, "Budget Sells Social Security Down Red Ink River," critics say. How true. How true that is.

Let me just read the implications of that from the Director of the budget office, and I quote: "Put more starkly, Mr. Chairman, the extremes of what will be required to address our retirement are these: We will have to increase borrowing by very large, likely unsustainable amounts; raise taxes to 30 percent of GDP, obviously unprecedented in our history; or eliminate most of the rest of the government as we know it. That is the dilemma that faces us in the long run, Mr. Chairman,

and these next 10 years will only be the beginning.”

Here we face a resolution trying to hide these facts. The President’s budget diverts all of the Medicare surplus, all of the Medicare surplus and \$1.5 trillion of the Social Security Trust Fund surplus, and instead of paying down the debt, which is essential to meeting our Social Security needs and Medicare, what we are doing is increasing the debt.

One other chart. Mr. Speaker, one result of this irresponsibility is not only to divert Social Security and Medicare funds, but to increase interest costs over this 10-year period by \$1 trillion. What a waste. Baby boomers are going to turn 62 in 2008. This resolution is an effort to hide the fact that this administration has turned their back on the Social Security and Medicare needs of baby boomers. I oppose this resolution.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Illinois (Mr. WELLER), a member of the Committee on Ways and Means.

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

Mr. WELLER. Mr. Speaker, today our House has an opportunity, an opportunity to go on the RECORD and speak clearly of whether or not we should continue lowering taxes for American workers. Today we are at war. The war on terrorism, our efforts to strengthen our homeland security, and the current recession have caused a fiscal deficit in our budget. In fact, according to the Congressional Budget Office, they point out that the recession, combined with the war on terrorism and our efforts to protect our homeland security, account for 72 percent of our current deficit.

□ 1045

So almost three-quarters of our deficit has been caused by the economy as well as the war. Some on the other side are saying we need to raise taxes in order to eliminate that deficit. And the way they want to raise taxes is they are calling for the repeal of the Economic Growth and Tax Relief Reconciliation Act, something we commonly know as the Bush tax cut which will give them more money to spend here in Washington.

Well, today we have a choice, a choice of higher taxes or getting this economy growing again. Let us remember that when President Bush became President he inherited a weakening economy. At that time the President proposed taking one-fifth, 20 percent of the budget surplus that resulted from the fiscal responsibilities of this good Congress, and giving it back to the American worker so the American worker can spend it at home for their families and get the economy moving again. And we succeeded with bipartisan support in passing the Bush tax cut, helping our economy.

We lowered rates for small business and entrepreneurs. And we have to re-

member it is small business and entrepreneurs that are the engines of economic growths. In fact, 80 percent of those who filed taxes under the top two tax brackets are small business people and entrepreneurs who have shops and businesses on Liberty Street, the downtown in my home town of Morris, Illinois, as well as on Main Street all over America. We also passed efforts to wipe out the marriage tax penalty, to wipe out the death tax which helps small business and family farmers, to increase contributions and incentives for retirement savings and to double the child tax credit.

If we repeal the Bush tax cut, that is all gone. It is a tax increase on the American worker. And there is no real-world economist today who says that in a time of war and recession that you should increase taxes. But if you repeal or stall the Bush tax cut, we know it is a tax increase.

Well, the Bush tax cut was working. Economists were telling us that late August around Labor Day that the economy was beginning to grow again. Then the terrible tragedy of September 11 occurred, costing thousands of Americans their lives, terrible tragedy, put us into a war; and unfortunately the psychological blow of that terrorist attack also impacted the confidence of American consumers as well as American investors. And over a million Americans have since lost their jobs since the terrorist attack on the World Trade Center, Pennsylvania, and here in Washington at the Pentagon.

Today we are at work. We are strengthening our homeland security. And unfortunately we are also in an economic recession. Again, no real-world economist says that we should increase taxes during a recession. Tax increases hurt our economy, they hurt the confidence of our investors, and they take money out of the pocketbooks of American workers who can better spend that at home taking care of their families’ needs.

We must keep spending under control. True fiscal responsibility is keeping spending under control. Fiscal responsibility is not increasing taxes, as my friends on the other side of the aisle today will be advocating. Repealing the Bush tax cut is a tax increase. Simple.

Today we will have the opportunity for the House to go on the record for every Member of this House, Republican and Democrat, to say they want to increase taxes or we protect the tax cut for the American worker and get this economy moving again. Let us remember, repealing the Bush tax cut is a tax increase. I ask this House to vote aye on this rule, and I urge Members of both parties to vote against a tax increase and vote aye in favor of maintaining the full implementation of the Bush tax cut, helping the American worker and let us get this economy moving again.

Mr. HASTINGS of Florida. Mr. Speaker, could I please be advised as to

the amount of time remaining on both sides?

The SPEAKER pro tempore (Mr. FOSSELLA). The gentleman from Florida (Mr. HASTINGS) has 18 minutes remaining. The gentleman from Washington (Mr. HASTINGS) has 22 minutes remaining.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

My distinguished friend and colleague, the gentleman from Illinois (Mr. WELLER), I would like to advise the gentleman that I know of no Democrat that has signified that he or she is in favor of tax increases. The gentleman’s analogy is a false analogy. Repealing these tax cuts would not be a tax increase.

Mr. WELLER. Mr. Speaker, will the gentleman yield?

Mr. HASTINGS of Florida. I yield to the gentleman from Illinois.

Mr. WELLER. Mr. Speaker, according to the Congressional Budget Office, repealing the Bush tax cut will increase tax revenue by about \$360 billion. Now, when we increase tax revenue when people are already making plans based upon that tax cut, real-world economists call that a tax increase.

Mr. HASTINGS of Florida. Reclaiming my time, I would like the gentleman to understand that last year’s tax cut, if made permanent as proposed in the President’s budget, would cost approximately over \$2 trillion over the next 10 years when debt service costs are taken into account. That cost is almost exactly the same as the total raids on Social Security and Medicare that will occur over the next 10 years. There is a future and that is what I do not think anybody is saying, and there are human needs and they need to be addressed in a meaningful way. If we had no tax cut, we would be able to address them.

Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, I rise in opposition to this resolution to suspend reality. The only purpose of this resolution is to allow the House to debate a resolution that really does suspend reality.

It was just a few short months ago that the same people who are here today urging adoption of this proposal were telling us that we could have it all: We could save Social Security; We could preserve Medicare and extend a prescription drug benefit to seniors; We could balance the budget; We could have more spending; We could pay down the debt. Indeed, we could do all of that with huge tax breaks for the richest people in our society. We could do all of that, they told us; and they even had the audacity to come to the House and say we need more tax breaks because if we do not get them, we will be paying down the debt too far and that might jeopardize the economic future of our country.

Well, these same folks today are bringing up what is really a resolution to have a straw man about a tax increase. There is no one on the floor today that has a bill or proposal to raise taxes or even to repeal any of the taxes that were changed last year, many of which were outrageously skewed to those at the top of the economic ladder, rather than reaching those hardworking Americans, who needed tax relief the most.

No, what we have is a resolution that is designed to disguise all of the red ink that is in this budget that has been proposed this week and to distract attention from what is really occurring here—a raid on Social Security and Medicare.

How does all of this work? Well, in order to finance these tax breaks, our colleagues on the Republican side are not only picking the padlock on the Social Security and Medicare lock box that they voted for five times; rather, within months of having approved this phony lock box, they are throwing the whole box away. They are saying to the people of America that when you work hard and you contribute your wages and you get taxed at work and your employer gets taxed to forward those monies up to Washington to protect and preserve Social Security and Medicare, that they are not going to use them for that purpose. They are going to give Social Security and Medicare an IOU, and they will redirect those same dollars and apply them to finance these tax breaks way into the future.

It is not just the tax breaks that have already been proposed. Yesterday we have heard Republicans are already seeking about a trillion dollars more to extend these tax breaks and add to them. As if that was not enough damage to the fiscal strength and sanity of this country, the Secretary of the Treasury, Mr. Paul O'Neill, indicated that his ultimate objective which he had shared with the President, and with which the President indicated he was intrigued, is to eliminate all taxation on corporations and businesses in this country. So we will face, one year after another, more reaching into our pockets to take those payroll taxes and use them to advance the Republican Party's agenda.

The reality that they want to suspend is that under their proposed budget, they are going to take \$1.5 trillion of Social Security payroll taxes and use them elsewhere. They will take \$500 billion, in excess of \$500 billion of Medicare payroll taxes and use them elsewhere. In addition to all that, they propose piling on almost a trillion dollars of additional tax breaks. That makes no fiscal sense. It means shifting more and more of the responsibility for what we are doing today to our children and our grandchildren, and it also means we will not be able to fulfill our Social Security and Medicare obligations. It means direct benefit cuts as a result of this kind of phony resolution.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 5 minutes to the gentleman from Alabama (Mr. BACHUS).

Mr. BACHUS. Mr. Speaker, it is obvious that the Members in the minority do not have any problem debating this issue. They do not mind talking about postponing or delaying the tax cuts. They do not mind speaking out and blaming the tax cuts for all sorts of evil, but they do not want to vote. They do not want to take a position. That is all we are going to do, just take a vote and let everybody be counted.

Now, last night in a kind of bomb blast against this resolution, there was a Member of the minority that said this country ran a surplus for 200 years and now we are in a deficit and it is no time to reduce taxes. Well, let me remind all of the Members that this country, while it was running a surplus, had a tax rate of half of what it is today. We have actually increased taxes by a greater extent than when we had a surplus. And all those tax increases have only resulted in more spending, that is what they have resulted in. They did not get us to a surplus until we cut spending; and we went into a surplus not by raising taxes but by cutting the rate of spending. And if Members are opposed to, if Members want to delay these tax cuts, if Members want to postpone these tax cuts, then vote no on this resolution. But as far as I am concerned, when Congress makes a commitment to give American people tax relief, they ought to honor that commitment. To put it plainly, the American people should get the tax cuts they were promised. Americans should have the relief they need now.

Passage of President Bush's tax cuts, and the ink is barely dry on them. It has just been a few months. And that was a historic bipartisan effort, a historic bipartisan effort. Only three times since World War II has this Congress passed across-the-board tax cuts. The first time was President Kennedy in the 60's. The second time was President Reagan in the '80's, and now George W. Bush's tax cut that we just passed. And already, already we are saying we are blaming those tax cuts on the disappearance of the surplus. We are blaming them for that. And as the gentleman from Illinois (Mr. WELLER) said, spending accounts for 16 percent of it; 72 percent of it was caused by economic conditions.

We need to stimulate the economy. We need tax cuts to stimulate the economy, to cause growth, to increase tax revenues. We do not need to be increasing taxes.

Now, someone said we are just postponing and delaying the tax cuts. That does not result in a tax increase to anyone. Why, obviously, it does. The American people know that it does. When we postpone marriage penalty relief, people continue to pay a marriage penalty. Their taxes are more because the marriage penalty continues to be paid.

Now, most of us in this body think that the marriage penalty is unfair, that we ought to repeal it. We voted to do just that. Yet, now Members are saying, well, we ought to delay the marriage penalty relief. Across-the-board income tax reduction. People got \$300 and they got \$600 back, and they said, this is great. The government trusts us to spend our own money. Instead of them spending it, we are getting to spend it.

Now there are some in this body that said we should not do that. We should not continue that. They are saying we can spend this money. We can make better decisions than the American people.

□ 1100

I say put that money in the pockets of hardworking Americans; let them spend that money, whether it is \$300 or \$600. Actually it is \$1,700 when these tax cuts take effect.

How about doubling of the per child tax credit? If we delay that, then people do not get that, and their taxes go back up where they would have gone down. We are talking about hundreds of dollars per American family. I call that a tax increase.

If we want to vote to postpone, if we want to delay these tax cuts, get out here and vote for it. The American people deserve to know how every Member of the House and every Senator feels on this issue. Let us quit obstructing this.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself 20 seconds.

Would the gentleman from Alabama (Mr. BACHUS) stay at the stand for he and I to have an exchange?

Am I correct that the surplus in the Social Security, and that we voted five times in the House of Representatives to have a lockbox so that Social Security surplus would not be utilized; can you answer both those questions yes or no?

Mr. BACHUS. Mr. Speaker, will the gentleman yield?

Mr. HASTINGS of Florida. I yield to the gentleman from Alabama.

Mr. BACHUS. Mr. Speaker, we can curtail spending. We do not have to rob Social Security.

Mr. HASTINGS of Florida. Mr. Speaker, I thank the gentleman for his response.

Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. MATSUI), my good friend.

Mr. MATSUI. Mr. Speaker, I would like to thank the distinguished gentleman from Florida (Mr. HASTINGS) for yielding me the time.

Here we go again. The gentleman from Illinois (Mr. WELLER) and the gentleman who just spoke said that 70 percent of the surplus has been eliminated because of the war effort and because of the recession. If you only take it in a snapshot of the last 12 months, that may be true, but over the next 10 years, we have to look at it over the next 10 years because the tax cut phases in over 10 years. What really

happens is because the CBO made bad projections and because of the recession, the surplus is eliminated by 42 percent by the change in economic conditions.

Secondly, the tax cut once 10 years have passed is 41 percent of the loss of the surplus, 41 percent of the loss of the surplus. The defense spending, the defense spending and the war effort, the total over the next 10 years only comes to 9 percent of the loss of the surplus. It is the tax cut, 400 times the cost of the defense bill, that is the reason that we are losing the surplus and running deficits and the reason we are going to dip into the Social Security Trust Fund.

What is ironic is the fact that the Social Security Trust Fund under the President's budget over the next 10 years will be tapped into in the sum of \$1.4 trillion. Some might smirk at that. The problem is that what we have is a unique situation. The elevator operator, the waitress in the House dining room that feeds us and makes sure we have our meals, their payroll tax is going to pay for this tax cut that was passed last May.

The tax cut that was passed last May, it comes to \$1.7 trillion once we add it all up with the interest lost, \$1.7 trillion, and that comes from the Social Security surplus that is now being taken out to pay for the tax cut.

The payroll tax is the most regressive tax in America. So we are asking people that make \$20,000 a year, \$2,000 they pay into the Social Security Trust Fund every year, and we are going to ask them to pay for tax cuts for people who make \$1.1 million because the top 1 percent get 40 percent of this tax cut.

Somebody is going to have to tell me about the equities in this. We are not like the Greeks, we are not like Aristotle so we do not talk about ethics, but there is something immoral about this, something immoral about asking the waitress on her payroll taxes to pay for people that make \$1 million a year.

What we have is a little resolution that we would like to add on to the gentleman from Washington's (Mr. HASTINGS) resolution. It would basically say that we want to preserve the Social Security and Medicare Trust Fund. We want to put that in a separate account. My colleagues voted on it five times in the last 24 months. In fact, only one Republican Member in the entire body, the gentleman from New York (Mr. HOUGHTON), voted against it, and he only did that once or twice. So they all support taking the Social Security and Medicare money, putting it aside so that we do not spend it on anything, including tax cuts and other government programs. All we want to do is add that on as an amendment so we can put a little equity in this so we can make sure the American public understand what the priorities are.

I have to say this: If my colleagues vote for this rule and deny us

the opportunity to offer an amendment to create a lockbox that protects Social Security and Medicare, we are jeopardizing the senior citizens of America. We are putting them at risk. We are putting them in a situation where they are putting their payroll taxes into a trust fund thinking it is for their retirement, and instead, it goes to people like Ken Lay of Enron Corporation. That is the most outrageous thing I can imagine on the floor of the House.

Let me just conclude by making one other observation about this, if I may. If this resolution fails, and I really hope it fails, it means nothing. The tax cut still goes into effect. So we are wondering, the American public is saying, well, if it fails, it still goes into effect, why is that? Well, that is because we are playing games. Instead of doing the public's business, instead of trying to make sure the economy is working, instead of making sure that we have a balanced budget, instead we are playing games.

This is absolutely a meaningless day. We are going to spend 3 hours on this, debate it, vote on it, and it is going to be totally meaningless because no matter what we do, that tax cut is still going to occur. So we have to ask ourselves what is really the intention of the authors of this amendment? Why are they doing this? Well, because they want to play politics. They talk about partisanship. That is exactly what they are into.

Vote for a motion upon the previous question. Vote against the rule and vote against this resolution which is a very bad resolution.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Speaker, my colleagues on this side of the aisle are not evil. Matter of fact, I spoke to the gentleman from New York's (Mr. RANGEL) staffer just yesterday. He informed me that only about 9 percent of the population that he represents own their own home, and it is difficult to think that people with tax relief in that district could help themselves more than government, but neither my district nor the gentleman from New York's (Mr. RANGEL) district I think represents mid-America, and tax relief does help those individuals with money in their own pockets.

I would say to my colleagues, the issue of the Social Security Trust Fund is not on this floor because in 1993, when the Democrats controlled the White House, the House and the Senate, they claimed that they wanted tax relief for the middle class. What did they do? They could not help themselves. They raised the tax on the middle class. They took every dime out of the Social Security Trust Fund for domestic spending. They increased taxes, and they increased spending, and what we are saying is that we believe that for all America that tax relief, mar-

riage penalty, death tax, more money in education IRAs benefits most of the people in America.

I understand why the gentleman from New York (Mr. RANGEL) wants more government support. He is not evil. It helps his district, but in my district and I think the majority of districts, it does not, and that is what we are fighting for is across the board middle America.

I would say that when we increased taxes on Social Security in 1993, when we take increased gas taxes, that hurts Americans. Look at the truckers that we had demonstrating on the lawn because it increased just in gas tax and the high cost of fuel. That is wrong, and it hurts jobs. Why are people laying off people today, over 700,000 people since September 11, and before that, we had started into a recession? Because they are not making margins.

Remember in Los Angeles when we had the riots, all those businesses that were burned out, how much revenue was coming to the United States Government? Zero. But yet Jack Kemp's type law for an enterprise zone gave low-interest loans. We put money in there. We started those businesses. People started working, and the more people that worked, the more revenue we had in government. That is what we believe in, and then we can help these domestic programs.

This country is at war, both domestically and overseas. Most Americans do not mind reducing the amount of growth. We will set a number, my colleagues will set a higher number. Because we do not reach their higher number, they will say we are cutting when we are actually increasing domestic programs. I understand my colleagues on the other side, but government does not do it better than people themselves.

Mr. HASTINGS of Florida. Mr. Speaker, would the Speaker give an account of the amount of time remaining for both sides?

The SPEAKER pro tempore. The gentleman from Florida (Mr. HASTINGS) has 7½ minutes remaining, and the gentleman from Washington (Mr. HASTINGS) has 14 minutes.

Mr. HASTINGS of Florida. Mr. Speaker, I am pleased to yield 4 minutes to the distinguished gentleman from Texas (Mr. STENHOLM).

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

Mr. STENHOLM. Mr. Speaker, my friend from California was exactly right when he said a moment ago that Social Security is not on the floor today, but it should be.

The reason I rise to strongly oppose this rule and strongly oppose the previous question is that I believe that we ought to have an amendment allowed that would preserve the lockbox for Social Security. What our friends on this side of the aisle are saying clearly to the American people today, it is much more important to preserve the tax

cuts in 2004, 2005, 2006, 2007, 2008, 2009, and 2010 than it is to protect Social Security and the ability of our young people and the baby boomers to draw it in 2007.

That is the choice today, and do I mind voting on this? Not at all. To those that continue to say we are talking about raising taxes on this side of the aisle, no one on this side of the aisle has said one word about raising taxes on anybody in the past several days or in the days ahead.

My friends on the other side of the aisle will point out the primary reason we face a deficit this year is because of the war on terrorism and the economic downturn, and they are right, this year, but we are talking about a 10-year proposal. We are talking about setting into concrete a budget resolution that was passed before the war, before September 11, and saying we cannot touch any of that. We are going to borrow all of the Social Security Trust Fund moneys for the next 10 years. That is what my colleagues are saying. When they vote for this rule and for the previous question, they are saying absolutely unequivocally we are going to go back into Social Security, and we are going to justify it.

What I would ask my friends, those who have said, as the gentleman from Alabama (Mr. BACHUS) said a moment ago, we are going to cut spending, bring your budget out, give us a chance to work with you. You will find there will be considerable support on this side of the aisle for cutting spending. Bring it out. You will have a chance to do that.

Last year the Blue Dogs warned it was dangerous to make long-term budgetary commitments based on 10-year surplus projections when 70 percent of the projected surplus was in year 2006 to 2010. We suggested it would be much more responsible to make budget decisions based on 5-year projections. Now I read that the Office of Management and Budget has proposed using 5-year budget projections because they have decided that 10-year projections are not reliable, yet here we are arguing on the 10-year projection. The OMB says, no, we should not do that. If it was a mistake to make budget decisions based on 10-year projections, as the administration is telling us now, then why are we blindly making decisions based on a 10-year budget forecast that turned out to be \$5 trillion wrong?

What bothers me about the game plan we are now in is what it means to the future of Social Security and Medicare. We should be saving the Social Security and Medicare surpluses to prepare for the retirement of the baby boom generation and working on reforms to strengthen Social Security and Medicare for our children and grandchildren. That is what we should be debating on this floor today, tomorrow and the days ahead.

I would say to my colleagues that if they are looking forward to voting to

increase the limit on our national debt to \$6.7 trillion to borrow the money that they are insisting in their economic game plan, that they voted on, that they are insisting on, if they are looking forward to that, then vote for this previous question and rule, because they are going to get a chance to vote to borrow, and the American people are soon to begin to understand that we are talking about borrowing the money to spend.

□ 1115

We are fighting a war, and we are borrowing on our children and grandchildren's future in order to satisfy a theoretic game plan that is already shown to be off by \$5 trillion within 12 months. If we look at the massive increases in the national debt and the budget that was submitted this week, and the tremendous unfunded liabilities facing the Social Security system and the Medicare system, and worry about the legacy we are leaving for our grandchildren, then perhaps this resolution does not feel so good.

I hope there is a few of my colleagues on that side that share that commitment because I certainly do. It is time to set aside these pure partisan comments and start working on the real problem, and that is solving the Social Security problem before it is too late.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 4 minutes to the gentlewoman from Washington (Ms. DUNN), a member of the Committee on Ways and Means.

Ms. DUNN. Mr. Speaker, I thank the gentleman for yielding me this time, and I want to bring up one point that people continue to forget. It certainly is not emphasized in the media. And that is that as we estimated what our budget surplus would be over the last few years, we predicted that over 10 years it would be \$5.6 trillion. We are still looking at a budget surplus over 10 years. It has dropped because of recession and the war on terrorism and spending that we continue to do to \$1.6 trillion, but, in fact, at the end of 10 years, we will have a surplus, according to today's number, of \$1.6 trillion.

So let us not imply we are going to have years and years of deficits; that we are going to do as the other party did for 40 years and spend our government into a huger and huger national debt. It is simply not true.

I want to thank the gentleman from Illinois (Mr. WELLER) and the gentleman from Alabama (Mr. BACHUS) for sponsoring this resolution. I rise today on the 91st birthday of Ronald Reagan, our Nation's 40th President, to call upon Congress to make our historic tax bill permanent. Under President Reagan's leadership, we experienced economic expansion and peace and prosperity in the midst of a Cold War. He believed that cutting taxes would increase, not shrink the Federal tax revenues, and he was right. We also know that spending did not decrease during those years because Congress did not keep its commitment.

I believe as far as this permanency resolution is concerned, Mr. Speaker, that workers should not face financial uncertainty just because we fail to make their tax cut permanent. It is very important to tell the American public about the consequences of inaction.

If we do not make the tax bill permanent, working Americans, teachers, small-business people, small-business owners, truck drivers will all see a tremendous tax increase. No matter what anybody says about it, if we do not make this permanent, and this tax situation comes back after 10 years to be exactly the way it was before the President signed the bill last June, that is a tax increase.

Specifically, in 2011, a middle-income couple making \$50,000 a year would see their tax burden rise by over \$1,200 a year just because of the phaseout of the provision that now relieves married couples from the marriage penalty.

I also want to point out the two central myths that are promoted by our opponents. First of all, tax relief made the recession worse. False. In fact, the tax cut had the opposite effect by putting more money in people's pockets and by creating incentives to encourage companies to invest and create jobs. The economic data indicate that consumer spending kept us from falling into an even deeper recession.

Secondly, the myth that suspending the tax relief is not a tax increase. False. Make no mistake about it, rescinding tax relief would be raising taxes. That very strange item in the Senate that requires that any kind of tax decrease sunset after 10 years has already had some perverse effects. Under current law, people will have to die during 9 particular months, from January 1 to October 1 in 2010, to avoid the death tax. For anybody who passes away in 2011, however, their estate would face the punishing 55 percent rate again that we had in 2001. The resurrection of the death tax ensures that family businesses will continue to pay estate planners and buy expensive insurance policies. It is just as if repeal never existed.

The lack of permanency, the lack of predictability has real consequences. And I would say, Mr. Speaker, I think it is especially symbolic that we offer this resolution today on President Reagan's birthday. We all know what a champion he was for tax relief, and we honor his legacy by supporting this resolution.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume to advise my colleague that the Governor of the State of Florida, the President's brother, just scaled back his own tax cut in Florida. And I ask, did Governor Bush just raise the taxes of all Floridians? He is not calling it a tax increase.

Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. RANGEL), the distinguished ranking member of the Committee on Ways and Means and my good friend.

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

Mr. RANGEL. Mr. Speaker, let me join with the gentlewoman from Washington in wishing President Reagan a happy birthday and in saying that, as most people should know, that this is a tax policy bill, but because it deals with more politics than policy, it did not go through the Committee on Ways and Means. True, we have a lot of Members here trying to protect our jurisdiction, but it went through the Committee on Rules. That means it is supposed to be noncontroversial. It means that what some of the people are projecting here is not only do we accelerate the tax cuts, which the Committee on Ways and Means has seen with their majority to enact and to pass into law, but they even are talking about making it permanent, which not only costs trillions of dollars, but at a time where we find that 40 or 50 million people will become eligible for Social Security.

I think this is not noncontroversial. I think it is something that should go through the Committee on Ways and Means. And I kind of think that since all of this was enacted at a time when we did not have a recession and we did not have war, that we really are tying up the hands of the Congress to project what is going to happen in the future.

There was a time before the State of the Union message that I thought Osama bin Laden was what was the threat to the United States. The President says there are 10,000 terrorists walking the streets throughout the United States of America. The President says it is not Osama bin Laden, because he never mentioned his name, but we have the three-country axis, where we have Iran, Iraq, even North Korea. But, who knows, Somalia; who knows, Libya; who knows, Cuba.

So we do not know, really, the true extent of where this war may take us. And since we have the responsibility, I think, if we retained it, to declare the war, we should have the responsibility in determining how we pay for it. This is the only time, during a time of war, where we are saying let us accelerate tax cuts and make them permanent; when during a time of war, our great Republic always said, let there be sacrifices, let us protect the poor, let us protect our men and women, giving them what they need, let us protect Medicare, let us protect Social Security, and let us protect our country.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. WELLER).

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

Mr. WELLER. Mr. Speaker, we are having the traditional debate today, and that is, when spending is a little tight, do we raise taxes, or do we bring spending under control? Our friends on the other side of the aisle are using their traditional argument to raise

taxes, and we are saying that we should keep spending under control.

We are in a recession; world war. Clearly, we do have a deficit. We all admit to that. And every time we have been in a recession, we have had a deficit. Every time we have been at war, we have had a deficit. As the Congressional Budget Office has stated, 72 percent of the deficit is a result of the economy and the war against terrorism.

Clearly, if we want to get this economy moving again, we need to bring spending under control and continue to lower taxes for American workers. And not one real-world economist has said that we should increase taxes during a recession. They all say, including Alan Greenspan, that we should lower taxes.

I would note that if our friends are successful in stalling or repealing the Bush tax cut, this is what they will do: They will increase taxes on married couples. Our friends would increase taxes on the death tax for small-business people and family farmers. They would increase taxes on small-business people and entrepreneurs. They would also increase taxes on parents who have children, because they would stop the implementation of doubling the child tax credit.

As Secretary O'Neill has said, "Any delay or repeal of the Bush tax cut is clearly a tax increase." And he also said, and I can quote him from his testimony before the House Committee on Ways and Means, "Raising taxes would stifle the process of getting Americans back to work. This is a bad idea as our recovery is struggling to take hold."

My colleagues, over a million Americans are out of work. We do not need a tax increase. We need to get this economy moving again. Vote aye on the previous question, aye on the rule, and aye for the resolution to maintain the tax cut.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself the balance of the time.

I ask my colleagues on the other side, what part of \$1½ trillion raid on Social Security do you not understand about the next 10 years? What we are going to do is unlock the lockbox and box up the economy of America.

Mr. Speaker, I urge a "no" vote on the previous question. If the previous question is defeated, I am going to offer an amendment to the rule to remove from the suspension calendar H. Con. Res. 312, the sense of the House that the tax cuts enacted last year should go forward. I will replace it with legislation that will provide for a Social Security and Medicare lockbox for the sixth time in the House of Representatives.

Mr. Speaker, regardless of how Members feel about last year's tax cuts, it is critical that we first work to protect and preserve Social Security and Medicare. Under the new budget resolution presented by the President this week, there will be, over the next 10 years, a nearly \$1.5 trillion raid on the Social

Security Trust Fund and over \$.5 trillion from the Medicare Trust Fund. It is absolutely critical that we keep promises we have made to our Nation's senior citizens and protect their future. This bill is virtually identical to H.R. 2, which was passed nearly unanimously by the House last year.

Mr. Speaker, I ask unanimous consent to insert the text of the previous question immediately prior to the vote, and urge my colleagues once again to vote "no" on the previous question.

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

There was no objection.

Mr. HASTINGS of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from Alabama (Mr. BACHUS) on the issue the gentleman just raised about Social Security.

Mr. BACHUS. Mr. Speaker, there they go again. They are talking about Social Security and throwing out all these things, throwing out numbers. The bottom line is this: If my colleagues want a tax increase, then submit a bill, submit legislation, and tell the American people where they stand.

What I have done, what the gentleman from Illinois (Mr. WELLER) has done, we have submitted legislation to let the American people know where we stand, where everyone in this House and the Senate stands. Be honest. Submit legislation and increase taxes. We will have a vote on that.

The best way to ensure that we protect Social Security, which is what we all want, is to stimulate the economy. OMB Director Mitch Daniels testified yesterday before the House Committee on the Budget, and that is what he said. The sooner we return to economic growth, the better we can protect Social Security. That was his message. A few hours later, the Senate killed the stimulus package.

The way to get economic growth is to stick with President Bush's tax relief. Raising taxes or postponing or delaying the President's tax relief is a sure way to destroy this economy, that and obstructing an economic stimulus bill. That is how we will destroy Social Security, by driving up taxes and keeping spending high.

We have made a commitment to the American people to give them tax relief they need. We must keep that commitment. Cutting taxes is the right thing to do. It is the fair thing to do. It is the compassionate thing to do for families who are struggling from paycheck to paycheck.

We need to get this economy going. We need to create jobs. They do not want unemployment checks. They would much rather have a payroll check. Let us give them tax relief, let us resurrect that economic stimulus package. We lost 300,000 jobs last month through inactivity and 800,000 jobs since this House passed an economic stimulus package.

□ 1130

Mr. Speaker, let us give the American people relief. Let us stimulate this economy.

The material previously referred to by Mr. HASTINGS of Florida is as follows:

PREVIOUS QUESTION FOR H. RES. \_\_\_\_  
PROVIDING FOR CONSIDERATION OF MOTIONS TO  
SUSPEND THE RULES

At the appropriate place in the resolution strike "(1)" and all that follows through "repealed." and insert in lieu thereof:

"(1) A bill to establish a procedure to safeguard the surpluses of the Social Security and Medicare hospital insurance trust funds printed in section 2 of this resolution."

At the end of the resolution insert the following new section:

"SEC. 2. The text of the bill is as follows:

*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 "Social Security and Medicare Lock-Box Act of 2002".

#### SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds that—

(1) fiscal pressures will mount as an aging population increases the Government's obligations to provide retirement income and health services;

(2) social security and medicare hospital insurance surpluses should be used to reduce the debt held by the public until legislation is enacted that reforms social security and medicare;

(3) preserving the social security and medicare hospital insurance surpluses would restore confidence in the long-term financial integrity of social security and medicare; and

(4) strengthening the Government's fiscal position through debt reduction would increase national savings, promote economic growth, and reduce its interest payments.

(b) PURPOSE.—It is the purpose of this Act to—

(1) prevent the surpluses of the social security and medicare hospital insurance trust funds from being used for any purpose other than providing retirement and health security; and

(2) use such surpluses to pay down the national debt until such time as medicare and social security reform legislation is enacted.

#### SEC. 3. PROTECTION OF SOCIAL SECURITY AND MEDICARE SURPLUSES.

(a) PROTECTION OF SOCIAL SECURITY AND MEDICARE SURPLUSES.—Title III of the Congressional Budget Act of 1974 is amended by adding at the end the following new section:

"LOCK-BOX FOR SOCIAL SECURITY AND HOSPITAL INSURANCE SURPLUSES

"SEC. 316. (a) LOCK-BOX FOR SOCIAL SECURITY AND HOSPITAL INSURANCE SURPLUSES—

"(1) CONCURRENT RESOLUTIONS ON THE BUDGET—

"(A) IN GENERAL.—It shall not be in order in the House of Representatives or the Senate to consider any concurrent resolution on the budget, or an amendment thereto or conference report thereon, that would set forth a surplus for any fiscal year that is less than the surplus of the Federal Hospital Insurance Trust Fund for that fiscal year.

"(B) EXCEPTION.—(i) Subparagraph (A) shall not apply to the extent that a violation of such subparagraph would result from an assumption in the resolution, amendment, or conference report, as applicable, of an increase in outlays or a decrease in revenue relative to the baseline underlying that resolution for social security reform legislation

or medicare reform legislation for any such fiscal year.

"(ii) If a concurrent resolution on the budget, or an amendment thereto or conference report thereon, would be in violation of subparagraph (A) because of an assumption of an increase in outlays or a decrease in revenue relative to the baseline underlying that resolution for social security reform legislation or medicare reform legislation for any such fiscal year, then that resolution shall include a statement identifying any such increase in outlays or decrease in revenue.

"(2) SPENDING AND TAX LEGISLATION.—

"(A) IN GENERAL.—It shall not be in order in the House of Representatives or the Senate to consider any bill, joint resolution, amendment, motion, or conference report if—

"(i) the enactment of that bill or resolution, as reported;

"(ii) the adoption and enactment of that amendment; or

"(iii) the enactment of that bill or resolution in the form recommended in that conference report,

would cause the surplus for any fiscal year covered by the most recently agreed to concurrent resolution on the budget to be less than the surplus of the Federal Hospital Insurance Trust Fund for that fiscal year.

"(B) EXCEPTION.—Subparagraph (A) shall not apply to social security reform legislation or medicare reform legislation.

"(b) ENFORCEMENT.—

"(1) BUDGETARY LEVELS WITH RESPECT TO CONCURRENT RESOLUTIONS ON THE BUDGET.—For purposes of enforcing any point of order under subsection (a)(1), the surplus for any fiscal year shall be—

"(A) the levels set forth in the later of the concurrent resolution on the budget, as reported, or in the conference report on the concurrent resolution on the budget; and

"(B) adjusted to the maximum extent allowable under all procedures that allow budgetary aggregates to be adjusted for legislation that would cause a decrease in the surplus for any fiscal year covered by the concurrent resolution on the budget (other than procedures described in paragraph (2)(A)(ii)).

"(2) CURRENT LEVELS WITH RESPECT TO SPENDING AND TAX LEGISLATION.—

"(A) IN GENERAL.—For purposes of enforcing subsection (a)(2), the current levels of the surplus for any fiscal year shall be—

"(i) calculated using the following assumptions—

"(I) direct spending and revenue levels at the baseline levels underlying the most recently agreed to concurrent resolution on the budget; and

"(II) for the budget year, discretionary spending levels at current law levels and, for outyears, discretionary spending levels at the baseline levels underlying the most recently agreed to concurrent resolution on the budget; and

"(ii) adjusted for changes in the surplus levels set forth in the most recently agreed to concurrent resolution on the budget pursuant to procedures in such resolution that authorize adjustments in budgetary aggregates for updated economic and technical assumptions in the mid-session report of the Director of the Congressional Budget Office. Such revisions shall be included in the first current level report on the congressional budget submitted for publication in the Congressional Record after the release of such mid-session report.

"(B) BUDGETARY TREATMENT.—Outlays (or receipts) for any fiscal year resulting from social security or medicare reform legislation in excess of the amount of outlays (or

less than the amount of receipts) for that fiscal year set forth in the most recently agreed to concurrent resolution on the budget or the section 302(a) allocation for such legislation, as applicable, shall not be taken into account for purposes of enforcing any point of order under subsection (a)(2)

"(3) DISCLOSURE OF HI SURPLUS.—For purposes of enforcing any point of order under subsection (a), the surplus of the Federal Hospital Insurance Trust Fund for a fiscal year shall be the levels set forth in the later of the report accompanying the concurrent resolution on the budget (or, in the absence of such a report, placed in the Congressional Record prior to the consideration of such resolution) or in the joint explanatory statement of managers accompanying such resolution.

"(c) ADDITIONAL CONTENT OF REPORTS ACCOMPANYING BUDGET RESOLUTIONS AND OF JOINT EXPLANATORY STATEMENTS.—The report accompanying any concurrent resolution on the budget and the joint explanatory statement accompanying the conference report on each such resolution shall include the levels of the surplus in the budget for each fiscal year set forth in such resolution and of the surplus or deficit in the Federal Hospital Insurance Trust Fund, calculated using the assumptions set forth in subsection (b)(2)(A).

"(d) DEFINITIONS.—As used in this section:

"(1) The term 'medicare reform legislation' means a bill or a joint resolution to save Medicare that includes a provision stating the following: 'For purposes of section 316(a) of the Congressional Budget Act of 1974, this Act constitutes medicare reform legislation.'

"(2) The term 'social security reform legislation' means a bill or a joint resolution to save social security that includes a provision stating the following: 'For purposes of section 316(a) of the Congressional Budget Act of 1974, this Act constitutes social security reform legislation.'

"(e) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

"(f) EFFECTIVE DATE.—This section shall cease to have any force or effect upon the enactment of social security reform legislation and medicare reform legislation."

(b) CONFORMING AMENDMENT.—The item relating to section 316 in the table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended to read as follows:

"Sec. 316. Lock-box for social security and hospital insurance surpluses."

#### SEC. 4. PRESIDENTS' BUDGET.

(a) PROTECTION OF SOCIAL SECURITY AND MEDICARE SURPLUSES.—If the budget of the United States Government submitted by the President under section 1105(a) of title 31, United States Code, recommends an on-budget surplus for any fiscal year that is less than the surplus of the Federal Hospital Insurance Trust Fund for that fiscal year, then it shall include a detailed proposal for social security reform legislation or medicare reform legislation.

(b) EFFECTIVE DATE.—Subsection (a) shall cease to have any force or effect upon the enactment of social security reform legislation and medicare reform legislation as defined by section 316(d) of the Congressional Budget Act of 1974.

Mr. HASTINGS of Washington. Mr. Speaker, I encourage Members to vote

“yes” on the previous question and on the rule.

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

The SPEAKER pro tempore (Mr. WHITFIELD). The question is on ordering the previous question.

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

Mr. HASTINGS of Florida. 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.

Pursuant to clause 8 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting, if ordered, on the question of adoption of the resolution, and then on the motion to suspend the rules on S. 1888 postponed from yesterday.

The vote was taken by electronic device, and there were—yeas 212, nays 204, not voting 19, as follows:

[Roll No. 8]  
YEAS—212

Aderholt	Flake	Latham
Akin	Fletcher	LaTourette
Armey	Foley	Leach
Bachus	Forbes	Lewis (CA)
Baker	Fossella	Lewis (KY)
Ballenger	Galleghy	Linder
Barr	Ganske	LoBiondo
Bartlett	Gekas	Lucas (OK)
Barton	Gibbons	Manzullo
Bass	Gilchrest	McCreery
Bereuter	Gillmor	McHugh
Biggert	Gilman	McInnis
Bilirakis	Goode	McKeon
Blunt	Goodlatte	Mica
Boehlert	Goss	Miller, Dan
Boehner	Graham	Miller, Gary
Bonilla	Granger	Miller, Jeff
Boozman	Graves	Moran (KS)
Brady (TX)	Green (WI)	Morella
Brown (SC)	Greenwood	Myrick
Bryant	Grucci	Nethercutt
Burr	Gutknecht	Ney
Burton	Hansen	Northup
Buyer	Hart	Norwood
Callahan	Hastings (WA)	Nussle
Calvert	Hayes	Osborne
Camp	Hayworth	Ose
Cannon	Hefley	Otter
Cantor	Heger	Paul
Capito	Hilleary	Pence
Castle	Hobson	Peterson (PA)
Chabot	Hoekstra	Petri
Chambliss	Horn	Pickering
Coble	Hostettler	Pitts
Collins	Houghton	Platts
Combust	Hulshof	Pombo
Cox	Hunter	Portman
Crane	Hyde	Pryce (OH)
Crenshaw	Isakson	Putnam
Culberson	Issa	Quinn
Cunningham	Istook	Radanovich
Davis, Jo Ann	Jenkins	Ramstad
Davis, Tom	Johnson (CT)	Regula
Deal	Johnson (IL)	Rehberg
DeLay	Johnson, Sam	Reynolds
DeMint	Jones (NC)	Rogers (KY)
Diaz-Balart	Keller	Rogers (MI)
Doolittle	Kelly	Rohrabacher
Dreier	Kennedy (MN)	Ros-Lehtinen
Duncan	Kerns	Royce
Dunn	King (NY)	Ryun (KS)
Ehlers	Kingston	Saxton
Ehrlich	Kirk	Schaffer
Emerson	Knollenberg	Schrock
English	Kolbe	Sensenbrenner
Everett	LaHood	Sessions
Ferguson	Largent	Shadegg

Shays	Sweeney	Walsh
Sherwood	Tancredo	Wamp
Shimkus	Tauzin	Watkins (OK)
Shuster	Taylor (NC)	Watts (OK)
Simmons	Terry	Weldon (FL)
Simpson	Thomas	Weldon (PA)
Skeen	Thornberry	Weller
Smith (MI)	Thune	Whitfield
Smith (NJ)	Tiahrt	Wicker
Smith (TX)	Tiberi	Wilson (NM)
Souder	Toomey	Wilson (SC)
Stearns	Upton	Wolf
Stump	Vitter	Young (FL)
Sununu	Walden	

NAYS—204

Abercrombie	Gutierrez	Murtha
Ackerman	Hall (OH)	Nadler
Allen	Hall (TX)	Napolitano
Andrews	Harman	Neal
Baca	Hastings (FL)	Oberstar
Baird	Hill	Obey
Baldacci	Hilliard	Olver
Baldwin	Hinchev	Ortiz
Barcia	Hinojosa	Owens
Barrett	Hoeffel	Pallone
Becerra	Holden	Pascrell
Bentsen	Holt	Pastor
Berkley	Honda	Payne
Berman	Hooley	Pelosi
Berry	Insole	Peterson (MN)
Bishop	Israel	Phelps
Blumenauer	Jackson (IL)	Pomeroy
Bonior	Jackson-Lee	Price (NC)
Borski	(TX)	Rahall
Boswell	Jefferson	Rangel
Boucher	John	Reyes
Boyd	Johnson, E. B.	Rivers
Brady (PA)	Jones (OH)	Rodriguez
Brown (FL)	Kanjorski	Roemer
Brown (OH)	Kaptur	Ross
Capps	Kennedy (RI)	Rothman
Capuano	Kildee	Roybal-Allard
Cardin	Kilpatrick	Rush
Carson (IN)	Kind (WI)	Sabo
Carson (OK)	Klecza	Sanchez
Clay	Kucinich	Sanders
Clayton	LaFalce	Sandlin
Clement	Lampson	Sawyer
Clyburn	Langevin	Schakowsky
Condit	Lantos	Schiff
Conyers	Larsen (WA)	Scott
Costello	Larson (CT)	Serrano
Coyne	Lee	Sherman
Cramer	Levin	Shows
Crowley	Lewis (GA)	Skelton
Cummings	Lipinski	Smith (WA)
Davis (CA)	Lofgren	Snyder
Davis (FL)	Lowey	Solis
Davis (IL)	Lucas (KY)	Spratt
DeFazio	Lynch	Stark
DeGette	Maloney (CT)	Stenholm
DeLahunt	Maloney (NY)	Strickland
DeLauro	Markey	Tanner
Deutsch	Mascara	Tauscher
Dicks	Matheson	Taylor (MS)
Dingell	Matsui	Thompson (CA)
Doggett	McCarthy (MO)	Thompson (MS)
Dooley	McCarthy (NY)	Thurman
Doyle	McCollum	Tierney
Edwards	McGovern	Towns
Ergler	McIntyre	Turner
Eshoo	McKinney	Udall (CO)
Etheridge	McNulty	Udall (NM)
Evans	Meehan	Velazquez
Farr	Meeke (FL)	Viscosky
Fattah	Meeks (NY)	Waters
Filner	Menendez	Watson (CA)
Ford	Millender-	Watt (NC)
Frank	McDonald	Waxman
Frost	Miller, George	Weiner
Gephardt	Mink	Wexler
Gonzalez	Mollohan	Woolsey
Gordon	Moore	Wu
Green (TX)	Moran (VA)	

NOT VOTING—19

Blagojevich	Luther	Slaughter
Bono	McDermott	Stupak
Cooksey	Oxley	Traficant
Cubin	Riley	Wynn
Frelinghuysen	Roukema	Young (AK)
Hastert	Ryan (WI)	
Hoyer	Shaw	

□ 1157

Ms. SANCHEZ, Mrs. MEEK of Florida, Ms. BROWN of Florida, and

Messrs. MEEHAN, McINTYRE, REYES, OWENS, GORDON and LIPINSKI changed their vote from “yea” to “nay.”

So the previous question was ordered. The result of the vote was announced as above recorded.

Mr. STUPAK. Mr. Speaker, I ask unanimous consent that the House RECORD reflect that I was unavoidably delayed on rollcall No. 8. Had I been present, I would have voted “no.”

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

The resolution was agreed to.

A motion to reconsider was laid on the table.

