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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
April 16, 2002.

I hereby appoint the Honorable JOHN ABNEY CULBERSON to act as Speaker pro tempore on this day.

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed a concurrent resolution of the following title in which the concurrence of the House is requested:

S. Con. Res. 101. Concurrent resolution extending birthday greetings and best wishes to Lionel Hampton on the occasion of his 94th birthday.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 23, 2002, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from Florida (Mr. STEARNS) for 5 minutes.

REFLECTING ON TAX DAY, APRIL 15

Mr. STEARNS. Mr. Speaker, this week we again come to view one of the things Americans dread most, that is, tax day. It is a dreaded and feared day, a day on which taxpayers all across the country are concentrating and reflecting on America's frustrating and complex system of taxation.

We in Congress should take time ourselves to reflect on our Nation's Tax Code and the problems it imposes upon the taxpayers of this country. April 15 serves as a stark reminder that my constituents, and, in fact, all Americans, have paid entirely too much in Federal taxes, more than food, clothing and shelter combined. The Federal tax burden is the highest since World War II.

Also Americans are paying taxes at the same time they are trying to pay off personal debt. Yes, we seem to forget that Americans have a debt to pay down as well. They have mortgages, auto loans, credit card debt, and school loans.

We have stated time and time again that Americans deserve tax relief; and with the assistance of President Bush, we have given them just that relief. We passed the Economic Growth and Tax Relief Reconciliation Act of 2001, providing the economy a much-needed boost with the rebate check provided to all American taxpayers. In addition, the bill decreases the marginal tax rate, reduces the marriage penalty, and eliminates the death tax. It increases the child adoption credits and the child tax credit. We also passed the Job Creation and Worker Assistance Act, providing for additional tax decreases.

As a result of our efforts, Mr. Speaker, according to the Tax Foundation, the average taxpayer will work 2 days less this year to pay off their total tax bill. The so-called Tax Freedom Day, April 27, represents an identifiable mark for Americans to gauge their total tax burden. This serves as an example that we have made great strides reducing the Federal income tax burden on all American taxpayers.

However, there remains much to be done. The Federal tax burden continues to make up two-thirds of the total tax burden. Individual income taxes and payroll taxes are the primary culprits. We also face, Mr. Speaker, hidden taxes such as sales and excise tax on beverages. In fact, we are still paying a Federal telephone tax instituted during the Spanish-American War.

In addition, the taxpayer faces State and local taxes, which include property taxes, sales taxes and additional income taxes in most States. Wherever one turns, he can expect to pay a tax on something.

Finally, the taxpayer faces a cost of complying with our Tax Code. According to the Tax Foundation, in 2002 individuals, businesses, and nonprofit organizations will spend an estimated 5.8 billion hours complying with the Federal income tax code with an estimated compliance cost of over $194 billion. This amounts to imposing a 20.4 cent tax compliance surcharge for every dollar the income tax system collects.

We have kept our promise, Mr. Speaker, in working with the President to give Americans the tax relief they need. Later this week we will have the opportunity to make that relief permanent. The Economic Growth and Tax Relief Reconciliation Act of 2001 unfortunately contained sunset provisions which would end the tax relief after 10 years. We will have the opportunity to correct this oversight and give Americans permanent tax relief.

In conclusion, in this country there are seven traits that really define who we are as Americans, cultural traits. One of those traits is we like reform. We are willing to change things. We are just not satisfied with the status quo in this country. We are always trying to improve.

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

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Mr. Speaker, we are making progress. Let us continue to work harder and do more for the American taxpayers of this country.

AGRICULTURAL BILL PAYMENT LIMITATIONS

The SPEAKER pro tempore. Pursuant to the order of the House of January 23, 2002, the gentleman from Michigan (Mr. SMITH) is recognized during morning hour debates for 5 minutes.

Mr. SMITH of Michigan. Mr. Speaker, this afternoon I will introduce a motion to instruct conferees on the agricultural bill that suggests that we need to incorporate payment limitations.