TECHNICAL CORRECTION OF ERROR IN THE CODIFICATION OF TITLE 36

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the Senate bill, S. 1888.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the Senate bill, S. 1888, on which the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 413, nays 0, not voting 22, as follows:

[Roll No. 9]  
YEAS—413

Abercrombie	Brown (SC)	DeFazio
Ackerman	Bryant	DeGette
Aderholt	Burr	Delahunt
Akin	Burton	DeLauro
Allen	Buyer	DeLay
Andrews	Callahan	DeMint
Armey	Calvert	Deutsch
Baca	Camp	Diaz-Balart
Bachus	Cannon	Dicks
Baird	Cantor	Dingell
Baker	Capito	Doggett
Baldacci	Capps	Dooley
Baldwin	Capuano	Doolittle
Ballenger	Cardin	Doyle
Barcia	Carson (IN)	Dreier
Barr	Carson (OK)	Duncan
Barrett	Castle	Dunn
Bartlett	Chabot	Edwards
Barton	Chambliss	Ehlers
Bass	Clay	Ehrlich
Becerra	Clayton	Emerson
Bentsen	Clement	Engel
Bereuter	Clyburn	English
Berkley	Coble	Eshoo
Berman	Collins	Etheridge
Berry	Combust	Evans
Biggert	Condit	Everett
Bilirakis	Conyers	Farr
Bishop	Costello	Fattah
Blumenauer	Cox	Ferguson
Blunt	Coyne	Filner
Boehlert	Cramer	Flake
Boehner	Crane	Fletcher
Bonilla	Crenshaw	Foley
Bonior	Crowley	Forbes
Boozman	Culberson	Ford
Borski	Cummings	Fossella
Boswell	Cunningham	Frank
Boucher	Davis (CA)	Frost
Boyd	Davis (FL)	Galleghy
Brady (PA)	Davis (IL)	Ganske
Brady (TX)	Davis, Jo Ann	Gekas
Brown (FL)	Davis, Tom	Gephardt
Brown (OH)	Deal	Gibbons

Gilchrest	Linder	Rohrabacher	Hoyer	Roukema	Velazquez
Gillmor	Lipinski	Ros-Lehtinen	Lampson	Ryan (WI)	Wamp
Gilman	LoBiondo	Ross	Luther	Shaw	Wynn
Gonzalez	Lofgren	Rothman	McDermott	Sherman	Young (AK)
Goode	Lowey	Roybal-Allard	Oxley	Slaughter	
Goodlatte	Lucas (KY)	Royce	Riley	Trafficant	
Gordon	Lucas (OK)	Rush			
Goss	Lynch	Ryun (KS)			
Graham	Maloney (CT)	Sabo			
Granger	Maloney (NY)	Sanchez			
Graves	Manzullo	Sanders			
Green (TX)	Markey	Sandlin			
Green (WI)	Mascara	Sawyer			
Greenwood	Matheson	Saxton			
Grucci	Matsui	Schaffer			
Gutierrez	McCarthy (MO)	Schakowsky			
Gutknecht	McCarthy (NY)	Schiff			
Hall (OH)	McCollum	Schrock			
Hall (TX)	McCreery	Scott			
Hansen	McGovern	Sensenbrenner			
Harman	McHugh	Serrano			
Hart	McInnis	Sessions			
Hastings (FL)	McIntyre	Shadegg			
Hastings (WA)	McKeon	Shays			
Hayes	McKinney	Sherwood			
Hayworth	McNulty	Shimkus			
Hefley	Meehan	Shuster			
Herger	Meek (FL)	Simmons			
Hill	Meeks (NY)	Simpson			
Hilleary	Menendez	Skeen			
Hilliard	Mica	Skelton			
Hinchee	Millender-	Smith (MI)			
Hinojosa	McDonald	Smith (NJ)			
Hobson	Miller, Dan	Smith (TX)			
Hoeffel	Miller, Gary	Smith (WA)			
Hoekstra	Miller, George	Snyder			
Holden	Miller, Jeff	Solis			
Holt	Mink	Souder			
Honda	Mollohan	Spratt			
Hooley	Moore	Stark			
Horn	Moran (KS)	Stearns			
Hostettler	Moran (VA)	Stenholm			
Houghton	Morella	Strickland			
Hulshof	Murtha	Stump			
Hunter	Myrick	Stupak			
Hyde	Nadler	Sununu			
Inslee	Napolitano	Neal			
Isakson	Nethercutt	Tancredo			
Israel	Ney	Tanner			
Issa	Northup	Tauscher			
Istook	Norwood	Tauzin			
Jackson (IL)	Nussle	Taylor (MS)			
Jackson-Lee	Oberstar	Taylor (NC)			
(TX)	Obey	Terry			
Jefferson	Oliver	Thomas			
Jenkins	Ortiz	Thompson (CA)			
John	Osborne	Thompson (MS)			
Johnson (CT)	Ose	Thornberry			
Johnson (IL)	Otter	Thune			
Johnson, E. B.	Owens	Thurman			
Johnson, Sam	Pallone	Tiahrt			
Jones (NC)	Pascarell	Tiberi			
Jones (OH)	Pastor	Tierney			
Kanjorski	Paul	Toomey			
Kaptur	Payne	Towns			
Keller	Pelosi	Turner			
Kelly	Pence	Udall (CO)			
Kennedy (MN)	Peterson (MN)	Udall (NM)			
Kennedy (RI)	Peterson (PA)	Upton			
Kerns	Petri	Visclosky			
Kildee	Phelps	Vitter			
Kilpatrick	Pickering	Walden			
Kind (WI)	Pitts	Walsh			
King (NY)	Platts	Waters			
Kingston	Pombo	Watkins (OK)			
Kirk	Pomeroy	Watson (CA)			
Klecзка	Portman	Watt (NC)			
Knollenberg	Price (NC)	Watts (OK)			
Kolbe	Pryce (OH)	Waxman			
Kucinich	Putnam	Weiner			
LaFalce	Quinn	Weldon (FL)			
LaHood	Radanovich	Weldon (PA)			
Langevin	Rahall	Weller			
Lantos	Ramstad	Wexler			
Largent	Rangel	Whitfield			
Larsen (WA)	Regula	Wicker			
Larson (CT)	Rehberg	Wilson (NM)			
Latham	Reyes	Wilson (SC)			
LaTourette	Reynolds	Wolf			
Leach	Rivers	Woolsey			
Lee	Rodriguez	Wu			
Levin	Roemer	Young (FL)			
Lewis (CA)	Rogers (KY)				
Lewis (GA)	Rogers (MI)				
Lewis (KY)					

## NOT VOTING—22

Blagojevich	Cooksey	Frelinghuysen
Bono	Cubin	Hastert

tisan majority in Congress, should not be suspended or repealed;

(2) suspending, repealing or delaying provisions of the Economic Growth and Tax Relief Reconciliation Act of 2001 is a tax increase;

(3) increasing taxes in the midst of a recession would not be helpful to the Nation's economy or American workers; and

(4) instead of increasing taxes, Congress should be working with the President to promote long-term economic growth through a fair tax code that puts the least possible burden on taxpayers.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. WELLER) and the gentleman from New York (Mr. RANGEL) each will control 20 minutes.

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

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

Mr. Speaker, today our House of Representatives has the opportunity to speak very clearly on whether or not we should continue to lower taxes for American workers or to raise taxes on American workers.

The war on terrorism, homeland security, and economic recession has caused a fiscal deficit in our budget. Some are now calling for repeal of the Economic Growth and Tax Relief Reconciliation Act, something commonly know as the Bush tax cut, and they argue that higher taxes will give Washington more money to spend here in Washington. So today before us we have a choice: higher taxes or getting the economy moving again.

Let us remember at the beginning of last year: when President Bush became President, he inherited a weakening economy. The President proposed taking 20 percent of the budget surplus resulting from our Congress' fiscal responsibility and giving it back to the American worker so they could spend it at home for their own families.

We passed the President's tax cut in June, it was signed into law, and the President succeeded in lowering rates for small business and entrepreneurs, the engines of economic growth. We wiped out the marriage tax penalty, we wiped out the death tax, we increased opportunities for retirement savings, and we doubled the child tax credit. And our tax cut was working. Economists were telling us in late August and by Labor Day that the economy was beginning to recover.

Then the tragedy of September 11 occurred, a terrorist attack that cost thousands of Americans their lives and caused a psychological blow to the confidence of business investors as well as consumers. Today we have seen as a result of that terrorist attack on our economy that over 1 million Americans have lost their jobs.

Mr. Speaker, today we are at war against terrorism, we are building our homeland security, and we are in an economic recession. We must get this economy moving again. We must create jobs for those who lack work.

Today, no real-world economists have called for a tax increase in time

□ 1208

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. WHITFIELD). Pursuant to clause 8, rule XX, the Chair will postpone further proceedings today on certain motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6, rule XX.

Record votes may be taken in two groups, the first occurring after debate has concluded on House Concurrent Resolution 312, and the second following the remainder of legislative business today.

## EXPRESSING SENSE OF HOUSE THAT SCHEDULED TAX RELIEF SHOULD NOT BE SUSPENDED OR REPEALED

Mr. WELLER. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 312) expressing the sense of the House of Representatives that the scheduled tax relief provided for by the Economic Growth and Tax Relief Reconciliation Act of 2001 passed by a bipartisan majority in Congress should not be suspended or repealed.

The Clerk read as follows:

## H. CON. RES. 312

Whereas on June 7, 2001, President Bush signed into law the Economic Growth and Tax Relief Reconciliation Act of 2001, which provides millions of taxpayers with the largest tax relief since 1981;

Whereas all Americans who pay Federal income taxes will benefit from the Act, which includes across-the-board income tax reductions, reduction of the marriage penalty, elimination of the death tax, tax rebate checks, doubling of the per-child tax credit, increasing tax-free contributions to Individual Retirement Accounts and a broad range of other beneficial provisions;

Whereas the Act was passed by a bipartisan majority in Congress of 211 House Republicans, 28 House Democrats, 1 House Independent, 46 Senate Republicans and 12 Senate Democrats, making the Act an important bipartisan achievement; and

Whereas several Members of Congress have recently called for repealing or delaying tax relief provisions of the Economic Growth and Tax Relief Reconciliation Act of 2001: Now, therefore, be it

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

(1) the scheduled tax relief provided for by the Economic Growth and Tax Relief Reconciliation Act of 2001, passed by a bipar-

of recession. They point out that tax increases hurt our economy and that tax increases take money out of the pockets of America's workers and consumers, making it harder for them to meet the needs of their families. We must keep spending under control, and true fiscal responsibility is keeping spending under control. Fiscal responsibility is not increasing taxes.

This House has the opportunity to go on the record for higher taxes, or to maintain the Bush plan to lower taxes, which will be implemented over the rest of this decade. Repealing the Bush tax cut is a tax increase. Vote "aye" to not impose higher taxes and to keep the Bush tax cut in place.

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

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

Mr. Speaker, I am going to be trying to find out where this resolution came from. I will be asking the gentleman from Illinois (Mr. WELLER), I will be asking the chairman of the Committee on Ways and Means. I sit on this committee. I am proud to be a member of this committee.

Mr. Speaker, this concerns tax policy. This bill should not be coming out of the Committee on Rules, and it should have had a hearing and we should have had input in it. That has not happened, and in these 40 minutes I am going to try to find out how this political resolution reached the floor.

Mr. Speaker, I am pleased and honored to yield 2 minutes to the gentleman from Missouri (Mr. GEPHARDT), our distinguished minority leader.

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

Mr. GEPHARDT. Mr. Speaker, I urge Members to vote "no" on this resolution. I am disappointed that the majority prevented us from offering a bill that would protect Social Security from further raids on the trust fund.

This is not a vote about taxes; it is a vote about protecting Social Security. It is about honoring our commitments to the American people who have paid their hard-earned dollars into the Social Security trust fund. It is about ensuring security and retirement for every citizen.

The resolution before us has no binding effect. It is an effort to divert attention from Republican mismanagement of the budget. Less than one year after passage of the Republican tax bill, an economic plan, more than \$4 trillion of the surplus has miraculously vanished, wiped out, gone, finished; and the Social Security trust fund will be attacked every year for the next 10 years.

One might say, what is happening, what is going on? Both parties repeatedly voted to safeguard the trust funds.

□ 1215

We voted for lockboxes. We said that they would be inviolate, that they could not be picked. For years we have

been promising the American people, the baby boomers, that the trust funds would only be used to strengthen Social Security and pay down the national debt. In fact, the Republican leadership insisted many times on bringing lockbox bills to the floor. Now we know that they were not serious about those bills. They were ploys. They were ruses. And the votes that were taken were not serious, and they were not honest.

We have had an historic reversal. Instead of talking about surpluses for as far as the eye can see, now we are again talking about deficits for as far as the eye can see. Instead of shoring up Social Security and Medicare, we are facing a situation where the trust fund will be tapped for other functions of government. Instead of preparing for the baby boomers and their retirement, instead of adding a prescription drug program to Medicare, we are faced with a debate about saving Social Security without resources and how to dig ourselves out of the deficit ditch. The Republican slogan seems to be: Save Social Security last, not first.

This resolution has a simple purpose. It is to hide the fact that Republicans are breaking their promises, going back on their commitments. This is an effort to change the subject. The American people should not and will not be fooled by this transparent ploy, and they should be reminded that the problem is that we are operating under a Republican economic policy and Republican budget priorities.

We need to invest in people. We need to pass tax cuts that promote long-term economic growth and opportunity, and we need to keep our commitments to the baby boomers who paid their money responsibly into the Social Security Trust Fund. That is our challenge, and that is what the American people want us to do. That is what we need to do this year, and we should do it together, not in a partisan manner.

Mr. Speaker, let us get about doing what we need to make the budget whole and to invest in the priorities that the American people want us to be investing in. This resolution is nonsense. Let us get about saving Social Security first.

Mr. WELLER. Mr. Speaker, before I yield some time here, I yield myself such time as I may consume to remind my good friends on the other side of the aisle that we are at war against terrorism, that we are in an economic recession, and that a "no" vote on this resolution is a vote for a tax increase during an economic recession.

Mr. Speaker, it is a pleasure to yield 2 minutes to the gentlewoman from New Mexico (Mrs. WILSON), a leader in the effort to help working families in her home State of New Mexico.

Mrs. WILSON of New Mexico. Mr. Speaker, I thank the gentleman from Illinois. I have revised a little bit of what I will say based on what we have just heard from the minority leader,

because I think it shows a very clear contrast in what we are about in this House.

He talks about honesty and keeping promises. I take those things very seriously, and I take my own integrity very seriously. There has been an historic reversal, as the minority leader says. That historic reversal is that we are in a recession and that America has been attacked, and we are at war.

I believe there are two things this country must do now. We have to win the war on terrorism, and we have to create jobs. I think we are united, we are together on the first, and we are resolved we are going to win this war on terrorism, and we will spend what it takes to win it. But the worst thing we could do in a recession is to raise taxes. All of those little small businesses out there who are worrying about whether they are going to have to lay off more people because they cannot make the rent payment on their shop this month need the reassurance that we are with them, that we understand, that we are not going to raise their taxes.

Most of this tax relief that is going to be phasing in is for middle-income Americans and particularly for families. We eliminate the marriage penalty and, as a result, 43 million Americans are not going to be paying more just because they are married. It is about time that we started honoring marriage in this country and stop taxing it.

When the President of the United States came to New Mexico in August, he went with me to Griegos Elementary School in the north valley of Albuquerque, New Mexico, and as we were going down this little lane to get there, there was a sheet hung on a fence and in handwritten letters it said, Mr. President, thank you for my new bed. It cost \$300.

Maybe \$1,700 in the pocket of an American family is not a whole lot in Washington terms, but it is in New Mexico terms. It is a lot for a New Mexico family. I think we should let them keep their own money and give small businesses the confidence to be able to hire workers this next year and create jobs and not abandon them in their time of need.

Mr. RANGEL. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. STENHOLM), a voice that is respected on both sides of the aisle.

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

Mr. STENHOLM. Mr. Speaker, this is an amazing debate. In listening to the gentlewoman from New Mexico talking about the recession, surely she does not mean that the economic game plan that was voted in last year is going to last us in a recession until 2004 or 2005. That is when the next part of the tax cuts that everybody is talking about is going to kick in. I believe we are going to be out of the recession before then, but obviously, the gentlewoman believes that we are not.

What we are talking about today is, are we going to borrow \$1.6 trillion of Social Security Trust Funds in order to finance an economic game plan that this side still thinks is a good one. I do not understand the logic there.

I do not care how many times the gentleman from Illinois (Mr. WELLER) stands on the floor and says we are raising taxes; no one on this side is raising taxes. In fact, I voted for more of a tax cut last year for the economy than the gentleman did. I did.

Mr. WELLER. Mr. Speaker, will the gentleman yield?

Mr. STENHOLM. I yield to the gentleman from Illinois.

Mr. WELLER. Mr. Speaker, I seem to recall a few years ago, my friends on the other side of the aisle, when we talked.

The SPEAKER pro tempore (Mr. SIMPSON). The gentleman's time has expired.

Mr. STENHOLM. Mr. Speaker, would the gentleman from Illinois (Mr. WELLER) yield 30 seconds additional to me so that we can continue?

Mr. WELLER. Mr. Speaker, we have additional speakers.

Mr. STENHOLM. Mr. Speaker, I yielded to the gentleman. Will the gentleman give me 30 seconds so that we can continue whatever point the gentleman was wanting to make?

Mr. WELLER. Mr. Speaker, I will yield myself some time.

Mr. RANGEL. I cannot believe this, Mr. Speaker.

Mr. WELLER. Mr. Speaker, I will yield myself some time.

Mr. RANGEL. To yield to the gentleman from Texas. The gentleman from Illinois (Mr. WELLER) asked the gentleman to yield for a question.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. RANGEL. Mr. Speaker, I yield 30 seconds to the gentleman from Texas (Mr. STENHOLM) to use himself, since he was courteous enough to yield to the gentleman from Illinois (Mr. WELLER), but I will give him 30 seconds to see whether or not the gentleman would like to respond, to get a response to his question.

The SPEAKER pro tempore. The gentleman from Texas (Mr. STENHOLM) is recognized for an additional 30 seconds.

Mr. STENHOLM. Mr. Speaker, I yield to the gentleman from Illinois (Mr. WELLER).

Mr. WELLER. Mr. Speaker, I will make my question quick.

A few years ago my friends on the other side of the aisle said when we wanted to slow the rate of growth and increase some funding for Medicare, that was called a cut. So the same definition would apply. If the gentleman wants to repeal the Bush tax cut, that is a tax increase.

Mr. STENHOLM. Mr. Speaker, reclaiming my time, no one is talking about repealing anything that has gone into effect. No one. The gentleman keeps saying this is a tax increase.

Mr. WELLER. Mr. Speaker, the Bush tax cut is already law, so it is already in effect.

Mr. STENHOLM. Mr. Speaker, it does not take effect until 2004. The logic that the gentleman from Illinois is following today, that means that he voted for the largest single tax increase in history in 2010 when the bill the gentleman voted for last year expires. The gentleman voted for the biggest tax raise in history. That is what he did by his own logic. I do not understand that logic.

Mr. WELLER. Mr. Speaker, it is my pleasure to yield 5 minutes to the gentleman from Alabama (Mr. BACHUS), a real leader in helping bring jobs back to the great State of Alabama, as some of the American workers have been laid off by the terrorist attacks of September 11.

Mr. BACHUS. Mr. Speaker, we made a commitment to the American people to give them tax relief. Let us honor that commitment. The American people should get the tax cuts that they have been promised. We should not postpone them, we should not delay them. We are all going to have an opportunity in a few minutes to affirm those tax cuts. The gentleman from Texas says no one in this body has proposed delaying them, no one has proposed postponing them. We will get an opportunity to vote, yes or no. I say the American people should get the tax relief they need.

Now, the gentleman from New York who is rising said, tax matters are before the Committee on Ways and Means. They ought to have jurisdiction in that. They ought to have an interest in that. They ought to decide that.

Mr. RANGEL. Mr. Speaker, parliamentary inquiry.

Mr. BACHUS. Mr. Speaker, I say that the Congress ought to decide.

Mr. RANGEL. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. Does the gentleman from Alabama yield for a parliamentary inquiry?

Mr. BACHUS. No, Mr. Speaker.

The SPEAKER pro tempore. The gentleman does not yield.

Mr. RANGEL. Mr. Speaker, I cannot read the chart that is there.

Mr. BACHUS. Now, Mr. Speaker, the passage of President Bush's tax cut.

The SPEAKER pro tempore. The gentleman from Alabama has the time.

Mr. BACHUS. Mr. Speaker, the passage of President Bush's tax cut was an historic bipartisan achievement.

#### PARLIAMENTARY INQUIRY

Mr. RANGEL. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will suspend.

Mr. WELLER. Regular order, Mr. Speaker.

Mr. RANGEL. Mr. Speaker, do I have to get permission from the gentleman in the well to make a parliamentary inquiry of the Speaker, of the Chair?

The SPEAKER pro tempore. While that gentleman is under recognition, yes.

Mr. RANGEL. I thank the Speaker. I apologize.

The SPEAKER pro tempore. The gentleman from Alabama is recognized.

Mr. BACHUS. Mr. Speaker, I hope my time will be extended.

The SPEAKER pro tempore. The gentleman's time will not be curtailed by the interruption.

Mr. BACHUS. Mr. Speaker, President Bush's historic tax cut was a bipartisan achievement. Only three times since World War II have we had an across-the-board tax cut. The first one was in 1960 under President Kennedy, then under President Reagan in 1980, and finally, last fall, under President Bush. Yes, people are talking about delaying that. People are talking about postponing that. This is a joint resolution. Hopefully, the Members will support those tax cuts we gave, and among them are marriage penalty relief, the elimination of the death tax, and across-the-board income tax cuts. We left no one out. We doubled the per-child tax credit.

Hopefully, we will all stand up and be recorded, because the American people deserve to know where each and every Member of this House and this Senate stands. They deserve a recorded vote.

I say this: This resolution is plain and simple. It affirms our support for the tax cut. It says that it should not be repealed or delayed. If my colleagues want to repeal them, if they want to delay them, if they want to raise taxes, vote against the resolution.

The second thing, we have to revitalize our economy. Now, there has been a lot of talk about Social Security. Well, let me state this: The best way to ensure and to protect Social Security, which we all want, is to stimulate our economy. OMB Director Mitch Daniels said to the Committee on the Budget, the best way to protect the baby boomer generation and Social Security retirement is economic growth. We have to get the economy going. Couple that with Social Security system reforms. If we are serious about Social Security, let us reform Social Security. Let us get the economy growing.

We have had lost 800,000 jobs in the last 4 months because we had not passed an economic stimulus plan. Now, some in Congress have tried to maneuver and scheme for political advantage by blaming the President's tax relief plan for the deficit and recession. I am glad that the gentleman from Texas finally acknowledged that the tax cuts had nothing to do with deficits. Those that say they do are not telling the truth. These tax supporters try to sell the myth that we must increase taxes just 6 months after we started giving Americans rebate checks. The ink on this new tax relief bill is hardly dry, and now people are talking about repealing it.

Mr. RANGEL. Mr. Speaker, would the gentleman yield?

Mr. BACHUS. They would like to delay or postpone it.

Mr. RANGEL. Mr. Speaker, would the gentleman yield?

Mr. BACHUS. I will yield on the gentleman's time.

Mr. RANGEL. Mr. Speaker, I was just wondering if the gentleman has charts to pass out, because while those charts are good for television, we cannot read them.

Mr. BACHUS. Well, this is from CBO, and what it says is that 87 percent of the deficit is because of the economic conditions are spending, spending, only 13 percent as a result of tax relief.

Mr. RANGEL. Mr. Speaker, does it say where that information came from?

Mr. BACHUS. From CBO, Congressional Budget Office.

Mr. RANGEL. I see. Does the gentleman have the date on that?

Mr. BACHUS. Yes. I will be glad to supply the gentleman with all of that information.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. WELLER. Mr. Speaker, I yield an additional 1 minute to the gentleman from Alabama (Mr. BACHUS).

Mr. BACHUS. Mr. Speaker, I thank the gentleman. As I said, we have got to revitalize this economy. Tax cuts stimulate the economy, get the economy moving. They create jobs. President Bush said it best when he said, the bottom line is jobs, creating good jobs.

□ 1230

Baby boomers, to protect their retirement, they need to be working; they need to be paying into their retirement accounts, not drawing unemployment checks. We have got a delay over in the Senate of the economic stimulus package that is being obstructed. Now it has actually been killed. We lost 300,000 jobs this last month while the Senate failed to act. Now these same people who killed the economic stimulus package want to kill the tax cut.

We know in Washington that if you want to kill something, you simply postpone it or delay it. That is Washington-talk for kill it.

We all know that if these taxes do not go into effect that taxpayers, American people will be paying more out of their pay check.

I will close simply by saying this. There will be a vote in a few minutes on whether we preserve the tax cuts, whether that money stays in the pocket of hardworking Americans or whether we bring it up here and spend it. We will all have a say. We will all take a position.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON). The Chair would admonish Members that they should refrain from improper references to the Senate such as characterizing their actions.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee (Mr. TANNER), a distinguished member of the Committee of Ways and Means.

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

Mr. TANNER. Mr. Speaker, I came here and asked the people in Tennessee to send me here in 1988 because I knew from my business and personal life that this country, not my business, not me personally and my wife could continue to borrow money every year, which is what we were doing then and pile up more and more debt without jeopardizing the future of this country.

Now, here we are in 2002. Everybody knows from the budget presented yesterday that the country has physically deteriorated in a breathtaking way in the last year. We do not have the money that we thought we were going to have, that we were told we were going to have last year. And now we are in a position as the budget was presented by the Secretary of the Treasury to committee yesterday to be in the next 10 years never in a surplus position from an on-budget surplus number. That is to say, we are going to borrow money every year for the next 10 years. It is going to cost another trillion dollars.

Let me state why deficits matter. Deficits matter because it is money you owe. And when you owe money, you have got to pay interest on it. Right now 13 cents out of every dollar that comes here goes to pay interest. They say we are paying for war. We are not paying for anything. We are borrowing for the war. That is wrong. We ask the young men and women in this country in uniform to go overseas and fight for us. We say no price is too high for you. We will protect you, give you everything you need; but we will not pay for it. We will borrow it from our kids. They are the ones making the sacrifice. This is a generational mugging, that is what is going on. It is like a heavyweight fight except that the kids are getting mugged and are paying for this because we are borrowing the money to pay for war. We are borrowing the money to pay for tax cuts. We are not paying for anything, nothing for the next 10 years, and that is absolutely wrong.

Mr. WELLER. Mr. Speaker, how much time remains on both sides?

The SPEAKER pro tempore. The gentleman from Illinois (Mr. WELLER) has 8½ minutes remaining. The gentleman from New York (Mr. RANGEL) has 14 minutes remaining.

Mr. WELLER. Mr. Speaker, I would once again remind my colleagues on the other sides that today's vote is whether or not we maintain the Bush tax cut or increase taxes.

Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. KINGSTON), an advocate of helping working families go back to work by getting this economy moving again.

Mr. KINGSTON. Mr. Speaker, I thank the gentleman from Illinois (Mr. WELLER) for yielding me time.

Mr. Speaker, it is interesting to watch the liberal psyche in this town. When they do not like something, they do not come out and say, I like bigger taxes. I like bigger government. In-

stead they nitpick things. It is like getting a great novel like "War and Peace" and saying I just did not like the novel because there is a grammatical error on page 352. I just could not accept it. It is like not liking the Superbowl because New England called the wrong play in the third quarter. I just could not possibly support them. It is that kind of mad-at-the-world, sour puss, liberal approach to issues; and it is always the nitpicking. Just come out and say, I am a liberal. As a liberal I like to spend money. I like the government to grow. And I want control of people from cradle to grave because that creates government dependency. And when the government controls you and you are dependent on the government, you have to keep coming back to Washington year after year and you have to beg for a new program or new relief or new regulations or a change that creates constituency groups, and that keeps me, a liberal, in power.

Now, conservatives on the other hand say, I want less government. I do not want people who have to come groveling to Washington year after year for relief, for regulatory relief for more freedom. Less government creates more freedom. When you have money in your pocket you have more choices. The working man can go out there and buy more hamburgers, take his family out to eat on a Friday night. He can buy more clothes, a set of tires for the car. He can go on a few more vacations. He can send his kids to college. Creating freedom for the working family.

What happens when the American people have more money in their pockets and they are buying more hamburgers and more clothes and more CDs? Businesses have to expand. Small businesses react by saying I have to increase my inventory.

When they do that, jobs are created. Small businesses say, I have to hire new employees to help me handle this new demand, and there are more opportunities and there is more upward mobility in society. It is an economic truth. More people are working, more revenues come in and then we have more revenues to address this deficit. That is why conservatives want to have permanent tax relief for the American people.

It is interesting. Al Gore wanted higher taxes. The American people said no. Dukakis wanted higher taxes. The American people said no. Bill Clinton said, I will give you a middle-class tax cut. He wins. Maybe there is a lesson there.

The ruling elite hates it when the working people get it right. They cannot stand it. Well, the working folks want this tax relief. They want it permanently. And I proudly support the effort of the gentleman from Illinois (Mr. WELLER).

I hope that my colleagues will show some independence and do the same thing for the working people of America.

Mr. RANGEL. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Connecticut (Ms. DELAURO), a leader in our party and a spokesperson.

Ms. DELAURO. Mr. Speaker, when it comes to the state of the budget, so much has changed in the last several months. Our economy is struggling, unemployment is up, and we are fighting a war against terrorism. But with the President's budget released this weekend, now with this resolution it is clear one thing has not changed, and I am sorry that my colleague, the gentleman from Georgia (Mr. KINGSTON), left the floor, because what this resolution is about, what this budget is about is that, in fact, the other side of the aisle, that the Republican majority in this House will stop at nothing to raid Social Security and raid Medicare.

Despite their protestations over the last couple of years, they fundamentally do not believe in Social Security and Medicare. They take every opportunity to dismantle the current system which plays such a role in the lives of working families today.

Social Security has been a lifeline and Medicare is a lifeline to health care for seniors and for people who have worked all their lives, who, in fact, will need that retirement security. The Republican majority would deny that retirement security. They would move to privatizing Social Security. They would talk about investing in the stock market. And, my God, look at what has happened in recent times with the stock market and with Enron and with a variety of other companies. But that is the direction this majority would like to go.

Mr. WELLER. Mr. Speaker, how much time remains on both sides?

The SPEAKER pro tempore. The gentleman from Illinois (Mr. WELLER) has 5½ minutes. The gentleman from New York (Mr. RANGEL) has 12½ minutes.

Mr. WELLER. Mr. Speaker, it looks like they have a few more speakers than we do. I will reserve the balance of my time.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. BECERRA), a distinguished member of the Committee on Ways and Means.

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

Mr. Speaker, it is hard to believe that today as the Senate moves to vote to help workers left unemployed by September 11, this House chooses to vote to reaffirm last year's massive and imprudent tax cut bill. Knowing what we know today, how can we vote for tax cuts that are tilted towards big business and the well-to-do?

Last year we were told in 2001 that we would have a surplus of \$300 billion into the year 2002. Now what do we know? That there is a deficit of \$100 billion in the President's budget.

Last year we were told that Social Security would be protected. We all voted for the so-called lock box. What do we know today? The President's

budget raids Social Security over 10 years of \$1.5 trillion. Last year we were promised that we would pay down the national debt of \$3.5 trillion. What do we know today? The Bush budget increases the debt.

Last year we were told prescription drug benefits would be available for all seniors. What do we know today? Only some seniors will get it. Last year we were promised we would support public education. Today what do we know? The Bush budget eliminates all funding for class-size reduction. It eliminates all funding for school construction. It cuts drug prevention programs. It cuts money for drop-out prevention programs.

Education came first?

Today we also know that September 11 left us with the need to fund homeland security and to address our terrorism needs. By the way, the President said it is costing us about \$1 billion a month, \$12 billion a year to fight terrorism. Extended out for 10 years, that is \$120 billion. Why are you taking \$1.5 trillion from Social Security? Stop showing those charts.

We also know today that we have lay-offs and unemployment as a result of September 11. American workers in need. We know today the corruption and greed of big business commands the attention of the American public because of companies like Enron inflicting real and heavy hits on our American workers and their pensions.

We also know that the Enrons of the world and the executives like Kenneth Lay who used to run Enron are the ones that would benefit from these tax cuts more than any of Enron's workers.

You cannot claim innocence. You cannot claim ignorance. You know what you are doing if you vote for this. Vote against it. Help the Senate in doing the heavy lifting in helping American workers, not this.

Mr. WELLER. Mr. Speaker, I continue to reserve my time.

Mr. RANGEL. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. GEORGE MILLER), a veteran legislator.

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

Mr. GEORGE MILLER of California. Mr. Speaker, as we honor President Regan's birthday today, it is fitting that we remember one of his most famous lines, "There you go again." Well, tragically, there you go again and here we go again.

In the early 1980's President Reagan forced through a massive tax cut and military spending hikes that resulted in budget deficits over the next 12 years. The American tax payers paid trillions of dollars in additional interest costs. Long-term interest rates remained high. The penalty was on workers, on their families, on their children and on the poor of this Nation. Sounds familiar? There he goes again. President Bush's budget priorities.

In spite of everything we have learned, as the previous speaker said,

the world has changed since September 11. Everything has changed, the President said. Everything but this tax cut that was considered in an entirely different time.

What do we see? We see Governors all over the country postponing tax cuts because the reality of their State budgets is they cannot continue to provide tax cuts and provide the services that their States need, whether it is education or highways or infrastructure repairs.

What do we see now? Republican Governors postponing tax cuts. I do not think they think they are raising taxes. They think they are doing prudent economics on behalf of the citizens of their State. We should reject this proposal.

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

Mr. RANGEL. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from California (Mrs. TAUSCHER).

Mrs. TAUSCHER. Mr. Speaker, I thank our ranking member for yielding me time.

Mr. Speaker, I must rise in opposition to this senseless sense of the Congress resolution.

I support tax cuts, and I even voted for last year's tax package because I believe hardworking Americans deserve tax relief. But in the year since we passed the tax cut, America's economic conditions have drastically worsened. We now face a future of budget deficits that threaten Social Security and Medicare. That is why yesterday I submitted an amendment to the Committee on Rules that would have added a trigger mechanism to the tax cut.

My amendment would have ensured that the tax cuts passed last year continue as planned as long as future cuts are not paid for with Social Security and Medicare money. Unfortunately, the rule does not allow me to offer this amendment.

It is simply irresponsible for Congress to jeopardize Social Security and its promise of a secure future. That is why I urge my colleagues on both sides of the aisle to vote no on this senseless resolution and let us get back to work.

□ 1245

Mr. RANGEL. Mr. Speaker, I yield 1½ minutes to the gentleman from Vermont (Mr. SANDERS).

Mr. SANDERS. Mr. Speaker, I thank the gentleman from New York (Mr. RANGEL) for yielding me the time.

The question we are debating today could not be simpler. In a time of a \$6 trillion national debt and a growing deficit, a recession and a war, do we provide hundreds of billions of dollars in tax breaks to the wealthiest 1 percent of the population, people with a minimum income of \$375,000 a year, and in the process raid the Social Security Trust Fund and endanger that system? Further, do we cut back on Medicare and other important needs in order to

make the richest people in this country even richer?

Mr. Speaker, the answer is pretty obvious. According to an L.A. Times poll published yesterday, 81 percent of the American people think that the President's tax breaks should not go through if it means taking money out of Social Security; 81 percent of the American people believe that. I believe that, and I hope the United States Congress has the guts to stand up to the wealthy campaign contributors and believe it also.

The SPEAKER pro tempore (Mr. SIMPSON). The gentleman from New York (Mr. RANGEL) has 7 minutes remaining. The gentleman from Illinois (Mr. WELLER) has 5½ minutes remaining.

Mr. WELLER. Mr. Speaker, I understand I have the right to close.

The SPEAKER pro tempore. The gentleman is correct.

Mr. WELLER. Mr. Speaker, I have one additional speaker.

I yield 2½ minutes to the gentleman from Pennsylvania (Mr. TOOMEY), a leader in the fight to get the economy moving again.

Mr. TOOMEY. Mr. Speaker, I thank the gentleman from Illinois (Mr. WELLER) for the time.

I rise in strong support of H. Con. Res. 312 in support of the Economic Growth and Tax Relief Reconciliation Act we passed last year.

It seems to me one of the most important questions that we can be asking ourselves and should be asking is what do we do to get this economy moving again. Unfortunately several of my colleagues, and we have heard them just recently, have suggested exactly what we should not do. They are openly advocating that we raise taxes during a recession.

Some like to spin this proposal as not a tax hike really, but rather a repeal of future tax cuts. I am afraid that is a distinction without a difference. The fact is, current law establishes a specific declining series of tax rates that are known to all and on which people are planning and making their investment decisions. To replace that existing law with a new series of higher tax rates is simply a tax increase. There is no doubt about it.

The fact is this is a reckless plan, and it will endanger our economy, and that is just Economics 101. I mean, economists of all political parties, all stripes, people everywhere understand when we raise taxes, we slow the economy down, and when we slow an economy down, it results in job losses. Federal taxes right now are still a near postwar record high level, and we are in the midst of a recession that has cost hundreds of thousands of jobs.

If we were to adopt the irresponsible idea of repealing or delaying part of this tax plan that we adopted last year, it can only result in a slower economy and more job losses.

Instead of proposing that we raise taxes, frankly I think we should be fol-

lowing the example of a certain very prominent Kennedy. In 1962, with a Federal tax burden lower than it is today, President John F. Kennedy observed, and I will quote, "The largest single barrier to full employment and a higher rate of economic growth is the unrealistically heavy drag of Federal income taxes." He said that when the tax burden was lower than it is today.

President Kennedy then went on to lower Federal taxes dramatically and sparked 7 years of robust economic growth and job creation. Despite the lower rates, the government took in more revenue than before the tax cut, and the budget deficits were significantly reduced.

The fact is every time that the Federal Government has significantly cut taxes in the last century, the Mellon tax cuts of the 1920s, the Kennedy cuts of the 1960s, the Reagan tax cuts of the 1980s, the fact is the economy responded, jobs were created and tax revenue grew. And we just heard an allegation that the Reagan tax cuts of the 1980s caused deficits. When will we acknowledge the truth? The fact is after Ronald Reagan lowered taxes in the 1980s, Federal tax revenue nearly doubled. The problem was that spending tripled. Sure, we had deficits, but it was not because of the tax relief.

I urge my colleagues to support this resolution, support the American economy, support the people who are looking to get back to work.

Mr. RANGEL. Mr. Speaker, is it our understanding that the majority intend to reserve the balance of their time to close?

The SPEAKER pro tempore. The gentleman from Illinois (Mr. WELLER) has 3 minutes remaining and one additional speaker, and the gentleman from New York (Mr. RANGEL) has 7 minutes remaining. That is correct.

Mr. RANGEL. Mr. Speaker, I yield 1 minute to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, I thank the gentleman from New York (Mr. RANGEL) for yielding me the time.

I rise in strong opposition to this measure. This resolution is nothing more than an effort to divert attention from the Enron-like scandal in the Republican economic plan.

The Republicans are robbing Social Security and Medicare in order to guarantee additional future tax breaks to the richest Americans. In order to mask this irresponsible, risky and cynical behavior, they fall back on their old discredited mantra, that putting future tax cuts for the rich on hold equals a tax increase. They will say it over and over, but it will never be true.

Everyone in this House is for middle- and lower-income tax cuts, which, by the way, benefit the wealthy as well as the economy, but now that this administration has presided over the disappearance of a \$5 trillion surplus, they want to go after Social Security.

Ask the American people the real question. Should we sacrifice Social

Security and Medicare in order to give tax cuts to make the rich even richer? Actually the Los Angeles Times did ask the question, and 80 percent said stop the tax cut. We should vote no on this shameless resolution.

Mr. RANGEL. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. KUCINICH).

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

Mr. KUCINICH. Mr. Speaker, we have not allocated a full hour in our short workweek to consider a resolution that would ensure the richest 1 percent of Americans receive their tax cut on time.

When it comes to policies that would benefit the mass of middle- and working-class Americans, the administration does not seem particularly punctual. After killing OSHA's ergonomics rules, the administration promised a new set of ergonomic standards. Nearly a year later thousands of American workers injured on the job are still waiting.

The administration has long promised a meaningful prescription drug benefit for the elderly. The people are still waiting.

Shunning the Kyoto Global Warming Protocol, the administration promised to develop a new plan to reduce greenhouse gas emissions. The people are still waiting.

Despite promising to control energy costs, the administration dragged its feet in imposing Federal price caps on electricity, allowing Enron and others to gouge California consumers to the tune of \$6.8 billion. Californians waited 6 months for relief.

After bailing out the airline industry post-September 11, the majority in the House promised legislation to help thousands of furloughed airline employees. They are still waiting.

The people should not have to wait anymore for help, and I tell my colleagues, the richest 1 percent in this country, they can wait their turn.

Mr. RANGEL. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. NEAL), a member of the Committee on Ways and Means.

Mr. NEAL of Massachusetts. Mr. Speaker, one of the previous speakers noted the Kennedy tax cuts as a measure of achievement, but what he failed to note was that part of the revenue, at least one-third of the revenue generated on that occasion, came from closing tax loopholes, which this Congress has been reluctant to address, but let me speak specifically to this issue.

The hot movie in 1981 was Smokey and the Bandit, the cool band was Blondie, and the prevailing fiscal theory was trickle down economics. While 1981 is a distant memory for most of us, we should learn from that experience and not repeat the mistakes of the past.

The meaningless resolution we are considering today would unfortunately do just that. The budget released this

week says that the way to climb out of this deficit is with more tax cuts, exploding tax cuts that we all know are going to be drawn from Social Security and Medicare Trust Funds, just when the baby boomers begin to retire.

Mr. Speaker, we cannot afford these tax cuts now, and everybody knows it, so why do we think we can afford them when the baby boom generation begins to retire? Apparently the taxpayers agree with us. The Los Angeles Times poll is clear that the American people dispute the priority that the majority in this House is about to undertake. These tax cuts are not only skewed toward the wealthy, but they disproportionately go to the superwealthy.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. NADLER), in whose district the Twin Towers once stood and was the target of this vicious attack against the United States of America.

Mr. NADLER. Mr. Speaker, this resolution is a joke. I have been a Member of Congress for almost 10 years, and I cannot remember any resolution that simply supports current law. To not repeal or roll back tax cuts, we do not need this resolution. Nothing is coming to the floor. Nothing is threatened. We do not have to do anything.

The fact of the matter is that it was the Clinton budget's deficit reduction package, which the Republicans called the greatest tax increase in history in 1993, which they predicted, and I remember the gentleman from Texas (Mr. ARMEY) on the floor saying this will lead to a depression, this will lead to hair-curling depression, instead led to the greatest economic boom in the history of this country, led to the lowest unemployment, lowest inflation, greatest job growth.

It led to reversing the \$5 trillion in debt that we incurred during the Reagan, Bush Senior, years. Instead, we got what we predicted a year ago after 8 years of the Clinton economics was going to be \$5.5 trillion of surplus, and 1 year with this tax cut and with the economic recession partially brought about by this tax cut, we now have \$4 trillion of that wiped out.

Now they say we should not have a tax increase in a recession. Of course we should not. No one is proposing that unless they think the recession is going to last another 4 or 5 years, but the real point here is that with a \$4 trillion in surplus wiped out, this country is going to face choices a couple of years down the road.

Do we want another tax cut for the richest people in our country, or do we want prescription drugs coverage for seniors on Medicare? How are we going to pay for that? There is not enough money in the Bush budget for it. There is not enough money that we see in the next 10 years for prescription drugs under Medicare, not if we give more tax cuts to the richest people in our society.

If we want to fully fund the education bill that we passed, we are not

going to be able carry on this current economics. So we have to leave ourselves some adjustment room so we can make decisions in the future when we see do we want prescription drugs for seniors or a little more help for the billionaires among us.

Mr. RANGEL. Mr. Speaker, how much time do we have remaining?

The SPEAKER pro tempore. The gentleman from New York (Mr. RANGEL) has 3 minutes remaining.

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

I have been waiting for an answer from the other side as to how this tax policy provision could come out without ever coming before the Committee on Ways and Means. They refuse to answer. It did not come out of the Committee on the Budget. They refused to answer. It must have come out of the Republican campaign to reelect the Congress because it is a political issue and should not be on this floor.

Mr. WELLER. Mr. Speaker, if the gentleman would yield, I would like to provide an answer.

Mr. RANGEL. Well, it is too late now. My colleague sure had his chance, and he will get another chance to answer.

Mr. Speaker, the remaining time that I have I yield to the gentleman from North Dakota (Mr. POMEROY), an outstanding member of the Committee on Ways and Means.

Mr. POMEROY. Mr. Speaker, I thank the gentleman from New York (Mr. RANGEL) for yielding me the time, and I thank the gentleman from Alabama (Mr. BACHUS) for bringing this motion to the floor. I think it is very helpful.

When we passed the tax bill in May, we all agreed that Social Security and Medicare funds would be held inviolate. In fact, that was the terms of the consideration of the tax bill as put forward by the President. He said, to make sure the retirement savings of American seniors are not diverted to any other program, my budget protects all \$2.6 million.

This was elaborated on by members of the majority as they advanced the budget, including the tax plan. In fact, the gentleman from Texas (Mr. ARMEY) said we must understand that it is inviolate to intrude against either Social Security or Medicare, and if that means foregoing or, as it were, paying for the tax cuts, then we will do that.

Now we know, however, that the actual budget plan this year involves all future phase-ins of this tax cut coming out of Social Security funds. If we look at the green line on this chart, we will note that for each of the next 10 years, we are into Social Security funds to fund any future dimension of this tax cut. So it is a very different picture than we had when we passed the bill in May. It is not funded from general funds. This is a raid on Social Security. In fact, the President's budget reveals that up to \$2 trillion will be diverted from Social Security and Medicare in order to fund all future aspects of the tax cut.

□ 1300

So the question before us today is really a restatement of May's tax cut vote, but done in light of what we now know. In May, we voted saying it would not touch Social Security. Today, we know in light of the President's budget plan that it raids Social Security to the tune of \$2 trillion. Under those circumstances, Mr. Speaker, I cannot support this resolution.

I could support this resolution if there were a credible budget plan advanced by the majority that showed we were not touching Social Security and we were not touching Medicare. But to over the next 10 years, and not just in this period of war and recession, as the majority says, but over the next 10 years launch us on a plan that diverts \$2 trillion of funds coming in for Social Security and Medicare jeopardizes our Nation, jeopardizes a future commitment to our seniors, and jeopardizes those in the work force today paying for the retirement.

It is wrong to use Social Security monies in this way. They ought to put a plan forward that holds harmless Social Security. The vote today is whether we want to use Social Security on all future aspects of the tax cut.

The SPEAKER pro tempore (Mr. SIMPSON). The time of gentleman from New York (Mr. RANGEL) has expired. The gentleman from Illinois (Mr. WELLER) has 3½ minutes remaining.

Mr. WELLER. The time of the gentleman from New York has fully expired, Mr. Speaker?

The SPEAKER pro tempore. The gentleman's time has expired.

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

In conclusion, I would say to my colleagues that it is clear to me that we have an ideological divide. Our friends on the other side of the aisle are proposing a tax increase as their solution to our current situation. And if we look at the facts today, we are at war, a war against terrorism, we are rebuilding our homeland security, we are in an economic recession, and all those who are students of history know that whenever we are in a war, we have a deficit, and whenever we have an economic recession, we have a deficit. Of course, my hope is we can bring spending under control and eliminate that this year.

Our friends on the other side of the aisle propose a tax increase. They say we should repeal the tax cut that President Bush proposed last year, and that by doing so, raise tax revenue that they could spend here in Washington.

Well, let us look at what it is they propose repealing. First, I will mention the marriage tax penalty. Twenty-eight million married couples pay an average of \$1,400 more in higher taxes. We, of course, passed legislation to wipe out the marriage tax penalty. A married couple making \$60,000, a middle-class married couple in the district I represent, the south suburbs, pays on average \$1,400 taxes under the marriage

tax penalty. They are middle class. They would see higher taxes under the Democrat tax increase.

They also propose wiping out the elimination of the death tax, and they propose wiping out the doubling of the child's tax credit. Working moms and working families who have children will be able to get up to a \$1,000 tax credit. It is \$500 under the current law that is in place. They want to raise taxes on those parents with children.

We also provide an opportunity for families to put more tax-free contributions into their retirement accounts. If we go along with the Democrat proposal, we wipe out that opportunity and increase taxes on those who want to save for education and retirement.

If we care about economic growth, we have to remember that it is the small-business person, the entrepreneur who is in the top two tax brackets, the people they call rich. And 80 percent of those who pay taxes under the top two tax brackets are the small-business people, the entrepreneurs, the people who have shops and businesses on Liberty Street in my hometown, our main street, and main streets all across America. We know small businesses and the entrepreneurs are going to create jobs and get our economy moving again.

So, again, a world war, we are rebuilding our homeland security, and we are in a recession. And there is not one real world economist who has said that now is the time to increase taxes. In fact, economists tell us it is best to lower taxes in a recession so people have more money to invest and spend in the creation of jobs.

Yesterday, Secretary O'Neill, someone who is known for his frankness and independent thought, was asked the question: "Is a repeal of the Bush tax cut a tax increase?" And the Secretary said yes. And he noted that raising taxes would stifle the process of getting Americans back to work. This is a bad idea as our recovery is struggling to take hold.

My colleagues, this is a simple vote. We are in a recession, we are at war. Do we want to increase taxes? Those who want to increase taxes vote "no." Those who want to make sure the Bush tax cut is fully implemented and we get this economy moving again vote "aye."

I urge an "aye" vote and ask for bipartisan support for this sense of House resolution and preserve the President's tax cut.

Mr. HOLT. Mr. Speaker, I rise to offer a few comments on the House's consideration of H. Con. Res. 312.

Today our nation is at war, both here and abroad. Congress is considering a budget plan that is likely to spend money out of the Social Security Trust Fund. Our economy is trying to find its footing in the wake of the ongoing recession. And many central New Jerseyans have questions about the security of their 401K retirement plans in the wake of the Enron bankruptcy. Looking at that list of issues, I imagine most Americans feel Congress has plenty of work to do.

But instead of coming together in a bipartisan way to deal with these important matters, the House is wasting time today debating a symbolic and politically slanted resolution that has one and only one purpose: To try to make it seem like some Members oppose tax cuts so that it can be used against them in political campaigns. That this is a purely political exercise is underscored by the fact that the Congressional Leadership rejected all attempts to modify this resolution to include the protection of Social Security.

I support tax cuts. My record on that is clear. I have consistently voted—sometimes even against my own party—to support responsible tax cuts for families, be it in the estate tax, the marriage penalty tax, or other tax cuts. Despite that, I will vote on this resolution. It is the type of silly political "gotcha" game that Americans hate about Washington. And it glosses over the real budget challenges we face.

Last year, the Congressional Budget Office projected over \$5.6 trillion in surpluses over the next ten years. Now, based on the President's budget presented this week, the surplus will be about \$600 billion—a difference of \$5 trillion lost in less than one year.

That budget will force the government to dip into Social Security and Medicare every year for the next ten years, and because it fails to pay off the debt, will cost the country an additional \$1 trillion. That is one trillion dollars that won't be available for families to meet their needs or for the government to help with schools, energy research, prescription medicine, or anything else. That's a one trillion debt that will rest on our children.

As many of us warned last year, Congress simply left no cushion in the budget resolution. Last year, no one predicted that we would enter a recession, and no one knew we would be at war. But many of us warned that unforeseen occurrences always arise and carry expenses with them. Set aside more of the budget, we said, and that will put us in a better position for the future—whatever comes.

There is no doubt that the recession and the war on terrorism have contributed to the disappearance of the surplus. But the single largest contributor to that disappearance over the next decade is the President's tax package. This resolution will be presented as a litmus test of who wants to raise taxes. I won't raise taxes. Americans can rest assured that no one here is proposing to raise taxes, certainly not at a time of economic weakness.

We'll see this resolution in only two places: On the House floor today and in campaign commercials this fall. We shouldn't be wasting time on finger pointing and political games. We should be working together to find solutions to the problems that are waiting out on the horizon.

Mr. PASTOR. Mr. Speaker, President Bush recently delivered his budget proposals for Fiscal Year 2003 to Congress. I was hopeful that all Americans would be a part of the American dream, but he has woefully put almost 60 percent of us in jeopardy. The most pressing question in Washington this year is will we support a budget that makes the wealthiest 15 percent of Americans wealthier, or will we pursue policies that will keep 60 percent of the people from becoming worse off.

I wholeheartedly support the President in his efforts to improve homeland security and to

further strengthen our military. We have finally adjusted to the post cold war world, and after the terrorist attacks of September 11, we now have an even better understanding of the world and those who threaten us. I fully support the President's efforts to strengthen our military forces through modern equipment and facilities and highly trained and compensated personnel.

I also applaud the President for his efforts to strengthen our security at home. The concept of "Homeland Security" holds special meaning to the people of our nation for the first time in more than 50 years. The images of that fateful day in September will haunt each of us for the rest of our lives. But we are a strong and proud people and we will not forsake our responsibilities to guard the privileges of freedom for which so many of our forefathers shed their own blood. We all support our President in his efforts to protect us and will go the extra mile to meet our security needs.

Yet, we must not neglect the other principles that have made our nation the strongest and most productive in the history of civilization. We are a nation of over-achievers who strive to reach the top and to win. But, we are also a nation of compassion, kindness and giving and we have always been willing to reach down and help those who need assistance.

I am fearful that the domestic side of President Bush's budget plan will neglect not only those who are least fortunate among us, but also a good many of us who are working to reach the top, but have yet to fulfill the dream.

The Congressional Budget Office (CBO) recently issued a report that said the single biggest factor in the elimination of the estimated \$5.6 trillion surplus was last year's Economic Growth and Tax Relief Reconciliation Act which cut taxes by \$1.35 trillion, most of which went to the wealthiest individuals and businesses. I strongly supported using this surplus to improve the lives of all Americans. I believed it best to divide the surplus into thirds, with one third for tax cuts, one third for additional funding on national priorities like education, Social Security, and infrastructure improvements, and one third toward eliminating the national debt. President Bush's tax cut was too much and, once hit by the recession and the attacks of September 11, it is clear that this huge tax cut has knocked our fiscal house into a heap of rubble.

For the first time since 1997, the budget of the United States Government will experience a deficit. We must pay for the war on terrorism and we must protect the Homeland. But, we should not put domestic programs at jeopardy, go into further debt, and raid the Social Security and Medicare Trust Funds in order to give the wealthiest Americans large tax cuts.

In fact, even though last year's tax cuts are scheduled to expire in 2010, the President's new budget has proposed making these tax cuts permanent. This is estimated to cost an additional \$675 billion over the next ten years. This means domestic programs will be cut by almost five percent below the levels necessary to maintain current services. This means that we will be using Social Security and Medicare funds to pay for these tax cuts. It means we will be forced to eliminate 28 elementary and secondary education programs. It means we will cut rural health care activities by 42 percent. It means we must freeze the Child Care and Development Fund. It means we must cut

funds for critical repairs to public housing. It means our federal highway program will be cut a drastic 29 percent.

In my view, the price we are being asked to pay for these huge tax cuts is too high. I do not believe it is in the best interest of our nation as a whole to return to deficit spending just so the wealthiest 15 percent of our people can become even wealthier.

I am opposing the domestic portions of the President's budget and call on decision makers to join me in a common sense approach to meeting the priorities of America. We should continue to fight the war on terrorism. We should continue to protect the Homeland against attack. But we must not continue the ill-fated principles that drive us further and further into economic insecurity and debt. Let's be sure all Americans are given an opportunity to strive for the American dream.

Mr. STARK. Mr. Speaker, I oppose H. Con. Res. 312, expressing the sense of the House of Representatives that the scheduled tax relief provided for by H.R. 1836, the Economic Growth and Tax Relief Reconciliation Act of 2001, should not be suspended or repealed.

I oppose the resolution before us today for the same reasons I opposed H.R. 1836 last summer. It's the wrong tax cut at the wrong time. The wealthiest ten percent of U.S. taxpayers reap the greatest benefit from the tax cut. The tax cut is so costly that the President is willing to imperil Social Security and Medicare by using revenue from the Trust Funds to pay for the tax cut.

I am not willing to weaken the foundations of retirement security in order to pay for a bloated tax cut that benefits the wealthy. Nor am I willing to compromise on a Medicare prescription drug benefit. The bottom line is, there is only a limited amount of revenue coming into the federal government. By passing last year's tax cut, the Republican Congress put a premium on tax cuts for the wealthy while making retirement security, seniors, education, and our children, a lower priority.

Last January, the 10-year surplus (2002–2011) estimate was \$5.6 trillion. In one year, that surplus decreased \$4 trillion. Certainly the events of September 11 and the fledgling economy contributed to some of this decrease. However, forty percent of that decrease can be attributed to the Republican income tax cut passed last summer. Last February, Treasury Secretary Paul O'Neill stated before the Ways and Means Committee:

"If we lock box Social Security, that the President said we should do, effectively use it to pay down the public debt and you all want to do Medicare too, that is fine. We still have got after implementation of the President's proposal \$1.5 trillion available, or more than 25 percent of the total projected surplus available as a cushion against the prospect of running ourselves back into a deficit ditch."

Secretary O'Neill was wrong. Using the "on-budget" or non-Social Security baseline budget from the Administration's own budget tables, there is now a \$298 billion deficit over 5 years from 2003–2007. This means that all of those Republican-promoted Congressional resolutions last year promising to put the Social Security and Medicare trust funds in a "lockbox" were nothing more than dog and pony shows for America's retirees. Sadly, the days of fiscal responsibility are over.

Although Democrats noted last year that the figures used to calculate the size of the tax cut

were unrealistic and too conservative, the Republicans ignored our warnings and proceeded full speed ahead. Then, to make the bloated tax cut fit into their rosy budget scenario, the Republicans used budget gimmicks to make their tax cut expire in 2011. Now, appallingly, the President has called to make these tax cuts permanent in the budget he released on Monday. Apparently the rich aren't rich enough. Meanwhile, seniors who cannot afford prescription drugs are reminded by this resolution, and the President's budget, that their concerns are not a priority.

The Congressional Budget Office just reported that making the Bush tax cut permanent would decrease revenues by \$569 billion resulting in debt service payment increases of \$58 billion. This leads to a total cost of \$627 billion in FY 2003–2012. To do a real Medicare prescription drug benefit will cost some \$600 billion over ten years. We should scrap the additional tax cuts called for in the President's budget and instead provide a Medicare prescription drug benefit to all beneficiaries.

This resolution is an insult to every American worker who expects to receive an adequate Social Security check at retirement. It is also an insult to every senior who has been anticipating a meaningful Medicare prescription drug benefit. I urge my colleagues to vote "no" on H. Con. Res. 312.

Mr. UDALL of Colorado. Mr. Speaker, this resolution is not real legislation intended to meet a national need or resolve a national problem. Instead, it is a political game. Everyone in this Chamber knows that—and by bringing it forward under this extraordinary procedure, the Republican leadership is doing us the favor of making it clear to everyone in the country.

In simplest terms, the point of this resolution is to try to make the House again express support for last year's tax bill—a bill based on economic projections that were very doubtful then and that now have been shown to have been wildly over-optimistic.

When the bill was passed, the economic weather seemed bright—we did not yet know that we already were in recession—and sponsors of the bill claimed that we could rely on that to continue not just for a matter of months but for a full decade. And now, despite the dramatic change in economic conditions, despite the need for increased resources to fight terrorism and for homeland defense, the sponsors of this resolution are calling on us to say that nothing has changed.

With storm clouds looming and the wind shifting sharply, they are saying that instead of considering whether to shorten sail we should act as if the sun was still shining and the seas were calm—instead of considering adjustments, we should swear allegiance to stay the course—even if it was plotted in error. And that's not all. The resolution asks that the House insist that "suspending, repealing or delaying" any part of last year's bill "is a tax increase." I guess that they subscribe to the theory that if you say something often enough and loudly enough you can get people to believe it.

Of course, the problem is that saying something is so doesn't make it so. It simply is not true that changing something scheduled for the future is the same thing as doing something today—any more than revising next year's baseball schedule would be the same as adding an exhibition game tomorrow. I do

not think that makes sense, and I cannot support this resolution any more than I could support last year's tax bill.

I am not opposed to cutting taxes. I have supported—and still support—a substantial reduction in income taxes and the elimination of the "marriage penalty." I have supported—and still support—including the child credit and making it refundable so that it will benefit more lower-income families. And I have supported—and still support—reforming, but not repealing, the estate tax.

But the affordability of last year's tax bill depended on uncertain projections of continuing budget surpluses that now may inspire nostalgia but are otherwise meaningless. As I said last year, the tax bill was a riverboat gamble. It put at risk our economic stability, the future of Medicare and Social Security, and our ability to make needed investments in health and education. For me, the stakes were too high and the odds were too long, and I had to vote against it. This resolution does not correct those problems—merely insists that they don't exist. That may make its sponsors feel better, but it does not deserve the support of the House.

Mr. WATTS of Oklahoma. Mr. Speaker, I rise to support the tax relief law as Congress passed it and as the President signed it. Even in the middle of a recession, some lawmakers have chosen to resurrect a hatred of tax relief—this time giving speeches and making statements in support of delaying or repealing the promise we made to the American people last year. But a promise made should be a promise kept. Yanking cash out of the wallets and pocketbooks of hardworking taxpayers is not good policy. Their elected officials told them they would have more money to spend on their families and needs—and that's the commitment we ought to honor.

Creating jobs and letting people keep more of the money they earn is the recipe for getting our economy back on track. Raising taxes would send the wrong message, set the wrong precedent and take the wrong action during a national recession.

Mr. Speaker, let me remind my colleagues exactly what it is we are talking about: eliminating the death tax, reducing the marriage penalty, doubling the child credit and offering across-the-board income tax relief. This is not about "tax cuts for the rich." This is not about special breaks for only the wealthy. Under the tax relief law, anyone who pays taxes pay less. These are initiatives that should be permanent, not delayed or repealed.

Today's vote will put the House on record. Are we keeping our word or breaking our word? Mr. Speaker, I urge my colleagues to stand behind our promise to hardworking taxpayers around the country and vote for this resolution in support of economic growth and tax relief. Our constituents are counting on us.

Mr. RODRIGUEZ. Mr. Speaker, the resolution on the House floor is a sham. Rather than accept responsibility for their reckless budget policies, they try to hide behind a feel-good resolution that does nothing to balance the budget, and does nothing to protect our national obligations to senior citizens or veterans.

Yes, we are in a war, and we face new challenges that require a strong response. I support that effort 100 percent. But given that reality, we face a choice. One year ago, our new President told us that we need huge

across-the-board tax cuts because the surpluses were so large. Now he says we need them even though the surplus is gone and deficits are back. He promised us that we would meet our national priorities first, before cutting revenues in a way that overwhelmingly benefit the most well-off in our society. But his budget leaves key priorities unmet.

This week the administration sent us a budget that breaks the promise not to use Medicare and Social Security funds to fund government operations. Now we have a deficit with no end in sight. And we all know, we all know, that the deficit numbers will end up much worse once we work through all the budget gimmicks and tricks. This resolution champions fiscal irresponsibility. Let's do what the President said we would do: meet our national priorities first. That means we take care of Social Security and Medicare, that means we expand quality health care access for those who still find themselves outside the system, that means we fulfill our promises to veterans, not just next year, but five years from now, that means we invest in our national infrastructure and protect our environment so that we leave our children a world of clean, expanding commerce.

The tax cuts enacted last year—especially now—are simply unfair and unwarranted. They help the very few at the expense of the many. Americans loved the \$300 rebate they got last year; we could offer all Americans that rebate for years and years to come if we simply did not pursue the most irresponsible aspects of the majority's tax policies. Instead, we will likely face rising interest rates, the most unkind tax hike on American consumers and a true drag on our economy. We face a choice. Blindly adhere to a doctrine of tax cuts first and always, or adopt a balanced approach that offers tax cuts to all Americans while still meeting our national obligations. Let's make the right choice and put the interests of America's working families first.

Ms. MCCARTHY of Missouri. Mr. Speaker, I rise in opposition to H. Con. Res. 312, expressing the sense of the House of Representatives that the scheduled tax relief provided for by the Economic Growth and Tax Relief Reconciliation Act of 2001 passed by a bipartisan majority in Congress should not be suspended or repealed.

Since January, 2001, we have seen a 10-year estimated \$5.6 trillion surplus completely dissolve. Today, Congressional Budget Office estimates show a meager \$600 billion surplus, and this is after every dollar has been raided from the Social Security and Medicare trust funds. Instead of insisting on more tax cuts that will drive us further into debt and raise our long term interest rates, let us consider other options.

Last year's tax cuts have already provided income tax relief to most working Americans, and the lowest individual income tax rate has fallen from 15 percent to 10 percent. By waiting to enact additional tax cuts until we can afford it, we can again work towards a balanced budget and ensure the solvency of Social Security and Medicare. In my 25 years of public service, I have worked under the constraints of a President who sought to spend outside of our means, and I had the pleasure of working with a President committed to paying down the debt and balancing the budget. It was this second strategy that allowed America to have the longest sustained period of economic

growth in the history of the world. We should follow the lessons we learned then and maintain fiscal responsibility and balanced budgets.

Our priority should be to retire the debt so we do not put America's economy at risk. I am for tax relief, but we need to do it the right way at the right time. It is a travesty that the Republican leadership did not allow us to vote on the Social Security lockbox bill that would have maintained continued support for fiscally responsible tax relief that does not take money away from Social Security. A similar bill passed the House last year by a margin of 407–2.

Mr. Speaker, I ask my colleagues to join me in opposing H. Con. Res. 312, as it threatens Social Security and Medicare funds.

Mr. HOFFEL. Mr. Speaker, this resolution before us today is a sham. This resolution is a political tool, not an economic tool.

If this resolution was really about improving our economy, it would proclaim the need to protect Social Security and Medicare and not ill conceived tax cuts that are plunging this country back into deficit spending.

If it was about improving the economy, it would seek to explain how a projected \$5.6 trillion in surpluses over 10 years have been reduced to \$661 billion in just eight months.

If it was about improving the economy, it would explain to the American people how we can afford \$2 trillion in tax cuts, while our budget is in deficit.

If it was truly about improving the economy, it would explain how three-quarters of that \$2 trillion will be borrowed from Social Security, and the other 25 percent (\$550 billion) will be borrowed from Medicare, which, by the way, is all of the projected surplus in Medicare.

I am one of the fiscally responsible members of this body that apparently caused the tax-cut-all-all-cost sponsors of this resolution to draft it. I called for a freeze of still-to-be-enacted tax cuts that would allow us to determine how much the war on terrorism, recession and the already enacted tax cuts will cost us. I have not called for a tax increase. I have not called for a rollback of taxes. I have called for a common sense breather to assess our situation. Anyone calling this tax freeze a tax increase is suffering from a brain freeze.

The President's budget, which includes many laudable items, includes about \$80 billion in tax cuts next year. Not coincidentally, about \$80 billion is expected to be borrowed from Social Security and Medicare next year, according to his budget. What good does it do for the federal government to give money to American taxpayers with one hand, and take it away with the other?

If corporate America treated pension funds like Congress treats Social Security, someone would be in jail. We can't steal from the future to pay for today's unwise fiscal policies.

I urge my colleagues who support this resolution to stop playing "gotcha", because the American people "get it". They understand that it is wrong to borrow from Social Security and Medicare. They understand that it is wrong to prolong deficit spending. They understand that every additional dollar we pay in interest on our national debt is a dollar that we don't use to pay down our debt.

And because they do understand, I wholeheartedly vote against this ill-conceived, petty resolution.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from Illinois (Mr. WELLER) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 312.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. WELLER. 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 235, nays 181, not voting 19, as follows:

[Roll No. 10]

YEAS—235

Aderholt	Ganske	Matheson
Akin	Gekas	McCarthy (NY)
Armey	Gibbons	McCrary
Bachus	Gilchrest	McHugh
Baker	Gillmor	McInnis
Ballenger	Gilman	McIntyre
Barcia	Goode	McKeon
Barr	Goodlatte	McKinney
Bartlett	Gordon	Mica
Barton	Goss	Miller, Dan
Bass	Graham	Miller, Gary
Bereuter	Granger	Miller, Jeff
Biggert	Graves	Moore
Bilirakis	Green (WI)	Moran (KS)
Bishop	Greenwood	Myrick
Blunt	Grucci	Nethercutt
Boehlert	Gutknecht	Ney
Boehner	Hall (OH)	Northup
Bonilla	Hall (TX)	Norwood
Boozman	Hansen	Nussle
Brady (TX)	Hart	Osborne
Brown (SC)	Hastings (WA)	Ose
Bryant	Hayes	Other
Burr	Hayworth	Paul
Burton	Hefley	Pence
Buyer	Hergert	Peterson (MN)
Callahan	Hilleary	Peterson (PA)
Calvert	Hobson	Petri
Camp	Hoekstra	Pickering
Cannon	Hoolley	Pitts
Cantor	Horn	Platts
Capito	Hostettler	Pombo
Capps	Houghton	Portman
Carson (OK)	Hulshof	Pryce (OH)
Castle	Hunter	Putnam
Chabot	Hyde	Quinn
Chambliss	Isakson	Radanovich
Coble	Israel	Ramstad
Collins	Issa	Regula
Combest	Istook	Rehberg
Condit	Jenkins	Reynolds
Cox	Johnson (CT)	Roemer
Cramer	Johnson (IL)	Rogers (KY)
Crane	Johnson, Sam	Rogers (MI)
Crenshaw	Jones (NC)	Rohrabacher
Culberson	Kaptur	Ros-Lehtinen
Cunningham	Keller	Ross
Davis, Jo Ann	Kelly	Royce
Davis, Tom	Kennedy (MN)	Ryun (KS)
Deal	Kerns	Sandlin
DeLay	King (NY)	Saxton
DeMint	Kingston	Schaffer
Diaz-Balart	Kirk	Schrock
Dooley	Knollenberg	Sensenbrenner
Doolittle	Kolbe	Sessions
Dreier	LaHood	Shadegg
Duncan	Largent	Shays
Dunn	Larsen (WA)	Sherwood
Ehlers	Latham	Shimkus
Ehrlich	LaTourrette	Shows
Emerson	Leach	Shuster
English	Lewis (CA)	Simmons
Everett	Lewis (KY)	Simpson
Ferguson	Linder	Skeen
Flake	LoBiondo	Smith (MI)
Flake	Lucas (KY)	Smith (NJ)
Fletcher	Lucas (OK)	Smith (TX)
Foley	Lucas (OK)	Souder
Forbes	Maloney (CT)	Stearns
Galleghy	Manzullo	

Stump	Tiberi	Weldon (PA)
Sweeney	Toomey	Weller
Tancredo	Upton	Whitfield
Tauzin	Vitter	Wicker
Taylor (NC)	Walden	Wilson (NM)
Terry	Walsh	Wilson (SC)
Thomas	Wamp	Wolf
Thornberry	Watkins (OK)	Young (FL)
Thune	Watts (OK)	
Tiahrt	Weldon (FL)	

NAYS—181

Abercrombie	Gutierrez	Oberstar
Ackerman	Harman	Obey
Allen	Hastings (FL)	Olver
Andrews	Hill	Ortiz
Baca	Hilliard	Owens
Baird	Hinchey	Pallone
Baldacci	Hinojosa	Pastrell
Baldwin	Hoeffel	Pastor
Barrett	Holden	Payne
Becerra	Holt	Pelosi
Bentsen	Honda	Phelps
Berkley	Hoyer	Pomeroy
Berman	Inslee	Price (NC)
Berry	Jackson (IL)	Rahall
Blumenauer	Jackson-Lee	Rangel
Bonior	(TX)	Reyes
Borski	Jefferson	Rivers
Boswell	John	Rodriguez
Boucher	Johnson, E. B.	Rothman
Boyd	Jones (OH)	Roybal-Allard
Brady (PA)	Kanjorski	Rush
Brown (FL)	Kennedy (RI)	Sabo
Brown (OH)	Kildee	Sanchez
Capuano	Kilpatrick	Sanders
Cardin	Kind (WI)	Sawyer
Carson (IN)	Kleczka	Schakowsky
Clay	Kucinich	Schiff
Clayton	LaFalce	Scott
Clement	Lampson	Serrano
Clyburn	Langevin	Sherman
Conyers	Lantos	Skelton
Costello	Larson (CT)	Smith (WA)
Coyne	Lee	Snyder
Crowley	Levin	Solis
Cummings	Lewis (GA)	Spratt
Davis (CA)	Lipinski	Stark
Davis (FL)	Lofgren	Stenholm
Davis (IL)	Lowey	Strickland
DeFazio	Lynch	Stupak
DeGette	Maloney (NY)	Tanner
Delahunt	Markey	Tauscher
DeLauro	Mascara	Taylor (MS)
Deutsch	Matsui	Thompson (CA)
Dicks	McCarthy (MO)	Thompson (MS)
Dingell	McCollum	Thurman
Doggett	McGovern	Tierney
Doyle	McNulty	Towns
Edwards	Meehan	Turner
Engel	Meek (FL)	Udall (CO)
Eshoo	Meeks (NY)	Udall (NM)
Etheridge	Menendez	Velazquez
Evans	Millender	Visclosky
Farr	McDonald	Waters
Fattah	Miller, George	Watson (CA)
Filner	Mink	Watt (NC)
Ford	Mollohan	Waxman
Frank	Moran (VA)	Weiner
Frost	Morella	Wexler
Gephardt	Murtha	Woolsey
Gonzalez	Nadler	Wu
Green (TX)	Neal	Wynn

NOT VOTING—19

Blagojevich	Luther	Shaw
Bono	McDermott	Slaughter
Cooksey	Napolitano	Sununu
Cubin	Oxley	Trafficant
Fossella	Riley	Young (AK)
Frelinghuysen	Roukema	
Hastert	Ryan (WI)	

□ 1327

So (two-thirds not having voted in favor thereof) the motion was rejected.

The result of the vote was announced as above recorded.

GENERAL LEAVE

Mr. WELLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the subject of H. Con. Res.

312, the concurrent resolution just considered.

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

There was no objection.

□ 1330

RECOGNIZING THE 91ST BIRTHDAY OF RONALD REAGAN

Mr. WELDON of Florida. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 82) recognizing the 91st birthday of Ronald Reagan.

The Clerk read as follows:

H.J. RES. 82

Whereas February 6, 2002, is the 91st birthday of Ronald Wilson Reagan;

Whereas Ronald Reagan is the first former President ever to attain the age of 91;

Whereas both Ronald Reagan and his wife Nancy Reagan have distinguished records of public service to the United States, the American people, and the international community;

Whereas Ronald Reagan was twice elected by overwhelming margins as President of the United States;

Whereas Ronald Reagan fulfilled his pledge to help restore “the great, confident roar of American progress, growth, and optimism” and ensure renewed economic prosperity;

Whereas Ronald Reagan’s leadership was instrumental in extending freedom and democracy around the globe and uniting a world divided by the Cold War;

Whereas Ronald Reagan is loved and admired by millions of Americans, and by countless others around the world;

Whereas Ronald Reagan’s eloquence united Americans in times of triumph and tragedy;

Whereas Nancy Reagan not only served as a gracious First Lady but also led a national crusade against illegal drug use;

Whereas, together Ronald and Nancy Reagan dedicated their lives to promoting national pride and to bettering the quality of life in the United States and throughout the world; and

Whereas the thoughts and prayers of the Congress and the country are with Ronald Reagan in his courageous battle with Alzheimer’s disease: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Congress, on behalf of the American people, extends its birthday greetings and best wishes to Ronald Reagan on his 91st birthday.

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to the rule, the gentleman from Florida (Mr. WELDON) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

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

GENERAL LEAVE

Mr. WELDON of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on House Joint Resolution 82.

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

There was no objection.

Mr. WELDON of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of House Joint Resolution 82, and I commend the gentleman from California (Mr. COX) for introducing it. This resolution extends birthday greetings and the best wishes of a grateful Nation to Ronald Reagan on his 91st birthday.

Ronald Reagan is among the greatest of statesmen ever to serve in the Oval Office, or indeed to have served the American people in any capacity. He is loved and admired by millions of Americans and by countless others around the world. Twice elected by overwhelming margins as President of the United States, Ronald Reagan built a record of public service to our Nation and to the American people. He was an eloquent and forceful champion of all freedom-loving people, especially those enslaved by the former Soviet Union and its satellites.

Ronald Reagan pledged to restore “the great, confident roar of American progress, growth and optimism.” And Ronald Reagan pledged to ensure economic prosperity. He kept that pledge. Ronald Reagan inherited a moribund economy mired in recession and wracked by rampant inflation. But his wisdom, his confidence in the American people, his sound economic policies and his courage in the face of fierce opposition led us out of that recession and defeated inflation. President Reagan’s policies laid the groundwork for an unprecedented period of prosperity. He put us back to work and unleashed the genius of American entrepreneurs. He inherited a hollow military and a Nation unsure of itself. He rebuilt our Armed Forces into the finest fighting force in the world, and he lifted our spirits and strengthened our resolve. Ronald Reagan’s leadership and courage paved the way for the ultimate demise of the Soviet Union and the extension of freedom and democracy around the globe.

Ronald Reagan’s commitment to our men and women in uniform earned him a high accolade last spring when the USS *Ronald Reagan* was christened in Newport News, Virginia. His devoted wife Nancy stood in his behalf to christen and accept this evidence of America’s esteem and gratitude for Ronald Reagan’s unstinting service to our Nation. During the ceremony, President Bush noted that “when we send her off to sea, it is certain that the *Ronald Reagan* will meet with rough waters and smooth waters, with headwinds as well as fair, but she will sail tall and strong like the man we have known.”

Mr. Speaker, we continue to benefit today from Ronald Reagan’s foresight and courage. There can be no better or more dramatic example than our improving relations with the Russian Republic. Once the heart of our fiercest adversary, our relations with Russia are now marked far more by cooperation than confrontation. I do not discount for 1 minute the importance of the diplomatic skills and courage of President Bush in building that relationship, but it simply could not have

happened had President Reagan not persevered in the face of the constant and often vehement criticism of the so-called experts as he confronted what he correctly labeled the "Evil Empire."

Indeed, I had the privilege of visiting with Anatoly Sharansky when I was in Israel several years ago who was in jail in the Soviet Union at the time that Ronald Reagan gave that speech. He said those words labeling the Soviet Union the Evil Empire not only reverberated throughout the jail he was in, but throughout the entire Soviet Union, because the people themselves knew that Ronald Reagan's words were true.

Ronald Reagan is an American hero on many fronts. He and Mrs. Reagan dedicated their lives to promoting national pride and to bettering the quality of life in the United States and throughout the world. Mrs. Reagan's years as a gracious First Lady were spent leading a national crusade against illegal drug use and the mission that became known as "Just Say No."

Mr. Speaker, the thoughts and prayers of the Congress and the country are with Ronald Reagan in his courageous battle with Alzheimer's disease. On behalf of all Americans, it is fitting that we honor this great American President on his 91st birthday. I urge all Members to support this resolution.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to join in consideration of this resolution. A bigger-than-life screen actor and television personality, Ronald Reagan moved from being Governor of California in the 1960s to President of the United States and dominated American politics in the 1980s. He was the first President to be reelected to a second term since General Dwight D. Eisenhower.

Media-made and media-presented, President Reagan got millions of Americans to feel proud of their Nation. America's 40-year Cold War with the Soviet Union cooled considerably, and perhaps actually ended, during the Reagan Presidency. Many Americans credit him with having achieved that significant outcome.

Born the son of a shoe salesman in small-town Illinois, a great State, Reagan's impoverished but loving parents instilled in him a sense of optimism that carried him through college as an average student. After graduation, he worked for a few years as a sports broadcaster in Midwestern radio before landing a film contract with Warner Brothers which took him to Hollywood in 1936. Over the next 30 years, he made scores of films, including Army films produced during World War II. He hosted two popular television series, and he actively engaged in politics as president of the Screen Actors Guild.

In the 1950s, President Reagan changed from being a Roosevelt New

Deal Democrat to a conservative Republican. In 1966, he became Governor of California. He was reelected in 1970. Using his popularity in California, he unsuccessfully challenged President Gerald Ford for the Republican nomination in 1976. He tried again and won the nomination in 1980 and thereafter defeated the incumbent Democrat, President Jimmy Carter. With his 1984 reelection victory, Mr. Reagan became the most politically successful Republican President since President Eisenhower.

Today, we celebrate former President of the United States Ronald Reagan's 91st birthday. We wish him a happy birthday and a debt of gratitude to him and his family for their many years of public service.

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

Mr. WELDON of Florida. Mr. Speaker, it is my privilege to yield 4 minutes to the author of this resolution, the gentleman from California (Mr. COX).

Mr. COX. Mr. Speaker, I thank the gentleman from Florida (Mr. WELDON) for yielding me this time. I also want to thank the gentleman from Illinois (Mr. DAVIS) who just spoke very eloquently about an Illinois native son. I think you can see a lot of the same traits of Ronald Reagan in the gentleman from Illinois (Mr. DAVIS), in our Speaker, and in our Speaker pro tem, all sons of Illinois.

The sons and daughters of Illinois have a great deal to be proud of as we recognize once again President Reagan on his birthday. He has had a lot of them. At 91, he is America's oldest President ever. No President has lived to the age of 91. The record was set by John Adams. As you know, John Adams died on the Fourth of July, the same day as Thomas Jefferson. They died on the 50th anniversary of the Declaration of Independence. I hope that Ronald Reagan will be able someday to see the end of his days in as noteworthy a fashion. Already, however, he has left such a legacy that it is appropriate that we are here to honor him.

His career, any of his careers, would be remarkable in and of themselves. He was a successful sports announcer. Of course, he had a career in pictures. He was a very successful two-term Governor of California and a very successful two-term President of the United States, winning election twice in landslides. If he were here with us today, President Reagan would presumably humbly acknowledge that he appreciated the birthday wishes on the 52nd anniversary of his 39th birthday. That is what it is today.

When President Clinton was running for office, he once said that America needed a President for the 1990s. Hope springs eternal. Perhaps now we could, if we would only repeal the 27th amendment, get a President in his 1990s. We would welcome, I think, Ronald Reagan back to Washington were it possible.

When he became President, we had endured, unhappily for all of us, an era of national malaise, bereft of any sense of moral direction. Throughout his term of office, throughout 8 of the fastest moving years in history, President Reagan brought us back. That Irish twinkle, that homespun style of his, seemed never to change, and it brought a new assurance to America.

He was not only America's President, but the leader of the free world. With a toughness that we had not seen for a long time, he stood toe to toe with what he unabashedly termed "the Evil Empire." And when he said, "Mr. Gorbachev, tear down this wall," he was widely criticized. It was thought that this was not constructive, it was not going to work, because realists among us knew the Soviet Union was going to be there forever, and we should accommodate it. He saw a different future, and he worked hard to bring it about. As a result, hundreds of millions of people not just in the Soviet Union, but throughout Eastern and Central Europe, were liberated.

He was called the great communicator in part because he spent so much time on television explaining his policies, and he was quite good at it. But it was more than communication skill, it was that he had a message to communicate. Lady Thatcher, then Prime Minister Thatcher, compared him to Winston Churchill. She said, "Like Winston Churchill, he made words fight like soldiers and lived the spirit of a Nation."

If the events of September 11 have taught us anything, it is that America still requires a strong national defense that acts as a vanguard against enemies who would destroy freedom and democracy. Ronald Reagan cared about these things very deeply and carried forward the ideals of freedom and the defense of freedom throughout the 8 years of his Presidency. President Reagan's foreign policy and his strength of character will not be forgotten.

A recent book, "Reagan: In His Own Hand," details the writings of the President that we are just now discovering, even late in his life, that we never knew when he was President. Another book, "When Character Was King," by Peggy Noonan, includes writings from Ronald Reagan when he was a teenager. He was a remarkable individual, the first labor union president to become President of the United States.

I say with all of us here, as he said at the end of his D-Day speech in Normandy, we will always remember, Mr. President, and we will always be proud. Happy birthday.

Mr. DAVIS of Illinois. Mr. Speaker, I want to thank the gentleman from California for his kind remarks as well as for the introduction of this resolution.

Mr. Speaker, I yield 4 minutes to the gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Mr. Speaker, I want to join with my friends and colleagues

on both sides of the aisle in recognizing the 91st birthday of former President Ronald Reagan and paying tribute to him. I particularly want to associate myself with the remarks which were made a few moments ago by the gentleman from Illinois.

This is also an opportunity for us as we recognize former President Reagan to reflect for a few moments on his policies and to see if we can find within them some instructions for us in the present context.

□ 1345

Having done so, I do find some instruction, and I think it could be helpful to the Members of the House as we approach some of the important issues which are before us today and for the rest of this 107th Congress.

One of the first things that President Reagan did when he came into office was to offer a major tax cut, the effects of which were to cut taxes for the most affluent people in the country, the most financially successful people. He also proposed at the same time a very substantial increase in the military budget.

We find ourselves at this moment facing a very similar situation: a President having proposed and succeeded in passing a massive tax cut last year, the primary benefits of which went to the richest people in the Nation, and also proposing a massive increase in military spending.

Now, what were the effects of the Reagan economic policies, the tax cut and increase in military spending? In regard to taxes, the impact was to pass the tax-bearing responsibility in our country from the most affluent people to middle-income and lower-middle-income Americans. In other words, middle-income and lower-middle-income working people assumed a larger portion of the tax burden as a result of the initial Reagan tax cuts, some of which were changed and rescinded later on in the Reagan administration.

Also the effect was to deny States of substantial amounts of revenue. States then passed taxing responsibilities on to the localities and increases in local property taxes occurred across America, in my State, New York, included along with many, many, if not all other States.

We are about to see something very, very similar here as a result of the economic policies of the present administration. The effect of the tax cut which was passed by this Congress and signed into law by President Bush is having the same and will have increasingly that same impact. It will cause the tax responsibility and increasingly larger burdens to be borne by middle-income and lower-middle-income people as the wealthiest people are relieved of having to pay taxes.

Furthermore, the effect of the tax cuts which were passed by this Congress last year are going to deny States of their ability to pay for the things that they need to do in order to provide

for the health, safety, and welfare of the people in those States, so we will see similarly responsibilities passed on to local governments and increases in local real property taxes.

There is a very outstanding American philosopher named George Santayana, who once made the observation that those who fail to recognize the mistakes of the past will be doomed to repeat them. That admonition is particularly applicable to all of us in this Congress as we face these present economic conditions, a condition where we have gone from anticipated record budget surpluses at the Federal level to now anticipating substantial and increasing budget deficits.

So as we pay tribute to President Reagan, let us also recognize the effect of the policies that he adopted in taxation and apply those lessons to our present condition today.

Mr. WELDON of Florida. Mr. Speaker, I yield myself 30 seconds just to say that the period during which Ronald Reagan was President during the 1980s, the Congress engaged in a dramatic increase in social spending. It is not totally correct to attribute the deficits of the 1980s purely to the defense buildup, but indeed can equally be attributed to the actions of the Democratic Congress at the time which engaged in a dramatic increase in social spending. The Reagan defense buildup was essential for our winning the Gulf War, it was the right thing to do, and the tax cut was instrumental in lifting us out of a recession.

Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. DREIER), the very distinguished chairman of the Committee on Rules.

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

Mr. DREIER. Mr. Speaker, I thank my friend for yielding me time.

Mr. Speaker, I really cannot believe this. Today is Ronald Reagan's 91st birthday. He is one of the most revered individuals to have ever lived. He is the person who brought down the Soviet Union, brought back this amazing sense of patriotism which we once again are enjoying here in the United States, and he focused on what was very important, and that was getting the economy going. And we have people who now want to re-debate and completely rewrite the history of what took place during the 1980s.

Let us look at what happened. When President Reagan came into office, taking over for Jimmy Carter, this country was, according to Jimmy Carter, in a state of malaise; and Ronald Reagan almost single-handedly turned it around.

Until 1994, when we won the Republican majority in the United States Congress, we had not had control of this place since 1981. You can say in 1981 the Democrats still controlled this institution, but the fact of the matter is Ronald Reagan was able to maintain working control of the United States

Congress and put into place the Economic Recovery Tax Act. I am very proud to have voted for that measure, which nearly tripled the flow of revenues to the Federal Treasury.

Our friend, the gentleman from Florida (Mr. WELDON) is absolutely right. We saw a dramatic increase in social spending take place. And, yes, we did see the military buildup; and we all know how essential that was following the demise of our military during the Carter years.

And what did it bring us? It brought us, again, the demise of the Evil Empire, and I am pleased to see George Bush using that Reaganistic term once again; and we were able to sustain the economic recovery for now literally decades. And it all started with Ronald Reagan's vision of reducing that tax burden on working Americans, realizing that marginal tax rate reduction in fact increases the flow of revenues to the Federal Treasury.

Happy birthday, Mr. President. We are very, very privileged to be standing on your shoulders as we try to pursue the policies which you successfully implemented.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, even before Ronald Reagan was elected Governor of California, I think one of the other contributions that he made was to cause Americans to take a different look at individuals in the entertainment industry. I think as a result of Ronald Reagan, many entertainers have developed far more interest in public policy decision-making and are more actively engaged and more actively involved in those processes than before his time. So in addition to the service he provided as an elected official, I think we have to give him some credit for the movement away from certain kinds of perceptions relative to entertainers.

Mr. Speaker I reserve the balance of my time.

Mr. WELDON of Florida. Mr. Speaker, it is a privilege for me to yield 3½ minutes to the gentleman from coastal Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Speaker, I thank the gentleman for yielding me time, and I thank the gentleman from the other side, the gentleman from Illinois (Mr. DAVIS), for supporting this resolution, in that this is not a bipartisan Republican birthday. It is an American birthday, which we all have reverence for the office of the Presidency.

As we celebrate Ronald Reagan's 91st birthday, we ask ourselves, what is the essence of Reagan? Why is this man, so many years out of office, still so special and still so exciting to so many of us?

Was it the fact that he lived the American dream, starting out from a very humble beginning, even a broken home? He started out as a radio announcer, an athlete, an actor, and then went on to be a businessman, ultimately a Governor, and President of

the United States. Is that the essence of Ronald Reagan?

Or was it the fact that when he became President, it was the policies that we conservatives have wanted for so many years: lower taxes, beating inflation, less government regulations, creating more jobs? Was that it?

Or was it the fact that he made our men and women in uniform proud once more to have that American label as part of their vocation and existence, the pride?

Or was it the fact that he defeated the Soviet Union, the Evil Empire? I have had the opportunity to travel to Bulgaria, Czechoslovakia, Tajikistan, Uzbekistan, and to even go to Red Square. It is amazing to go to these places today and think about all their years of oppression under a communist regime and how they are growing young republics and democracies today. Is that the essence of Ronald Reagan?

Or was it the fact he was a happy conservative, never scowling, but always talking and making illustrations with stories, like the one about the Russian who was going to get a part for his car, and it was in January, and the part was going to come June 12th. And they said, "That is as soon as we can get the part for your car," June 12, 6 months away. He said, "I cannot see you June 12." They said, "Why not?" He said, "Because that is the day my plumber is going to be there." That kind of illustration of a story.

Or was it that twinkle in his eye? Was it the fact that he appealed to people on a bipartisan basis? Was it the fact that in my area blue collar Democrats switched over to vote Republican, not to vote Republican necessarily to become Republicans, but because they believed in Ronald Reagan, that he put America above party?

Or was it the grandeur that he returned to the White House, that he and Nancy brought back a kind of stately style and fashion when they came back that showed they were ready to lead the new world, or was it that natural style of relaxed attitude and optimism?

I think, Mr. Speaker, on this 91st birthday of Ronald Reagan, it was all of the above.

I know he was very inspirational to me as a college student. When I first ran for the State legislature in 1984, my wife, Libby, and I had the opportunity to meet him in person; and he was truly somebody who urged all of Americans to get off your duff and start running for office and participate in public policy.

Libby and I still love him and have great affection for him. In fact, I told my wife, Libby, I have said this before on the floor, "Libby, you like Ronald Reagan so much, you talk about him, you praise him, you say he is the kind of politician that I should be; in fact I am a little jealous, my dear wife. I think you like Ronald Reagan better than you like me." And she said, "Yes, but I like you better than I like George Bush."

I guess that is the best I can do on this 91st birthday of Ronald Reagan.

So, happy birthday, Mr. President; and God bless America.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I will simply close by suggesting that Ronald Reagan was indeed and has been a tremendous inspiration to millions of people, notwithstanding whether you agreed with all of his policies or not. As a matter of fact, there were many that I disagreed with. But the reality is that he demonstrated that one not need always look at where you come from, but what is really important is where you are going. So he went from this small town in Illinois, the land of Lincoln, to become President of the most powerful and greatest Nation on the face of the Earth. That is indeed a tribute, and I wish for him a happy 91st birthday.

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

Mr. WELDON of Florida. Mr. Speaker, it is my privilege to yield the balance of my time to the gentleman from California (Mr. ROHRBACHER).

Mr. ROHRBACHER. Mr. Speaker, I first met Ronald Reagan when I was still in my teens. I had been active in his first campaign for Governor. During the primary season we had been very active, and we found out that the heads of the campaign were going to eliminate Youth for Reagan during the general election and have us all work with the adult organization. I felt very disturbed about that. We had worked so hard; I had hundreds of kids out passing out leaflets for him. So I decided to go see him myself.

I hiked up to his home at Pacific Palisades at 3 o'clock in the morning and camped out on his lawn in a sleeping bag. About 7 o'clock in the morning, Nancy stuck her head out the door and says, "Who are you?" I had a little sign that said "Ronald Reagan, please speak to me."

Nancy says, "You know, my husband, if he comes out to talk to you, I know that he is going to spend 5 or 10 minutes with you. He will be late for the rest of the day; he won't be able to have his breakfast. If you will go to the campaign headquarters, I will get you a meeting with the top person in the campaign. I have to protect my husband, you see."

I said, well, how can you argue with that? So I started walking down that long driveway in Pacific Palisades dragging that sleeping bag. Behind me I heard these footsteps, and there was Ronald Reagan. His shirt was half off, he had the shaving cream on his face. He was going, "Wait a minute, wait a minute. If you can spend the night on my back lawn, I can certainly spend a few minutes with you. Now, what is the problem?"