Payment limitations now in effect are not binding simply because there is a loophole in the law which allows many farmers to receive $1 million-plus in farm benefit payments. One reason I feel so strongly that it is reasonable to have some kind of payment limits is that the public thinks that farmers are just being given a great deal of money, regardless of their need, regardless of their size. If we are going to have farm program policy in the United States, then I and many others suggest that we focus our efforts on those farmers that need that kind of help.

We talk about the family farm, and, of course, we can get in arguments about what is a family farm or how big is a family farm. But I think most of us can agree that if someone has 40,000, 50,000 or 60,000 acres and is taking in millions of dollars of farm program payments, then probably this is not the mainstream type of family farm that most of us think of.

I would like to read some quotes from the Senate debate when this language was put into the Senate version of the bill. What this shows is that there is tremendous bipartisan support for some kind of a limit on these farm payments.

Senator GRASSLEY, Republican from Iowa, said, ''When is enough enough? How long will the American public put up with these programs that send out billions of dollars to the biggest farm entities?''

BYRON DORGAN, Senator from North Dakota, a Democrat, said, ''Many of the benefits provided through the current ag programs are being funneled to large, non-family agricultural corporations while family farmers are being shortchanged. That is just plain wrong.''

Senator JOHN KERRY, Democrat of Massachusetts: ''This amendment ensures that farm aid will target the people who need it the most, the small family farmers that actually work the land and are the lifeblood of our rural communities. It is a pleasure to support this amendment.''

Senator CHUCK HAGEL, Republican: ''The amendment would remove the loopholes that allow a handful of large farmers to receive unlimited payments. Without real payment-limitation reform, we will continue to weaken the same farmers we claim to want to help.''

I want to just mention what that loophole is. There are price-support benefit limits on a couple ways a farmer can derive those benefits, specifically the loan deficiency payment and the marketing loans. But what is left out of that payment limit, which tends to hoodwink a lot of people when we brag there are some kind of payment limits in the House bill, is non-recourse loans. You can do an end-run and farmers can have a non-recourse loan that they can forfeit, or the government will give you the certificate that results in the same kind of subsidy benefit payments for price supports as do the loan deficiency payments in marketing loans.

It gets rather complicated, Mr. Speaker; but the fact is that we are calling for, and we are going to have, a debate in this House tomorrow on the reasonableness of having some kind of price limitations.

I am a farmer from Michigan. I served as deputy administrator of Farm Programs in the USDA in the early seventies. Currently 82 percent of the farm program payments go to 17 percent of the largest farm operations. If we do not control this, if we do not have some kind of a cap, some kind of a limit, we are going to lose the good will of the people of this Chamber, of the people in the Senate, of the people in the United States that really want to help those farmers. So payment limitations of $275,000 per farmer per year is reasonable as structured in the Senate version. I hope we can do that.

A couple more quotes, with your permission, Mr. Speaker. Senator RICHARD LUGAR said, ''This is a modest amendment. I stress 'modest.' There were 98,835 recipients of farm subsidies in Indiana during 1996 to 2000. Only six of that 98,000 would be affected by this amendment.''

Senator TOM DASCHLE says, ''I am pleased we were able to pass this important payment limitation amendment.''

The President of the United States says we need to help those small and medium-sized farmers that need it the most.

Mr. Speaker, I hope my colleagues will support me on this payment limitation that the gentleman from Michigan (Mr. BONIOR) and I are offering tomorrow.

RECESS

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

Accordingly (at 12 o'clock and 42 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PENCE) at 2 p.m.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

''O the happiness of the heavenly Alleluia sung in security, in fear of no adversity!'' These words of Your servant Augustine from the fifth century sound melodious, as from another world, when read in the springtime of our conflicted lives.

Lord, many Americans wonder if we have lost an innocence never to be regained. In the midst of war and unpredictable terrorism, evil sometimes seems more creative than goodness. Fear not only reveals the most fragile ones around us, uncertainty can cause the strong to be hesitant and slow down a Nation's progress.

Reassure us by Your presence, Lord. Out of compassion for Your people, grant a glimpse of Your glory so that hopefulness springs eternal and confidence is restored.