Ronald Reagan listened to me, and I do not know if that is what saved the day, but the Youth for Reagan never was eliminated. We worked in the campaign as our Youth for Reagan unit.

That is the kind of person Ronald Reagan was. He won my heart then. He was a person who was very kind to other people, but he was very tough when it came to policy.

□ 1400

He was a principled man. He was a principled man who cared about others. What were his principles that he based his decisions on that made him a successful person? He believed in personal responsibility, and he believed that people should keep more of what they earn and be able to decide on things that were important for their lives, and that they should control their own destinies. He felt that government, if we had to turn to government for help, it should be the government that was closest to the people so that it would not become isolated from the people and bureaucratic and autocratic.

So that is why he believed things like education should be run at the local level, controlled by parents and teachers, rather than increasing Federal involvement, which would lead to bureaucratic control from Washington.

He believed America should be a powerful force for freedom in the world, and he knew that for America to be a force in the world and for there to be peace and freedom anywhere in the world, America had to be strong. He did feel that defense, the military strength of the United States, and the defense of freedom and our country and the peace of our people was the number one responsibility of the Federal Government.

He, during his time period, was castigated. Just because we are celebrating his 91st birthday and most people are saying good things about him, the fact is that he is 91 years old today and he does deserve that praise, but when he was President of the United States, he was vilified regularly by people who just did not believe in the things that he believed in, but they tried to make him into a warmonger and a person with a bad heart.

Now, we should be able to disagree, and I never heard Ronald Reagan call anybody a name. The fact is we should be able to disagree on policy and believe in the goodness of each other. Ronald Reagan did have a good heart, but his policies were right. The fact is his low tax policy is what started the economic recovery of this country, which was in a shambles before Ronald Reagan became President. It ignited this rocket and in about January of 1993, which is exactly when the final phase of his tax cuts came in, and the recovery has not stopped since then. It faltered a little bit in 1992. So Ronald Reagan's policy started, ignited this, the greatest and the longest period, and we are enjoying it.

This is, right now, the final phase of that Ronald Reagan prosperity. The only other time the economy went down even a little was in 1992, and then it shot right back. It was just a momentary faltering.

What about peace in the world? Ronald Reagan was vilified as a warmonger. People on the other side of the aisle in this body would try to undermine his efforts to prevent Communist expansion in Latin America, undermine his efforts to try to be firm with Gorbachev and the Soviet leaders in bringing down the level of missiles rather than just freezing the high level of nuclear weapons we had, and, in the end, Ronald Reagan was able to end the Cold War, which permitted us to decrease military spending in these last 15 years. It was that investment he made, the good policies he had, but it was his principle and his strength of character that carried the day for this country.

So God bless you, Ronald Reagan. We know that you have Alzheimer's disease and you probably cannot understand what we are saying, and you may not remember me, but we will never forget you.

Mr. PUTNAM. Mr. Speaker, distinguished colleagues, today is President Ronald Reagan's 91st birthday. Please join me in wishing Mrs. Reagan the very best today and expressing to her, and the President, the gratitude of freedom-loving peoples everywhere for his service to our Nation and the cause of liberty.

On September 1, 1976, Ronald Reagan delivered a radio address entitled "Shaping the World for 100 Years to Come." In this brief address the future President defined the challenges that lay before the American people as a choice between individual freedom or state control of our very lives.

At that time in the life of our country it wasn't at all clear that the American people would continue to choose the path of individual freedom, with all its perils and responsibilities, over the comforts of a paternalistic government.

It seemed that as government grew, individual liberty shrank. As taxes grew, personal initiative was discouraged and the entrepreneurial American spirit was being stifled by a government that no longer seemed to be of the people, by the people and for the people.

Just as he called Americans to take charge of their individual destinies that day Ronald Reagan also spoke of the international challenges facing our country, in particular the horrible threat of nuclear war. He reflected on the beauty of the world he knew and challenged the Americans of 1976 to avoid a nuclear Armageddon, and still pass on to future generations a world of beauty, peace, prosperity, and the ultimate in personal freedom.

In 1976 Ronald Reagan saw that America, and Americans, were faced with several historic choices. We could choose the hard road of individual liberty and personal freedom, or we could choose the easy road of government paternalism. We could choose the clear road of Mutually Assured Nuclear Destruction or we could choose the unclear path of fighting—and defeating—our enemies on the economic and cultural battlefield. In 1980 Americans made their choice, and elected Ronald Reagan the 40th President of the United States.

Today, all Americans, and indeed freedom-loving people throughout the world, reap the benefits of that choice. President Reagan led the American people down the hard road of reducing the growth of the Federal Govern-

ment and renewed our commitment to individual liberty and entrepreneurship. Through Ronald Reagan's resolve and inspiration we fought and defeated one of history's greatest threats to the sanctity of the individual human spirit not on a world-destroying nuclear battlefield, but on the economic and cultural battlefield.

Today, we stand one quarter of the way into the 100-year future that Ronald Reagan looked into in 1976. The challenges before us are new, but no less daunting than they were in 1976. The sanctity of the individual human spirit is again under attack by people who made a human and cultural wasteland of one country and would do the same to the entire world if they acquired the means.

As we go forward in our war on terrorism let us pause for a moment today and thank Ronald Reagan for ensuring that America took the hard path of freedom and responsibility. Let us remember that our greatest and most effective weapons are not always the military might that President Reagan so staunchly advocated, but the entrepreneurship and economic power of the individual that he so vigorously defended. And let us renew our commitment to keep America "the shining city on a hill" that provided Ronald Reagan with inspiration throughout his life and provides all mankind with a beacon of hope and freedom.

May God Bless President and Mrs. Reagan and May God Bless America.

Mr. JEFF MILLER of Florida. Mr. Speaker, it is my honor today to pay tribute to a true American patriot on his 91st birthday, President Ronald Reagan. As we in Congress wrestle with the Defense budget, I recall the words of Ronald Reagan when he submitted his Presidential budget. He said,

We start by considering what must be done to maintain peace and review all the possible threats against our security. Then a strategy for strengthening peace and defending against those threats must be agreed upon. And, finally, our defense establishment must be evaluated to see what is necessary to protect against any or all of the potential threats. The cost of achieving these ends is totaled up, and the result is the budget for national defense.

Mr. Speaker, as we debate on the proper amount for the defense of our Nation, the greatest tribute we can pay to Ronald Reagan is to build on the strong defense foundation that he laid and provide our military the funding and resources to defend the Constitution and protect the values under which this great Nation was founded.

Mr. HASTERT. Mr. Speaker, today, as we commemorate President Ronald Reagan's 91st birthday, we remember the significant impact he had on our lives here in America. When our country was struggling through the cold war and a suffering economy, he had the ability to lead us with courage and hope, not fear or disappointment. When he gave his first inaugural speech in January 1981, he said, "I do not believe in a fate that will fall on us no matter what we do. I do believe in a fate that will fall on us if we do nothing." These words alone explain the perseverance that Reagan possessed throughout his presidency. These words also taught Americans that it is important not to give up during difficult times.

The Great Communicator is a title that we all remember him by. He earned this name because of the way he conveyed his messages to all people, because he spoke from

his heart with passionate words, words that resonate in people's hearts and minds for generations to come.

When I think of President Reagan, I think of how important it is to work hard with determination. He re-ignited American patriotism, and what it means to be an American. He taught us that education is the foundation for a successful future, and that everyone has the opportunity to achieve his or her dreams. He made us understand why everyone, no matter what background, can be a hero. Reagan also helped us remember that the purpose of government is to serve the people, not the other way around, and that we should cherish our freedom because not every nation guarantees it.

As a former high school teacher, I have long believed that history is what makes us remember our past so that we can fully understand who we are and why. President Reagan often stressed the importance of history because he also believed that by learning from our past, we could better appreciate our forefathers who sacrificed their lives to preserve the freedom that we have here in America today.

I want to commend President Bush for his actions in making President Reagan's boyhood home a National Historic Site by signing the bill into law today. As the author of this legislation and the Congressman who represents the little hamlet of Dixon, IL, where Ronald Reagan grew up, I could not be more proud. There will now be a lasting, living legacy to our 40th President who won the cold war and returned America to greatness in the late 20th century.

With the preservation of Reagan's boyhood home, we are protecting American history and paying tribute to a good man and great President who truly believed in American values, American principles, and most of all, the American spirit.

President Reagan, congratulations on the 52nd anniversary of your 39th birthday. Godspeed.

Mrs. BIGGERT. Mr. Speaker, I rise in strong support of H.J. Res. 82, a bill honoring former President Ronald Reagan on the occasion of his 91st birthday.

Ronald Reagan holds a special place in the hearts and minds of the citizens of northern Illinois. Many believe that President Reagan was a Californian. But his core values and bold conservatism were the product of a childhood in Illinois.

Ronald Reagan continues today to serve as a model of optimism and hope. In his very first inaugural address, President Reagan set the tone for his 8 years in office when he proclaimed that, "no arsenal or no weapon in the arsenals of the world is so formidable as the will and moral courage of free men and women." During these challenging times for our Nation, President Reagan's words seem even more relevant today.

President Reagan truly was the "Great Communicator." One of my favorite lines of his was when he said that the best view of big government is in the rear view mirror as you're driving away from it. Throughout his presidency, Reagan used his trademark humor and wit to unite a nation, end the cold war, and restore prosperity. He championed the notion of individual responsibility and accountability.

And most importantly, he made people feel good about being proud of our great Nation. President Reagan once said that he would like

to go down in history as the President who made Americans believe in themselves again. I believe that he has.

On behalf of a grateful Nation, Happy 91st Birthday, President Reagan.

Mr. CRANE. Mr. Speaker, today we honor a man who has had a profound impact on the lives of us all, a positive impact that has had a reverberating positive effect, not just here in the United States, but worldwide.

In the past I have taken time on this floor to expound at length upon many of President Reagan's achievements. He more than fulfilled his pledge to help restore "the great, confident roar of American progress, growth, and optimism" and ensure renewed economic prosperity.

Today I simply want to pay tribute to the man who has left his permanent stamp on the course of history. We salute that gentleman who has turned 91 today and pay tribute to him.

God bless you, President Reagan. We are all eternally grateful for that unprecedented role that you played in our national experience and it will never be forgotten.

Mr. GIBBONS. Mr. Speaker, today, our 40th President, Ronald Reagan, is celebrating his 91st birthday. I want to wish this Great American a peaceful birthday and to thank him for his leadership which has endured well beyond his years in the White House.

Ronald Reagan rekindled our nation's patriotism and pride. Today, as we continue to wage a war against terrorism—a war against those individuals who jeopardize our freedoms and liberties—the confidence Ronald Reagan had in the American spirit provides every one of us with the strength and will to see this war to its rightful end—to victory.

In the 106th Congress, I was proud to introduce legislation to award the Congressional Gold Medal to Ronald Reagan and his wife, Nancy. This legislation was signed into law and the award will stand as a fitting tribute to the commitment and dedication the Reagans have had to this nation.

As President, Ronald Reagan was dedicated to encouraging economic growth, recognizing the value of hard work, and sparking hope and pride among Americans.

He believed that "everyone can rise as high and as far as their ability will take them." This principle became a guiding creed of Reagan's Presidency, as he successfully turned the tide of public cynicism and sparked a national renewal.

President Reagan fulfilled his pledge to restore "the great, confident roar of American progress, growth, and optimism." During his presidency, Americans once again believed in the American Dream.

Today, as we face a great evil, we build upon this "confident roar" and find solace in Ronald Reagan's everlasting faith in America and her people.

Thank you Mr. President for your inspiration and leadership which continues to guide our nation and which will help us to protect our freedoms and liberties in the twenty-first century. May you have a peaceful and relaxing birthday and God bless.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the motion offered by the gentleman from Florida (Mr. WELDON) that the House suspend the rules and pass the joint resolution, H.J. Res. 82.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. WELDON of Florida. Mr. Speaker, on that I demand the yeas and nays. The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

—————

**RECOGNIZING AND HONORING  
JACK SHEA, OLYMPIC GOLD  
MEDALIST IN SPEED SKATING,  
FOR HIS MANY CONTRIBUTIONS  
TO THE NATION AND TO HIS  
COMMUNITY THROUGHOUT HIS  
LIFE**

Mr. WELDON of Florida. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 340) recognizing and honoring Jack Shea, Olympic gold medalist in speed skating, for his many contributions to the Nation and to his community throughout his life.

The Clerk read as follows:

H. RES. 340

Whereas John "Jack" Amos Shea was born September 7, 1910, in Lake Placid, New York, a village in the Adirondack Mountains;

Whereas Shea was the son of James Shea, a New York State Assemblyman, and Grace Shea;

Whereas at the age of 3 Jack began ice skating and by the age of 10 he was competing in speed skating;

Whereas Shea was the North American speed skating champion in 1929 and 1930;

Whereas at the age of 21 Shea entered the 1932 Winter Olympics in Lake Placid, New York, during which he won the gold medal in speed skating for both the 500 meter and the 1,500 meter events;

Whereas Shea was elected to the Speed Skating Hall of Fame, was among the first group of honorees elected to the Lake Placid Hall of Fame, and received numerous other honors from the speed skating community;

Whereas after graduating from Dartmouth College with a degree in political science, Shea served as the town justice of North Elba, New York, from 1958 to 1974, after which he became the town supervisor until his retirement in 1983;

Whereas Shea was a member of the Executive Committee of the 1980 Lake Placid Olympic Organizing Committee;

Whereas in 1982 Shea was appointed to serve as vice chairman of the Olympic Regional Development Authority;

Whereas Shea was a loving husband to his wife of 67 years, Elizabeth Steams Shea, and had 4 sons and several grandchildren and great-grandchildren; and

Whereas Shea's son Jim competed in the 1964 Winter Olympics in Innsbruck, Austria, and his grandson Jim Jr. will compete in the 2002 Winter Olympics in Salt Lake City, Utah: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) recognizes and honors Jack Shea, Olympic gold medalist in speed skating, for his many contributions to the Nation and to his community throughout his life, and for transcending the sport of speed skating and becoming a symbol of athletic talent and a role model as a loving husband, father, and grandfather; and

(2) extends its deepest condolences to the family of Jack Shea and to the Olympic community on their loss.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. WELDON) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

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

GENERAL LEAVE

Mr. WELDON of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Res. 340.

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

There was no objection.

Mr. WELDON of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to have the House consider House Resolution 340. I commend my distinguished colleague, the gentleman from New York (Mr. SWEENEY), for introducing it. This resolution recognizes the enduring contributions, heroic achievements, and dedicated work of Jack Shea.

Mr. Shea died on Tuesday, January 22, 2002 at the age of 91 from injuries in a car accident a few blocks from his home. The driver of the car that hit Jack Shea's car was charged with driving while intoxicated and other counts.

Mr. Speaker, Jack Shea devoted his life to living the Olympic ideal and passing his inspiration and knowledge to younger generations. At 22, Jack Shea won gold medals in speed skating in both the 500 meter and the 1,500 meter events in front of his hometown crowd at the 1932 Winter Olympics in Lake Placid, New York. With this accomplishment, he became the first double gold medalist in Winter Olympic history.

Later Jack Shea recalled, "When I stood on the dais to get the gold medal and I heard the national anthem of the United States, how proud I was to represent my country, my community, my father, and mother."

Jack Shea not only promoted the Olympic ideal of peace, he lived that ideal. He had a chance to win more Olympic medals at the 1936 winter games in Germany, but Lake Placid had a large Jewish community whose rabbi asked him not to take part in an event linked with Hitler's Germany. Jack Shea honored that request.

Back troubles kept Mr. Shea from skating much after the 1950s. However, he continued to serve the Olympics and the Lake Placid area. He served as the town justice of North Elba, New York, from 1958 to 1974. He then became the town's supervisor and remained in that position until his retirement in 1983.

Jack Shea also served on the executive committee of the 1980 Lake Placid Organizing Committee. He realized his personal quest to bring the Winter Olympic games back to Lake Placid. When speaking about the winter games

held in 1980 at Lake Placid, Mr. Shea said, "I felt I would like to accomplish one more medal, to bring the Olympics back to Lake Placid." He accomplished that goal.

Jack Shea was a member of the first family with three generations of Olympians and, at 91, was the winter games' oldest living gold medalist. Mr. Shea and his wife of 67 years Elizabeth had four sons and several grandchildren and great-grandchildren. His son, Jim Shea, Sr., was a Nordic skier in the 1964 winter games. His grandson, Jim Shea, Jr., will continue this tradition by competing in the skeleton event at the 2002 Winter Olympics in Salt Lake City.

The Olympic games were obviously an important part of Jack Shea's life. When the Olympic torch relay came through his village on its way to Salt Lake City, Mr. Shea carried the flame into the Olympic speed skating oval where he won his gold medals and ignited the cauldron. Three weeks later at his funeral, his grandson carried that same torch.

As Father J. Michael Gaffney said about Jack Shea, "Jack took life and made something of it. He had an impact. People knew that he lived. That kind of stuff you can't kill. It lives forever."

Mr. Speaker, it is appropriate that the House recognize the dedicated work and outstanding accomplishments of Mr. Jack Shea today and extend condolences to his family. He improved the lives of many by not just speaking about ideals, but by living those ideals that he promoted.

Mr. Speaker, I urge all Members to support this resolution.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to join with the gentleman from Florida in consideration of this resolution. Jack Shea was an Olympic gold medalist, both on and off his ice skates. His death came just 17 days before we are about to begin another Olympic celebration, and we are truly saddened. However, we are here today to honor a great life and a great man.

John "Jack" Amos Shea was born September 7, 1910, in Lake Placid, New York. By age 3 he was on ice skates, and by age 10 he was already competing in speed skating. In 1929, while he was still in high school, he won the North American speed skating championship. In 1930, he captured the title again. Two years later, he honored his hometown of Lake Placid by winning the 500 meter and 1,500 meter events at the Lake Placid Winter Olympics. He again honored Lake Placid through his successful efforts to have the 1980 Winter Olympics return to Lake Placid.

Jack Shea's Olympic successes earned him the distinction of becoming the first person in Winter Olympic history to earn two gold medals. In fact,

the Shea family was the first to have three generations of Winter Olympians. Jack's son Jim participated in three skiing competitions at the 1964 Winter Olympics in Innsbruck. His grandson, Jim Shea, Jr., has qualified for the upcoming Salt Lake City games.

Jack Shea's life was best summed up by his son Jim who said, "For 70 years, he was proud to be an Olympian. He was the chief of our family and loved what the Olympics stood for, to promote peace through friendly competition."

Mr. Speaker, I, too, am proud to honor this great life today, and I urge that we continue to work towards further reduction of driving while under the influence of alcohol so that others may never have their lives taken by a drunk driver. Yes, Jack Shea was a great life, a great soul, a tremendous legacy, and I am pleased to join in honoring him today.

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

Mr. WELDON of Florida. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from New York (Mr. SWEENEY), the author of this piece of legislation.

Mr. SWEENEY. Mr. Speaker, I thank the gentleman. I rise today to pay tribute to a great man from my district and a great friend, Jack Shea. I do so proudly as the chief sponsor of this resolution.

As the previous speakers have noted, Jack Shea was really an American treasure, as are all of the members of his family. They have participated so greatly and so importantly in the Olympic movement in the United States, not just in the United States, but throughout the world. Jack Shea, in 1932, in a real come-from-behind, underdog story, captured two Olympic speed skating gold medals, and he embodied the spirit and the will and the determination of the Olympic movement and the goodwill that is projected from that.

It is at a very difficult time and a very tragic time that we lose Jack Shea. He was 91 years young, but one would not know that. Last week a group of Members of Congress and people from the administration went up to Lake Placid, New York, to participate in an annual event that we have, an Olympic challenge that is meant to bring people together, to highlight the importance of Lake Placid in the Olympic movement in terms of our Nation's history and what it provides for us in terms of character, and Jack Shea ironically was to be our principal speaker at our banquet on Saturday evening as we recognized the achievements of all of those who participated. Unfortunately, obviously, Jack was unable to be part of that event. But his grandson, Jimmy Shea, Jr., broke from his training, training that is so critical and important at this point, and delivered a speech on his behalf, as did his son Jim, with the message that we must go on, and that is how Jim Shea wanted it.

So I am particularly proud and excited about the idea that we have been able to come forward today as a body to recognize the great achievements of Jack Shea. In a couple of days, Jack Shea would have been in Salt Lake City lighting the cauldron to begin the Winter Olympics. But unfortunately and sadly, that is not to be what happens now.

What is to happen now, though, as his grandson Jimmy Shea will participate and represent our great Nation in these winter games, having trained so diligently and so hard and learned so many lessons from his grandfather and his father, also an Olympian from the 1964 Winter Olympics in Innsbruck, that that spirit will continue forward and will be seen by the entire world and exemplified in the entire world in the competition that is going to be undertaken in Salt Lake. So I would call on all of our citizens to recognize the accomplishments of Jack Shea by rooting real hard for Jimmy Shea as he endeavors to win a medal in the United States Olympic skeleton team.

□ 1415

I would further call on our colleagues to support this resolution wholeheartedly as a symbol of our great support for a great man with a great life.

Mr. Speaker, I yield 4 to the gentleman from California (Mr. DREIER).

Mr. DREIER. Mr. Speaker, I thank my friend for yielding me time. I rise to compliment our distinguished colleague, the gentleman from New York (Mr. SWEENEY), for moving forward with this very important measure.

It was 4 years ago this month that I had the opportunity to meet Jack Shea; and the gentleman from Illinois (Mr. DAVIS) and the gentleman from Florida (Mr. WELDON) and the gentleman from New York (Mr. SWEENEY) have all talked about the fact that 7 decades ago, exactly 7 decades ago Jack Shea became the first American to win two gold medals. I had known of him and had the chance to meet him, as I said, 4 years ago this month.

He had a tremendous impact on me personally. I know that many of my colleagues remember this well because I suffered for a while after having met him because it was Jack Shea who encouraged me to actually take the Skeleton Run at Lake Placid, and it was an experience that I shall never forget. And Jim Shea, Sr., Jack's son, encouraged me to simply say I wanted to ride the Skeleton sled to the team of men who were putting us on to the bob sled run, but it was Jack Shea who told me that I should actually take the Skeleton Run. And it was an unbelievable, an unbelievable experience; and one that I, as I said, shall never forget.

He was an individual who inspired so many of us, and we have been fortunate to see that television commercial that has been running in which we could see how articulate and thoughtful he was.

I remember the great interview that I saw just the other day after the tragic accident that took his life, when he

talked about how he was able to shed a tear over the fact that his grandson would be the first of a third-generation Olympian. Four years ago the Skeleton Run was not established as an Olympic sport, and I know that it took a valiant effort on behalf of the Shea family and others to ensure that it would be an Olympic sport. And so I just want to say again, as I did the day after we got this news, that our thoughts and prayers go with the Shea family, although I know that it is not necessary, because they are so proud, so proud of their father and grandfather.

I have been privileged over the past 4 years to call the Shea family friends, and I do want to say that I hope very much that Jimmy is a big winner when we see at the end of this week the Olympic games begin. And I know it is set for the 20th and 21st, our colleague, the gentleman from New York (Mr. SWEENEY) has told me; and I can hardly wait, whether I am there or watching it on television, to see that wonderful victory; and we know that no one, no one will be enjoying seeing Jimmy Shea take that Skeleton Run more than Jack Shea.

Mr. WELDON of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I again congratulate the distinguished gentleman from New York (Mr. SWEENEY) for introducing this resolution and working so hard to bring it to the floor. I also want to thank the gentleman from Indiana (Mr. BURTON), chairman of the Committee on Government Reform, and the gentleman from California (Mr. WAXMAN), the ranking member, for expediting its consideration.

I ask all Members to support this resolution to express our condolences on Jack Shea's death and honor his life and achievements.

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

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the motion offered by the gentleman from Florida (Mr. WELDON) that the House suspend the rules and agree to the resolution, H. Res. 340.

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

A motion to reconsider was laid on the table.

**APPOINTMENT OF CONFEREES ON H.R. 2215, 21ST CENTURY DEPARTMENT OF JUSTICE APPROPRIATIONS AUTHORIZATION ACT**

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2215) to authorize appropriations for the Department of Justice for fiscal year 2002, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin? The Chair hears none and, without objection, appoints the following conferees:

From the Committee on the Judiciary, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Messrs. SENSENBRENNER, HYDE, GEKAS, COBLE, SMITH of Texas, GALLEGLY, CONYERS, FRANK, SCOTT, and Ms. BALDWIN.

Provided that Mr. BERMAN is appointed in lieu of Ms. BALDWIN for consideration of section 312 of the Senate amendment, and modifications committed to conference.

From the Committee on Energy and Commerce, for consideration of sections 2203 through 2206, 2208, 2210, 2201, 2901 through 2911, 2951, 4005, and title VIII of the Senate amendment, and modifications committed to conference: Messrs. TAUZIN, BILIRAKIS, and DINGELL.

From the Committee on Education and the Workforce, for consideration of sections 2207, 2301, 2302, 2311, 2321 through 2324, and 2331 through 2334 of the Senate amendment, and modifications committed to conference: Messrs. HOEKSTRA, CASTLE, and GEORGE MILLER of California.

There was no objection.

**RECOGNIZING THE 91ST BIRTHDAY OF RONALD REAGAN**

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the joint resolution, H.J. Res. 82.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. WELDON) that the House suspend the rules and pass the joint resolution, H.J. Res. 82, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 408, nays 0, answered "present" 4, not voting 23, as follows:

[Roll No. 11]

YEAS—408

Abercrombie	Berry	Camp
Ackerman	Biggert	Cannon
Aderholt	Bilirakis	Cantor
Akin	Bishop	Capito
Allen	Blumenauer	Capps
Andrews	Blunt	Capuano
Arney	Boehlert	Cardin
Baca	Bonilla	Carson (IN)
Bachus	Bonior	Carson (OK)
Baird	Boozman	Castle
Baker	Borski	Chabot
Baldacci	Boswell	Chambliss
Baldwin	Boucher	Clay
Ballenger	Boyd	Clayton
Barcia	Brady (PA)	Clement
Barr	Brady (TX)	Clyburn
Barrett	Brown (FL)	Coble
Bartlett	Brown (OH)	Collins
Barton	Brown (SC)	Combest
Bass	Bryant	Condit
Becerra	Burr	Conyers
Bentsen	Burton	Cooksey
Bereuter	Buyer	Costello
Berkley	Callahan	Cox
Berman	Calvert	Coyne

Cramer	Hunter	Northup
Crane	Hyde	Norwood
Crenshaw	Inslee	Nussle
Crowley	Isakson	Oberstar
Culberson	Israel	Obey
Cummings	Issa	Olver
Cunningham	Istook	Ortiz
Davis (CA)	Jackson (IL)	Osborne
Davis (FL)	Jackson-Lee	Ose
Davis (IL)	(TX)	Otter
Davis, Jo Ann	Jenkins	Owens
Deal	John	Pallone
DeFazio	Johnson (CT)	Pascarell
DeGette	Johnson (IL)	Pastor
DeLahunt	Johnson, Sam	Paul
DeLauro	Jones (NC)	Payne
DeLay	Jones (OH)	Pelosi
DeMint	Kanjorski	Pence
Deutsch	Kaptur	Peterson (MN)
Diaz-Balart	Keller	Peterson (PA)
Dicks	Kelly	Petri
Dingell	Kennedy (MN)	Phelps
Doggett	Kennedy (RI)	Pickering
Dooley	Kerns	Pitts
Doolittle	Kildee	Platts
Doyle	Kilpatrick	Pombo
Dreier	Kind (WI)	Pomeroy
Duncan	King (NY)	Portman
Dunn	Kingston	Price (NC)
Edwards	Kirk	Pryce (OH)
Ehlers	Kleczka	Putnam
Ehrlich	Knollenberg	Quinn
Emerson	Kolbe	Radanovich
Engel	Kucinich	Rahall
English	LaFalce	Ramstad
Eshoo	LaHood	Rangel
Etheridge	Lampson	Regula
Evans	Langevin	Rehberg
Everett	Lantos	Reyes
Farr	Largent	Reynolds
Fattah	Larsen (WA)	Rivers
Ferguson	Larson (CT)	Rodriguez
Filner	Latham	Roemer
Flake	LaTourette	Rogers (KY)
Fletcher	Leach	Rogers (MI)
Foley	Levin	Rohrabacher
Forbes	Lewis (CA)	Ros-Lehtinen
Ford	Lewis (GA)	Ross
Frank	Lewis (KY)	Rothman
Galleghy	Linder	Royal-Allard
Ganske	Lipinski	Royce
Gekas	LoBiondo	Rush
Gephardt	Lofgren	Ryun (KS)
Gibbons	Lowey	Sabo
Gilchrest	Lucas (KY)	Sanchez
Gillmor	Lucas (OK)	Sandlin
Gilman	Lynch	Sawyer
Gonzalez	Maloney (CT)	Saxton
Goode	Maloney (NY)	Schaffer
Goodlatte	Manzullo	Schakowsky
Gordon	Markey	Schiff
Goss	Mascara	Schrock
Graham	Matheson	Scott
Granger	Matsui	Sensenbrenner
Graves	McCarthy (MO)	Serrano
Green (TX)	McCarthy (NY)	Sessions
Green (WI)	McCollum	Shadegg
Greenwood	McCrery	Shays
Grucci	McGovern	Sherman
Gutierrez	McHugh	Sherwood
Gutknecht	McInnis	Shimkus
Hall (OH)	McIntyre	Shows
Hall (TX)	McKeon	Shuster
Hansen	McKinney	Simmons
Harman	McNulty	Simpson
Hart	Meehan	Skeen
Hastert	Meek (FL)	Skelton
Hastings (FL)	Meeks (NY)	Smith (MI)
Hastings (WA)	Menendez	Smith (NJ)
Hayes	Mica	Smith (TX)
Hayworth	Millender	Smith (WA)
Hefley	McDonald	Snyder
Herger	Miller, Dan	Solis
Hill	Miller, Gary	Souder
Hilleary	Miller, George	Spratt
Hilliard	Miller, Jeff	Stearns
Hinchev	Mink	Stenholm
Hinojosa	Mollohan	Strickland
Hobson	Moore	Stump
Hoefel	Moran (KS)	Stupak
Hoekstra	Moran (VA)	Sununu
Holden	Morella	Sweeney
Holt	Murtha	Tancredo
Honda	Myrick	Tanner
Hooley	Nadler	Tauscher
Horn	Napolitano	Tauzin
Houghton	Neal	Taylor (MS)
Hoyer	Nethercutt	Taylor (NC)
Hulshof	Ney	Terry

Thomas	Udall (NM)	Weiner
Thompson (CA)	Upton	Weldon (FL)
Thompson (MS)	Velazquez	Weller
Thornberry	Viscolsky	Wexler
Thune	Vitter	Whitfield
Thurman	Walden	Wicker
Tiahrt	Walsh	Wilson (NM)
Tiberi	Wamp	Wolf
Tierney	Waters	Woolsey
Toomey	Watkins (OK)	Wu
Towns	Watt (NC)	Wynn
Turner	Watts (OK)	Young (FL)
Udall (CO)	Waxman	

ANSWERED "PRESENT"—4

Johnson, E.B.	Stark
Lee	Watson (CA)

NOT VOTING—23

Blagojevich	Hostettler	Sanders
Boehner	Jefferson	Shaw
Bono	Luther	Slaughter
Cubin	McDermott	Traficant
Davis, Tom	Oxley	Weldon (PA)
Fossella	Riley	Wilson (SC)
Frelinghuysen	Roukema	Young (AK)
Frost	Ryan (WI)	

□ 1447

So (two-thirds having voted in favor thereof) the rules were suspended and the joint resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. WILSON of South Carolina. Mr. Speaker, on rollcall No. 11 I was unavoidably detained. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. McDERMOTT. Mr. Speaker, I was unable to be in Washington, DC, today because I was participating at a conference hosted by the International Justice Mission (IJM) in Salt Lake City, UT. As a result, I missed three votes. Had I been able to vote, I would have voted in support of H.J. Res 82 (rollcall No. 11) and H. Res 340. I would have voted against H. Con. Res. 312 (rollcall No. 10).

PERSONAL EXPLANATION

Ms. SLAUGHTER. Mr. Speaker, I was unable to be present for rollcall votes Nos. 8, 9, 10, and 11. Had I been present I would have voted "yes" or "aye" on rollcall votes 9 and 11. I would have voted "no" or "nay" on rollcall votes 8 and 10.

PAT KING POST OFFICE BUILDING

Mr. WELDON of Florida. Mr. Speaker, I ask unanimous consent that the Committee on Government Reform be discharged from further consideration of the Senate bill (S. 1026) to designate the United States Post Office located at 60 Third Avenue in Long Branch, New Jersey, as the "Pat King Post Office Building," and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

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

Mr. DAVIS of Illinois. Mr. Speaker, reserving the right to object, and I will not object, because, as a matter of fact,

I rise in support of S. 1026, legislation designating the United States Post Office located at 60 Third Avenue in Long Branch, New Jersey, as the Pat King Post Office Building. However, I would like to ask the gentleman from Florida for further comments.

Mr. WELDON of Florida. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Illinois. Further reserving the right to object, I yield to the gentleman from Florida.

Mr. WELDON of Florida. I thank the gentleman for yielding.

Mr. Speaker, S. 1026, introduced by the distinguished Senator from New Jersey ROBERT TORRICELLI, designates the facility of the United States Postal Service located at 60 Third Avenue in Long Branch, New Jersey, as the Pat King Post Office Building. A bill for the same purpose was introduced by my distinguished colleague, the gentleman from New Jersey (Mr. FRANK PALLONE).

Mr. Speaker, Detective Sergeant Pat King was the most decorated police officer in Long Branch, New Jersey's history. Tragically, he was killed in the line of duty by a career criminal from out of State in November of 1997. Pat King is survived by his wife Maureen and two sons.

I urge adoption of S. 1026, and I thank the gentleman for yielding.

Mr. DAVIS of Illinois. Mr. Speaker, further reserving the right to object, I yield to the gentleman from New Jersey (Mr. PALLONE), the author of this legislation.

Mr. PALLONE. Mr. Speaker, I want to thank not only the chairman and the ranking member, who are here today, but also the gentleman from Texas (Mr. ARMEY) and the gentleman from Missouri (Mr. GEPHARDT) for their support in bringing this bill to the floor, the bill, S. 1026, to name the Long Branch, New Jersey, post office after a hero, Detective Sergeant Pat King.

Let me start out, Mr. Speaker, by saying that Long Branch is my hometown. I have lived there my entire life. The post office that will be named after Sergeant King is a post office that I have been going to since I was a little boy and a post office where my grandfather actually worked as a letter carrier. I also knew Sergeant King personally, and I know his mother and his entire family.

As was mentioned, on November 20 of 1997, Sergeant Pat King was killed by a career criminal from out of State who made his living promoting prostitution and selling drugs. On this particular day, the assailant went gunning for a police officer, any police officer. He was not looking specifically for Pat King, but he found Pat King, and Sergeant King was killed because he was wearing an officer's uniform.

Following the shooting, the assailant went on an hour-long crime spree, including a chase and an exchange of gunfire that injured other officers. He finally shot himself with a second gun, Officer King's gun.

Mr. Speaker, S. 1026 is an identical bill I introduced in the House naming the Long Branch post office after Pat King. I cannot express how important this is not only to Sergeant King and his wife, but to the entire Long Branch Police Force and to the community. Officer King was only 45, and he was the most decorated police officer in the history of the city of Long Branch.

By passing this bill we not only pay tribute to him, but we honor all the police officers across the country that have died in the hands of vicious criminals. And if there is any year that we can truly appreciate the contributions of police and firemen, it is certainly this year.

Mr. Speaker, for a police officer the mere act of donning a uniform makes him an immediate target for sick and criminal minds. Each call presents dangers and threats we cannot begin to imagine. It is my hope that in naming the post office after Pat King, we will be paying to tribute to individuals so dedicated to their fellow human beings that they are willing to die to protect our security. It is a way to honor the bravery and unselfishness of our men and women in uniform. It is a way to remind young people that dedicating a career to helping others is a path deeply admired by their community.

To Pat's widow Maureen and her children, I want to say that I hope this tribute provides them with some small comfort that their husband and father will not be forgotten, not by the people of Long Branch and not by the Congress of the United States.

Mr. DAVIS of Illinois. Mr. Speaker, further reserving the right to object, I yield to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. Mr. Speaker, I thank the gentleman from Illinois and the gentleman from Florida and join strongly and emotionally in the remarks of my friend and colleague, the gentleman from New Jersey (Mr. PALLONE), who grew up near this post office, knew this law enforcement officer, knew Pat King, and understands the respect with which he was held in his town of Long Branch.

It is really very fitting that we do this. It is an honor not only for Sergeant Pat King, but for all law enforcement officers. It will be a daily reminder to the people of Monmouth County, to all of New Jersey, to all who pass through this post office that law enforcement officers live day and night just an instant away from danger.

It is also, I think, a testimonial to Maureen King, Pat King's widow. Maureen King is very much not a victim. She has suffered real grief, but she has not turned that grief inward. She has become deeply involved in safety issues in New Jersey, turned her talent to see that this sort of thing never happens again. She has taken this grief and turned it to something positive. She has become one of the leaders of Cease Fire New Jersey, advocating for

gun safety. She has become one of the leaders of the Million Moms March in New Jersey, advocating for gun safety.

No, she is not a victim. And in everything she does, the love comes through; surely the love for her four children, but for children all over the country. So this is a testimonial not just to Sergeant Pat King, not just to law enforcement officers across the country, but also to Maureen King. And it is very fitting that this bill be rapidly approved and that the designation proceed. And I thank my friend from Long Branch for championing it.

Mr. DAVIS of Illinois. Mr. Speaker, reclaiming my time, I just want to concur with the comments that have been made by all of my colleagues in consideration of S. 1026, legislation naming the post office in Long Branch, New Jersey, after Pat King, a police officer slain in the line of duty.

S. 1026 was introduced by Senator ROBERT TORRICELLI, Democrat of New Jersey, on June 13, 2001. The late Detective Sergeant Pat King, a member of the Long Branch Police Force was born in Morristown, New Jersey, in 1952 and lived most of his life in Long Branch. As a 21-year veteran of the police force, Detective King was the most decorated police officer in the city's history and the only Long Branch police officer to receive the Medal of Valor.

Sadly, he was killed in the line of duty by a career criminal on November 20, 1997. Officer King is survived by his wife Maureen and his two sons.

Mr. Speaker, I wish to commend the House sponsor of this bill, the gentleman from New Jersey (Mr. PALLONE), for his hard work and dedication in seeking to honor the life and work of Detective King by naming the Long Branch post office after him.

The gentleman from New Jersey (Mr. PALLONE) was the sponsor of H.R. 2997 and has been pursuing the passage of legislation naming the post office after Detective King since the 106th Congress. I am proud to say that with the House passage of the Senate version of that bill, his efforts will finally be realized.

In keeping with the long-standing tradition of naming post offices after individuals who have made differences in their communities, I am pleased to lend my support to S. 1026, naming the post office after a police officer who gave his life defending the community. I also want to thank the chairman of the Committee on Government Reform, the gentleman from Indiana (Mr. BURTON), his staff, and the ranking member, the gentleman from California (Mr. WAXMAN), for moving this bill to the floor.

Mr. Speaker, I urge passage of the bill, and I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1026

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

**SECTION 1. DESIGNATION OF PAT KING POST OFFICE BUILDING.**

The United States Post Office located at 60 Third Avenue in Long Branch, New Jersey, shall be known and designated as the "Pat King Post Office Building".

**SEC. 2. REFERENCES.**

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States Post Office referred to in section 1 shall be deemed to be a reference to the Pat King Post Office Building.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and 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 59 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1755

**AFTER RECESS**

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SHUSTER) at 5 o'clock and 55 minutes p.m.

**MESSAGE FROM THE SENATE**

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 622. An act to amend the Internal Revenue Code of 1986 to expand the adoption credit, and for other purposes.

**SPECIAL ORDERS**

The SPEAKER pro tempore (Mr. SHUSTER). 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 Iowa (Mr. GANSKE) is recognized for 5 minutes.

(Mr. GANSKE 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 the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. HERGER 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 Connecticut (Mr. LARSON) is recognized for 5 minutes.

(Mr. LARSON of Connecticut addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

**ACTS OF AGGRESSION AGAINST CUBAN DISSIDENT MARTA BEATRIZ ROQUE**

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. DIAZ-BALART) is recognized for 5 minutes.

Mr. DIAZ-BALART. Mr. Speaker, among the many foreigners who have recently gone to Communist Cuba to meet with the dictator has been the President of Mexico, Vicente Fox.

He arrived there this last weekend, held the customary long meetings with the dictator; and then, before leaving on Monday, in a gesture that deserves commendation, Mr. Fox and his foreign minister, Mr. Castaneda, invited a small group of dissidents and independent journalists to meet with them at the Mexican embassy.

Most unfortunately, the foreign minister of the Cuban dictatorship, an immodest man who nonetheless has much to be modest about, announced that Mr. Fox had assured the Cuban dictator that Castro has nothing to fear from Mexico in the upcoming session of the U.N. Human Rights Commission in Geneva, where the Cuban dictatorship's record on human rights has been condemned almost every year for the past decade.

If the statement of the foreign minister of the Cuban dictatorship, Mr. Perez, is true, it would be most unfortunate, since Mr. Fox's election represented a great victory for democracy in Mexico after more than 70 years of a rotating dictatorship in that country. And Mr. Fox was expected by his people and by the international community to be a great leader in defense of democracy.

Perez of the Cuban dictatorship is not someone who tends to be believable, so we should walk the extra mile, though certainly without illusions, and still give Mr. Fox the benefit of the doubt with regard to what Mexico will do regarding human rights at this spring's meeting of the U.N. Human Rights Commission in Geneva.

What will Mr. Fox do, considering what happened to one of the most respected dissidents in Cuba, Marta Beatriz Roque, after she attended the meeting with President Fox at the Mexican embassy in Havana this past Monday? Of the opposition figures within Cuba, there is no one more respected nor deserving of respect than

this Cuban woman, an economist by training and director of the Cuban Institute of Independent Economists, Marta Beatriz Roque.

She, along with imprisoned opposition activists who suffered the most brutal aspects of the totalitarian repression of the dictatorship, is admired by all freedom-loving Cubans, as well as by supporters of democracy for Cuba throughout the world.

□ 1800

Well, on the night of the day of her meeting with President Fox and Foreign Minister Castaneda, just this last Monday, Marta Beatriz Roque was visited at her house by a typical array of goons, thugs and hoodlums sent by the dictator who told her that she had to accompany them to a detention center for questioning while her house was fumigated.

She was then taken to a detention center by these thugs, physically assaulted, strip-searched and insulted repeatedly for hours on end. While this was happening, the so-called fumigation was taking place at her house. The furniture and windows were destroyed, and Marta Beatriz Roque's few belongings were ransacked.

Marta Beatriz Roque's crime? She had met that morning with President Fox and Foreign Minister Castaneda, and she had spoken bravely in support of democracy for Cuba.

So what will President Fox do about this? The act of aggression against Marta Beatriz Roque was a way for the Cuban dictator to show his disdain and contempt for President Fox and Foreign Minister Castaneda, as well as for the Cuban people, whose democratic aspirations are thoroughly represented by Marta Beatriz Roque.

What will you do, President Fox and Foreign Minister Castaneda? Will you do as Castro's Foreign Minister says and fail even to acknowledge the gross and constant violations of human rights in Cuba when the United Nations Human Rights Commission discusses this issue in Geneva in the coming weeks, or will you do what you should do and condemn this atrocity against one of your guests at the Mexican Embassy in Cuba this past Monday?

What will the world do, Mr. Speaker? What will our colleagues in this Congress do? One of them showed his feelings on the subject of the oppression of Cuba by allowing a member of the delegation that he traveled to Cuba with recently to give the Cuban dictator a cap like the one worn by the New York Fire Department. That symbol of American heroism, of supreme American dignity, was given to the dictator who for more than four decades has imprisoned, tortured, exiled and executed those who fight for the freedoms which this country represents.

The gift of that cap to the dictator and the attitude that it reflects is grotesque. It is insulting not only to the Cuban people, but to Americans as well, and it is condemnable.

It is time to stop dining and joking with the Cuban dictator. The time has come to side with the oppressed people of Cuba. They will soon be free, but they deserve solidarity in their time of darkness.

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

(Mr. CUMMINGS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### HONORING RICHARD STOCKTON COLLEGE MEN'S SOCCER TEAM

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

Mr. LOBIONDO. Mr. Speaker, I rise today to honor the Richard Stockton College of New Jersey's men's soccer team on winning the NCAA Division III national championship, the school's first national title. Not only did the Ospreys bring home the title, they also achieved a 25-1-1 record, the best record in the history of the men's NCAA soccer.

Head coach Jeff Haines and his team established new school records for the most wins, most consecutive wins, fewest losses, best season record, most shutouts and most goals scored. Their dedication, hard work and can-do spirit have made our community so very proud and have brought the Ospreys recognition from across the Garden State and, in fact, from across the United States of America.

I would like to congratulate the team, Head Coach Haines, the coaching staff, athletic director Larry James and the entire school on such an impressive achievement. I am very pleased to welcome them to Washington and wish them the very best of luck for repeating as national champions next year. They have set an example for our entire community on what teamwork means, setting the bar high to reach a goal and then going for it and winning a national title. We are so very proud of them, Mr. Speaker.

#### THE RICHARD STOCKTON COLLEGE OF NEW JERSEY 2001 MEN'S SOCCER ROSTER

Student athletes and New Jersey hometowns: Nicholas Agaccio, Avenel; Steven Billstein, Woodbury Heights; Douglas Cavagnaro, Vineland; Vincent Colubiale, North Cape May; Mark Dodson, Shamong; John Epley, Franklinville; Thomas Ferron, Ringwood; and Michael Ford, Atco.

John Geiges, Haddon Heights; Michael Harner, Sewell; Rashid Hawkins, Cherry Hill; Jason Kufta, Maple Shade; Peter Lambert, Ocean View; Ralph Maione, Egg Harbor City; David Mattus, Bridgeton; Michael McAlarnen, Upper Township; and Christopher Meyrick, Richland.

Jeffrey Moore, Gloucester Township; Michael Muckley, Atco; James Nelson, Toms River; Greg Ruttler, Atco; Nicholas Scaffidi, Laurel Springs; Brett Steinberg, Hohokus; Thomas Tutalo, West Orange; Alec Walker, Atco; and Ryan Williams, Westmont.

Coaching staff members and title: Jeffrey Haines, head men's soccer coach; James Con-

nor, assistant men's soccer coach; and Christopher Wiener, assistant men's soccer coach.

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 addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### STATUS REPORT ON CURRENT SPENDING LEVELS OF ON-BUDGET SPENDING AND REVENUES FOR FY 2001 AND THE 5-YEAR PERIOD FY 2002 THROUGH FY 2006

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

Mr. NUSSLE. Mr. Speaker, To facilitate the application of sections 302 and 311 of the Congressional Budget Act and section 201 of the conference report accompanying H. Con. Res. 83, I am transmitting a status report on the current levels of on-budget spending and revenues for fiscal year 2002 and for the five-year period of fiscal years 2002 through 2006. This status report is current through February 4, 2002.

The term "current level" refers to the amounts of spending and revenues estimated for each fiscal year based on laws enacted or awaiting the President's signature.

The first table in the report compares the current levels of total budget authority, outlays, and revenues with the aggregate levels set forth by H. Con. Res. 83. This comparison is needed to enforce section 311(a) of the Budget Act, which creates a point of order against measures that would breach the budget resolution's aggregate levels. The table does not show budget authority and outlays for years after fiscal year 2002 because appropriations for those years have not yet been considered.

The second table compares the current levels of budget authority and outlays for discretionary action by each authorizing committee with the "section 302(a)" allocations made under H. Con. Res. 83 for fiscal year 2002 and fiscal year 2002 through 2006. "Discretionary action" refers to legislation enacted after the adoption of the budget resolution. This comparison is needed to enforce section 302(f) of the Budget Act, which creates a point of order against measures that would breach the section 302(a) discretionary action allocation of new budget authority for the committee that reported the measure. It is also needed to implement section 311(b), which exempts committees that comply with their allocations from the point of order under section 311(a).

The third table compares the current levels of discretionary appropriations for fiscal year 2002 with the "section 302(b)" suballocations of discretionary budget authority and outlays among Appropriations subcommittees. The comparison is also needed to enforce section 302(f) of the Budget Act because the point of order under that section equally applies to measures that would breach the applicable section 302(b) suballocation.

The fourth table gives the current level for 2003 of accounts identified for advance appropriations in the statement of managers accompanying H. Con. Res. 83. This list is needed

to enforce section 201 of the budget resolution, which creates a point of order against appropriation bills that contain advanced appropriations that are: (i) not identified in the statement of managers or (ii) would cause the aggregate amount of such appropriations to exceed the level specified in the resolution.

The fifth table compares discretionary appropriations to the levels provided by section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985. If at the end of a session discretionary spending in any category exceeds the limits set forth in section 251(c) (as adjusted pursuant to section 251(b)), a sequestration of amounts within that category is automatically triggered to bring spending within the established limits. As the determination of the need for a sequestration is based on the report of the President required by section 254, this table is provided for informational purposes only.

REPORT TO THE SPEAKER FROM THE COMMITTEE ON THE BUDGET—STATUS OF THE FISCAL YEAR 2002 CONGRESSIONAL BUDGET ADOPTED IN H. CON. RES. 83

[Reflecting action completed as of February 4, 2002—on-budget amounts, in millions of dollars]

	Fiscal year 2002	Fiscal year 2002–2006
<b>Appropriate Level:</b>		
Budget Authority .....	1,673,188	(1)
Outlays .....	1,638,852	(1)
Revenues .....	1,638,202	8,878,506
<b>Current Level:</b>		
Budget Authority .....	1,664,550	(1)
Outlays .....	1,625,874	(1)
Revenues .....	1,672,118	8,888,321
<b>Current Level over (+)/under (-)</b>		
<b>Appropriate Level:</b>		
Budget Authority .....	- 8,638	(1)
Outlays .....	- 12,978	(1)
Revenues .....	33,916	9,815

Not applicable because annual appropriations Acts for fiscal years 2003 through 2006 will not be considered until future sessions of Congress.

BUDGET AUTHORITY

Enactment of measures providing new budget authority for FY 2002 in excess of \$8,638,000,000 (if not already included in the

current level estimate) would cause FY 2002 budget authority to exceed the appropriate level set by H. Con. Res. 83.

OUTLAYS

Enactment of measures providing new outlays for FY 2002 in excess of \$12,978,000,000 (if not already included in the current level estimate) would cause FY 2002 outlays to exceed the appropriate level set by H. Con. Res. 83.

REVENUES

Enactment of measures that would result in revenue loss for FY 2002 in excess of \$33,916,000,000 (if not already included in the current level estimate) would cause revenues to fall below the appropriate level set by H. Con. Res. 83.

Enactment of measures resulting in revenue loss for the period FY 2002 through 2006 in excess of \$9,815,000,000 (if not already included in the current estimate) would cause revenues to fall below the appropriate levels set by H. Con. Res. 83.

DIRECT SPENDING LEGISLATION—COMPARISON OF CURRENT LEVEL WITH AUTHORIZING COMMITTEE 302(a) ALLOCATIONS FOR DISCRETIONARY ACTION, REFLECTING ACTION COMPLETED AS OF FEBRUARY 4, 2002

[Fiscal years, in millions of dollars]

House Committee	2002		2002–2006 total	
	BA	Outlays	BA	Outlays
<b>Agriculture:</b>				
Allocation .....	7,350	7,350	28,492	25,860
Current Level .....	0	2	0	0
Difference .....	- 7,350	- 7,348	- 28,492	- 25,860
<b>Armed Services:</b>				
Allocation .....	146	146	398	398
Current Level .....	163	146	276	276
Difference .....	17	0	- 122	- 122
<b>Banking and Financial Services:</b>				
Allocation .....	0	0	0	0
Current Level .....	8	9	46	47
Difference .....	8	9	46	47
<b>Education and the Workforce:</b>				
Allocation .....	5	5	32	32
Current Level .....	- 195	- 180	3,785	3,040
Difference .....	- 200	- 185	3,753	3,008
<b>Commerce:</b>				
Allocation .....	2,687	2,687	- 6,537	- 6,537
Current Level .....	- 46	- 50	2	7
Difference .....	- 2,733	- 2,737	6,539	6,544
<b>International Relations:</b>				
Allocation .....	0	0	0	0
Current Level .....	0	0	0	0
Difference .....	0	0	0	0
<b>Government Reform:</b>				
Allocation .....	0	0	- 1,995	- 1,995
Current Level .....	0	0	- 4	- 4
Difference .....	0	0	1,991	1,991
<b>House Administration:</b>				
Allocation .....	0	0	0	0
Current Level .....	0	0	0	0
Difference .....	0	0	0	0
<b>Resources:</b>				
Allocation .....	0	- 3	365	88
Current Level .....	0	- 1	14	13
Difference .....	0	2	- 351	- 75
<b>Judiciary:</b>				
Allocation .....	0	0	0	0
Current Level .....	109	109	299	159
Difference .....	109	109	299	159
<b>Small Business:</b>				
Allocation .....	0	0	0	0
Current Level .....	0	0	0	0
Difference .....	0	0	0	0
<b>Transportation and Infrastructure:</b>				
Allocation .....	2,000	3,200	2,000	4,700
Current Level .....	3,108	4,208	9,949	12,649
Difference .....	1,108	1,108	7,949	7,949
<b>Science:</b>				
Allocation .....	0	0	0	0
Current Level .....	0	0	0	0
Difference .....	0	0	0	0
<b>Veterans' Affairs:</b>				
Allocation .....	264	264	3,205	3,205
Current Level .....	230	230	3,097	3,097
Difference .....	- 34	- 34	- 108	- 108
<b>Ways and Means:</b>				
Allocation .....	1,360	900	15,409	15,069
Current Level .....	6,427	6,427	36,710	36,710
Difference .....	5,067	5,527	21,301	21,641

DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 2002—COMPARISON OF CURRENT LEVEL WITH APPROPRIATIONS SUBCOMMITTEE 302(b) SUBALLOCATIONS

[In millions of dollars]

Appropriations Subcommittee	Revised 302(b) suballocations as of September 20, 2001 (H. Rpt. 107-208)		Adjustments not reflected in 302(b) suballocations		Current level reflecting action completed as of February 4, 2002		Current level minus suballocations	
	BA	OT	BA	OT	BA	OT	BA	OT
Agriculture, Rural Development	15,668	16,044	535	352	16,553	16,634	350	238
Commerce, Justice, State	38,541	38,905	2,423	1,032	41,079	39,879	115	-58
National Defense	299,860	293,941	20,743	17,340	320,603	311,898	0	617
District of Columbia	399	415	200	200	608	618	9	3
Energy & Water Development	23,705	24,218	574	346	25,170	25,116	891	552
Foreign Operations	15,167	15,087	50	13	15,396	15,119	179	19
Interior	18,941	17,800	488	353	19,208	18,081	-221	-72
Labor, HHS & Education	119,725	106,224	3,647	1,821	126,265	109,153	2,893	1,108
Legislative Branch	2,892	2,918	256	196	3,230	3,137	82	23
Military Construction	10,500	9,203	104	27	10,604	9,217	0	-13
Transportation <sup>1</sup>	14,892	53,817	1,296	777	16,596	54,742	408	148
Treasury-Postal Service	17,022	16,285	1,283	1,098	18,352	17,354	47	-29
VA-HUD-Independent Agencies	85,434	88,062	7,101	348	92,335	88,811	-200	401
Unassigned <sup>2</sup>	0	0	4,554	21,132	0	13,397	-4,554	-7,735
<b>Grand Total</b>	<b>662,746</b>	<b>682,919</b>	<b>43,254</b>	<b>45,035</b>	<b>705,999</b>	<b>723,156</b>	<b>-1</b>	<b>-4,798</b>

<sup>1</sup> Does not include mass transit BA.

<sup>2</sup> Reflects 2002 outlays for FY2001 appropriations contained in P.L. 107-38, the Emergency Supplemental Appropriations Act for Recovery from and Response to Terrorist Acts on the United States, and budget authority and outlays that result from the increase in the statutory spending caps contained in P.L. 107-117, the bill making appropriations for the Department of Defense for fiscal year 2002.

Statement of FY 2003 advance appropriations under section 201 of H. Con. Res. 83 reflecting action completed as of February 4, 2002

[In millions of dollars]

	Budget authority
Appropriate Level	23,159
Current Level:	
Commerce, Justice, State Subcommittee:	
Patent and Trademark Office	0
Legal Activities and U.S. Marshals, Antitrust Division	0
U.S. Trustee System	0
Federal Trade Commission	0
Interior Subcommittee: Elk Hills	36

	Budget authority
Labor, Health and Human Services, Education Subcommittee:	
Employment and Training Administration	2,463
Health Resources	0
Low Income Home Energy Assistance Program	0
Child Care Development Block Grant	0
Elementary and Secondary Education (reading excellence)	0
Education for the Disadvantaged	7,383
School Improvement	1,765
Children and Family Services (head start)	1,400

	Budget authority
Special Education	5,072
Vocational and Adult Education	791
Treasury, General Government Subcommittee:	
Payment to Postal Service	48
Federal Building Fund	0
Veterans, Housing and Urban Development Subcommittee: Section 8 Renewals	4,200
<b>Total</b>	<b>23,158</b>
Current Level (+) / under (-) Appropriate Level	-1

COMPARISON OF CURRENT LEVEL TO DISCRETIONARY SPENDING LEVELS SET FORTH IN SECTION 251(c) OF THE BALANCED BUDGET AND EMERGENCY DEFICIT CONTROL ACT OF 1985 REFLECTING ACTION COMPLETED AS OF FEBRUARY 4, 2001

[In millions of dollars]

	Statutory cap <sup>1</sup>	Current level	Current level over (+)/under (-) statutory cap
General Purpose	BA 704,548	704,241	-307
	OT 696,092	688,000	-8,092
Defense <sup>2</sup>	BA (3)	347,394	(3)
	OT (3)	347,440	(3)
Nondefense <sup>2</sup>	BA (3)	356,847	(3)
	OT (3)	340,560	(3)
Highway Category	BA (3)	(3)	(3)
	OT 28,489	28,489	0
Mass Transit Category	BA (3)	(3)	(3)
	OT 5,275	5,275	0
Conservation Category	BA 1,760	1,758	-2
	OT 1,473	1,392	-81

<sup>1</sup> Established by OMB Final Sequestration Report for Fiscal Year 2002.

<sup>2</sup> Defense and nondefense categories are advisory rather than statutory.

<sup>3</sup> Not applicable.

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, February 5, 2002.  
Hon. JIM NUSSLE,  
Chairman, Committee on the Budget,  
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2002 budget and is current through February 4, 2002. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of H. Con. Res. 83, the Concurrent Resolution on the Budget for Fiscal Year 2002. The budget resolution figures incorporate revisions submitted by the Committee on the Budget to the House to reflect funding for emergency requirements, disability reviews, an Earned Income Tax Credit compliance initiative,

and adoption assistance. These revisions are required by section 314 of the Congressional Budget Act, as amended. In addition, section 218 of H. Con. Res. 83 provides for an allocation increase to accommodate House action on the President's revised request for defense spending, and Public Law 107-117 contains language that increases the discretionary spending limits for fiscal year 2002.

Since my last letter dated December 6, 2001, the following legislation has been enacted into law, and has changed budget authority, outlays, and revenues for 2002:

- Railroad Retirement and Survivors' Improvement Act of 2001 (Public Law 107-90);
- District of Columbia Appropriations Act 2002 (Public Law 107-96);
- Veterans Education and Benefits Expansion Act of 2001 (Public Law 107-103);
- Administrative Simplification Compliance Act (Public Law 107-105);
- National Defense Authorization Act for Fiscal Year 2002 (Public Law 107-107);

Best Pharmaceuticals for Children Act (Public Law 107-109);

Foreign Operations Appropriations Act, 2002 (Public Law 107-115);

Labor, HHS, Education Appropriations Act, 2002 (Public Law 107-116);

Defense Appropriations Act, 2002 (Public Law 107-117);

Small Business Liability Relief and Brownfields Revitalization Act (Public Law 107-118);

Investor and Capital Markets Fee Relief Act of 2001 (Public Law 107-123);

Victims of Terrorism Tax Relief Act of 2001 (Public Law 107-134);

Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 (Public Law 107-135);

In addition, the Congress has cleared for the President's signature an act to amend

the Higher Education Act of 1965 with respect to interest rates for borrowers and payments to lenders (S. 1762) and an act to require valuation of nontribal interest owner-

ship of subsurface rights within the boundaries of the Acoma Indian Reservation (H.R. 1913).

Sincerely,

BARRY B. ANDERSON  
(For Dan L. Crippen, Director).

Enclosure.

FISCAL YEAR 2002 HOUSE CURRENT LEVEL REPORT AS OF FEBRUARY 4, 2002

(In millions of dollars)

	Budget authority	Outlays	Revenues
<b>Enacted in sessions prior to 107th Congress:</b>			
Revenues .....	0	0	1,703,488
Permanents and other spending legislation .....	984,540	934,501	0
Appropriation legislation .....	0	280,919	0
Offsetting receipts .....	-321,790	-321,790	0
<b>Total, enacted prior to 107th Congress: .....</b>	<b>662,750</b>	<b>893,630</b>	<b>1,703,488</b>
<b>Enacted in first session of 107th Congress:</b>			
<b>Authorizing Legislation:</b>			
An act to provide reimbursement authority to the Secretaries of Agriculture and the Interior from wildland fire management funds (P.L. 107-13) .....	0	-3	0
Fallen Hero Survivor Benefit Fairness Act of 2001 (P.L. 107-15) .....	0	0	-7
Economic Growth and Tax Relief Reconciliation Act of 2001 (P.L. 107-16) .....	6,425	6,425	-31,145
An act to clarify the authority of the Department of Housing and Urban Development with respect to the use of fees (P.L. 107-18) .....	8	9	8
An act to authorize funding for the National 4-H Program Centennial Initiative (P.L. 107-19) .....	0	2	0
An act to provide for expedited payments of certain benefits (P.L. 107-37) .....	5	5	0
Air Transportation Safety and System Stabilization Act (P.L. 107-42) .....	3,000	4,200	1,400
An act to implement an agreement for a U.S.-Jordan Free Trade Area (P.L. 107-43) .....	0	0	-2
A joint resolution approving the extension of nondiscriminatory treatment to products of the Socialist Republic of Vietnam (P.L. 107-52) .....	0	0	-33
U.S.A. PATRIOT Act (P.L. 107-56) .....	104	104	0
Railroad Retirement and Survivors' Improvement Act of 2001 (P.L. 107-90) .....	108	108	-118
Veterans Education and Benefits Expansion Act of 2001 (P.L. 107-103) .....	229	229	0
Administrative Simplification Compliance Act (P.L. 107-105) .....	-50	-50	0
National Defense Authorization Act, 2002 (P.L. 107-107) .....	163	146	0
Best Pharmaceuticals for Children Act (P.L. 107-109) .....	4	-2	6
Small Business Liability Relief and Brownfields Revitalization Act (P.L. 107-118) .....	0	2	0
Investor and Capital Markets Fee Relief Act of 2001 (P.L. 107-123) .....	0	0	-1,261
Victims of Terrorism Tax Relief Act of 2001 (P.L. 107-134) .....	2	2	-188
Veterans Affairs Health Care Programs Enhancement Act of 2001 (P.L. 107-135) .....	1	1	0
<b>Total, authorizing legislation: .....</b>	<b>9,999</b>	<b>11,178</b>	<b>-31,340</b>
<b>Appropriations Acts:</b>			
Supplemental Appropriations Act, 2001 (P.L. 107-20) .....	65	4,576	0
Emergency Supplemental Appropriations for Fiscal Year 2001 (P.L. 107-38) .....	0	13,397	0
Emergency Supplemental Appropriations for Fiscal Year 2002 (P.L. 107-117) .....	20,000	8,459	0
Agriculture Rural Development Appropriations Act, 2002 (P.L. 107-76) .....	75,237	41,363	0
Commerce, Justice, State Appropriations Act, 2002 (P.L. 107-77) .....	39,223	26,608	0
Defense Appropriations Act, 2002 (P.L. 107-117) .....	317,474	213,172	0
District of Columbia Appropriations Act, 2002 (P.L. 107-96) .....	408	370	0
Energy and Water Appropriations Act, 2002 (P.L. 107-66) .....	24,595	15,972	0
Foreign Operations Appropriations Act, 2002 (P.L. 107-115) .....	15,391	5,582	0
Interior and Related Agencies Appropriations Act, 2002 (P.L. 107-63) .....	19,148	11,901	0
Labor, HHS, Education Appropriations Act, 2002 (P.L. 107-116) .....	327,513	258,081	0
Legislative Branch Appropriations Act, 2002 (P.L. 107-68) .....	2,974	2,509	2
Military Construction Appropriations Act, 2002 (P.L. 107-64) .....	10,500	2,678	0
Transportation and Related Agencies Appropriations Act, 2002 (P.L. 107-87) .....	17,505	22,021	0
Treasury, Postal Service, General Government Appropriations Act, 2002 (P.L. 107-67) .....	32,137	27,936	0
Veterans, HUD, and Independent Agencies Appropriations Act, 2002 (P.L. 107-73) .....	109,229	64,803	-32
<b>Total, appropriations acts: .....</b>	<b>1,011,399</b>	<b>719,428</b>	<b>-30</b>
<b>Total, enacted in first session of the 107th Congress: .....</b>	<b>1,021,398</b>	<b>730,606</b>	<b>-31,370</b>
<b>Entitlements and Mandatories: Adjustments to appropriated mandatories to reflect baseline estimates .....</b>			
<b>Passed pending signature in second session of the 107th Congress:</b>			
An act to amend the Higher Education Act of 1965 with respect to interest rates for borrowers and payments to lenders (S. 1762) .....	-195	-180	0
An act to require valuation of nontribal interest ownership of subsurface rights within the boundaries of the Acoma Indian Reservation (H.R. 1913) .....	0	2	0
<b>Total, passed pending signature in second session of the 107th Congress .....</b>	<b>-195</b>	<b>-178</b>	<b>0</b>
<b>Total Current Level .....</b>	<b>1,664,550</b>	<b>1,625,874</b>	<b>1,672,118</b>
<b>Total Budget Resolution .....</b>	<b>1,673,188</b>	<b>1,638,852</b>	<b>1,638,202</b>
<b>Current Level Over Budget Resolution .....</b>	<b>0</b>	<b>0</b>	<b>33,916</b>
<b>Current Level Under Budget Resolution .....</b>	<b>-8,638</b>	<b>-12,978</b>	<b>0</b>
<b>Memorandum</b>			
<b>Revenues, 2002-2006:</b>			
House Current Level .....	0	0	8,888,321
House Budget Resolution .....	0	0	8,878,506
Current Level Over Budget Resolution .....	0	0	0

Notes.—P.L. = Public Law.  
Section 314 of the Congressional Budget Act, as amended, requires that the House Budget Committee revise the budget resolution to reflect funding provided in bills reported by the House for emergency requirements, disability reviews, an Earned Income Tax Credit compliance initiative, and adoption assistance. In addition Sec. 218 of H. Con. Res. 83 provides for an allocation increase to accommodate House action on the President's revised request for defense spending, and Public Law 107-117 contains language that increases the discretionary spending limits for fiscal year 2002. To date, the Budget Committee has increased the budget authority allocation in the budget resolution by \$46,700 million and the outlay allocation by \$48,378 million for these purposes.  
For comparability purposes, current level budget authority excludes \$1,349 million that was appropriated for mass transit. The budget authority for mass transit, which is exempt from the allocations made for the discretionary categories pursuant to sections 302(a)(1) and 302(b)(1) of the Congressional Budget Act, is not included in H. Con. Res. 83. Total budget authority including mass transit is \$1,665,899 million.  
Source: Congressional Budget Office.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. LYNCH) is recognized for 5 minutes.  
(Mr. LYNCH addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

EXPRESSING APPRECIATION OF RONALD WILSON REAGAN

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

Mr. GUTKNECHT. Mr. Speaker, tonight I rise to express my appreciation for President Ronald Wilson Reagan.  
Ronald Reagan will forever be remembered for having won the Cold War without firing a shot. He rebuilt our defenses and strengthened our economy, but most important, he made us believe in ourselves, to believe in our capacity to perform great deeds.  
Demeaned as a B-grade actor, underestimated by his adversaries, both domestic and international, he shouldered on with incurable optimism. He preached and lived the basic American

values. Things like faith, family, freedom, work and personal responsibility were more than words.  
Ronald Reagan had an enormous empathy for the American people. He had a magic smile that cheered us. His tears were real when tragedy came our way. The title of his autobiography, "An American Life," was appropriate. He was the American President in the American century.  
As he turned and saluted, boarding Marine One for the last time, I remember turning to my wife and saying, "He

was a long time coming; he'll be a long time gone."

Mr. President, on behalf of a grateful Nation, permit me to say thank you, happy birthday and may God bless you.

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

(Mr. STRICKLAND 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 (Ms. MILLENDER-MCDONALD) is recognized for 5 minutes.

(Ms. MILLENDER-MCDONALD addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

REMEMBERING THEODORE J. VOLLRATH, PHILIP JEHLLE AND R. LAWRENCE COUGHLIN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Pennsylvania (Mr. GEKAS) is recognized for 60 minutes as the designee of the majority leader.

Mr. GEKAS. Mr. Speaker, I rise today to enter into the CONGRESSIONAL RECORD remembrances of three individuals who passed away in the last few months.

First, I want to recall the life of Ted Vollrath. Ted Vollrath was a Korean veteran who, because of the battles in which he was engaged, eventually lost both his legs. That did not stop him at all. He became active in many veterans entities and served the public in many different ways, but while he was doing that, he was learning karate. He became a black belt in karate; can my colleagues believe this now, a man without legs, earned a karate black belt.

In a wheelchair he was able to perform feats never before seen, and he performed in London and all over the eastern seaboard and actually made a movie called Mr. No Legs. I saw one of the premieres of it in my district when it came to town.

So he was a movie actor, an enthusiast for karate, a specialist, a black belt, and yet he found time to serve the various veterans organizations in our area, and then, on top of that, served me, our office, as chairman of our Service Academy Nominating Committee and did that for almost 20 years. He was someone who I could count on for advice not just on the service academies, but also on matters military generally, on national security and others.

He at one time, I am also ashamed to tell my colleagues this, one time he said he wanted me to, in one of his karate exhibitions and swordsmanship exhibitions, he wanted to put an apple on

the back of my head, have me kneel down, and then he would with one swift stroke of a sword cut the apple and hopefully not my neck. What I cannot understand is that I said, yes, I would do it, and I did. I put my head down on like a little table or bench there, he put the apple, we had an audience, et cetera, and he did it with his sword and cut the apple in half, did not touch any part of your speaker here, else I would not be here.

The point was that he fulfilled his life with four children and a wonderful church relationship and a community relationship, and overcame tremendous odds through his life. When we lost him, we lost a true contributor to our community.

The second set of remembrances are as to Phillip Jehle. We best knew him, we Pennsylvania Members of the Congress, as the director of the Governor's office in Washington. Governor Casey at that time appointed Mr. Jehle as the director, but he had a whole array of services to the State and to the country way before that. Let me read a couple of the salient features of his life.

He was a retired Washington lawyer. He had served as a chief counsel to a Senate committee. He had served as executive vice president of a pharmaceutical company, and then, as I said, the director of the Washington office of the Pennsylvania Governor. All of us who served in the Pennsylvania delegation knew him well, could approach him at any time to coordinate the solution of problems that were mutual to Members of Congress and to the Governor of the Commonwealth.

He upon his retirement from SmithKline, where he had worked, he spent the rest of his time in legislation that was important to Pennsylvania through the Governor's office.

His survivors include his wife of 52 years, Marcelle Auclair Jehle; five children, Philip F. Jehle, Christopher A. Jehle, Lawrence and Patricia A. Galasso of Morocco, and Kathleen M. Will of Elk Ridge; also a brother, three sisters and 12 grandchildren.

He was a public servant of a special breed, and he, too, will be remembered through our insertion of remembrances in the CONGRESSIONAL RECORD.

The third is as to our colleague Larry Coughlin, longtime member of the Pennsylvania delegation, a Member of Congress from southeast Pennsylvania, who served valiantly throughout the time that he was here after having served in the Pennsylvania General Assembly.

Larry was 71. He was from Montgomery County, and he was the fellow that, when he walked in here, was immediately noticeable for his gentlemanly stance and his posture, but, more than that, his elegant bow tie. He almost never came to this Chamber or to any function without a bow tie, and they were nice ones and colorful and fit the pattern of his gentleman qualities. So if we forget everything else about him, we will always be able to talk

about that bow tie presence that he had.

He served in Congress from 1968 to 1992. At first he represented just Montgomery County and then later part of Philadelphia. He endorsed funding SEPTA, which is a transportation authority in the southeast of Pennsylvania, and other mass transit agencies, housing efforts and antidrug education.

He graduated from the Hotchkiss School in Lakeville, Connecticut, in 1946 and from Yale University in 1950. One of his Yale classmates was George Herbert Walker Bush, the future President and father of our current President, George W. Bush.

While attending Harvard Business School he was called to Active Duty by the Marine Corps in Korea, serving as an aide to the legendary Lieutenant General Lewis B. "Chesty" Puller. After his discharge, he returned to Harvard, earning a degree in business administration in 1954.

He came to Philadelphia to attend Temple University Law School, attending classes at night and working as a foreman on an assembly line at Heintz Manufacturing Company, a steel company, during the day. He received his degree in 1958 and became a partner at Saul Ewing Remick & Saul.

During Vice President Richard M. Nixon's first Presidential campaign in 1960, Larry decorated an old mail truck with banners, and he took the Nixon campaign to the streets of Philadelphia.

By the 1960s he lived in Villanova and was involved in Montgomery County Republican politics. He worked for William W. Scranton's successful gubernatorial campaign in 1962. He himself won his first election in 1964, capturing a seat in the State house of representatives. Two years later he moved up to the State senate, and he was elected to his first term in Congress from the 13th District in 1968.

During his 24 years in Congress, he served on the Committee on the Judiciary and became a high-ranking member of the Committee on Appropriations and its Subcommittee on Transportation. As a member of the House Select Committee on Narcotics Abuse and Control, he called for de-emphasis on efforts to interdict narcotics traffic and instead sought additional funds for destruction of cocaine processing labs, what he called the choke points in the drug trade.

□ 1815

He also supported funding for anti-drug education programs.

His two most competitive contests for reelection came in 1984 and 1986 against the then Democratic State representative JOE HOEFFEL. By the 1980s, Representative Coughlin's 13th District had been reapportioned to include Chestnut Hill, Roxborough, Manayunk and Overbrook in Philadelphia as well as Montgomery County, adding many more registered Democrats to his district.

By the way, that same JOE HOEFFEL eventually became the Member of Congress from that area and is serving even as we speak here today as a Member in this current session of Congress.

Representative Coughlin mounted successful campaigns against his younger opponent, however, and he won comfortably in both contests. And Joe, who finally won the 13th District after what we just mentioned, in 1998 said after learning about Larry's death, "Larry was a moderate who was not at ease with the aggressive wing of the Republican Party. He had a great record in mass transportation and urban matters. Even when his district was entirely suburban, he favored the regional approach." That was JOE HOEFFEL's tribute to Larry.

Unlike some of our colleagues in Congress, Representative Coughlin shunned the limelight. He told me there are workhorses in Congress and there are show horses, and he described himself as a workhorse. The gentleman from Pennsylvania (Mr. HOEFFEL) is the one who recalls that statement that was made by Larry, and he added that he was a dedicated public servant. There was never a whisper of anything improper or self-serving.

When a magazine writer claimed that men who wore bow ties were not to be trusted, Representative Coughlin, who never wore anything but bow ties, said, "I have never known one who wasn't trustworthy."

After his retirement, Mr. Coughlin remained in Washington, joining Eckert, Seamans, Cherin & Mellott as senior counsel. Earlier this year, he joined the law firm of Thompson Coburn. He was president of the Friends of the U.S. National Arboretum, and he enjoyed gardening, hiking and boating.

Mr. Coughlin is survived by his wife of 21 years, Susan MacGregor Coughlin; a daughter, Lisa Powell, from his first marriage to the late Helen Ford Swan; and three children from his second marriage to Elizabeth "Betsey" Worrell. They are daughters Lynne Samson and Sara Noon; and son Lawrence. He is also survived by five grandchildren.

One other anecdote that is not part of the printed material that I will enter into the CONGRESSIONAL RECORD. I remember an occasion, I believe he was still an incumbent at the time, or maybe he had just moved into the outer fringes of the House of Representatives, but an intruder entered his house and was doing whatever these intruders do, and Larry corralled him. He apprehended him and held him down until the police arrived.

So, again, the kind of courage we knew was his wont throughout his life, particularly in Korea, manifested itself in his own domicile in apprehending a felon. And so he was a hero in many, many different ways was Larry Coughlin.

Mr. Speaker, I yield to the gentleman from Nebraska (Mr. BEREUTER), who has been eager with me to have this

hour of remembrances of Larry Coughlin come about.

Mr. BEREUTER. I thank the distinguished gentleman from Pennsylvania, and I am very pleased to participate in this commemorative tribute for Larry, Lawrence, Coughlin, Jr., a terrific person, outstanding Congressman, and a real patriot. And I have to say that I am objective about that despite the fact that Larry Coughlin was one of my best friends in the Congress.

He provided a tremendous amount of leadership in this Congress in so many ways, but of course I guess the area in which he is best known is his leadership for the whole Congress on urban and mass transit issues.

Larry had a great set of priorities: family, the U.S. House of Representatives, and Marine Corps. He was such a courteous, cordial individual. He absolutely deserved and lived up to the title of "the gentleman from Pennsylvania."

We had great respect for him, a tremendous sense of humor, we all enjoyed his company, but his contributions in the Congress, of course, were only part of the contributions he made to the country. He provided incredible service to Chesty Puller, one of the most famous marines of all. And I have a hard time saying this as a former Army officer, but in fact he did remarkable things.

He provided real work, hard labor to put himself through law school, and he had an inspirational impact on his family. He motivated those children to bring out the best in their capabilities; a high value on education and patriotism, and it shows when you meet them today, and his grandchildren as well.

One of the things that most people do not know about Larry Coughlin is his love for plants, trees, bushes, all kinds of plants. Larry worked in the soil. He loved it, and he provided some real leadership to organizations like the Friends of the National Arboretum, where he served as the president for a number of years, and he was an inspiration to all of us.

He actually is responsible for involving a significant number of Members of Congress and their spouses in the work of the National Arboretum. It was one of his loves. But he took that love and you could see it on his own properties in Virginia, Pennsylvania, and elsewhere. He grew up in that agricultural vein. He tells stories about working with his father from the youngest years of his life, and he made a tremendous contribution in that area, and it is something that most people do not know about. I think there could be an opportunity for us to make a fitting tribute to Larry Coughlin by doing something in the future for the National Arboretum, one of his real joys in life.

We are going to miss him very, very much, and I in particular. I thank my colleague, the gentleman from Pennsylvania (Mr. GEKAS), for yielding to me. It is hard to itemize all the things in which Larry made contributions

throughout his life, and even here in the House of Representatives. It is hard to list them all because this was a man who reflected the best in the House of Representatives.

Mr. GEKAS. I thank the gentleman. And it occurred to me that we missed a golden opportunity to pay the ultimate tribute to Larry. We should have worn bow ties for this occasion while we did our remembrances of him.

Mr. BEREUTER. He not only wore them, he defended them; did he not?

Mr. GEKAS. Yes, he did, regularly.

And so, Mr. Speaker, that concludes our remembrances on this occasion, and we invite every Member who wishes to add any kind of sentiment or remembrance to the CONGRESSIONAL RECORD to do so, and to let us know so that we can coordinate the whole of the RECORD; and, as I indicated previously, I hereby submit additional biographical information on Larry Coughlin for the RECORD.

[From the Biographical Directory of the United States Congress]

COUGHLIN, ROBERT LAWRENCE, 1929—

Coughlin, Robert Lawrence, (nephew of Clarence Dennis Coughlin), a Representative from Pennsylvania; born in Wilkes-Barre, Luzerne County, Pa., April 11, 129; A.B., Yale University, 1950; M.B.A., Harvard Graduate School of Business Administration, 1954; LL.B., Temple University Evening Law School, 1958; attorney; manufacturer; captain, United States Marine Corps, 1950-1952, aide-de-camp to Gen. L.B. Puller; elected to Pennsylvania house of representatives, 1964; elected to Pennsylvania senate, 1966; elected as a Republican to the Ninety-first and to the eleven succeeding Congresses (January 3, 1969-January 3, 1993); was not a candidate for renomination in 1992 to the One Hundred Third Congress; is a resident of Plymouth Meeting, Pa.

[From the Washington Post, Dec. 5, 2001]

REP. R. LAWRENCE COUGHLIN, JR., DIES; REPRESENTED PENNSYLVANIA FROM 1969 TO 1993

(By Adam Bernstein)

R. Lawrence Coughlin Jr., 72, a moderate Pennsylvania Republican who from 1969 to 1993 represented the wealthy Maine Line area of suburban Philadelphia in the House of Representatives, died of cancer Nov. 30 at his weekend farm in Mathews, Va. He lived in Alexandria.

Rep. Coughlin, a lawyer, was known for championing urban and mass-transit issues nationwide. He served on the transportation subcommittee and the District subcommittee. He also was ranking Republican on the Select Committee on Narcotics Abuse and Control. On the District subcommittee, he was frequently critical of then-Mayor Marion Barry's leadership. At one hearing on the D.C. budget, he took Barry to task for "corruption and mismanagement" citywide. He did not pursue reelection in 1992 and became senior counsel to Eckert Seamans Cherin & Mellott in Washington. In April, he joined the Washington office of the St. Louis-based Thompson Coburn law firm and concentrated on transportation and international-commerce matters. He was on the board of the Friends of the U.S. National Arboretum, where he was a former president.

Robert Lawrence Coughlin Jr. was born in Wilkes-Barre, Pa., and grew up on his father's farm near Scranton, Pa. He was a nephew of former representative Clarence D. Coughlin (R-Pa.). The younger Rep. Coughlin

was a 1946 graduate of the Hotchkiss School in Lakeville, Conn., and a 1950 economics graduate of Yale University. He received a master's degree in business administration from Harvard University. He was a 1958 graduate of Temple University's law school, attending classes at night while a foreman on a steel assembly line during the day. He served in the Marine Corps during the Korean War and was aide-de-camp to Lt. Gen. Lewis B. "Chesty" Puller. Years later, in Congress, Rep. Coughlin chaired the Capitol Hill Marines, a group of congressmen who had been in the Marine Corps. He was practicing law at a Philadelphia firm when he was elected to the Pennsylvania House of Representatives in 1964 and to the state Senate in 1966. He won his U.S. House seat in 1968, when Richard S. Schweiker (R) left to make a successful bid for the U.S. Senate.

A tall, slender man with a patrician air, Rep. Coughlin was known for wearing—and defending—bow ties. When a magazine writer said in the 1980s that men who wore bow ties were not to be trusted, Rep. Coughlin was quoted as saying, "I've never known one who wasn't trustworthy." His first wife, Helen Ford Swan Coughlin, died in the early 1950s. His marriage to Elizabeth Worrell Coughlin ended in divorce. Survivors include his wife of 21 years, Susan MacGregor Coughlin of Alexandria; a daughter from his first marriage, Lisa Coughlin Powell of Plymouth Meeting, Pa.; three children from his second marriage, Lynne Coughlin Samson of Wayne, Pa., Sara Coughlin Noon of Bel Air, Md., and R. Lawrence Coughlin III of Seattle; and five grandchildren.

#### SICKLE CELL DISEASE

The SPEAKER pro tempore (Mr. SHUSTER). Under a previous order of the House, the gentlewoman from California (Ms. MILLENDER-MCDONALD) is recognized for 5 minutes.

Ms. MILLENDER-MCDONALD. Mr. Speaker, I had the joy on Monday to visit one of the hospitals in my district, the Miller Children's Hospital located in Long Beach and within the Long Beach Memorial Hospital complex. What a joy it was, Mr. Speaker, to talk with the many children who had such hope and such enthusiasm even given the fact that they are sickle cell anemia children.

I was met, as I came into the hospital, by Kala, age 5. So much spirit, so vibrant, so eager to talk with me about the things that she does in school. I was absolutely pleased to see this youngster, who is really suffering from sickle cell anemia, to have such hope and such determination, something that we can all and should all emulate.

And then I went to the next ward and I saw Etan. Etan was with his mother and father, and he, too, is suffering from sickle cell anemia. I talked with Etan. He is an A student in school. His father and his mother hailed from Nigeria. He has to come in every so often for a blood transfusion.

I was so pleased to see these two young people, who are so vibrant, so much life, and yet their life can be taken in a moment's time if they are not given this type of blood that they have to have.

Then I went down the hallway and I saw another young guy by the name of

Chris. He was in the hospital, again having this blood transfusion, and he was with his father, his mother, and his brother Maurice. They are a family of 10. It was amazing to me how this family was so close-knit there, pulling for Chris to come through. He, too, had to have this blood transfusion, and he, too, had just a wealth of energy, as much as he could put out; and so much love, so much compassion, smiling all the time, not knowing exactly whether he will be with us next year or not.

These are children, Mr. Speaker, that have been afflicted with sickle cell disease. And we, as African Americans, know much too often about sickle cell. We know that sickle cell and that disease is a disease that affects a special protein inside of our red blood cells called hemoglobin. The red blood cell has an important job. They pick up oxygen from the lungs and take it to every part of the body.

We also recognize, Mr. Speaker, that sickle cell disease affects 3 in every 1,000 African American newborns. Although in the United States most cases occur among African Americans, this disease also affects people of Arabian, Greek, Maltese, Italian, Sardinian, Turkish, and of Indian ancestry. Affected children are at an increased risk of mortality or morbidity, especially in the first 3 years of life.

This is why, Mr. Speaker, the Miller Children's Hospital at Long Beach Memorial is such an outstanding one because it treats these kids. It has an absolutely state-of-the-art clinic that has helped in so many ways with our children gaining their strength and being able to get back up and go to school and to monitor them. They monitor them to make sure that when there is a need for them to come back in for a transfusion, they come back in.

Sickle cell disease is an inherited disease of the red blood cells, as I said before, which can cause attacks of pain, damage to vital organs, and risk of serious infections that can lead to early death. This is why, Mr. Speaker, for infants and young children with sickle cell disease they are especially vulnerable to severe bacterial infections such as those that cause meningitis and blood infection. Infections are the leading cause of death in children with sickle cell disease.

I cannot say enough about the testing and the great physicians and nurses that are helping our children who have sickle cell. So I call on all my fellow colleagues to join me in the fight to support this universal patient access and research for sickle cell disease.

□ 1830

#### BUSH ADMINISTRATION DOWNGRADES ENVIRONMENTAL POLICY

The SPEAKER pro tempore (Mr. SHUSTER). Under the Speaker's announced policy of January 3, 2001, the gentleman from New Jersey (Mr.

PALLONE) is recognized for 60 minutes as the designee of the minority leader.

Mr. PALLONE. Mr. Speaker, this evening I would like to highlight the negative aspects of the Bush administration's environmental record. I do not come to the floor lightly. I am not here because I particularly want to be critical of the President or this administration; but it has been upsetting to me, particularly because I think in the aftermath of the September 11, because the Nation and I personally have focused so much on defense and the war on terrorism and homeland security issues, many times when efforts were made by the administration to weaken environmental laws or change agency rules in ways that weaken environmental protection, it has been difficult to get the public to pay attention to those issues or to even get the media's attention to the fact that in many cases environmental regulations have been watered down or changed in a way that is not good for the environment.

I was hoping that was just a coincidence and it would not continue, but it has continued. There are reports which have come out, one of which I would like to go into in a little detail tonight, which shows that this administration continues to downgrade, if you will, environmental protection.

When the President came forth with his budget last Monday, there was another strong indication of his willingness to downgrade environmental concerns because of the level of funding proposed in his budget for some key environmental programs.

I do not think that anyone really expected when President Bush took office that this administration would be strong on environmental issues, but many times there was rhetoric that suggested maybe we were wrong and maybe there would be some heightened concern over the environment. But the fact of the matter is that the administration's actions are very much the opposite. They continue, whether by regulation or through their spending policies, to take action which I think ultimately hurts the environment.

Mr. Speaker, I want to start out this evening by going through briefly a report that was put out by the Natural Resources Defense Council, the NRDC on January 23, just a couple of weeks ago. Basically what they looked at was agency actions over the spectrum of the Nation's most important environmental programs, whether that be protecting air, water, forest, wildlife or public lands. The report is actually entitled "Rewriting the Rules: The Bush Administration's Unseen Assault on the Environment." It basically provides a review of agency action since September 11, and it shows very dramatically that there, basically, has been an intensification of efforts after September 11 to downgrade environmental protection.

I think it is unfortunate that this is the case because I believe most Americans feel that not only is the environment an important issue, but it is a

quality-of-life issue that everyone should be concerned about. I find in my district in the State of New Jersey, it does not matter whether a Member is a Republican or a Democrat, Americans want to protect the environment.

Let me review some of the points that this report makes. Again, it is called "Rewriting the Rules: The Bush Administration's Unseen Assault on the Environment." The first is with reference to clean air. We know that there is a fundamental requirement of the Clean Air Act that older electric power plants and other smoke stack industries must install state-of-the-art cleanup equipment when they expand or modernize their facilities, in other words when utilities are in the process of expanding an older facility. The older facilities may be exempt from certain standards of the Clean Air Act, but if you expand an old facility or build a new facility, then the company has to come under the provisions of the Clean Air Act. It is the grandfathering that is exempt.

But what we find is that the Bush administration is trying to basically allow expansion of these older, dirty power plants without meeting the new requirements or the new rules. There is a new source requirement that says that for new industrial facilities and power plants, that industry has to put in place air quality improvements. That needs to be done for older, expanded plants, the same way as is required for new plants. But the Bush administration is saying that older plants may be expanded without having to upgrade equipment.

Mr. Speaker, when the Clean Air Act was passed, it was understood that even though the older plants were grandfathered, that they would be phased out and at some point there would only be the new plants which met the stricter environmental criteria. If this administration allows the older plants to essentially retool and expand under the old rules, not only will those plants continue to have a life of their own, but now there will be even more power generated using old and outmoded methods that allow the air to be more and more polluted.

The second issue that the NRDC report references with regard to wetlands. For more than a decade, the cornerstone of America's approach to wetlands protection has been a policy that calls for no net loss of wetlands. This actually originated with the first President Bush, with the first Bush administration. But with no public notice or opportunity for comment, the U.S. Army Corps of Engineers moved to effectively reverse this long-standing policy by issuing a new guidance on wetlands mitigation. These weaker standards would mean the loss of tens of thousands of acres of wetlands that provide flood protection, clean water and fish and wildlife habitat. This reversal of the no net-loss policy, which has occurred since September 11, is just one component of a broader Bush ad-

ministration effort to diminish wetlands protection.

The President made a pledge during Earth Day of this year that he would preserve wetlands; but if we look at what his administration is doing, they supported relaxing a key provision of the Clean Water Act, the National Permit Program, which regulates development and industrial activity in streams and wetlands. So the Corps of Engineers is loosening the permit standards and making it easier for developers and mining companies to destroy more streams and wetlands.

Mr. Speaker, a third area is mining on public lands. Mining activities have despoiled 40 percent of western watersheds, according to the EPA. But instead of addressing this problem, the Bush administration is making it worse. In October, the Department of the Interior issued new hardrock mining regulations reversing environmental restrictions that apply for mining for gold, copper, silver, and other metals on Federal lands. Under the new rules, the agency has renounced the government's authority to deny permits on the grounds that a proposed mine could result in substantial irreparable harm to the environment. So the new rules also limit corporate liability for irresponsible mining practices, undermining cleanup standards that safeguard ground and surface water.

□ 1845

These were again put into place in October, in the aftermath of September 11, essentially when most of us, including the media, were not paying too much attention.

A fourth area that I would like to mention that is in the NRDC report is particularly important to me, because when I was first elected to Congress back in 1988, basically I ran on a platform that I was going to put an end to ocean dumping off the coast of New Jersey, off the coast of my district. I have been very successful with my colleagues from New Jersey, with my other Members of the House, with the Senators from New Jersey over that 14-year period now to basically put an end to all direct dumping, if you will, in the ocean, whether it be sewage or toxic dredge material or the other types of materials. We had all kinds of garbage and different things that were placed out in the ocean.

Sewage, of course, contains bacteria, viruses, fecal matter and other wastes, and it is responsible each year for beach closures, fish kills, shellfish-bed closures and human gastrointestinal and respiratory illnesses. In 1988 in New Jersey, because of all the medical waste and the sewage sludge that was washing up on the beaches in the summer, we actually had to close all the beaches in the State, or almost all the beaches in the State. It cost New Jersey billions of dollars. People were getting sick, the economy was suffering, it was really a bad situation, both healthwise and economically speaking.

According to the EPA, there were 40,000 discharges of untreated sewage into water bodies, basements, playgrounds and other areas in the year 2000. Before the Bush administration took office, the EPA issued long-overdue rules minimizing raw sewage discharges into waterways, and requiring public notification of sewage overflows. The proposed rules, however, were blocked by the regulatory freeze ordered by the Bush administration last January. A year later, the administration still has not issued the final sewage overflow rules. Technically, they remain under internal review at the EPA, but in practice they are languishing in regulatory limbo.

This was an action that was taken by the Clinton administration, by the prior President, in an effort to try to minimize raw sewage overflow into our rivers, oceans and streams, and the Bush administration when they came into office basically got rid of that regulation, but promised they would come up with new ones. A year later we do not have them. Once again we have an example where clean water, like clean air, like wetlands, all these things are suffering because of either action or inaction by this current administration.

The last thing that the NRDC mentions in the report is OMB's centralized assault. The full-scale regulatory retreat at Federal environmental agencies is only part of the story, according to the NRDC.

Over the long term, the most telling indication of the Bush administration's intentions is the role played by the Office of Management and Budget. The Bush administration has given unprecedented new power to OMB to gut existing environmental rules and bottle up new ones indefinitely. And the OMB has carried this effort a step further by reaching out to polluters and their champions on Capitol Hill to develop a hit list of environmental safeguards they plan to weaken. The list provides a road map of upcoming regulatory battles that include safe drinking water standards, controls on toxins, Clean Air Act requirements, water pollution limits, pollution from factory farms, and forest planning regulations.

The problem that I see, Mr. Speaker, is that this administration started out basically saying that they were going to try to improve the environment, making that commitment. A lot of us doubted that that commitment was real, and now in the aftermath of September 11 we see that it is not real, and, in fact, every effort is being made to gut environmental protection. I think that the public increasingly will not stand for this. If anything, the Enron scandal points out that the public is very wary of big business, corporate interests being able to extend their political influence on Capitol Hill to do things that are not in the interest of the little guy, that are not in the interest of the general public. I have no doubt that the environment is something that the public sincerely cares

about and that once these administration actions are brought to light, we can see mounting support to oppose any kind of changes that seek to basically downplay or degrade the environment.

I wanted to mention, Mr. Speaker, if I could, what happened and some of the highlighted cuts that the President brought forward in his budget last Monday. I think that, as with everything related to the environment, the key is having good laws on the books, having agencies that will carry out those laws, but those agencies cannot carry out those laws unless they have the funding to do so, and in many cases they do not have the enforcement arm to make sure that permits are not violated and that people are basically not going along with the laws that exist, the good laws that exist on the environment.

When you talk about cutbacks in the areas that I am going to discuss, that has a major impact on the ability to improve environmental quality. If the money is not there to clean up the water, to clean up the air, to take the action, to do the enforcement, then we will continue to see a policy of environmental degradation.

I wanted to get into a little detail about some of the budget concerns that I have in what the President proposed last Monday. In the first instance, I would like to talk about the Land and Water Conservation Fund. This is really an open space issue.

At the end of the 106th Congress, the work of numerous Members, administration officials and literally thousands of conservation, environmental and recreation interests across the country culminated in what was the greatest piece of conservation funding legislation enacted in our lifetime. This was at the end of the last Congress. There was a bipartisan deal that set aside a total of \$12 billion over a 6-year period, from 2001 to 2006, to fund an array of important programs, including the Land and Water Conservation Fund that protected open space, wildlife habitat, wildlife and cultural treasures, and supported recreation. This fund, the Land and Water Conservation Fund, is dedicated and protected for these purposes. It cannot be used for any other budget purposes.

The fund started out at \$1.6 billion and is slated for 10 percent increases each year to reach a total of \$2.4 billion by fiscal year 2006. The fund is large enough to fully fund the open space program that Congress enacted, but the administration in its budget proposal cut this historic program by \$250 million below its authorized level of \$1.92 billion for the next fiscal year.

The Bush administration's budget also erodes the original purpose of this Land and Water Conservation Fund, first by cutting existing programs such as the Land and Water Conservation Fund by \$88 million, State and tribal wildlife grants by \$25 million, and the Endangered Species Fund by \$5 million;

and also zeroing out the Urban Parks and Recreation Program. It substantially increases the level in the fund for Federal lands maintenance, and this was supposed to be complementary, not part of the effort to acquire more open space.

So what we see is a promised program, the Land and Water Conservation Fund, which was supposed to be money set aside just for specific open space purposes, now being cut even though there was a commitment over this period of time to make sure that it was fully funded.

There is a similar problem with wildlife refuges. The wildlife refuge system celebrates its 100th anniversary in 2003. Defenders and a number of other organizations have called for more than doubling the refuge system's budget to a total of \$700 million so that it has the funds to carry out its mission. In other words, there was supposed to be a significant increase in this fund. But what has happened, what the Bush administration has proposed, is to basically cut back on staff. Nearly 200 refuges have no staff on site, and at its fiscal year 2002 funding level, needed operation increases are five times greater than needed maintenance increases. What the administration is doing again here is not providing enough funding to actually run the wildlife refuge programs and making it more and more difficult to maintain the refuges around the country.

We have a similar situation with endangered species. The administration has requested \$125.7 million, level funding, for the Fish and Wildlife Service core endangered species program. But this amount falls far short of the \$275 million recommended for the next fiscal year by environmental groups. They do not have enough funding in the Fish and Wildlife Service to complete action on more than 250 species that are currently candidates for protection. This is the listing of the species under the Endangered Species Act. So if you do not have the money to actually go out and list species and decide what is going to be on the endangered species list, essentially there is no protection for those species.

Last year, the Service estimated that it needs \$120 million, or \$24 million per year over 5 years, just for the process of eliminating the backlog for listing critical species. This does not account for a lot more that could be looked at and placed on the list. The administration has requested just \$9 million for listing. Again, this is a way through the budget that the Bush administration makes it more difficult, if not impossible, to enforce the Endangered Species Act, by not providing enough funding to do the process of listing species. That is just the listing process.

At the same time, the Fish and Wildlife Service is desperately short of funding needed to recover species; in other words, those that have already been listed and need actions by the Federal Government to make sure that

they recover. At least 40 currently listed species could become extinct, even though they are listed and protected, because there is not enough funding for needed recovery actions. I will not list all of these, but the Florida panther is one, and a number of Hawaiian birds and plants. Again, this is another area where the administration is basically allowing a program to degrade because we do not have the money to either list an endangered species or to protect them.

I wanted to also mention the Cooperative Conservation Initiative. The administration is proposing \$100 million for a new Cooperative Conservation Initiative while mandated actions and current programs are crying for funds. They are coming up with this new program proposed that supposedly is going to deal with conservation issues, but it is not at all clear what its purpose is, at the same time that they are cutting back on funding for some of the other programs like the Land and Water Conservation Fund and the endangered species program.

There are two other areas I wanted to mention this evening, Mr. Speaker. One deals with oil and gas development on public lands. The other deals with our national forests. What the Bush administration is doing in their budget, the President's budget, boosts oil and gas development on our public lands. Under the Bureau of Land Management, the administration is requesting a \$10.2 million increase to expand energy and mineral development on public lands, including expedited permitting and increased leasing, energy-related rights of way and further development on Alaska's North Slope, including plans for drilling, of course, in ANWR, the Arctic National Wildlife Refuge, in Alaska. The administration's budget includes assumptions of receipts from lease sales in ANWR in 2004. It also requested a \$14 million increase for the Bureau of Land Management land use plans, some of which are for national conservation areas, but some are for energy development.

I am not saying that it is always a bad thing to increase oil and gas drilling, but in many of these cases these actions are being taken in environmentally sensitive areas, particularly ANWR. Obviously the administration, the President, continues to push for drilling in ANWR, which from an environmental point of view would be very damaging to the wildlife refuge and to the environment in general in Alaska.

The last thing I wanted to mention relates to national forests. The Forest Service budget includes a damaging pilot charter forest legislative proposal that establishes forests or portions of forests as separate entities outside of the national forest system structure and reporting to a local trust entity for oversight, so basically to get rid of the oversight requirements that currently exist.

This is nothing more than a giveaway of portions of our national forests, which, of course, are irreplaceable

ecosystems that belong to all the American people. The budget also includes a timber sales offer level of 2 billion boardfeet, a substantial increase from the 1.4 billion boardfeet in recent years. This reflects a return to the timber targets of the Reagan years when politicians set logging levels that had no basis in science. It is also a clear departure from the practice of recent years to manage for the health and sustainability of the land, with outputs a by-product of good land management, not a good goal. The Forest Service is heavily subsidized to meet these harvest goals.

Again, Mr. Speaker, sometimes it is difficult, I think, to understand a lot of these measures, whether it be the budget measures or the agency actions that I mentioned before in the aftermath of September 11. It is hard to monitor and to realize the impact of a lot of these actions because they are in specific agencies, they impact certain parts of the country. But if you add them all up, both the budget cuts as well as the agency actions in the last few months, you can see that this administration is clearly moving more and more in intensifying its efforts to try to cut back on environmental protection.

□ 1900

I think the only way that we are going to stop this is if more and more people speak out. It is being done basically under the cover of September 11, when a lot of the media are not paying attention, and I hope that over the next few months we are able to bring more and more attention to some of these measures and to get the administration to stop intensifying their efforts.

I notice that since I have been in Congress, if an action is taken to weaken the Clean Air Act or Clean Water Act in committee or on the floor of the House, because it is legislative, Members are usually aware of it and they can come in committee or to the floor and object to it and usually put a stop to it because of the public outcry.

But when it comes to agency actions, when it comes to cutbacks in funding for some of the agencies in the fashion that I have described this evening, it is a much more insidious process and much more difficult I think for the public to understand what is going on or to focus on it; and I just think it is extremely unfortunate that the President has taken advantage of this period since September 11 to intensify his efforts to degrade the environment and to take both these agency and budget actions.

Obviously, we have an opportunity during the appropriations process to turn this around and not accept the President's budget on a lot of these environmental initiatives, and that has to be part of what we try to accomplish over the next few months as we move through the appropriations process.

I will say once again, it is my intention to come to the floor again and

bring other colleagues to draw more and more attention to the President's anti-environment policies. They are not in sync with the American people, and they are certainly not in accordance with the promises that he made when he first ran for President.

#### THE CASE FOR REPARATIONS

The SPEAKER pro tempore (Mr. SHUSTER). Under the Speaker's announced policy of January 3, 2001, the gentleman from South Carolina (Mr. CLYBURN) is recognized for 60 minutes.

Mr. CLYBURN. Mr. Speaker, I am pleased to offer a Special Order tonight in conjunction with the gentlewoman from North Carolina (Mrs. CLAYTON), who will be joining us very shortly, as well as some other members of the Congressional Black Caucus, to speak on an issue that we feel is very, very important to our constituents and to our great Nation.

Mr. Speaker, reparations, the act or process of making amends, is a word that often evokes vociferous reactions from many citizens in our Nation. Ever since I have been in Congress, among the first bills introduced at the beginning of the term are bills calling for reparations for slavery.

Although I have always supported legislation dealing with the establishment of a commission and various other efforts to examine the issue of reparations, I have not always supported other measures, many of which call for direct remuneration. There was always the question of who can be identified as deserving, and how do we determine how much they deserve.

But the question of reparations in the traditional form aside, I believe very strongly that there is ample documentation of various forms of racial injustices that occurred very often under the color of law. Not only can we document the injustices in many of these instances, but we can also identify those who were the subject of the injustices; and the time is long since passed for our government to take up where we fell short in 1872 when this Congress rescinded "40 acres and a mule."

The Associated Press recently documented some of these injustices when it conducted an 18-month long investigation into black landowners who have illegally and sometimes legally had their land stolen from them. After interviewing 1,000 people and examining tens of thousands of public records, the Associated Press documented 107 land-takings in 13 Southern and border States. In those cases, 406 black landowners lost more than 24,000 acres of farm and timberland, plus 85 smaller properties, including stores and city lots.

This research was compiled in a three part series titled "Torn From the Land," which detailed how blacks in America were cheated out of their land or driven from it through intimidation, violence, and even murder.

Some had their land foreclosed for minor debts. Still others lost their land to tricky legal maneuvers, still being used today, called partitioning, in which savvy buyers can acquire an entire family's property if just one heir agrees to sell them one parcel, however small.

Mr. Speaker, although I am going to submit the entire research by the Associated Press as part of my statement, I wish at this time to read an excerpt from one of those series:

"As a little girl, Doria Dee often asked about the man in the portrait hanging in her aunt's living room, her great-great grandfather. 'It's too painful,' her elderly relatives would say, and they would look away.

"A few years ago, Johnson, now 40, went to look for answers in the rural town of Abbeville, South Carolina.

"She learned that in his day the man in the portrait, Anthony B. Crawford, was one of the most prosperous farmers in Abbeville County. That is until October 21, 1916, the day the 51-year-old farmer hauled a wagon load of cotton to town.

"Crawford 'seems to have been the type of Negro who was most offensive to certain elements of the white people,' Mrs. J.B. Holman would say a few days later in a letter published by the Abbeville Press and Banner. 'He was getting rich for a Negro, and he was insolent along with it.'

"Crawford's prosperity had made him a target.

"The success of blacks such as Crawford threatened the reign of white supremacy,' said Stewart E. Tolnay, a sociologist at the University of Washington and coauthor of a book on lynchings. 'There were obvious limitations or ceilings that blacks weren't supposed to go beyond.'

"In the decades between the Civil War and the civil rights era, one of those limitations was owning land.

"Racial violence in America is a familiar story, but the importance of land as a motive for lynchings and white mob attacks on blacks has been widely overlooked, and the resulting land losses suffered by black families such as the Crawfords have gone largely unreported.

"The Associated Press documented 57 violent land takings, more than half of the 107 land takings in an 18-month investigation of black land lost in America. The other cases involved trickery and legal manipulations.

"Sometimes black landowners were attacked by whites who just wanted to drive them from their property. In other cases, the attackers wanted the land for themselves.

"For many decades, successful blacks 'lived with the gnawing fear that white neighbors could at any time do something violent and take everything from them,' this, according to Loren Schweninger, a University of North Carolina expert on black land ownership.

"While waiting his turn at the gin that fall day in 1916, Crawford entered

the mercantile store of W.D. Barksdale. Contemporary news accounts and the papers of then Governor Richard Manning detailed what followed:

"Barksdale offered Crawford 85 cents a pound for his cottonseed. Crawford replied that he had a better offer. Barksdale called him a liar. Crawford called the storekeeper a cheat. Three clerks grabbed ax handles, and backed Crawford into the street, where the sheriff appeared and arrested Crawford, for cursing a white man.

"Released on bail, Crawford was cornered by 50 whites who beat and knifed him. The sheriff carried him back to jail. A few hours later, the deputy gave the mob the keys to Crawford's cell.

"Sun-down found them at a baseball field at the edge of town. There, they hanged Crawford from a solitary southern pine.

"No one was ever tried for the killing. In its aftermath, hundreds of blacks, including some of the Crawfords, fled Abbeville.

"Two whites were appointed executors of Crawford's estate, which included 427 acres of prime cotton land. One was Andrew J. Ferguson, cousin of two of the mob's ring leaders.

"Crawford's children inherited the land, but Ferguson liquidated much of the rest of Crawford's property, including his cotton, which went to Barksdale. Ferguson kept \$5,438, more than half the proceeds, and gave Crawford's children just \$200 each, according to estate papers.

"Crawford's family struggled to hold on to the land, but eventually lost it when they could not pay off a \$2,000 balance on the bank loan. Although the farm was assessed at \$20,000, a white man paid \$504 for it at the foreclosure auction, according to land records.

"There's land taken away and there's murder," said Johnson, of Alexandria, Virginia. "But the biggest crime was that our family was split up by this. My family got scattered into the night."

"The former Crawford land provided timber to several owners before International Paper Corporation acquired the property last year. Jenny Boardman, a company spokeswoman, said International Paper was unaware of the land's history. When told about it, she said: "The Crawford story is tragic. It causes you to think that there are facets of our history that need to be discussed and addressed."

Mr. Speaker, I include the entire Associated Press series of articles entitled "Torn From the Land" for the RECORD.

[From the Associated Press]

AP DOCUMENTS LAND TAKEN FROM BLACKS THROUGH TRICKERY, VIOLENCE AND MURDER

(By Todd Lewan and Dolores Barclay)

For generations, black families passed down the tales in uneasy whispers: "They stole our land."

These were family secrets shared after the children fell asleep, after neighbors turned down the lamps—old stories locked in fear and shame.

Some of those whispered bits of oral history, it turns out, are true.

In an 18-month investigation, The Associated Press documented a pattern in which black Americans were cheated out of their land or driven from it through intimidation, violence and even murder.

In some cases, government officials approved the land takings; in others, they took part in them. The earliest occurred before the Civil War; others are being litigated today.

Some of the land taken from black families has become a country club in Virginia, oil fields in Mississippi, a major-league baseball spring training facility in Florida.

The United States has a long history of bitter, often violent land disputes, from claim jumping in the gold fields to range wars in the old West to broken treaties with American Indians. Poor white landowners, too, were sometimes treated unfairly, pressured to sell out at rock-bottom prices by railroads and lumber and mining companies.

The fate of black landowners has been an overlooked part of this story.

The AP—in an investigation that included interviews with more than 1,000 people and the examination of tens of thousands of public records in county courthouses and state and federal archives—documented 107 land takings in 13 Southern and border states.

In those cases alone, 406 black landowners lost more than 24,000 acres of farm and timber land plus 85 smaller properties, including stores and city lots. Today, virtually all of this property, valued at tens of millions of dollars, is owned by whites or by corporations.

Properties taken from blacks were often small—a 40-acre farm, a general store, a modest house. But the losses were devastating to families struggling to overcome the legacy of slavery. In the agrarian South, landownership was the ladder to respect and prosperity—the means to building economic security and passing wealth on to the next generation. When black families lost their land, they lost all of this.

"When they steal your land, they steal your future," said Stephanie Hagans, 40, of Atlanta, who has been researching how her great-grandmother, Ablow Weddington Stewart, lost 35 acres in Matthews, N.C. A white lawyer foreclosed on Stewart in 1942 after he refused to allow her to finish paying off a \$540 debt, witnesses told the AP.

"How different would our lives be," Hagans asked, "if we'd had the opportunities, the pride that land brings?"

No one knows how many black families have been unfairly stripped of their land, but there are indications of extensive loss.

Besides the 107 cases the AP documented, reporters found evidence of scores of other land takings that could not be fully verified because of gaps or inconsistencies in the public record. Thousands of additional reports of land takings from black families remain uninvestigated.

Two thousands have been collected in recent years by the Penn Center on St. Helena Island, S.C., an educational institution established for freed slaves during the Civil War. The Land Loss Prevention Project, a group of lawyers in Durham, N.C., who represent blacks in land disputes, said it receives new reports daily. And Heather Gray of the Federation of Southern Cooperatives in Atlanta said her organization has "file cabinets full of complaints."

AP's findings "are just the tip of one of the biggest crimes of this country's history," said Ray Winbush, director of Fisk University's Institute of Race Relations.

Some examples of land takings documented by the AP:

After midnight on Oct. 4, 1908, 50 hooded white men surrounded the home of a black

farmer in Hickman, Ky., and ordered him to come out for a whipping. When David Walker refused and shot at them instead, the mob poured coal oil on his house and set it afire, according to contemporary newspaper accounts. Pleading for mercy, Walker ran out the front door, followed by four screaming children and his wife, carrying a baby in her arms. The mob shot them all, wounding three children and killing the others. Walker's oldest son never escaped the burning house. No one was ever charged with the killings, and the surviving children were deprived of the farm their father died defending. Land records show that Walker's 2½-acre farm simply folded into the property of a white neighbor. The neighbor soon sold it to another man, whose daughter owns the undeveloped land today.

In the 1950s and 1960s, a Chevrolet dealer in Holmes County, Miss., acquired hundreds of acres from black farmers by foreclosing on small loans for farm equipment and pickup trucks. Norman Weathersby, then the only dealer in the area, required the farmers to put up their land as security for the loans, county residents who dealt with him said. And the equipment he sold them they said, often broke down shortly thereafter. Weathersby's friend, William E. Strider, ran the local Farmers Home Administration—the credit lifeline for many Southern farmers. Area residents, including Erma Russell, 81, said Strider, now dead, was often slow in releasing farm operating loans to blacks. When cash-poor farmers missed payments owed to Weathersby, he took their land. The AP documented eight cases in which Weathersby acquired black-owned farms this way. When he died in 1973, he left more than 700 acres of this land to his family, according to estate papers, deeds and court records.

In 1964, the state of Alabama sued Lemon Williams and Lawrence Hudson, claiming the cousins had no right to two 40-acre farms their family had worked in Sweet Water, Ala., for nearly a century. The land, officials contended, belonged to the state. Circuit Judge Emmett F. Hildreth urged the state to drop its suit, declaring it would result in "a severe injustice." But when the state refused, saying it wanted income from timber on the land, the judge ruled against the family. Today, the land lies empty; the state recently opened some of it to logging. The state's internal memos and letters on the case are peppered with references to the family's race.

In the same courthouse where the case was heard, the AP located deeds and tax records documenting that the family had owned the land since ancestor bought the property on Jan. 3, 1874. Surviving records also show the family paid property taxes on the farms from the mid-1950s until the land was taken.

AP reporters tracked the land cases by reviewing deeds, mortgages, tax records, estate papers, court proceedings, survey or maps, oil and gas leases, marriage records, census listings, birth records, death certificates and Freedmen's Bureau archives. Additional documents, including FBI files and Farmers Home Administration records, were obtained through the Freedom of Information Act.

The AP interviewed black families that lost land, as well as lawyers, title searchers, historians, appraisers, genealogists, surveyors, land activists, and local, state and federal officials.

The AP also talked to current owners of the land, nearly all of whom acquired the properties years after the land takings occurred. Most said they knew little about the history of their land. When told about it, most expressed regret.

Weathersby's son, John, 62, who now runs the dealership in Indianola, Miss., said he had little direct knowledge about his father's

business affairs. However, he said he was sure his father never would have sold defective vehicles and that he always treated people fairly.

Alabama Gov. Don Siegelman examined the state's files on the Sweet Water case after an inquiry from the AP. He said he found them "disturbing" and has asked the state attorney general to review the matter. "What I have asked the attorney general to do," he said, "is look not only at the letter of the law but at what is fair and right."

The land takings are part of a larger picture—a 91-year decline in black landownership in America.

In 1910, black Americans owned more farmland than at any time before or since—at least 15 million acres. Nearly all of it was in the South, largely in Mississippi, Alabama and the Carolinas, according to the U.S. Agricultural Census. Today, blacks own only 1.1 million of the country's more than 1 billion acres of arable land. They are part owners of another 1.07 million acres.

The number of white farmers has declined over the last century, too, as economic trends have concentrated land in fewer, often corporate, hands. However, black ownership has declined 2½ times faster than white ownership, the U.S. Civil Rights Commission noted in a 1982 report, the last comprehensive federal study on the trend.

The decline in black landownership had a number of causes, including the discriminatory lending practices of the Farmers Home Administration and the migration of blacks from the rural South to industrial centers in the North and West.

However, the land takings also contributed. In the decades between Reconstruction and the civil rights struggle, black families were powerless to prevent them, said Stuart E. Tolnay, a University of Washington sociologist and co-author of a book on lynchings. In an era when black Americans could not drink from the same water fountains as whites and black men were lynched for whistling at white women, few blacks dared to challenge whites. Those who did could rarely find lawyers to take their cases or judges who would give them a fair hearing.

The Rev. Isaac Simmons was an exception. When his land was taken, he found a lawyer and tried to fight back.

In 1942, his 141-acre farm in Amite County, Miss., was sold for nonpayment of taxes, property records show. The farm, for which his father had paid \$302 in 1887, was brought by a white man for \$180.

Only partial, tattered tax records for the period exist today in the county courthouse; but they are enough to show that tax payments on at least part of the property were current when the land was taken.

Simmons hired a lawyer in February 1944 and filed suit to get his land back. On March 26, a group of whites paid Simmons a visit.

The minister's daughter, Laura Lee Houston, now 74, recently recalled her terror as she stood with her month-old baby in her arms and watched the man drag Simmons away. "I screamed and hollered so loud," she said. "They came toward me and I ran down in the woods."

The whites then grabbed Simmons' son, Eldridge, from his house and drove the two men to a lonely road.

"Two of them kept beating me," Eldridge Simmons later told the National Association for the Advancement of Colored People. "They kept telling me that my father and I were 'smart niggers' for going to see a lawyer."

Simmons, who has since died, said his captors gave him 10 days to leave town and told his father to start running. Later that day, the minister's body turned up with three

gunshot wounds in the back, The McComb Enterprise newspaper reported at the time.

Today, the Simmons land—thick with timber and used for hunting—is privately owned and is assessed at \$33,660. (Officials assess property for tax purposes, and the valuation is usually less than its market value.)

Over the past 20 years, a handful of black families have sued to regain their ancestral lands. State courts, however, have dismissed their cases on grounds that statutes of limitations had expired.

A group of attorneys led by Harvard University law professor Charles J. Ogletree has been making inquiries recently about land takings. The group has announced its intention to file a national class-action lawsuit in pursuit of reparations for slavery and racial discrimination. However, some legal experts say redress for many land takings may not be possible unless laws are changed.

As the acres slipped away, so did treasured pieces of family history—cabins crafted by a grandfather's hand, family graves in shared groves.

But "the home place" meant more than just that. Many blacks have found it "very difficult to transfer wealth from one generation to the next," because they had trouble holding onto land, said Paula Giddings, a history professor at Duke University.

The Espy family in Vero Beach, Fla., lost its heritage in 1942, when the U.S. government sized its land through eminent domain to build an airfield. Government agencies frequently take land this way for public purposes under rules that require fair compensation for the owners.

In Vero Beach, however, the Navy appraised the Espy's 147 acres, which included a 30-acre fruit grove, two houses and 40 house lots, at \$8,000, according to court records. The Espys sued, and an all-white jury awarded them \$13,000. That amounted to one-sixth of the price per acre that the Navy paid white neighbors for similar land with fewer improvements, records show.

After World War II, the Navy gave the airfield to the city of Vero Beach. Ignoring the Espy's plea to buy back their land, the city sold part of it, at \$1,500 an acre, to the Los Angeles Dodgers in 1965 as a spring training facility.

In 1999, the former Navy land, with parts of Dogtertown and a municipal airport, was assessed at \$6.19 million. Sixty percent of that land once belonged to the Espys. The team sold its property to Indian River County for \$10 million in August, according to Craig Callan, a Dodgers official.

The true extent of land takings from black families will never be known because of gaps in property and tax records in many rural Southern counties. The AP found crumbling tax records, deed books with names torn from them, file folders with documents missing, and records that had been crudely altered.

In Jackson Parish, La., 40 years of moldy, gnawed tax and mortgage records were piled in a cellar behind a roll of Christmas lights and a wooden reindeer. In Yazoo County, Miss., volumes of tax and deed records filled a classroom in an abandoned school, the papers coated with white dust from a falling ceiling. The AP retrieved dozens of documents that custodians said were earmarked for shredders or landfills.

The AP also found that about a third of the county courthouses in Southern and border states have burned—some more than once—since the Civil War. Some of the fires were deliberately set.

On the night of Sept. 10, 1932, for example, 15 whites torched the courthouse in Paulding, Miss., where property records for the eastern half of Jasper County, then predominately black, were stored. Records for

the predominantly white western half of the county were safe in another courthouse miles away.

The door to the Paulding courthouse's safe, which protected the records, had been locked the night before, the Jasper County News reported at the time. The next morning, the safe was found open, most of the records reduced to ashes.

Suddenly, it was unclear who owned a big piece of eastern Jasper County.

Even before the courthouse fire, landownership in Jasper County was contentious. According to historical accounts, the Ku Klux Klan, resentful that blacks were buying and profiting from land, had been attacking black-owned farms, burning houses, lynching black farmers and chasing black landowners away.

The Masonite Corp., a wood products company, was one of the largest landowners in the area. Because most of the land records had been destroyed, the company went to court in December 1937 to clear its title. Masonite believed it owned 9,581 acres and said in court papers that it had been unable to locate anyone with a rival claim to the land.

A month later, the court rules the company had clear title to the land, which has since yielded millions of dollars in natural gas, timber and oil, according to state records.

From the few property records that remain, the AP was able to document that at least 204.5 of those acres had been acquired by Masonite after black owners were driven off by the Klan. At least 850,000 barrels of oil have been pumped from this property, according to state oil and gas board records and figures from the Petroleum Technology Transfer Council, an industry group.

Today, the land is owned by International Paper Corp., which acquired Masonite in 1988. Jenny Boardman, a company spokeswoman, said International Paper has been unaware of the "tragic" history of the land and was concerned about AP's findings.

"This is probably part of a much larger, public debate about whether there should be restitution for people who have been harmed in the past," she said. "And by virtue of the fact that we now own these lands, we should be part of that discussion."

Even when Southern courthouses remained standing, mistrust and fear of white authority long kept blacks away from record rooms, where documents often were segregated into "white" and "colored." Many elderly blacks say they still remember how they were snubbed by court clerks, spat upon and even struck.

Today, however, fear and shame have given way to pride. Interest in genealogy among black families is surging, and some black Americans are unearthing the documents behind those whispered stories.

"People are out there wondering: What ever happened to Grandma's land?" said Loretta Carter Hanes, 75, a retired genealogist. "They knew that their grandparents shed a lot of blood and tears to get it."

Bryan Logan, a 55-year-old sports writer from Washington, D.C., was researching his heritage when he uncovered a connection to 264 acres of riverfront property in Richmond, Va.

Today, the land is Willow Oaks, an almost exclusively white country club with an assessed value of \$2.94 million. But in the 1850s, it was a corn-and-wheat plantation worked by the Howlett slaves—Logan's ancestors.

Their owner, Thomas Howlett, directed in his will that his 15 slaves be freed, that his plantation be sold and that the slaves receive the proceeds. When he died in 1856, his

white relatives challenged the will, but two courts upheld it.

Yet the freed slaves never got a penny.

Benjamin Hatcher, the executor of the estate, simply took over the plantation, court records show. He cleared the timber and mined the stone, providing granite for the Navy and War Department buildings in Washington and the capitol in Richmond, according to records in the National Archives.

When the Civil War ended in 1865, the former slaves complained to the occupying Union Army, which ordered Virginia courts to investigate.

Hatcher testified that he had sold the plantation in 1862—apparently to his son, Thomas—but had not given the proceeds to the former slaves. Instead, court papers show, the proceeds were invested on their behalf in Confederate War Bonds. There is nothing in the public record to suggest the former slaves wanted their money used to support the Southern war effort.

Moreover, the bonds were purchased in the former slaves' names in 1864—a dubious investment at best in the fourth year of the war. Within months, Union armies were marching on Atlanta and Richmond, and the bonds were worthless pieces of paper.

The blacks insisted they were never given even that, but in 1871, Virginia's highest court rules that Hatcher was innocent of wrongdoing and that the former slaves were owed nothing.

The following year, the plantation was broken up and sold at a public auction. Hatcher's son received the proceeds, county records show. In the 1930s, a Richmond businessman cobbled the estate back together; he sold it to Willow Oaks Corp. in 1955 for an unspecified amount.

"I don't hold anything against Willow Oaks," Logan said. "But how Virginia's courts acted, how they allowed the land to be stolen—it goes against everything America stands for."

#### PECULIAR LAND SWAPS LEAVE BLACKS WITH LITTLE OF THEIR ANCESTORS' GEORGIA ISLAND (By Dolores Barclay)

SAPVELO ISLAND, GA. (AP).—It was a peculiar offer: Blacks could swap ancestral land in the most valuable area of this barrier island for smaller parcels owned by a white tycoon in a low, partly swampy enclave known as Hog Hammock.

Yet not a single black family turned it down.

This was Georgia in the 1950s, and the tycoon was Richard J. Reynolds Jr., son of the man who built one of America's biggest tobacco companies. And Sapelo residents say Reynolds ruled the island.

"He wanted the land for his own benefit," said Cornelia Bailey, 56, a longtime resident. "He wanted to . . . control the entire north end without pockets of blacks here and there."

Reynolds arrived on Sapelo in 1932 and moved into a mansion in a community called Raccoon Bluff. His neighbors were Geechee families who retained their African-English dialect. Some had lived on the island for centuries, harvesting oysters and scooping up shrimp in their handmade nets.

Reynold owned the ferries and a lumber mill and was the biggest employer on the island. And he had a powerful friend, Tom Poppell, the country sheriff.

The land swaps began in the 1950s. Deed records show that in 1956, Rosa Walker exchanged a 16-acre tract in Raccoon Bluff for 5.5 acres in Hog Hammock. Prince and Elizabeth Carter soon traded their 9 acres in Raccoon Bluff for 2 acres in Hog Hammock. And Bailey's father, Hicks Walker, now 98, accepted 2 acres in Hog Hammock for 4 acres

on the island's northwestern nose, in an area called Belle Marsh.

In some swaps, deed records show, blacks also received "other consideration." In Hicks Walker's case, his daughter said, it was timber for a new house. But when the wood was delivered, she said, Reynolds charged him for it.

Nearly all of the black landowners in Raccoon Bluff—at least a dozen families—made similar land swaps with Reynolds.

Why would they agree to such deals?

Cornelia Bailey's father was pressured to make the swap, she said, recalling what her parents had told her. "They started laying in subtle threats: 'Now, Hicks, it would be hard on you if you have to leave the island and your family's here to take care of.' That was a subtle threat that . . . he would lose his job."

On Sapelo, in those days, "either you worked for Reynolds or you didn't work at all," she said.

After Reynolds' death, his wife, Annemarie S. Reynolds, sold most of their Sapelo holdings to the state of Georgia for \$835,000 in 1969. Today, the state runs a marine research institute on the island.

Reached at her home in Switzerland, Reynolds was asked if she thought the land swaps had been fair.

"I guess so," she said. "Mr. Reynolds tried to do a good thing for their benefit."

The Reynolds family kept some of the land, including 698 acres in Raccoon Bluff now managed by The Sapelo Foundation, a philanthropic organization set up by Richard J. Reynolds Jr.

Ernest Walker claims some of that land is his.

According to county tax receipts, Walker still pays property taxes on 33¼ acres of the land, which his ancestors purchased in 1874.

An AP search of land records found no evidence that the Walker family had ever transferred it to Reynolds, the Sapelo Foundation of anyone else.

#### ALABAMA PUSHED A BLACK FAMILY OFF ITS LAND—AND LEFT IT EMPTY FOR YEARS (By Todd Lewan)

SWEET WATER, ALA. (AP).—The legacy Lemon Williams always hoped to leave to his grandchildren was the land of his birth.

His 40-acre cotton-and-bean farm was among the smallest in Marengo County, but the land his grandfather had settled after the Civil War meant everything to Williams.

"This land," Williams always told his son, Willie, "is part of our family. Treat it like your brother."

Then in June 1964, a letter arrived. The State Lands Division had checked the title of the property with the Bureau of Land Management. The federal agency had replied that, as far as it could determine, the 40 acres belonged to the state.

How could this be if, as the family's original deed said, Williams' grandfather had bought the land for \$480 on Jan. 3, 1874?

In 1906, the letter said, the federal government had designated the 40 acres as swamp-land and patented the property to the state of Alabama. The 40-acre farm of Lawrence Hudson, Williams' cousin, also belonged to the state for the same reason, according to the letter. The attorney general, the latter said, was now suing both families for their land.

The families gathered their children and their deeds and took them to J.C. Camp, a lawyer in Linden, the county seat. The lawyer and both couples have since died, but Lemon Williams' son and daughter, Willie and Inez, say they recall every detail of the meeting.

"Camp took our money, took our deeds, put them in his drawer and promised he'd fix

everything," said Willie Williams, 50. "We never saw those deeds again."

In 1965, a fire ravaged the Marengo County courthouse. Many records survived; the file containing the Williams and Hudson court case apparently did not. The Associated Press found only the trial docket.

The State Lands Division in Montgomery, however, monitored the case. Letters and internal memos from those files are peppered with references to the Williams and Hudson families' race. They show officials adamantly opposed to allowing "the negro defendants" to keep the land, even thought they acknowledged in writing that both families could trace their ownership back to 1874.

In an April 30, 1964, memo, George T. Driver, a former state lands director, wrote: "The lands are being claimed by Lemon Williams . . . (a colored man)." A Nov. 30, 1964, memo by William G. O'Rear, chief attorney for the state conservation department, refers to "the negro defendants." And in 1966, Marengo's tax assessor noted: "Land Bk shows above 40 acres still owned by L.B. Hudson (black)."

A year later, Circuit Judge Emmett F. Hildreth asked the state to reconsider the lawsuit. Taking the land, he wrote, "would create a severe injustice."

Claude D. Kelley, then Alabama's director of conservation, replied that the state had no intention of dropping the lawsuit because income from cutting timber on its could be used for state-run hospitals.

In 1967, Hildreth ruled that Williams, Hudson and their wives could remain on the land but could not farm or log it. when they died, his decree said, the state would take possession.

Hudson died in 1975 and his wife died shortly afterward, but family members say the state waited until last year to ask their children to leave the farm. They moved to nearby Butler.

The Williamses moved to an acre lot several miles from their old farm after Hildreth's ruling. For three decades, they pleaded for the land in letters to state officials and received form letters in response.

The vine-wrapped house that was once the center of their farm is slowly collapsing. Conservation officials have opened some of the area to timber cutters, state records show.

James Griggs, director of state lands, said the dispute was handled properly. "There have only been two owners of the land, the federal government and the state," he said.

the Associated Press, however, found deeds on file in the county courthouse documenting the Hudson and Williams families' ownership of the property all the way back to 1874. There are also surviving records showing both families paying taxes on the land from the last 1950s until the land was taken.

After being told of the AP's findings, Alabama Gov. Don Slegelman read the files and said he found them "disturbing." He has asked the attorney general to review the case.

#### CAR DEALER ACQUIRED BLACK FARMERS' LAND BY FORECLOSING ON LOANS (By Dolore Barclay)

LEXINGTON, MISS. (AP).—Down in the Delta, folks still talk about Norman Weathersby, a White Chevrolet dealer who acquired hundreds of acres of black-owned land in the 1950s and '60s in exchange for used pickup trucks and farm equipment.

"Old Norman was something else," said Rhodolphis Hayes with a shake of his head.

The 71-year-old farmer and other Holmes County residents recall the days when black

farmers had to finance trucks and equipment from Weathersby because, they said, the local banks refused to do business with blacks.

Weathersby, they said, required that they put up their entire farms as collateral for the loans, and when a cash-poor farmer missed a payment, Weathersby acquired land this way.

County land records show that Henry and Mary Friend put up 63 acres in 1958 for a \$1,598 loan. The land went to Weathersby a few months later. Ed and Pattie Blissett lost their 50-acre farm in 1958 after they missed a payment on a 1956 loan from Weathersby for \$1,785. The final note of \$385 had been due in 1960.

It was easy for Holmes County blacks to default on their loans.

For one thing, several area residents said, the equipment and trucks blacks needed to run their farms often broke down shortly after they bought them from Weathersby.

"He'd fix it up so it could run between Lexington and Tchula (a 20-minute drive). Then it would die on you," said Griffin McLaurin Jr., 60, recalling how his father lost the family's 100-acre farm in 1966 because of a \$40,000 loan.

"When the man called in for the money, he didn't have it," McLaurin said, and Weathersby foreclosed. The son later bought back 7½ acres of the land from Weathersby—for \$4,253.15, records show.

Weathersby's close friend, William E. Strider, ran the local Farmers Home Administration—the credit lifeline for many Southern farmers. Hayes, McLaurin and others in Holmes County said Strider, now dead, was often slow in releasing farm operating loans to blacks.

"You have to do your land breaking, your fertilizing and your seeds, but if you don't get the money on time, you can't farm," Hayes said.

In the late 1950s, Erma Russell, now 81, had businesses at the FmHA office in Lexington. She was about to knock on Strider's door, she said, when she heard Weathersby and Strider talking.

"They said how they were going to get the colored folk off their land through foreclosures," she recalled. "They were suggesting ways to have us 'volunteer' to surrender our land. All I could do as pray they wouldn't take it.

The Russells paid up their loans and kept their 65-acre farm "It wasn't easy to get this." She glanced out her windows to a spread of ebony soil. "We had to struggle . . . We had to fight to get this, and we won."

When he died in 1973, Weathersby left his family about 700 acres blacks had once owned, according to his estate papers, deeds and court papers.

Weathersby's son 62, who now runs the dealership in Indiana, said he had little direct knowledge about his father's business deals and car loans. However, he said he was sure his father never would have sold defective vehicles and that he always treated people fairly.

"He helped people no matter what race," he said.

#### LIVING IN THE NORTH GAVE BLACKS NO GUARANTEE AGAINST LAND GRABS

(By Allen G. Breed)

PHIPPSBURG, ME (AP)—In 1912, 45 mixed-race people living on Malaga Island in the mouth of the New Meadows River were thrown off their land by the state of Maine.

"It was ill considered and it was brutally done," says William David Barry, a librarian at the Maine Historical Society who has written about the case.

Nearly a quarter of the islanders were sent to the Maine School for the Feeble-Minded while state workers torched their shacks and even dug up the ones of their ancestors, according to historians and contemporary newspaper accounts.

Most black American families that lost land through fraud and intimidation lived in the South. The story of Malaga, however, shows that living in the North provided no guarantee.

Historians believe the 41-acre island, just 100 yards from shore, was settled by free blacks during the Civil War. For years, they lived unmolested on the island, but as the 20th century dawned, that changed.

The year 1912 was a difficult one in Maine. The state's shipbuilding industry was waning, and the summer cottage industry was just beginning to develop. About this time, some educated Mainers were embracing eugenics—a pseudo-science holding that the poor and handicapped should be removed from the gene pool.

Locals wanted to get rid of the poor, unsightly colony, but state authorities needed the appearance of legality. They declared that the island was the property of the Perry family, which had been among Phippsburg's earliest settlers.

Although the Perrys had purchased the island in 1818, an Associated Press search of town records found no evidence that the family had paid taxes on it. The residents of Malaga had lived there for half a century—far longer than the 20 years necessary to establish ownership under Maine law.

Nevertheless, the state bought the island from the Perry heirs in December 1911 and ordered the islanders to leave by July 1, 1912. Residents were paid varying sums for their houses—between \$50 and \$300—but given nothing for the land, according to minutes of the Governor's Executive Council.

Locals say no one has lived there since.

In 1989, property records show, the island was purchased by T. Ricardo Quesada of Freeport, Maine, co-owner of a commercial development company.

Assessed at \$87,400, the island is barren but for some trees and drying lobster pots.

"The island is used by the family for various purposes," Quesada said. "And we think the less publicity about it the better."

The African-American Geneological Society of New England is considering asking the governor for a formal apology for Malaga. Gov. Angus S. King Jr. is on record as saying that if the apology is requested, he will make it.

#### LANDOWNERSHIP MADE BLACKS TARGETS OF VIOLENCE AND MURDER

(By Dolores Barclay, Todd Lewan and Allen G. Breed)

As a little girl, Doria Dee Johnson often asked about the man in the portrait hanging in an aunt's living room—her great-great-grandfather. "It's too painful," her elderly relatives would say, and they would look away.

A few years ago, Johnson, now 40, went to look for answers in the rural town of Abbeville, S.C.

She learned that in his day, the man in the portrait, Anthony P. Crawford, was one of the most prosperous farmers in Abbeville County. That is, until Oct. 21, 1916—the day the 51-year-old farmer hauled a wagon-load of cotton to town.

Crawford "seems to have been the type of negro who is most offensive to certain elements of the white people," Mrs. J.B. Holman would say a few days later in a letter published by The Abbeville Press and Banner. "He was getting rich, for a negro, and he was insolent along with it."

Crawford's prosperity had made him a target.

The success of blacks such as Crawford threatened the reign of white supremacy, said Stewart E. Tolnay, a sociologist at the University of Washington and co-author of a book on lynchings. "There were obvious limitations, or ceilings, that blacks weren't supposed to go beyond."

In the decades between the Civil War and the civil rights era, one of those limitations was owning land, historians say.

Racial violence in America is a familiar story, but the importance of land as a motive for lynchings and white mob attacks on blacks has been widely overlooked. And the resulting land losses suffered by black families such as the Crawfords have gone largely unreported.

The Associated Press documented 57 violent land takings—more than half of the 107 land takings found in an 18-month investigation of black land loss in America. The other cases involved trickery and legal manipulations.

Sometimes, black landowners were attacked by whites who just wanted to drive them from their property. In other cases, the attackers wanted the land for themselves.

For many decades successful blacks "lived with a gnawing fear . . . that white neighbors could at any time do something violent and take everything from them," said Loren Schweninger, a University of North Carolina expert on black landownership.

While waiting his turn at the gin that fall day in 1916, Crawford entered the mercantile store of W.D. Barksdale. Contemporary newspaper accounts and the papers of then Gov. Richard Manning detail what follows:

Barksdale offered Crawford 85 cents a pound for his cottonseed, Crawford replied that he had a better offer. Barksdale called him a liar; Crawford called the storekeeper a cheat. Three clerks grabbed ax handlers, and Crawford backed into the street, where the sheriff appeared and arrested Crawford—for cursing a white man.

Released on bail, Crawford was concerned by about 50 whites who beat and knifed him. The sheriff carried him back to jail. A few hours later, a deputy gave the mob the keys to Crawford's cell.

Shutdown found them at a baseball field at the edge of town. There, they hanged Crawford from a solitary Southern pine.

No one was ever tried for the killing. In its aftermath hundreds of blacks, including some of the Crawfords, fled Abbeville.

Two whites were appointed executors of Crawford's estate, which included 427 acres of prime cotton land. One was Andrew J. Ferguson, cousin of two of the mob's ring-leaders, the Press and Banner reported.

Crawford's children inherited the farm, but Ferguson liquidated much of the rest of Crawford's property including his cotton, which went to Barksdale. Ferguson kept \$5,438—more than half the proceeds—and gave Crawford's children just \$200 each, estate papers show.

Crawford's family struggled to hold the farm together but eventually lost it when they couldn't pay off a \$2,000 balance on a bank loan. Although the farm was assessed at \$20,000 at the time, a white man paid \$504 for it at the foreclosure auction, according to land records.

"There's land taken away and there's murder," said Johnson, of Alexandria, VA. "But the biggest crime was that our family was split up by this. My family got scattered into the night."

The former Crawford land provided timber to several owners before International Paper Corp. acquired it last year. Jenny Boardman, a company spokeswoman, said International Paper was unaware of the land's history.

When told about it, she said: "The Crawford story is tragic. It causes you to think that there are facets of our history that need to be discussed and addressed."

Other current owners of property involved in violent land takings also said they knew little about the history of their land, and most were disturbed when informed about it.

The Tuskegee Institute and the National Association for the Advancement of Colored People have documented more than 3,000 lynchings between 1865 and 1965, and believe there were more. Many of those lynched were property owners, said Ray Winbush, director of Fisk University's Race Relations Institute.

"If you are looking for stolen black land," he said, "just follow the lynching trail."

Some white officials condoned the violence; a few added threats of their own.

"If it is necessary, every Negro in the state will be lynched," James K. Vardaman, declared while governor of Mississippi (1904-1908). "It will be done to maintain white supremacy."

In some places, the AP found, single families were targeted. Elsewhere, entire black communities were destroyed.

Today, Birmingham, Ky., lies under a floodway created in the 1940s. But at the start of the 20th century, it was a tobacco center with a predominantly black population, and a battleground in a five-year siege by white marauders called Night Riders.

On the night of March 8, 1908, about 100 armed whites tore through town on horseback, shooting seven blacks, three of them fatally. The AP documented the cases of 14 black landowners who were driven from Birmingham. Together, they lost more than 60 acres of farmland and 21 city lots to whites—many at sheriff's sales, all for low prices.

John Scruggs and his young granddaughter were killed in Birmingham that night. The Courier-Journal of Louisville reported at the time. Property records show that the city lot Scruggs had bought for \$25 in 1902 was sold for nonpayment of taxes six years after the attack. A local white man bought it for \$7.25 (or about \$144 in today's dollars).

Land that had belonged to other blacks went for even less. John Puckett's 2 acres sold for \$4.70; Ben Kelley's city lot went for just \$2.60.

In Pierce City, Mo., 1,000 armed whites burned down five black-owned houses and killed four blacks on Aug. 18, 1901. Within four days, all of the town's 129 blacks had fled, never to return, according to a contemporary report in *The Lawrence Chieftain* newspaper. The AP documented the cases of nine Pierce City blacks who lost a total of 30 acres of farmland and 10 city lots. Whites bought it all at bargain prices.

Eviline Brinson, whose house was burned down by the mob, sold her lot for \$25 to a white woman after the attack. Brinson had paid \$96 for the empty lot in 1889, county records show.

The attacks on Birmingham and Pierce City were part of a pattern in Southern and border states in the first half of the 20th century: lynchings and mob attacks on blacks, followed by an exodus of black citizens, some of them forced to abandon their property or sell it at cut-rate prices.

"Black landowners were put under a tremendous amount of pressure, from authorities and otherwise, to give up their land and leave," said Earl N.M. Gooding, director of the Center for Urban and Rural Research at Alabama A&M University. "They became refugees in their own country."

For example, the AMP found that 18 black families lost a total of 330 acres plus 48 city lots when they fled Ocoee, Fla., after a 1920 Election Day attack on the black commu-

nity. Some were able to sell their land at a fair price, but others such as Valentine High Tower were not. He parted with 52 acres for \$10 in 1926, property records show.

Today the land lost by the 18 Ocoee families, not including buildings now on it, is assessed at more than \$4.2 million. (Officials assess property for tax purposes, and the valuation is usually less than its market value.)

Sometimes, individual black farmers were singled out and attacked by bands of white farmers known as the Whitecaps. Operating in several Southern and border states around the turn of the 20th century, they were intent on driving blacks from their land and discouraging other blacks from acquiring it, said historian George C. Wright, provost at the University of Texas at Arlington.

"The law wouldn't help," he said. "There was just no one to turn to."

Whitecaps often nailed notes with crudely drawn coffins to the doors of black landowners, warning them to leave or die.

The warning to Eli Hilson of Lincoln County, Miss., came on Nov. 18, 1903, when Whitecaps shot up his house just hours after his new baby was born. The Brookhaven Leader newspaper reported at the time. Hilson ignored the warning.

A month later, the 39-year-old farmer was shot in the head as he drove his buggy toward his farm, the newspaper said. The horse trotted home, delivering Hilson's body to his wife, Hannah.

She struggled to raise their 11 children and work the 74-acre farm, but she could not manage without her husband. Hannah Hilson lost the property through a mortgage foreclosure in 1905. According to land records, the farm went for \$439 to S.P. Oliver, a member of the county board of supervisors. Today, the property is assessed at \$61,642.

It wasn't just Whitecaps and Night Riders who chased blacks from their land. Sometimes, officials did it.

In Yazoo County, Miss., Norman Stephens and his twin brother, Homer, ran a trucking business, hauling cotton pickers to plantations. One day in 1950, a white farmer demanded that Stephens immediately deliver workers to his field, Stephens' widow, Rosie Fields, said in a recent interview.

Stephens explained he had other commitments and promised to drop off the men later, his wife said. The farmer fetched the sheriff.

That evening, the brothers found themselves locked in a second-floor room at the county jail. They squeezed through a window, leaped to the ground and ran. Fields, now 83, said her husband later told her why: They had overheard the sheriff, who has since died, talking about where to hide their bodies.

Once home, Fields said, Stephens and his brother packed their bags and flagged down a bus to Ohio. A year later, she and her five children joined them.

For a decade, the family made mortgage and property tax payments on the house they left behind, records show. But it was hard to keep up, and they never dared to return, Fields said. Finally, in the 1960s, they stopped paying and lost the house they had purchased for \$700 in 1942.

One aim of racial violence was to deny blacks the tools to build wealth, said John Hope Franklin, chairman of President Clinton's Advisory Board on Race.

Paula J. Giddings, a Duke University historian, said that "by the 1880s and 1890s, a significant number of blacks began to do very well in terms of entrepreneurship and landownership, and it simply couldn't be tolerated."

In 1885, Thomas Moss, Henry Stewart and Calvin McDowell opened the Peoples' Gro-

cery Store in a largely black Memphis neighborhood known as The Curve. Across the street was another grocery, owned by a white man, W.H. Barret.

On Saturday, March 5, 1892, two boys—one black, the other white—squabbled over a game of marbles near the store, which led to a dispute between their fathers. Barret went to the police, claiming black shopkeepers were instigating trouble.

Contemporary newspaper accounts describe what ensued:

Some townspeople warned the shopkeepers that a white mob was planning to attack their store. So when nine deputy sheriffs in civilian clothing tried to enter after dark Sunday to deliver arrest warrants, they were taken for intruders and fired on. Three deputies were wounded. Moss, Stewart and McDowell were jailed.

Early Wednesday morning, a mob of about 75 whites yanked the three men from their cells while other whites looted the grocery.

In the aftermath, more than 2,000 blacks streamed out of Memphis, according to contemporary newspaper accounts. Creditors liquidated whatever stock the looters left behind, and the store landed in the hands of John C. Reilly, a deputy sheriff.

Over the years, the property has been resold many times, and today is the site of a small business, the Panama Grocery.

As for the three store owners, their bullet-torn bodies turned up in a ravine near the Wolf River. The Memphis Appeal-Avalanche reported at the time.

When Moss' body was found, his hands were clenched, the newspaper noted. They were filled with grass and the brown clay of Tennessee.

#### TAKING AWAY THE VOTE—AND A BLACK MAN'S LAND

(By Todd Lewan)

COLUMBUS, MISS. (AP).—Robert Glead was 17 when he escaped from a Virginia slaveowner and trailed his sweetheart to eastern Mississippi. Here, in the years after the Civil War, he prospered, owning 295 acres of farmland, three city lots, a stately home and a general store, according to county records.

It was a time when America's blacks were testing their new freedom under the protection of the occupying Union army. Many were acquiring land, voting, building schools, joining the ranks of the Republican Party—the party of Lincoln.

But one violent night in the waning days of Reconstruction, Nov. 1, 1875, Glead lost it all.

He had been running for sheriff of Lowndes County. On the eve of the election, a mob of whites attacked a parade of his supporters. Four blacks were killed, one of the sidewalk in front of Glead's store.

Glead was a man of stature in Columbus—president of the Mercantile Land and Banking Co., head of the county Chamber of Commerce, a two-time Mississippi state senator who had helped pass a law against racial discrimination on public transportation.

But the only thing that saved him that night, according to historical accounts, was a white friend who hid him in a well.

At the time, Lowndes County had 3,800 registered black voters, nearly all of them Republicans, as was Glead. There were only 1,250 whites registered, nearly all as Democrats, the Columbus Press reported at the time.

As the mob of torch-carrying whites surged through town on election eve, fires broke out. Whites invaded Glead's house, shot up his furniture, shredded his wife's clothing.

The next day, Glead's opponent, a white Democrat, was elected sheriff. Glead fled to Paris, Texas, leaving behind his house, his general store and its stock, his city lots and farmland.

Soon after, two white townspeople claimed Glead owed them money and foreclosed on his property, records show.

Toby W. Johnston liquidated the store and stock, pocketing \$941. Bernard G. Hendrick, a city councilman, took 215 acres of Glead's farm for what he said was a \$125 debt. Hendrick snapped up Glead's home and an adjacent lot for \$11 at an auction and later took the rest of Glead's city holdings for \$500.

In the 1940s, the old Glead farm was sold to the federal government; today, U.S. Highway 50 runs through it. One of Glead's city lots now holds four houses, a gas station and Associated Realty.

"I guess I don't care who owned it previously," Bob Oaks, president of the realty company, said when told about Glead. "That's bad, but it sounds like he abandoned his property."

Glead was 80 when he died on July 24, 1916. His obituary in the Columbus Commercial newspaper said he was "believed to have been the last remaining negro who has served Lowndes County in an office which is now filled by honorable and distinguished white citizens."

#### A MAN IS JAILED FOR DEFENDING HIS LAND (By Dolores Barclay)

FRANKLIN, KY. (AP).—George and Mary Dinning were in bed, asleep, when riders came to drive them from their land. By morning, a man lay dead, and George Dinning was on his way to jail.

What happened that raw night in January 1897 is told in depositions and trial testimony from Dinning, his wife, Mary, and members of the mob that attacked their tobacco farm. The accounts are similar; sometimes, even the same words appear. Contemporary news accounts from The Courier-Journal newspaper of Louisville and the papers of Gov. William O. Bradley add to the story:

About 11 p.m., 25 white men on horseback surrounded Dinning's farm, a 124-acre spread that spilled over the hills of southern Kentucky into Tennessee. Then came pounding at the front and back doors.

"I will give you just 10 days to get away from here, and don't you stop within 40 miles," a man said.

"What have I done?" Dinning asked.

You stole turkeys and chickens, the man answered. Dinning began to explain that he could account for everything he owned.

Boom! The back door exploded.

Bleeding from a wound in his arm, Dinning ran through gunfire up the stairs, past his wife and six children. He grabbed his shotgun, opened a front bedroom window and fired. A man named Jodie Conn fell dead. The mob retreated with his body, but not before a bullet creased Dinning's head.

Dinning turned himself in to the sheriff of Simpson County, who moved him to Bowling Green, a three-day journey, and then farther still to Louisville, to escape white mobs.

Riders came for Mary Dinning the next day.

Leave or hang, they told her. She begged for more time; her 12-year-old daughter was feverish. She and the children could stay inside the burning house, the mob retorted.

"Near sundown," she later testified, "I started with my six children, the youngest being 4 months old, the oldest 13 years. I was so badly frightened when I left, that I did not take time to put wrappings on myself or children.

"The next night after leaving," she continued, "my house and everything on Earth we had . . . was destroyed by fire."

An all-white jury convicted Dinning of manslaughter, and he was sentenced to seven

years in prison. The men who attacked his home were never arrested.

Petitions to pardon Dinning poured in from prominent whites including Louisville Mayor George Todd. After much pressure, Bradley granted a pardon, on July 17, 1897.

#### AP DOCUMENTS LAND TAKEN FROM BLACKS THROUGH TRICKERY, VIOLENCE AND MURDER (By Todd Lewan and Dolores Barclay)

For generations, black families passed down the tales in uneasy whispers: "They stole our land."

These were family secrets shared after the children fell asleep, after neighbors turned down the lamps—old stories locked in fear and shame.

Some of those whispered bits of oral history, it turns out, are true.

In an 18-month investigation, The Associated Press documented a pattern in which black Americans were cheated out of their land or driven from it through intimidation, violence and even murder.

In some cases, government officials approved the land takings; in others, they took part in them. The earliest occurred before the Civil War; others are being litigated today.

Some of the land taken from black families has become a country club in Virginia, oil fields in Mississippi, a major-league baseball spring training facility in Florida.

The United States has a long history of bitter, often violent land disputes, from claim jumping in the gold fields to range wars in the old West to broken treaties with American Indians. Poor white landowners, too, were sometimes treated unfairly, pressured to sell out a rock-bottom prices by railroads and lumber and mining companies.

The fate of black landowners has been an overlooked part of this story.

The AP—in an investigation that included interviews with more than 1,000 people and the examination of tens of thousands of public records in county courthouses and state and federal archives—documented 107 land takings in 13 Southern and border states.

In those cases alone, 406 black landowners lost more than 24,000 acres of farm and timber land plus 85 smaller properties, including stores and city lots. Today, virtually all of this property, valued at tens of millions of dollars, is owned by whites or by corporations.

Properties taken from blacks were often small—a 40-acre farm, a general store, a modest house. But the losses were devastating to families struggling to overcome the legacy of slavery. In the agrarian South, landownership was the ladder to respect and prosperity—the means to building economic security and passing wealth on to the next generation. When black families lost their land, they lost all of this.

"When they steal your land, they steal your future," said Stephanie Hagans, 40, of Atlanta, who has been researching how her great-grandmother, Ablow Weddington Stewart, lost 35 acres in Matthews, N.C. A white lawyer foreclosed on Stewart in 1942 after he refused to allow her to finish paying off a \$540 debt, witnesses told the AP.

"How different would our lives be," Hagans asked, "if we'd had the opportunities, the pride that land brings?"

No one knows how many black families have been unfairly stripped of their land, but there are indications of extensive loss.

Besides the 107 cases the AP documented, reporters found evidence of scores of other land takings that could not be fully verified because of gaps or inconsistencies in the public record. Thousands of additional reports of land takings from black families remain uninvestigated.

Two thousand have been collected in recent years by the Penn Center on St. Helena Island, S.C., an educational institution established for freed slaves during the Civil War. The Land Loss Prevention Project, a group of lawyers in Durham, N.C., who represent blacks in land disputes, said it receives new reports daily. And Heather Gray of the Federation of Southern Cooperatives in Atlanta said her organization has "file cabinets full of complaints."

AP's findings "are just the tip of one of the biggest crimes of this country's history," said Ray Winbush, director of Fisk University's Institute of Race Relations.

Some examples of land takings documented by the AP:

After midnight on Oct. 4, 1908, 50 hooded white men surrounded the home of a black farmer in Hickman, Ky., and ordered him to come out for a whipping. When David Walker refused and shot at them instead, the mob poured coal oil on his house and set it afire, according to contemporary newspaper accounts. Pleading for mercy, Walker ran out the front door, followed by four screaming children and his wife, carrying a baby in her arms. The mob shot them all, wounding three children and killing the others. Walker's oldest son never escaped the burning house. No one was ever charged with the killings, and the surviving children were deprived of the farm their father died defending. Land records show that Walker's 2½-acre farm was simply folded into the property of a white neighbor. The neighbor soon sold it to another man, whose daughters owns the undeveloped land today.

In the 1950s and 1960s, a Chevrolet dealer in Holmes County, Miss., acquired hundreds of acres from black farmers by foreclosing on small loans for farm equipment and pickup trucks. Norman Weathersby, then the only dealer in the area, required the farmers to put up their land as security for the loans, county residents who dealt with him said. And the equipment he sold them, they said, often broke down shortly thereafter. Weathersby's friend, William E. Strider, ran the local Farmers Home Administration—the credit lifeline for many Southern farmers. Area residents, including Erma Russell, 81, said Strider, now dead, was often slow in releasing farm operating loans to blacks. When cash-poor farmers missed payments owed to Weathersby, he took their land. The AP documented eight cases in which Weathersby acquired black-owned farms this way. When he died in 1973, he left more than 700 acres of this land to his family, according to estate papers, deeds and court records.

In 1964, the state of Alabama sued Lemon Williams and Lawrence Hudson, claiming the cousins had no right to two 40-acre farms their family had worked in Sweet Water, Ala., for nearly a century. The land, officials contended, belonged to the state, Circuit Judge Emmett F. Hildreth urged the state to drop its suit, declaring it would result in "a severe injustice." But when he state refused, saying it wanted income from timber on the land, the judge ruled against the family. Today, the land lies empty; the state recently opened some of it to logging. The state's internal memos and letters on the case are peppered with references to the family's race.

In the same courthouse where the case was heard, the AP located needs and tax records documenting that the family had owned the land since an ancestor bought the property Jan. 3, 1874. Surviving records also show the family paid property taxes on the farms from the mid-1950s until the land was taken.

AP reporters tracked the land cases by reviewing deeds, mortgages, tax records, estate papers, court proceedings, surveyor, maps, oil and gas leases, marriage, records, census

listings, birth records, death certificates and Freedmen's Bureau archives. Additional documents, including FBI files and Farmers Home Administration records, were obtained through the Freedom on Information Act.

The AP interviewed black families that lost land, as well as lawyers, title searchers, historians, appraiser, genealogists, surveyors, land activists, and local, state and federal officials.

The AP also talked to current owners of the land, nearly all of whom acquired the properties years after the land takings occurred. Most said they knew little about the history of their land. When told about it, most expressed regret.

Weathersby's son, John, 62, who now runs the dealership in Indianola, Miss., said he had little direct knowledge about his father's business affairs. However, he said he was sure his father never would have sold defective vehicles and that he always treated people fairly.

Alabama Gov. Don Siegelman examined the state's files on the Sweet Water case after an inquiry from the AP. He said he found them "disturbing" and has asked the state attorney general to review the matter.

"What I have asked the attorney general to do," he said, "is look not only at the letter of the law but what is fair and right."

The land takings are part of a larger picture—a 91-year decline in black landownership in America.

In 1910, black Americans owned more farmland than at any time before or since—at least 15 million acres. Nearly all of it was in the South, largely in Mississippi, Alabama and the Carolinas, according to the U.S. Agricultural Census. Today, blacks own only 1.1 million of the country's more than 1 billion acres of arable land. They are part owners another 1.07 million acres.

The number of white farmers has declined over the last century, too, as economic trends have concentrated land in fewer, often corporate, hands. However, black ownership had declined 2½ times faster than white ownership, the U.S. Civil Rights Commission noted in a 1982 report, the last comprehensive federal study on the trend.

The decline in black landownership had a number of causes, including the discriminatory lending practices of the Farmers Home Administration and the migration of blacks from the rural South to industrial centers in the North and West.

However, the land takings also contributed. In the decades between Reconstruction and the civil rights struggle, black families were powerless to prevent them, said Stuart E. Tolnay, a University of Washington sociologist and co-author of a book on lynchings. In an era when black Americans could not drink from the same water fountains as whites and black men were lynched for whistling at white women, few blacks dared to challenge whites. Those who did could rarely find lawyers to take their cases or judges who would give them a fair hearing.

The Rev. Isaac Simmons was an exception. When his land was taken, he found a lawyer and tried to fight back.

In 1942, his 141-acre farm in Amite County, Miss., was sold for nonpayment of taxes, property records show. The farm, for which his father had paid \$302 in 1887, was bought by a white man for \$180.

Only partial, tattered tax records for the period exist today in the county courthouse; but they are enough to show that tax payments on at least part of the property were current when the land was taken.

Simmons hired a lawyer in February 1944 and filed suit to get his land back. On March 26, a group of whites paid Simmons a visit.

The minister's daughter Laura Lee Houston, now 74, recently recalled her terror as

she stood with her month-old baby in her arms and watched the men drag Simmons away. "I screamed and hollered so loud," she said. "They came toward me and I ran down in the woods."

The whites then grabbed Simmons' son, Eldridge, from his house and drove the two men to a lonely road.

"Two of them kept beating me," Eldridge Simmons later told the National Association for the Advancement of Colored People. "They kept telling me that my father and I were 'smart niggers' for going to see a lawyer."

Simmons, who has since died, said his captors gave him 10 days to leave town and told his father to start running. Later that day, the minister's body turned up with three gunshot wounds in the back. The McComb Enterprise newspaper reported at the time.

Today, the Simmons land—thick with timber and used for hunting—is privately owned and is assessed at \$33,660. (Officials assess property for tax purposes, and the valuation is usually less than its market value.)

Over the past 20 years, a handful of black families have sued to regain their ancestral lands. State courts, however, have dismissed their cases on grounds that statutes of limitations had expired.

A group of attorneys led by Harvard University law professor Charles J. Ogletree has been making inquiries recently about land takings. The group has announced its intention to file a national class-action lawsuit in pursuit of reparations for slavery and racial discrimination. However, some legal experts say redress for many land takings may not be possible unless laws are changes.

As the acres slipped away, so did treasured pieces of family history—cabins crafted by a grandfather's hand, family graves in shaded groves.

But "the home place" meant more than just that. Many blacks have found it "very difficult to transfer wealth from one generation to the next," because they had trouble holding onto land, said Paula Giddings, a history professor at Duke University.

The Espy family in Vero Beach, Fla., lost its heritage in 1942, when the U.S. government seized its land through eminent domain to build an airfield. Government agencies frequently take land this way for public purposes under rules that require fair compensation for the owners.

In Vero Beach, however, the Navy appraised the Espys' 147 acres, which included a 30-acre fruit grove, two houses and 40 house lots, at \$8,000, according to court records. The Espys sued, and an all-white jury awarded them \$13,000. That amounted to one-sixth of the price per acre that the Navy paid white neighbors for similar land with fewer improvements, records show.

After World War II, the Navy gave the airfield to the city of Vero Beach. Ignoring the Espys plea to buy back their land, the city sold part of it, at \$1,500 an acre, to the Los Angeles Dodgers in 1965 as a spring training facility.

In 1999, the former Navy land, with part of Dodgertown and a municipal airport, was assessed at \$6.19 million. Sixty percent of that land once belonged to the Espys. The team sold its property to Indian River County for \$10 million in August, according to Craig Callan, a Dodger official.

The true extent of land takings from black families will never be known because of gaps in property and tax records in many rural Southern counties. The AP found crumbling tax records, deed books with pages torn from them, file folders with documents missing, and records that had been crudely altered.

In Jackson Parish, La., 40 years of moldy, gnawed tax and mortgage records were piled in a cellar behind a roll of Christmas lights

and a wooden reindeer. In Yazoo County, Miss., volumes of tax and deed records filled a classroom in an abandoned school, the papers coated with white dust from a falling ceiling. The AP retrieved dozens of documents that custodians said were earmarked for shredders or landfills.

The AP also found that about a third of the county courthouses in Southern and border states have burned—some more than once—since the Civil War. Some of the fires were deliberately set.

On the night of Sept. 10, 1932, for example, 15 whites torched the courthouse in Paulding, Miss., where property records for the eastern half of Jasper County, then predominantly black, were stored. Records for the predominantly white western half of the county were safe in another courthouse miles away.

The door to the Paulding courthouse's safe, which protected the records, had been locked the night before, the Jasper County News reported at the time. The next morning, the safe was found open, most of the records reduced to ashes.

Suddenly, it was unclear who owned a big piece of eastern Jasper County.

Even before the courthouse fire, landownership in Jasper County was contentious. According to historical accounts, the Ku Klux Klan, resentful that blacks were buying and profiting from land, had been attacking black-owned farms, burning houses, lynching black farmers and chasing black landowners away.

The Masonite Corp., a wood products company, was one of the largest landowners in the area. Because most of the land records had been destroyed, the company went to court in December 1937 to clear its title. Masonite believed it owned 9,581 acres and said in court papers that it had been unable to locate anyone with a rival claim to the land.

A month later, the court ruled the company had clear title to the land, which has since yielded millions of dollars in natural gas, timber and oil, according to state records.

From the few property records that remain, the AP was able to document that at least 204.5 of those acres had been acquired by Masonite after black owners were driven off by the Klan. At least 850,000 barrels of oil have been pumped from this property, according to state oil and gas board records and figures from the Petroleum Technology Transfer Council, and industry group.

Today, the land is owned by International Paper Corp., which acquired Masonite in 1988, Jenny Boardman, a company spokeswoman, said International Paper had been unaware of the "tragic" history of the land and was concerned about AP's findings.

"This is probably part of a much larger, public debate about whether there should be restitution for people who have been harmed in the past," she said. "And by virtue of the fact that we now own these lands, we should be part of that discussion."

Even when Southern courthouses remained standing, mistrust and fear of white authority long kept blacks, away from record rooms, where documents often were segregated into "white" and "colored." Many elderly blacks say they still remember how they were snubbed by court clerks, spat upon and even struck.

Today, however, fear and shame have given way to pride. Interest in genealogy among black families is surging, and some black Americans are unearthing the documents behind those whispered stories.

"People are out there wondering: What ever happened to Grandma's land?" said Loretta Carter Hanes, 75, a retired genealogist. "They knew that their grandparents shed a lot of blood and tears to get it."

Bryan Logan, a 55-year-old sports writer from Washington, D.C., was researching his heritage when he uncovered a connection to 264 acres of riverfront property in Richmond, Va.

Today, the land is Willow Oaks, an almost exclusively white country club with an assessed value of \$2.94 million. But in the 1850s, it was a corn-and-wheat plantation worked by the Howlett slaves—Logan's ancestors.

Their owner, Thomas Howlett, directed in his will that his 15 slaves be freed, that his plantation be sold and that the slaves receive the proceeds. When he died in 1856, his white relatives challenged the will, but two courts upheld it.

Yet the freed slaves never got a penny.

Benjamin Hatcher, the executor of the estate, simply took over the plantation, court records show. He cleared the timber and mined the stone, providing granite for the Navy and War Department buildings in Washington and the Capitol in Richmond, according to records in the National Archives.

When the Civil War ended in 1865, the former slaves complained to the occupying Union Army, which ordered Virginia courts to investigate.

Hatcher testified that he had sold the plantation in 1862—apparently to this son, Thomas—but had not given the proceeds to the former slaves. Instead, court papers show, the proceeds were invested on their behalf in Confederate War Bonds. There is nothing in the public record to suggest the former slaves wanted their money used to support the Southern war effort.

Moreover, the bonds were purchased in the former slaves' names in 1864—a dubious investment at best in the fourth year of the war. Within months, Union armies were marching on Atlanta and Richmond, and the bonds were worthless pieces of paper.

The blacks insisted they were never given even that, but in 1871, Virginia's highest court ruled that Hatcher was innocent of wrongdoing and that the former slaves were owed nothing.

The following year, the plantation was broken up and sold at a public auction. Hatcher's son received the proceeds, county records show. In the 1930s, a Richmond businessman cobbled the estate back together; he sold it to Willow Oaks Corp. in 1955 for an unspecified amount.

"I don't hold anything against Willow Oaks," Logan said. "But how Virginia's courts acted, how they allowed the land to be stolen—it goes against everything America stands for."

This research was compiled in a three-part series title *Torn from the Land*, which detailed how blacks in America were cheated out of their land or driven from it through intimidation, violence and even murder. Some had their land foreclosed for minor debts. Still others lost their land to tricky legal maneuvers, still being used today, called partitioning, in which savvy buyers can acquire an entire family's property if just one heir agrees to sell them one parcel, however small.

Just like many blacks with roots in the South, I grew up hearing stories of land lost by relatives and family friends. These stories were so commonplace and pervasive that I worked with Penn Community Center on St. Helena Island in South Carolina for many years before I came to the Congress studying these land takings. To date, Penn Center has collected reports of 2,000 similar cases that remain uninvestigated. And there are other institutions around the South collecting the same kind of information.

Mr. Speaker, just like the Crawfords and many other black families with

roots in the South, I grew up hearing stories of land lost by relatives and family friends. These stories were so commonplace and pervasive that I worked with the Penn Community Center on St. Helena Island in Beaufort County, South Carolina, for many years before I came to Congress, studying these land takings.

To date, Penn Center has collected reports of 2,000 similar cases that remain uninvestigated. And there are other institutions around the South collecting the same kind of information.

The question now is, Where do we go from here? What do we do with this information? As with most legislators, my natural inclination is to introduce a bill, but I do not think that is a proper response in this instance, at least not at this time.

□ 1915

Maybe later.

What I think is called for at this time is legal action. Harvard professor Charles Ogletree, who has been at the forefront of the reparations movement, has expressed an interest in pursuing a class action lawsuit on behalf of African Americans who can document how their families lost their land. Such a lawsuit should be filed, and it should be funded and supported by the United States Government.

There are other instances in which blacks can prove that they have been victimized, with the government's blessing, because of their race. The case of Liberty Life Insurance Company comes to mind.

I have never been more proud of my home State of South Carolina than I was a few weeks ago when the State Insurance Commission fined this Greenville, South Carolina-based company \$2 million and suspended its license to sell insurance for at least 1 year because they charged black citizens higher premiums than they did whites. This was a common practice from the 1930s through the 1950s and was done with State regulators' knowledge and approval. Some of those policies remain in effect today, and the higher premiums were still being collected through the end of last year. Liberty Life was not alone in this practice, and there are many other insurance companies that must make restitution for these egregious actions. The time has come for other State governments to act and maybe the Federal Government as well.

I think the chances are very slim that African Americans will ever receive reparations for the ills wrought by slavery, at least in the traditional sense.

Trying to prove definitive ancestral links between contemporary African Americans and slaves going back nearly four centuries will, in most cases, be fruitless. Unlike holocaust survivors or Japanese Americans who were interned during World War II, there are few reliable records on slaves brought to

America. Instead, I urge African Americans all across this country to begin gathering evidence about State-sanctioned discriminatory practices like land-takings and insurance overcharges. These are battles we can fight now, and the Congressional Black Caucus is committed to helping them win.

Mr. Speaker, I would like to now yield the floor to the distinguished gentlewoman from North Carolina (Mrs. CLAYTON).

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. JOHNSON of Illinois).

Without objection, the gentlewoman from North Carolina will control the remainder of the hour.

Mrs. CLAYTON. Mr. Speaker, I want to thank the gentleman from South Carolina for his leadership and for joining with me and in calling this Special Order. A number of our colleagues will join us and participate. We are honored to have the gentleman from North Carolina (Mr. WATT), and I will yield to him now.

Mr. WATT of North Carolina. Mr. Speaker, I thank the gentlewoman for yielding time to me to make a statement regarding a matter that I regard as a problem of epidemic proportions. I want to thank the gentleman from North Carolina (Mrs. CLAYTON) and the gentleman from South Carolina (Mr. CLYBURN) for organizing this Special Order to deal with a very, very serious problem.

The gentleman from South Carolina (Mr. CLYBURN) has approached this from an historical perspective, and I admire him for doing that. There are many, many, many instances of just absolute overt, fraudulent, or scheming, or illegal takings of property that can be documented throughout the annals of history, takings of property from African American families who had struggled and worked so hard to acquire property. I subscribe to the gentleman's belief that those issues can be addressed and should be addressed and identified and addressed through legal action, and I hope that Professor Ogletree and other members of the legal profession will proceed with efforts to do that.

There perhaps is not, except for slavery itself and the deprivation of voting rights of African Americans, not a greater epidemic or problem than the loss of land, particularly in the South, from African American ownership. It is estimated that at one point in our history, African Americans owned approximately 15 million acres of land in the South. The estimates now indicate that that land ownership is down to approximately 2 million acres.

Now, there are many reasons for that, and the gentleman from South Carolina (Mr. CLYBURN) has identified the overt historical reasons for it, but in addition to that, and this is where I want to pick up and bring it on up to

date in a slightly different context so that we understand fully the issues that we are involved with, in addition to direct taking of property, swindling, fraudulent taking, intimidation of landowners and their families so that they would leave their property behind, and that property then being claimed by members of the majority race, there are other things that have contributed to this, and I want to talk about some of them.

They, on their face, do not always seem like they are racially motivated. I want to be careful to say that these are not racist plots that I am talking about; they are race-neutral in their application, but they are not race-neutral in the impact that they have. They have a disparate impact on black land ownership. I want to talk about a few of those.

First of all, there is this concept of eminent domain. That is a race-neutral principle that the government uses to acquire property for public purposes. But historically, if one goes back and looks, eminent domain has been used disproportionately to deprive black landowners of their property than it has been used to deprive white landowners of their property. The reason for that is that typically, property that has been owned by black landowners has been lower in value. When the government needs to take property for a public purpose, it wants to spend as little money as it can spend to accomplish that public purpose, so they go and try to acquire the land that has the lowest economic value. Or, the government will say, well, if we go to a certain section of town and start to acquire property, then we will meet with greater political opposition, so we should go through the parts of the community where we will get the least amount of political resistance.

So it is not accidental that when one drives down an interstate highway, many of those interstate highways go from city to city to city, but one of the things that they have in common is that they typically go through minority communities, splitting them right in half in many instances. The reason for that is because property values were lower in those communities where the acquisitions were being made, and that was the course of the least political resistance to the taking.

So eminent domain, a race-neutral concept, has a racially disparate impact, and that has been a method by which black landowners have been deprived of land.

The whole concept of heir property and partition of property, again, is a race-neutral principle that in its application has a disparate impact on minority landownership. Minority families have historically had larger families. Many of them have left the South; the kids have left the South, gone to the North, spread out all over the country, and when their parents die, they die without a will, and the land becomes heir property. We have 10 chil-

dren that become owners, none of them have real ownership because they do not have any real connection to the property, so there are disputes that develop about whether the property gets divided. Typically it does not get divided, it gets sold to people who will pay lesser value for it. Or it gets sold because the taxing authorities take it and sell it. Because 10 people have an interest in the property, no single one of them wants to assume the burden of paying the taxes on that property.

I daresay that there is not a Member of the Congressional Black Caucus who does not have some history in their own family or in their community of people who have been deprived of ownership of land in this way, through heir property, through lack of wills, through eminent domain, through partition actions that turned out to be sales actions, and the beat goes on.

So how do we get from 15 million acres of land owned by minorities in the South down to 2 million acres? We have overt, racist, intimidating acts of the kind that the gentleman from South Carolina (Mr. CLYBURN) described, and we have race-neutral, innocent-sounding acts like eminent domain and partition and tax sales that have a racially disparate impact on land ownership.

What the Congressional Black Caucus is intent on doing is trying to bring more attention to this; trying to educate the public that that is a problem of epidemic proportions, so that minority individuals understand the value of land. When I was growing up, when I got a little bit older, my parents used to say to me, land is the only commodity that the Lord is not going to make any more of. There will not be any more land made. So when you lose land, you have lost something of value. So we are trying to get that message out to the public in African American communities, and we are trying to understand and let other people understand the epidemic proportions of what we are about.

I think we have the historical part of it now and the present-day part of it, and I am sure there are many other aspects to this, but there are other people here to talk about them. So I want to yield back to the gentleman from North Carolina (Mrs. CLAYTON). I want to thank her and my colleague, the gentleman from South Carolina (Mr. CLYBURN) again, for reserving this time so that we can shine a light on this problem that has epidemic proportions in this country, in the history of this country, and even continuing today in sinister ways that people do not understand.

□ 1930

Mrs. CLAYTON. Mr. Speaker, I want to thank the gentleman from North Carolina (Mr. WATT) and thank him for his sharing of knowledge. It does not have to be overt. Again, there are areas that are neutral that have devastating impact on minority communities: the

issue of eminent domain, the issue of petitioning, the issue of sales. All of those fine ways of dispossessing or taking wealth away from people who they thought otherwise would have it. I do thank him for sharing that with us.

We are joined by someone who is a strong advocate for these issues. He has been an associate in the battlefield, the gentleman from the great State of Mississippi (Mr. THOMPSON).

Mr. THOMPSON of Mississippi. Mr. Speaker, I thank the gentlewoman from North Carolina (Mrs. CLAYTON).

I join the gentleman from North Carolina (Mr. WATT) and the gentleman from South Carolina (Mr. CLYBURN) in this effort to bring to this country's attention the serious problem associated with black land loss in America.

Mr. Speaker, I rise today to talk about land loss in the black community. A recent Associated Press investigative report titled "Torn From the Land" documented how land has been unjustly taken from African Americans over the years and alerted the world to the alarming declining trend in black land ownership. America's seventh President, Andrew Jackson, said in his July 10, 1832, bank veto message to the United States Senate, "Every man is entitled to protection by laws. But when the laws undertake to add artificial distinctions, to grant titles, gratuities, and exclusive privileges, to make the rich richer and the potent more powerful, the humble members of society, the farmers, mechanics, and laborers, who have neither the time nor the means for securing like favor to themselves, have a right to complain of the injustice of their government."

Unfortunately, at the time these words were uttered they were not applicable to African Americans. However, even Andrew Jackson, a white Southern aristocrat and slave owner himself, realized that in order for this Nation to be a great place, our Nation's resources must be equally distributed among all classes of Americans. And also he knew the importance of all individuals having the means to file and advocate grievances against the government when they felt they have been dealt an injustice.

Since Reconstruction, the plight of African Americans is by far no secret. It is a disgraceful past that has undoubtedly tarnished America's rich history. All of her life Ms. Delores Barclay, currently an AP reporter, heard random stories from blacks that went along the lines of, "My grandparents had some land but we do not know what happened to it." After hearing stories of this nature time and again, Ms. Barclay decided that perhaps she should just not dismiss them as they had in the past as some sort of mysterious urban legend; but instead she took and looked into these claims to see if they could be substantiated. She decided to team up with a few colleagues; and thanks to their hard work and dedication to uncovering the truth, what followed was an investigation

which covered an 18-month period including interviews with more than 1,000 people and the examination of tens of thousands of old fragile public records.

The results of this investigation, Mr. Speaker, should disturb all Americans. The investigation documented 107 land takings in 13 Southern and border States. In those cases alone, 406 black land owners lost more than 24,000 acres of farm and timber land, plus 85 smaller properties including stores and city lots valued at tens of millions of dollars.

How did these injustices happen? Most of these land-takings occurred in the decade between Reconstruction and the civil rights struggle when black families were powerless to prevent them, a time when black families could not drink from the same water fountains as whites and the fear of being lynched was always present. More than half of these cases, the Associated Press documented, 57 to be exact, were violent land-takings where black land owners were attacked by whites who just wanted to drive them off their land. In other cases, trickery, legal manipulations, and discriminatory lending practices can be attributed to land losses suffered by black families.

Imagine yourself as a black farmer in Mississippi in the 1950's or 1960's. You own some of the best agriculture land in the State. What you do not have, however, is the cash needed to plant and harvest this year's crop. What do you do? Well, you do what many Americans do when they need money for their businesses, you borrow it. But suppose the local banks and the Farmers Home Administration do not particularly care for your lending or want to lend you money. You are left with one choice. To finance your business you go to a prominent businessman in the community and ask for money. In return for the loan, however, you are required to put up the entire farm as collateral.

At harvest, the crop prices are low and you come up short on paying off your loan and the lender forecloses and takes your entire farm. The farm that you planned to pass on to your children is lost. The scenario I just described, Mr. Speaker, was not unusual in the South during the 1950's and 1960's. The Associated Press documented eight cases where land was acquired in this very manner by single prominent businessmen. This particular individual acquired nearly 700 acres of black-owned land in exchange for used pickups and farm equipment.

Mr. Speaker, for those that have lost land, that have lost so much more than simply monetary value of this land, they have lost the availability to pass down such a valuable asset to future generations. Land ownership is the ladder to respect and prosperity, the means to building an economic security and passing wealth on to the next generations. For those black families that have lost that land, they have lost all of this. And for those black Ameri-

cans that are being repressed from becoming land owners, they are being robbed of the American dream. I sincerely hope all Americans become aware of these injustices and do what they can individually and collectively to right this wrong.

Mr. Speaker, I compliment the gentlewoman from North Carolina (Mrs. CLAYTON) again on getting this time to highlight this important issue.

Mrs. CLAYTON. Mr. Speaker, the gentleman from Alabama (Mr. HILLIARD) is a member of the Committee on Agriculture and has been a strong advocate for wealth accumulation and for protection of land and agriculture needs, and we are delighted to have him join us.

Mr. HILLIARD. Mr. Speaker, let me first of all congratulate the gentlewoman from North Carolina (Mrs. CLAYTON) for this colloquy and for putting this together.

It is very important that we realize, Mr. Speaker, that historically blacks have had their lands taken by many different individuals and by corporations and, of course, by government. Our attention primarily during this colloquy is focused on the taking of the land by government. And it is not just the local government we speak of, but land is taken by many governments, cities, towns, counties, and, of course, our States. Generally, it is taken by the use of two vehicles. The first one is eminent domain.

Primarily, eminent domain is a legal term in which the State, the city or the county has the right to acquire lands for public use or for public purposes; but in the law it states public use. That means for some use like sewers, perhaps, or for some type of facility that benefits the entity itself, the building of city hall, some school or some library. That is public use. Unfortunately, many States, cities, and counties have used eminent domain in such a way as to deprive blacks and African Americans of their lands in so-called legal ways or in a legal instance.

Unfortunately, we look at the situation now as we speak, we find that in Mississippi land is being taken under the guise of eminent domain from farmers now. And the use of the property will be to build a Nissan plant. Well, that is not public use. That is private use. So African Americans' land at this time as we speak is being taken for private use under the guise of eminent domain.

The second way in which government takes property is through the process of tax reassessment. And in many instances the property taxes are run up to the extent that it is very difficult for the individuals to pay. Let me give you an example. In many coastal areas in South Carolina, in Alabama, Florida, and Mississippi blacks own land. And during the early 1970's and 1980's the coastal lands, for whatever reason, became very popular; and they started building hotels, restaurants and other types of facilities in the so-called re-

sort areas, and of course, what happened?

Whenever anything new was built, the surrounding property would be re-evaluated and taxes would be assessed based upon whatever is there, a hotel, a restaurant or whatever it is. And of course that would make the taxes very expensive. So we realize that situation in Alabama. So we came up with the theory of current use, and we said that land should be taxed not at the surrounding values of other land but the current use.

The reason why we came up with that is because we had to protect not only African Americans but even poor whites. Unless we correct the situation that is inherent in our laws, we will find that it not only affects African Americans but that it affects other Americans. Freedom is not free unless it extends to everyone everywhere. If for one minute we let our guard down, if for one minute we let anyone take advantage of anyone else, pretty soon they will take advantage of us.

Mr. Speaker, it is incumbent upon us as legislators to do our job and to make sure we redefine legal terms so that they will be expressive of the rights of people and so that people will understand fully what their rights are so that they may protect them.

Let me again thank the gentlewoman from North Carolina (Mrs. CLAYTON).

Mrs. CLAYTON. Mr. Speaker, I thank the gentleman for bringing that information, and I also just want to ask him to restate the actions of Alabama recently. I gather that is a recent decision, that they have now decided to make sure that the value of land is the current use rather than the traditional use?

Mr. HILLIARD. No, current use rather than the value of surrounding lands.

Mrs. CLAYTON. Surrounding land. Is that recent?

Mr. HILLIARD. That is the law currently.

Mrs. CLAYTON. When did that happen?

Mr. HILLIARD. When I was in the Alabama House of Representatives, somewhere in the late 1970's, somewhere around 1978, 1979.

Let me say this, that is very important because as we find our suburban areas expanding, in many instances shopping centers are built 3 and 4 miles outside of the city or outside of the suburban area surrounded by a wooden area, by woods, trees or by farms.

□ 1945

If you really evaluate the farmland based upon what it is near, of course it is going to carry the value of the shopping center, and of course the farmers do not make the kind of money that the shopping centers do. So they do not have the opportunity, the farmers, to pay those kind of taxes, and that is one way, through a reassessment, that land has been taken in the past by government.

Mrs. CLAYTON. I thank the gentleman from Alabama (Mr. HILLIARD)

for sharing that with us and making that clear in terms of what the State of Alabama has done.

## GENERAL LEAVE

Mrs. CLAYTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this special order.

The SPEAKER pro tempore (Mr. JOHNSON of Illinois). Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

Mrs. CLAYTON. Mr. Speaker, we are raising the issue tonight of land loss by Afro-Americans or blacks, and this issue was raised to us as a result of the AP series. The AP series was a 3-part, 10-article series plus graphics. It was published in December, and it was published all across the United States. Many of us knew that this was happening, but because this had such wide distribution, the gentleman from South Carolina (Mr. CLYBURN) brought to our attention that this was an opportunity to raise this issue in a concerted way.

This issue is not just confined to Afro-Americans or blacks who live in the South; as the series articles clearly stated, that those who lived in the North had no guarantee that their lands would not be taken, also.

So what are we talking about? What is this all about? This is about raising the consciousness that historically there has been a practice overtly, in some ways benignly, both through illegal means and through legal means, the taking of land.

My colleagues heard the gentleman from North Carolina (Mr. WATTS) and the gentleman from Alabama (Mr. HILLIARD) talk about the color of law, that it is not necessarily racial, it is not illegal in terms of petitioning. It is not illegal in terms of eminent domain, it is the application of that. So the color of law, even those things that are within our legal system has an impact of moving or dispossessing citizens, and Afro-Americans particularly, from their land.

Why is this important? Well, land is wealth. The dignity of owning a piece of land or owning a home is what defines a person and his family, of owning something that his family can share. In the rural South owning land not only allowed someone to have their plot of land, but allowed someone, if they were a farmer, to produce and make income on the land. So the land not only was a place of pride and citizenship and respectability, but also was a source of income.

We heard reference to the fact that our own records show in U.S. agriculture that we owned over 15 million acres of land and actually own something less than 2 million acres of land now. What has happened? That has not just been a shift of land through legal means. Those have also been through illegal means. It means that from 15 million acres now to 2 million or less

than 2 million acres, the same amount of, even more, have less. So the wealth has been reduced to a very minimum.

We have very small plots of lands, farmers trying to subsist. They are trying to use that land to be a productive source of income.

So it is important that we understand that the taking of the land is not only a historical event. We are very appreciative of the AP series. Mr. Speaker, I also enter into the RECORD additional articles that the AP press has published.

## BLACK FARMERS: A VANISHING WAY

By 1910, black Americans had amassed more land than at any other time in this country's history—at least 15 million acres, according to the U.S. Agricultural Census. Black owned farms, however, tended to be undercounted because the census tallied only larger farms that were producing crops. Black landownership tapered off after World War I, and plunged in the 1950s. Today, blacks are full owners of just 1.1 million of the more than 1 billion acres of arable land in the United States.

## HISTORY UP IN SMOKE

Any investigation relying on historical land records in the South is complicated by the widespread loss of documents stored in county courthouses. Storms, floods and neglect have taken their toll on these collections of deeds, tax records and estate papers. But fires—both accidental and intentional—have caused the most damage to these repositories of land history, since the mid-1800s.

## THE LYNCHING TRAIL

Racial violence in America is a well-told story. But the importance of land as a motive for lynchings has gone largely overlooked. Historians say prosperous blacks—and black landowners—often became targets of white lynch mobs, whose attacks could trigger an exodus of blacks. "If you are looking for stolen black land," says Ray Winbush, director of Fisk University's Race Relations Institute, "just follow the lynching trail." More than 3,000 blacks were lynched between 1865 and 1965, according to the Tuskegee Institute and the NAACP. This map shows lynchings confirmed by researchers who worked from a list begun by the Chicago Tribune in 1882, and later expanded upon by the NAACP and Tuskegee.

## DEVELOPERS AND LAWYERS USE A LEGAL MANEUVER TO STRIP BLACK FAMILIES OF LAND

(By Todd Lewan and Dolores Barclay)

Lawyers and real estate traders are stripping Americans of their ancestral land today, simply by following the law.

It is done through a court procedure that is intended to help resolve land disputes but is being used to pry land from people who do not want to sell.

Black families are especially vulnerable to it. The Becketts, for example, lost a 335-acre farm in Jasper County, S.C., that had been in their family since 1873. And the Sanders clan watched helplessly as a timber company recently acquired 300 acres in Pickens County, Ala., that had been in their family since 1919.

The procedure is called partitioning, and this is how it works:

Whenever a landowner dies without a will, the heirs—usually spouse and children—inheriting the estate. They own the land in common, with no one person owning a specific part of it. If more family members die without wills, things can get messy within a cou-

ple of generations, with dozens of relatives owning the land in common.

Anyone can buy an interest in one of these family estates; all it takes is a single heir willing to sell. And anyone who owns a share, no matter how small, can go to a judge and request that the entire property be sold at auction.

Some land traders seek out such estates and buy small shares with the intention of forcing auctions. Family members seldom have enough money to compete, even when the high bid is less than market value.

"Imagine buying one share of Coca-Cola and being able to go to court and demand a sale of the entire company," said Thomas Mitchell, a University of Wisconsin law professor who has studied partitioning. "That's what's going on here."

This can happen to anyone who owns land in common with others; laws allowing partition sales exist in every state.

However, government and university studies show black landowners in the South are especially vulnerable because up to 83 percent of them do not leave wills—perhaps because rural blacks often lack equal access to the legal system.

Mitchell and others who have studied black landownership estimate that thousands of black families have lost millions of acres through partition sales in the last 30 years.

"It's the all-time, slam-dunk method of separating blacks and their land," said Jerry Pennick, a regional coordinator for the Federation of Southern Cooperatives, which provides technical and legal support to black farmers.

By the end of the 1960s, civil rights legislation and social change had curbed the intimidation and violence that had driven many blacks from their land over the previous 100 years. Nevertheless, black land loss did not stop.

Since 1969, the decline has been particularly steep. Black Americans have lost 80 percent of the 5.5 million acres of farmland they owned in the South 32 years ago, according to the U.S. Agricultural Census.

Partition sales, Pennick estimates, account for half of those losses.

A judge is not required to order a partition sale just because someone requests it. Often, there are other options.

When the property is large enough for each owner to be given a useful parcel, it can be fairly divided. When those who want to keep the land outnumber those who want to sell, the court can help the majority arrange to buy out the minority. In at least one state, Alabama, the law gives family members first rights to buy out anyone who wants to sell.

Yet, government and university studies show, alternatives to partition sales are rarely considered. When partition sales are requested, judges nearly always order them.

"Judges order partition sales because it's easy," said Jesse Dukeminier, an emeritus professor of law at the University of California at Los Angeles. Appraising and dividing property takes time and effort, he said.

Partition statutes exist for a reason: to help families resolve impossible tangles that can develop when land is passed down through several generations without wills.

In Rankin County, Miss., for example, the 66 heirs to an 80-acre black family estate could not agree on what to do with the land. One family member, whose portion was the size of a house lot, wanted her share separate from the estate. Three other heirs, who owned shares the size of parking spaces, opposed dividing the land because what they owned would have become worthless. So, in 1979, the court ordered the land sold and the proceeds divided.

Even when the process works as intended, it contributes to the decline in black-owned

land; the property nearly always ends up in the hands of white developers or corporations. The Rankin County land was bought at auction by a timber company.

But the process doesn't always work as intended. Land traders who buy shares of estates with the intention of forcing partition sales are abusing the law, according to a 1985 Commerce Department study.

The practice is legal but "clearly unscrupulous," declared the study, which was conducted for the department by the Emergency Land Fund, a nonprofit group that helped Southern blacks retain threatened land in the 1970s and '80s.

Blacks have lost land through partitioning for decades; the AP found several cases in the 1950s. But in recent years, it has become big business. Legal fees for bringing partition actions can be high—often 20 percent of the proceeds from the land sales. Families, in effect, end up paying the fees of the lawyers who separate them from their land.

Moreover, black landowners cannot always count on their own lawyers. Sometimes, the Commerce Department study found, attorneys representing blacks filed partition actions that were against their client's interests.

The AP found several cases in which black landowners, unfamiliar with property law, inadvertently set partition actions in motion by signing legal papers they did not understand. Once the partition actions began, the landowners found themselves powerless to stop them.

The Associated Press studied 14 Partition cases in detail, reviewing lawsuit files and interviewing participants. The cases stretched across Southern and border states.

Each case was different, each complicated, with some taking years to resolve. In nearly every case, the partition action was initiated by a land trader or lawyer rather than a family member. In most cases, land traders bought small shares of black family estates, sometimes from heirs who were elderly, mentally disabled or in prison, and then sought partition sales.

All 14 estates were acquired from black families by whites or corporations, usually at bargain prices.

Migrations that have scattered black families increase their vulnerability to partition actions. Historians say those who fled the South seldom spoke of the lives they left behind. Their descendants may not realize they have inherited small shares of family property and have no attachment to the land. All a land trader has to do is find one of them.

Some families have hired attorneys and tried to fight back. However, said Mitchell, the Wisconsin law professor, "the families nearly always lost."

To understand how partition sales work in practice, it is useful to begin with a relatively simple one.

The case of the Marsh family of Northern Louisiana contains the three typical elements: land passed down without wills, black landowners unfamiliar with property law and a white businessman who saw an opportunity and took it. But it has few of the complications that can make partition cases difficult to allow.

Louis Marsh, a freed slave, accumulated 560 acres in Jackson Parish in the decades after the Civil War. When he died without a will in 1906, his children inherited the land. They owned it in common until 1944, when they asked the court to divide it.

The Court gave six siblings 80 acres each, court records show. The final 80 acres would have gone to their brother, Kern Marsh, but he had fled Louisiana after killing a man. So, the court decided, Louise Marsha's children would continue to own that share in common.

With the family's permission, one of the siblings, Albert Marsh, farmed those extra 80 acres along with his own share. As 20 years passed with no sign of Kern Marsh, the family care to think of all 160 of those acres as Albert Marsh's land. Family members said they expected it would be passed down to Albert's children when he died.

That's not what happened. On April 11, 1955, about the time oil rings were appearing on neighboring property, Albert Marsh died without a will. Not long after, a white oil man named J.B. Holstead purchased an 11.4-acre interest in the extra 80 acres. The seller was one of Albert Marsh's nephews, Leon Elmore, who was one of Albert Marsh's nephews, Leon Elmore, who has since died.

The deed, filed on Aug. 13, 1955 says Elmore was paid \$100 cash and other consideration—a used truck, according to Elmore's son, Leon, Jr.

Three days later, Holstead filed for a partition sale of the 80 acres.

Six days after that, a judge sorted out who owned shares in the 80 acres. Because the 1944 partition had left that land as common property of Louis Marsh's children, the true owners were his 23 living descendants, the judge decided. Leon Elmore was among them, giving him the right to sell his share to Holstead.

The Marshes did not understand what was happening and did not have a lawyer, said Albert Marsh's son, Alvie, 86. Besides, he said, challenging a white businessman in the 1950's "never entered your mind—less you wanted the rope."

On Nov. 15, 1955, the same judge granted Holstead's request for a partition sale. Court costs, plus a \$250 fee to Holstead's lawyer, were to be paid from the proceeds.

At the Jan. 21, 1956, auction, Holstead bought the 80 acres for \$6,400. He quickly sold the land and the oil and gas rights for unspecified amounts, records show.

The land changed hands several times before being acquired in 1996 by Williamette Industries Inc., a wood-products company. A company spokeswoman said Williamette was unaware of the land's history.

Holstead is dead; his son, John Holstead, a Houston lawyer, said he was unaware of the case. When it was described to him, he said: "All of the legal procedures of Louisiana law were followed."

Alvie Marsh believes that land was taken unfairly. "I've lived with that for 45 years," he said.

Today, he lives in a shack on that part of the estate his family was able to keep.

Things were more complicated when a South Carolina real estate trader went after two tracts owned by different branches of the Beckett family in the 1990s.

In 1990, Audrey Moffitt sought a 335-acre estate in Jasper County, S.C., that had been owned by the family since 1873.

Frances Beckett, a 74-year-old widow with a fourth-grade education, was one of 76 heirs to the estate. According to court papers, she was bedridden with cancer; her doctor had given her three months to live.

The dying woman accepted Moffitt's offer of \$750 for her 1/72 interest—worth \$4,653, according to a subsequent appraisal by J. Edward Gay, a real estate consultant. An appeals court would later call it the only "true" appraisal of the property.

Moffitt then bought out six others heirs for a total of \$6,600, court papers show.

Among them, she paid Edward Stewart, 88, a man with no formal education, and Flemon Woods, 80, with a third-grade education, a combined \$5,800 for their one-sixth interest. It was worth \$55,833, according to Gay's appraisal.

Moffitt filed her partition action in January 1991. Beckett family members counter-

sued, alleging Moffitt had secured the elderly heirs' signatures without the presence of a notary. A special referee in the Court of Common Pleas ruled that the estate be sold.

The property was broken into two pieces that were auctioned separately. Fifty acres were purchased for \$75,000 at a December 1991 sale by John Rhodes, a real estate broker from nearby Estill, and his mother, Florence. Of this, \$12,864 went to Moffitt for her shares and nearly \$20,000 was taken for court costs, leaving \$42,331 for the family.

Today, Rhodes and his siblings own the tract, which is assessed at \$200,000. Moffitt bought the remaining 285 acres for \$146,000 in February 1992. (That included \$24,338 she paid to herself for her own shares.)

Two years later, however, an appeals court ruled that the signatures of the elderly Beckett heirs were obtained illegally. The court also cited uncontested evidence that Moffitt or her partner had led Edward Stewart to believe he was selling a right of way, led Frances Beckett to believe she was selling timber rights and led Flemon Woods to believe he would be liable for substantial back taxes if he did not sell.

The court characterized Moffitt's dealings with the three elderly family members as "unconscionable." When Moffitt paid an additional \$45,075 for the shares, however, the court validated the partition sale.

With the additional payment, Moffitt's outlay for the land totaled \$198,425, court papers show. Deduct the \$37,202 she received from the partition sales for her own shares of the estate, and her true outlay was \$161,223.

Moffitt has since broken up the property and resold it to a locally prominent family and several area businesses, property records show. In one transaction, she swapped part of the old Beckett land for an adjoining piece of property, which she then sold.

Her proceeds from these sales, property records show, total \$1,708,117—nearly 11 times what she paid for the property.

"They basically just ran these people out," said Bernard Wilburn, an Ohio lawyer who represented several Beckett heirs.

This wasn't the only time the Becketts encountered Moffitt.

In 1991, she paid heirs on another side of the family \$2,775 or a one-fifth interest in 50 acres of undeveloped land along State Highway 170 in Beaufort County, S.C.—the main link between Savannah, Ga., and the resort island of Hilton Head. The following year, Moffitt filed for partition, forcing the 42 heirs into court.

The family knew what was coming because of what was happening to their relatives, so they negotiated a settlement. They allowed Moffitt to pick out the best 10.4 acres of the estate in return for dropping the partition action.

Moffitt didn't keep the land long. Records show that in October 1998 the state paid her \$17,000 for a roadway easement of less than an acre. In January 1999, she sold the rest to a Methodist church for \$200,000.

In all, she received \$217,000 for land she had purchased for \$2,775.

"You can't buck these big-money developers," said family member William Jackson, a retired math teacher. "You are most times forced to settle for less than what your property is worth."

Moffitt, of Varnville, S.C., did not return phone calls but replied in writing to a letter requesting comment. Apparently limiting her remarks to the larger Beckett property, she defended the dealings described as "unconscionable" by the court, calling her payments to the elderly Beckett's "fair value."

She characterized the Beckett ownership as "a convoluted mess" that made the land unmarketable. She added: "The heirs could have done for themselves what I did, but for

generations had not done so. It is difficult sometimes to get two people to agree; getting 30 or 40 or more people all to agree to sell or keep and use their property would be virtually impossible, in my experience.

More complicated still is the story of the Sanders estate in Pickens County, Ala.

M.L. Wheat of Millport, Ala., wanted to buy the 300 acres of timberland that had been in the Sanders family for 83 years. In early 1996, he talked price with one of the owners, Ivone Sanders. They met in the office of Wheat's lawyer, William D. King IV. When Wheat learned that buying the land would require reaching agreement with about 100 heirs, he backed away from the deal.

Then, in May of that year, the story took a turn.

King, who had represented Wheat, filed a partition action on behalf of 35 members of the Sanders family, naming other heirs as defendants.

Only two family members signed the complaint seeking the sale: Ivone Sanders, now 72, with a fourth-grade education, and his cousin, Archie Sanders, now 75, with a third-grade education. Court papers show both later insisted they did not understand what they were signing.

Ivone Sanders told the AP he thought he was authorizing King only to determine the size of each family member's share.

Several family members King listed as plaintiffs turned out not to own shares. All but five of the plaintiffs who did own shares joined Ivone and Archie Sanders in filing papers stating that they had not authorized King to pursue the partition action.

Several hired another lawyer to try to stop the sale.

The AP could find nothing in the record indicating the wishes of the other five plaintiffs. One, Emma Jeann Sanders, told the AP she had never hired King. Another, Lillie Velma Gregory, was too ill to be interviewed, but her daughter, Fentris Miller Hayes, said her mother had not hired King. Another is now dead. The other two could not be located.

Whose interest was King representing as he pursued the partition action for more than two years? King would not comment beyond saying that the record speaks for itself.

As the case went on, the number of family members being sued to force the sale reached 78. Of these, 18 did not object to the sale, according to the judge. In fact, in the case's final year, the judge decided that seven of them were no longer defendants, but plaintiffs.

Five of those seven then filed objections to the sale, too.

Family members who took a position on the sale—plaintiffs and defendants alike—were overwhelmingly opposed, court records show. Some said they never wanted the family land sold. Others, including Ivone and Archie Sanders, said that if they were to sell, they would want to do so privately rather than risk a low winning bid at a court-ordered auction.

Nevertheless, Circuit Court Judge James Moore ordered an auction. The Melrose Timber Co., Inc., bought the property on Nov. 24, 1998, for \$505,000, court papers show.

It was not a bad price, but the family did not get all the money. King collected \$104,730 in fees and expenses—about 20 percent of the sale proceeds. After court costs were deducted, \$389,170 remained to be divided among 96 heirs, some of whom incurred thousands of dollars in legal fees fighting the sale.

Some family members wanted to appeal but decided they could not afford the legal fees, said Ivone Sander's niece, Eldessa Johnson, 50, of Southfield, Mich.

King, reached at his Office in Carrollton, Ala., said: "I have no additional comments, other than what is in the record. . . . I have nothing to hide. This case has been well litigated."

Moore said partitioning laws, intended to protect landowners, are often used against them and may need revision. However, he said, once the partition request was filed, he approved it largely as a matter of routine.

In his three-county rural circuit, he said, two or three such cases are going on all the time. Most, he said, involve black families.

WITH HELP FROM THEIR WHITE LAWYER, A BLACK MISSISSIPPI FAMILY LOSES A FARM  
(By Todd Lewan)

CARTHAGE, MISS. (AP).—For years, Turf Smith lived alone in a cabin in the woods, serving as caretaker of a 158-acre estate shared by 25 family members who were scattered around the country.

He had long wanted to carve out 2 acres for himself to build a new house, said two of his children, Quille and Gene Smith. But, families being as they are, one of his relatives would not agree.

A white lawyer heard of Smith's plight, his children said. The lawyer told the elderly black farmer he could help by asking a judge to partition the property, giving family members separate titles to their allotted shares. Smith, who is now dead, agreed.

However, the petition the lawyer filed on Turf Smith's behalf asked the court to sell the entire estate at auction if it could not be divided fairly among the heirs. The sale of the entire estate, Smith's children said, was not something he planned or imagined would happen.

Court records show that many heirs to the property never responded to the suit. The family, mostly rural folk, was widely scattered. Quillie and Eugene Smith said. They didn't understand what was happening or have the money to hire a lawyer to fight it.

The judge who heard the case appointed three special commissioners to determine what should be done. County records show that one of the panel members, Lynn O. Young, a county forester who has since died, had numerous land dealings with timber companies and a real estate speculator named W.O. Sessums.

The panel recommended a partition sale. Because not all of the 158 acres were of the same quality, the land could not be divided equally among the heirs, the panel told the court. So, the judge ordered an auction.

The sale was set for 1978. Turf Smith, with help from his nephew, Maxwell Smith, scraped together \$41,000 in cash and loans to try to keep the land in the family, but they never had a chance. Sessums quickly bid the price up and bought 156 of the 158 acres for \$98,000, court records show.

Smith was able to buy the final 2 acres, which the court sold separately for his benefit, for \$1,200.

Months later, Sessums sold his 156 acres for an undisclosed sum to a subsidiary of Georgia Pacific Corp., property records show.

From the auction, each Smith heir received as little as \$245 to as much as \$8,000, court records show. But the land that had been their legacy since the early 1920s was gone.

The property now is assessed at more than \$225,000, and believed to have a market value of much more because it has quality hardwoods and shoulders a highway.

"We paid a fair market price and have clear title on the land," Robin Keegan, a senior spokeswoman for Georgia Pacific, said. "Our records contain nothing to suggest that anyone at Georgia Pacific knew anything about the family's dispute over the land."

Sessums died three years ago, according to his wife, Mary. She said Young routinely tipped her husband to land opportunities. "We bought some land through Lynn Young. He bought several tracts like that at the courthouse, you know—commission."

Turf Smith died in 1981. Today, Quille Smith and her five siblings own the land their father left them.

"Two acres," she said. "That, and the history, is all we have left."

Mrs. CLAYTON. We are very appreciative of them raising it all through the country, but we, the members of the Congressional Black Caucus, have an obligation to have Americans understand how important it is to own one's land, to own one's home place or homestead, what it means to the dignity of the family, and more than that, what it means to the sustainability of the community, what it means to the society, to make sure everyone feels that they have equal access to have a piece of the pie.

The documents showed not only the take of land for eminent domain by governments, but also we found that it was a case in point where Mississippi, the burning of a courthouse, and all the documents were destroyed and a private entity came in and they claimed under color of law, and the lawyers in the audience would know more than I would, but they had a title that was not complete, where they went to court and they said there was no one else to claim this title. So for a period of years they had a color of title. Later, they acquired the land. They acquired the land for a very minimal amount of money.

They sold that land after they discovered there was oil on that land, and even in the article it says the corporation now says the question is what do we do about this? He acknowledged there has been less than full disclosure, less than full legal remedy to the process, but he is the rightful owner.

So there have been many acquisitions of lands and wealth and minerals from land that has been acquired as a result of the color of law and the result of some trickery. Obviously burning a courthouse is not the color of law.

Also, we have eminent domain in Florida where the city acquired the land for a naval yard, acquired the land when people went there and begged that they indeed should have the opportunity to buy their land. Eminent domain said to the blacks that they had one price and to the whites right beside it a price that was at least 10 times higher. These family members tried to buy the land after the city had no use for the naval yard, and rather than sell it to them, they sold it to a baseball franchise. That baseball franchise bought that land for millions of dollars; not any remuneration to the Afro-American family members.

History is replete with incidents where the color of law has been favoring those who are powerful and taking

away without any opportunity of redress for those who are powerless or who were Afro-American who did not have the law of those who represented.

I think the issue for us is not only to raise that consciousness of all Americans and understand the value of land, but also have a sense of fairness, have a sense of the value of having free access to the opportunity of being landowners or homeowners or sharing in the wealth, and to that extent, I think we will have a better America.

I think also Afro-Americans are so worn that no one is as vigilant as they are themselves. They say buyer beware. So those who have been fraudulently offended, those who have had the color of law to take that land, they need to begin, I think, as the gentleman from South Carolina (Mr. CLYBURN) challenged us, is to begin to think about bringing all that information together so we can share that information with the appropriate authority.

I think we are setting the symbol, that it is the time for us to come together, first for America to come together and say this is unacceptable, it was not right then, and it certainly is not right now.

Let me just finish my comments and say this is not just yesterday. This is still happening. I serve on the Committee on Agriculture, as two of my Representatives here, and we know that the black families had had a continuous complaint and legal action against the Department of Agriculture because they have had foreclosures or they have been discriminated in getting the resources they have needed. So in the process of the loans, the foreclosure has meant that the taking of the land back to the government, when they were not able to either work out a payback schedule that would allow them to pay back their own loans, or which they were lent moneys discriminately so they were not even given a chance in the very beginning to have an equal opportunity.

So not only is this historical, it is continuing, and we as Americans should be alarmed at this. We should not find this as acceptable. I think it was Martin Luther King who said, it is not so much what bad people do, it is the silence of good people, and I know most Americans know that the taking of land, fraudulent or even by the color of law, is unacceptable, it is wrong. We ought to speak out at that.

We are calling our colleagues and Americans to be engaged in this dialogue, and we are calling on black Americans themselves to be vigilant in making sure that they are taking care of their legal procedures, and they know the value of land, and they do not ignore notices about tax, notices for sale, and they do not take for granted someone else is going to take care of their business; that they understand that to own land is to be part of America, and they have every right to be engaged in it.

Again, I am thankful and very appreciative that the gentleman from South Carolina (Mr. CLYBURN) found this issue, something he passionately cared about and wanted to join us, and I know he may want to have some last remarks. I thank the gentleman from South Carolina (Mr. CLYBURN) very much for doing this and yield to him.

Mr. CLYBURN. I thank the gentleman from North Carolina (Mrs. CLAYTON) for joining me in this Special Order.

Mr. Speaker, I would like to say in closing the Special Order that I am pleased that the time has been granted. I want to sound the alarm to the public at large that this is an issue that has a long history. It is an issue that is very, very current in and around our neighborhoods today.

In my own congressional district in South Carolina, I continue to find instances where people are now unable to pay taxes on the land that has been in their families for centuries simply because someone has built a motel or a housing development in the area, and all of a sudden the taxes have accelerated, and they are finding themselves unable to pay these taxes and, therefore, losing the land.

We have seen that happen on Hilton Head, South Carolina; Daufuskie Island, South Carolina; Pawleys Island, South Carolina; all of these areas where there are resort communities being built. And so we bring this issue here today because we think it is high time that we begin to focus on what is being done under the color of law to people who find themselves powerless and to have big corporations like the International Paper Company now benefiting from this illegal taking. It is time for our government to join forces with large corporations. In this time when corporate scrutiny is very, very vigilant, we ought to do what is right by those people who had their land, their wealth taken away and now going to the benefit of people who have no legal right to it.

I want to thank my colleagues for joining me this evening in this Special Order.

Mr. LEWIS of Georgia. Mr. Speaker, many Americans have taken pride of our past and rightfully so. We have a rich history of working the land and having the opportunity to benefit from the fruits of our labor. My family has even had the opportunity to witness the pride that land ownership brings. In 1944, when I was only 4 years old, my father saved \$300 to buy 100 acres of land in Alabama. This land has been in my family ever since, and to this day, my 87 year old mother still lives there. I cannot imagine, that in a country like ours, having this land stripped from under our feet without justification. Much less not even being able to do anything about it.

Unfortunately, this was indeed the reality for many African American farmers at one time. It was often spoken of, but never proven. And until recently, many Black Farmers were crying on deaf ears of their plights. As Americans we have longed believed that under God, all men were created equal. Under this belief we

all should have the fundamental right to life, liberty, and the pursuit of happiness. However, for some, this was a far fetch dream. And to many, the pursuit of happiness was a down right lie!!!

Few people know that by the turn of the 21st Century, former slaves and their descendants owned millions of acres of land. In fact by 1910, African Americans owned approximately 15 million acres of land. Today, African Americans own only 1.1 million acres of land.

You might ask, why is it that during periods when our country witnessed massive prosperity and growth has the number of African American land ownership decreased so drastically? There are many answers to that question; however, probably the most disturbing one is the taking of land by White businessmen and lenders and keeping the unfortunate victims quiet, either through intimidation or murder. And today, land that was once owned by numerous hard working families is now home to baseball parks and shopping malls.

Mr. Speaker, this is a shame!!! It is a shame that this was happening in America. It will be even more of a shame if we continue to let this be ignored.

Ms. WATERS. Mr. Speaker, I rise today to bring to the nation's attention the plight of thousands of black farmers around the nation. From the day that we earned our freedom, many African-Americans have chosen to support themselves and their families through farming. And we pursued this profession with dedication and determination.

Unfortunately, black farmers have faced opposition and intimidation from white farmers, Jim Crow laws, and the federal government. Local and state governments through the second half of the 1800s created laws that systematically stripped land from black farmers.

The policy continued through the New Deal. President Roosevelt's much heralded policies which helped millions of people through those tough times, rarely helped black farmers despite the fact that they owned fourteen percent of the nation's farming land.

Surprisingly, at a time when other blacks were achieving civil rights, the federal government pursued policies that made the condition of the black farmers worse. Thousands lost their land and, by 1978, tragically, there were only 6,996 black farms left. Today, there are fewer than 18,000 black farmers, which represents less than one percent of all the farms in America.

These farmers worked their entire lives to get where they are today, and in many cases they are farming the same land as their grandparents and great-grandparents did. But due to unfair influences and the power of large corporations, these farmers are losing thousands of acres to development. What makes matters worse is that they are almost never given fair market value for their land.

It is easy for many of us just to sweep this under the rug and pretend that nothing like this happened. But we must face the facts and realize that thousands of black farmers were systematically dispossessed from their land. I propose that the Federal Government create a commission so that farmers can have a free and fair forum to bring their complaints and reconcile this matter. Our farmers deserve nothing less.

Mr. CONYERS. Mr. Speaker, I would like to take this opportunity to speak to the issue of

Black Land Loss, an epidemic which is causing African Americans to lose land at alarming rates. This problem has plagued Black Americans for over a century and a half.

We cannot allow an issue as pervasive and insidious as black land loss to go unaddressed. Black land loss is attributable to many reasons: lynchings, mob attacks, lack of legal wills, slick and untrustworthy lawyers, and unscrupulous real estate traders. Sometimes black land owners were attacked by whites who wanted to seize their property. During the Reconstruction period, black were ostracized, terrorized and dispossessed of the one thing they had managed to earn in that desperate time, their land.

By 1920, African Americans had amassed more land than they ever held since reconstruction, at least 15 million acres, according to statistics compiled by the U.S. Agricultural Census.

Black land ownership tapered off after World War I and plunged in the 1950's. Today, African-Americans own just 1.1 million acres of the more than 1 billion acres in productive land in the U.S. During the 20th Century Black Americans have lost their land holding at a rate two and a half (2½) times faster than whites. Blacks were forced out of the South and off their land by:

The discriminatory lending practices employed by banks and the U.S. Department of Agriculture; the need to seek better economic opportunities in the North; racial oppression; and violence perpetrated by white supremacists groups and other terrorist organizations. In effect, black landowners were put under so much pressure to give up their land, that they became refugees in their own country.

Families that pass down their land without wills or with vague wills are particularly vulnerable to losing their property through partitioning and other predatory legal practices. Historically blacks in the rural south seldom left wills. Experts say thousands of acres of black owned land that had been in African-American families for generations has been lost through these practices. In recent years separating African-Americans from their land has become big business. All to the detriment of African-American land owners.

Ownership of land has meant more than just a family homestead, land represented wealth to a black family, when these homesteads were taken from black families they lost their ability to pass on wealth. As WEB DuBois stated, "universal suffrage could not function without personal freedom, land and education."

By preventing blacks from preserving their land, whites were more able to perpetuate the vestiges of slavery. Taking land from African-Americans went a long way in eliminating their ability to prosper; participate in the political process; and to effectively pass on wealth to future generations.

Mr. CLAY. Mr. Speaker, I rise to commend the Associated Press for a series of articles it ran late last year entitled, "Torn from the Land," which documented in great detail how private and government entitles cheated many Black Americans out of their land or drove them from their land through intimidation, violence and murder.

The misappropriation of these lands, undertaken primarily in the South, began more than a hundred years ago and continued well into the 1960s.

The lands and properties that were taken from African Americans were generally small, such as a small home, a 40-acre farm or a modest business. But such losses were devastating to families and to a people struggling to overcome the legacy of slavery.

According to the U.S. Agricultural Census, in 1910 African Americans owned over 15 million acres of farmland, the greatest level of black landownership in our nation's history. However, as a result of the illegal land grabs and the discriminatory practices of the old Farmers Home Administration, black landownership today now stands at 1.1 million acres.

The wholesale theft of land from African Americans is the greatest unpunished crime in our nation's sordid history of race relations.

Landownership was the ladder to respectability and prosperity in the Old South—the primary means to building economic security and passing wealth on to the next generation. So when black families lost their land, they lost everything.

Typically, blacks were forced off their lands with phony charges of nonpayment of taxes or through claims of counter ownership by other private or government entities.

In other cases, African Americans were forced off their lands with threats of violence or the outright murder of black landowners.

In my home state of Missouri, hundreds of blacks fled the city of Springfield in 1906, after three men were lynched. The city, which at the time had a thriving African American population of at least 10 percent with many black doctors, lawyers and educators, is today only two percent black.

In another case, 129 blacks abandoned land in Pierce City, Missouri after armed bands of whites burned five black-owned homes and killed four African American men. Afterwards, whites bought up the previously black-owned land at bargain prices.

The great abolitionist Frederick Douglass foresaw this future tragedy for Black Americans when, on the 24th anniversary of the Emancipation Proclamation, he said, "Where justice is denied, where poverty is enforced, where ignorance prevails, anywhere any one class is made to feel that society is in an organized conspiracy to oppress, rob, and degrade them, neither persons nor property will be safe."

The Associated Press articles provide ample empirical evidence that Congress needs to conduct a study into these tragic events to determine whether reparations for past losses are in order.

Throughout our nation's history, there are many examples of our government taking steps to correct past wrongs committed against specific groups of Americans.

We have compensated Japanese Americans for the time they were interned in concentration camps during World War II, and we have compensated Native Americans for the loss of their lands to western expansion.

So now the time has come for us to examine the economic and physical losses suffered by African Americans under the old policies of Jim Crow. To do any less, would allow Justice to be denied.

#### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3252

Mr. HILLIARD. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 3252.

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

There was no objection.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. YOUNG of Alaska (at the request of Mr. ARMEY) for today on account of aircraft mechanical trouble.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. GUTKNECHT) to revise and extend their remarks and include extraneous material:)

Ms. NORTON, for 5 minutes, today.

Mr. LARSON of Connecticut, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

Mr. LANGEVIN, for 5 minutes, today.

Mr. LYNCH, for 5 minutes, today.

Mr. STRICKLAND, for 5 minutes, today.

Ms. MILLENDER-McDONALD, for 5 minutes, today.

(The following Members (at the request of Mr. GUTKNECHT) to revise and extend their remarks and include extraneous material:)

Mr. GANSKE, for 5 minutes, February 10 and 11.

Mr. LOBIONDO, for 5 minutes, today.

Mr. NUSSLE, for 5 minutes, today.

Mr. GUTKNECHT, for 5 minutes, today.

#### ADJOURNMENT

Mrs. CLAYTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 59 minutes p.m.), the House adjourned until tomorrow, Thursday, February 7, 2002, 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:

5364. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting the Commission's report entitled, "Report on the Economic Impacts on Western Utilities and Ratepayers of Price Caps on Spot Market Sales"; to the Committee on Energy and Commerce.

5365. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-229, "Health Insurers and Credentialing Intermediaries Uniform Credentialing Form Act of 2002" received February 6, 2002, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

5366. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-236, "Closing of a Portion of South Avenue N.E., and Designation of Washington Place, N.E., S.O. 01-312, Act of

2002" received February 6, 2002, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

5367. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-237, "Closing of a Public Alley in Square 5851, S.O. 00-94, Act of 2002" received February 6, 2002, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

5368. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-230, "Uniform Consultation Referral Forms Act of 2002" received February 6, 2002, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

5369. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-232, "Lease-Purchase Agreement Act of 2002" received February 6, 2002, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

5370. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-231, "Health-Care Facility Unlicensed Personnel Criminal Background Check Amendment Act of 2002" received February 6, 2002, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

5371. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-252, "Unemployment Compensation Services Temporary Amendment of 2002" received February 6, 2002, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

5372. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-251, "Continuation of Health Coverage Temporary Act of 2002" received February 6, 2002, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

5373. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-250, "Uniform Athlete Agents Act of 2002" received February 6, 2002, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

5374. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-241, "Closing, Dedication and Designation of Certain Public Streets and Alleys in Squares 5880, 5881, 5882, 5883, 5885, 5890, and S.O. and 01-2384 Act of 2002" received February 6, 2002, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

5375. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-234, "Closing of a Public Alley in Square 2837, S.O. 92-195 Act of 2002" received February 6, 2002, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

5376. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-235, "Closing of a Public Alley in Square 220, S.O. 01-2388 Act of 2002" received February 6, 2002, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

5377. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-233, "Colorectal Cancer Screening Insurance Coverage Requirement Act of 2002" received February 6, 2002, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

5378. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-238, "Chief Financial Officer Establishment Reprogramming During Non-Control Years Technical Amendment Act of 2002" received February 6, 2002, pursu-

ant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

5379. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-255, "Safety Net Temporary Act of 2002" received February 6, 2002, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

5380. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-254, "Educational Step-ladder Temporary Act of 2002" received February 6, 2002, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

5381. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-253, "Ward Redistricting Residential Permit Parking Temporary Amendment Act of 2002" received February 6, 2002, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

5382. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-257, "Operation Enduring Freedom Active Duty Pay Differential Temporary Amendment Act of 2002" received February 6, 2002, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

5383. A letter from the Chairman, Nuclear Regulatory Commission, transmitting the Commission's FY 2003 Budget Estimates and Performance Plan; to the Committee on Government Reform.

5384. A letter from the Director, Office of Personnel Management, transmitting OPM's Fiscal Year 2001 Annual Report to Congress on the Federal Equal Opportunity Recruitment Program (FEORP), pursuant to 5 U.S.C. 7201(e); to the Committee on Government Reform.

5385. A letter from the Administrator, Federal Aviation Administration, Department of Transportation, transmitting the Capital Investment Plan (CIP) for fiscal years 2003-2007, pursuant to 49 U.S.C. app. 2203(b)(1); to the Committee on Transportation and Infrastructure.

5386. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Ankeny, IA [Airspace Docket No. 01-ACE-7] received February 5, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5387. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Snake Creek Drawbridge, Islamorada, Florida [CGD07-01-056] (RIN: 2115-AE47) received February 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5388. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; 63rd Street Bridge, Indian Creek, mile 4.0, Miami Beach, Miami-Dade County, Florida [CGD07-02-001] received February 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5389. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operations Regulations; Youngs Bay and Lewis and Clark River, OR [CGD13-01-006] (RIN: 2115-AE47) received February 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5390. A letter from the Chief, Regulations and Administrative Law, USCG, Department

of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Harlem River, NY [CGD01-01-048] (RIN: 2115-AE47) received February 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5391. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Missouri River [CGD08-98-020] (RIN: 2115-AE47) received February 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5392. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; West Bay, MA [CGD01-01-038] (RIN: 2115-AE47) received February 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5393. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulation; Lake Pontchartrain, LA [CGD08-01-022] (RIN: 2115-AE47) received February 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5394. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zone; St Croix, USVI [CGD07-01-135] (RIN: 2115-AA97) received February 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5395. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Falgout Canal, LA [CGD08-01-051] received February 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5396. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Lake Ponchartrain, LA [CGD08-01-053] received February 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5397. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety and Security Zone; Pilgrim Nuclear Power Plant, Plymouth, Massachusetts [CGD01-01-211] (RIN: 2115-AA97) received February 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5398. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Regulated Navigation Areas, Safety and Security Zones; Long Island Sound Marine Inspection and Captain of the Port Zone [CGD01-01-187] (RIN: 2115-AE84, 2115-AA97) received February 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5399. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Regulated Navigation Area; Chesapeake Bay Entrance and Hampton Roads, VA and Adjacent Waters [CGD05-

5400. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Regulated Navigation Area; Chesapeake Bay Entrance and Hampton Roads, VA and Adjacent Waters [CGD05-

01-066] (RIN: 2115-AE84) received February 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5401. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Longboat Pass and New Pass, Longboat Key, Florida [CGD07-00-006] (RIN: 2115-AE47) received February 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5402. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Maybank Highway Bridge, Stono River, Johns Island, SC [CGD07-01-091] (RIN: 2115-AE47) received February 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5403. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Terrebonne Bayou, LA [CGD08-01-003] (RIN: 2115-AE47) received February 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5404. A letter from the Administrator, Environmental Protection Agency, transmitting the Agency's report on Implementation and Enforcement of the Combined Sewer Overflow (CSO) Control Policy, pursuant to Public Law 106-554, section 12; to the Committee on Transportation and Infrastructure.

5405. A letter from the Assistant Secretary for Import Administration and the Assistant U.S. Trade Representative for WTO and Multilateral Affairs, Department of Commerce, transmitting a report entitled, "Subsidies Enforcement Annual Report To The Congress"; to the Committee on Ways and Means.

5406. A letter from the Deputy Director, Congressional Budget Office, transmitting the CBO's Sequestration Preview Report for FY 2003, pursuant to 2 U.S.C. section 904(b); jointly to the Committees on the Budget and Appropriations.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. GEKAS:

H.R. 3687. A bill to amend the Internal Revenue Code of 1986 to exclude unemployment compensation from gross income; to the Committee on Ways and Means.

By Mr. LANGEVIN (for himself, Ms. CARSON of Indiana, Ms. MCKINNEY, Mr. SKELTON, Mr. UDALL of New Mexico, Mr. NADLER, Mr. CLAY, Mr. PHELPS, Mr. BOUCHER, Mr. CLEMENT, Mr. DAVIS of Illinois, Mr. ETHERIDGE, Mr. FROST, Mr. ENGLISH, and Mr. SANDLIN):

H.R. 3688. A bill to direct the Secretary of Education to establish a competitive demonstration grant program to provide funds for local educational agencies to experiment with ways to alleviate the substitute teacher shortage, and for other purposes; to the Committee on Education and the Workforce.

By Mr. NADLER:

H.R. 3689. A bill to repeal the per-State limitation applicable to grants made by the

National Endowment for the Arts from funds made available for fiscal year 2002; to the Committee on Education and the Workforce.

By Mr. OWENS:

H.R. 3690. A bill to amend title 49, United States Code, to provide that individuals who are eligible to join the Armed Forces of the United States are also eligible to be security screening personnel; to the Committee on Transportation and Infrastructure.

By Mrs. WILSON of New Mexico:

H.R. 3691. A bill to amend the National Trails System Act to designate the Old Spanish Trail as a National Historic Trail; to the Committee on Resources.

By Mr. KERNS:

H. Con. Res. 315. Concurrent resolution to require the display of the Ten Commandments in the chambers of the House of Representatives and the Senate; to the Committee on House Administration.

By Mr. PITTS (for himself, Mr. AKIN, Mr. GOODE, Mr. BOOZMAN, Mr. HILLEARY, Mr. DOOLITTLE, Mr. WILSON of South Carolina, Mr. BARR of Georgia, and Mr. NORWOOD):

H. Con. Res. 316. Concurrent resolution expressing the sense of the Congress that government policy should seek to reduce the financial penalties against marriage within the welfare system, and should support married couples in forming and sustaining healthy, loving, and productive marriages; to the Committee on Ways and Means.

By Mr. RADANOVICH (for himself, Mr. BAIRD, Mr. CALVERT, Mr. BOSWELL, and Mr. CANNON):

H. Con. Res. 317. Concurrent resolution expressing the sense of the Congress that the President should open a dialog with the Government of Canada to discuss the smuggling from Canada into the United States of large quantities of pseudoephedrine, a necessary ingredient in the production of methamphetamines; to the Committee on International Relations.

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 12: Mr. WILSON of South Carolina.  
H.R. 46: Mrs. JO ANN DAVIS of Virginia.  
H.R. 367: Ms. NORTON.  
H.R. 397: Mr. JACKSON of Illinois.  
H.R. 498: Mr. MATHESON, Mrs. CUBIN, Mr. WATT of North Carolina, Mr. ANDREWS, Mr. NORWOOD, Mr. WU, Mr. VITTER, and Mr. KENNEDY of Minnesota.

H.R. 527: Mr. WILSON of South Carolina.  
H.R. 658: Mr. SCHAFFER and Mr. MCHUGH.  
H.R. 902: Mr. TERRY.  
H.R. 950: Mr. WAMP.  
H.R. 952: Mr. HORN and Mr. PUTNAM.  
H.R. 968: Mr. BARR of Georgia and Mr. WEXLER.

H.R. 1090: Mr. LEACH, Mr. HASTINGS of Florida, Ms. ESHOO, Mr. HONDA, Mr. COYNE, and Mrs. DAVIS of California.

H.R. 1111: Mr. PASCRELL, Ms. WATERS, Ms. BERKLEY, Ms. JACKSON-LEE of Texas, Ms. VELAQUEZ, Mr. BAIRD, and Mr. JACKSON of Illinois.

H.R. 1116: Mr. ROTHMAN.  
H.R. 1262: Ms. BALDWIN.  
H.R. 1268: Mrs. THURMAN.  
H.R. 1294: Mr. JONES of North Carolina.  
H.R. 1434: Mr. KILDEE and Mr. BARCIA.  
H.R. 1556: Mr. MARKEY.  
H.R. 1622: Mr. FORD.

H.R. 1624: Mr. ISRAEL, Mr. WILSON of South Carolina, and Ms. HARMAN.

H.R. 1626: Mrs. NORTHUP.

H.R. 1645: Mr. CALVERT.

H.R. 1822: Mr. SCHIFF and Mr. KUCINICH.

H.R. 1864: Mr. CONDIT.

H.R. 1904: Ms. ROYBAL-ALLARD and Mr. PETERSON of Minnesota.

H.R. 1935: Mr. BROWN of Ohio, Mr. WILSON of South Carolina, Ms. KAPTUR, Mr. GIBBONS, Mr. DICKS, Mr. GEKAS, and Mr. ROHR-ABACHER.

H.R. 2117: Mr. WILSON of South Carolina and Ms. LOFGREN.

H.R. 2125: Mr. HORN, Mr. CUMMINGS, Mr. DEUTSCH, Mr. GALLEGLY, and Mr. KIND.

H.R. 2158: Mr. HOLT.

H.R. 2163: Ms. ROYBAL-ALLARD.

H.R. 2219: Mr. UPTON and Mr. GORDON.

H.R. 2527: Mr. SIMPSON, Mr. HYDE, and Mr. ISRAEL.

H.R. 2573: Mr. HOFFEL.

H.R. 2638: Mr. HINOJOSA, Mr. ISRAEL, Mr. CONDIT, and Mr. DICKS.

H.R. 2735: Mr. SENSENBRENNER.

H.R. 2740: Mr. KILDEE and Mrs. CAPITO.

H.R. 2868: Ms. ROYBAL-ALLARD and Mr. FROST.

H.R. 2942: Mr. STUPAK.

H.R. 3038: Mr. WELDON of Pennsylvania.

H.R. 3065: Ms. NORTON.

H.R. 3068: Mr. CANTOR and Mrs. BIGGERT.

H.R. 3113: Mrs. MALONEY of New York, Mr. ORTIZ, and Ms. BALDWIN.

H.R. 3185: Mr. LYNCH, Mr. MATSUI, Mr. COYNE, and Mr. RAHALL.

H.R. 3193: Mrs. KELLY, Mr. GEORGE MILLER of California, Ms. SOLIS, and Ms. CARSON of Indiana.

H.R. 3244: Mr. BARR of Georgia, Mr. HOLDEN, Mr. DEUTSCH, Ms. DELAURO, Mr. SHIMKUS, Mr. YOUNG of Alaska, Mr. LEWIS of Kentucky, and Mr. GREEN of Texas.

H.R. 3278: Ms. ROS-LEHTINEN.

H.R. 3341: Mr. INSLEE.

H.R. 3414: Mr. PASTOR.

H.R. 3443: Mr. STENHOLM, Mr. SIMPSON, Mr. BACA, Mr. TURNER, Mr. SANDERS, Mr. LOBIONDO, Mrs. THURMAN, Mr. BOOZMAN, and Mr. STUPAK.

H.R. 3457: Mr. ENGLISH, Mr. TOM DAVIS of Virginia, and Mr. FORBES.

H.R. 3464: Mr. FRANK.

H.R. 3465: Mr. HALL of Ohio, Mr. MORAN of Virginia, Ms. NORTON, Mr. FROST, Mr. PUTNAM, and Mrs. CLAYTON.

H.R. 3524: Ms. NORTON.

H.R. 3574: Mr. NEAL of Massachusetts, Mr. MATSUI, Mr. STARK, Mr. MCNULTY, Mr. DOGGETT, and Mr. BECERRA.

H.R. 3597: Mrs. CLAYTON.

H.R. 3598: Mr. BARTLETT of Maryland.

H.R. 3624: Mr. HAYWORTH, Mr. BACHUS, Mr. ENGEL, Mr. KINGSTON, Mr. GRAHAM, Ms. ROS-LEHTINEN, Mr. DOOLITTLE, Mr. OTTER, Mr. FLAKE, Mr. REHBERG, Mr. DIAZ-BALART, Ms. PRYCE of Ohio, Mr. WELDON of Florida, Mr. CULBERSON, Mr. SIMMONS, Mr. JOHNSON of Illinois, Mr. GOODE, and Mr. JONES of North Carolina.

H.R. 3639: Mrs. CHRISTENSEN and Ms. MCCARTHY of Missouri.

H.R. 3661: Mr. HALL of Ohio.

H.R. 3670: Mr. GONZALEZ, Mr. KILDEE, Mr. WEINER, Ms. PELOSI, Mrs. MCCARTHY of New York, and Mr. CARDIN.

H.J. Res. 6: Mrs. KELLY.

H. Con Res. 266: Mr. PLATTS, Mr. FROST, Mr. WALSH, Mr. TOWNS, Mr. CUNNINGHAM, Mr. PAYNE, Mr. WILSON of South Carolina, Ms. BROWN of Florida, Mr. GREEN of Texas, Mrs. THURMAN, Ms. MCKINNEY, Mr. ENGLISH, Mr. GEKAS, and Mr. KENNEDY of Minnesota.

H. Con. Res. 296: Mr. KERNS.  
H. Con. Res. 312: Mr. BAKER.  
H. Con. Res. 313: Ms. ROS-LEHTINEN and Mr. DEUTSCH.  
H. Res. 225: Mr. GORDON, Mr. FATTAH, Mr. CLAY, Mrs. THURMAN, Mr. ROSS, Ms. NORTON, Mr. WAMP, and Mr. CONYERS.

H. Res. 339: Mrs. TAUSCHER, Mr. LANTOS, Ms. KAPTUR, Mr. HASTINGS of Florida, Ms. LEE, Mr. SCHAFFER, Mr. HORN, Mr. PAYNE, Mr. WELDON of Pennsylvania, Mr. ROHR-ABACHER, Mr. GILMAN, Mr. SHERMAN, Mr. DEUTSCH, Mr. DAVIS of Florida, and Mr. CROWLEY.

**DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS**

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 3252: Mr. HILLIARD.