With hearts fixed on lasting values, give the Members of Congress practical wisdom to address the substantive issues which truly affect the lives of their constituents. May their work together build signs of hope that will move this country into a bright future.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Pennsylvania (Mr. PITTS) come forward and lead the House in the Pledge of Allegiance.

Mr. PITTS led the Pledge of Allegiance as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

PRIVATE CALENDAR

The SPEAKER pro tempore. This is the day for the call of the Private Calendar. The Clerk will call the bill on the Private Calendar.

NANCY B. WILSON

The Clerk called the bill (H.R. 392) for the relief of Nancy B. Wilson.

Mr. COBLE. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

The SPEAKER pro tempore. This concludes the call of the Private Calendar.

BUSH TAX CUTS

(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, yesterday millions of Americans lined up at post offices all over the country to get their taxes in on time. And once again, as this poster illustrates, the average American family spent more on taxes last year than food, clothing, shelter, and transportation combined.

Once again, the average wage earner spends the first 3 hours of an 8-hour working day laboring just to pay his taxes. Once again, the equivalent of every paycheck from January to the middle of May goes just to pay taxes.

Mr. Speaker, last year we joined the President in passing much-needed tax relief for the American people. But because of opposition from the big spenders in the other body, there is a sunset clause in the law. In other words, unless we vote to make the tax cuts permanent, everyone will get a big tax hike, the marriage penalty tax will come back, the death tax will come back, the child tax credit will be cut in half, IRAs will be cut by $3,000, and the economy will suffer.

This week we will vote on a bill to prevent this from happening. I urge my colleagues to support the effort to make the tax relief permanent for the American people.

EQUAL PAY DAY: CLOSING THE WAGE GAP

(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, I rise today to urge Congress to pass legislation that will guarantee equal pay for equal work for women. Equal pay for equal work should not even be a question in the year 2002. Yet women earn only 73 percent of wages earned by men for doing the same work with the same qualifications. For African American women, it is only 64 cents on a dollar; and for Hispanic women, 52 cents for every dollar earned by men. The time for pay equity is now. Let us do the right thing: pass equal pay for women.

TRAFICANT EXPULSION RESOLUTION INTRODUCED

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

Mr. SENSENBRENNER. Mr. Speaker, I have introduced a resolution expelling the gentleman from Ohio (Mr. TRAFICANT) from the House of Representatives. Last week, a Federal court jury in Cleveland found the gentleman from Ohio (Mr. TRAFICANT) guilty on all 10 felony counts of a criminal indictment. Regretfully, this resolution is necessary because Mr. TRAFICANT foolishly rejected the call of the minority leader to resign. Felons belong in jail and not in Congress. He has broken the public trust by breaking the law; and if he will not voluntarily leave this House, our duty is to remove him.

Throughout my tenure in the House, I have consistently taken the position that Members who have been convicted of felonies should be expelled if they do not resign. In 1980, the House expelled Michael Meyers of Pennsylvania after he refused to resign following conviction of Abscam-related felonies. In 1995, Walter Tucker of California was convicted, initially refused to resign, and changed his mind after I introduced an expulsion resolution.

Mr. Speaker, I hope that Mr. TRAFICANT will follow the example of Mr. Tucker and save the House the need to debate once again whether felons should continue to serve in Congress.

BROOKLAND BAPTIST CHURCH'S 100TH ANNIVERSARY

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

Mr. WILSON of South Carolina. Mr. Speaker, the Good Book teaches us that the perseverance of a faithful few can touch the lives of many for the better. During the late 1800s in New Brookland, South Carolina, a small group of men and women met together for prayer and worship. By 1902, the group had grown and the Brookland Baptist Church was founded.

For decades, the church has been a refuge of hope, and the church began a new chapter in 1971 when Rev. Charles B. Jackson, Sr., became their ninth pastor at the age of 18. Attracting large crowds of over 4,000 members, the church bought and renovated a nearby shopping center. I am honored that Earl Brown, a deacon, is my special assistant.

Today, the church serves the community through HIV–AIDS program, homeless outreach, the Black Male Conference, scouting programs, recreational and tutorial programs, and has even organized a full-service credit union. The church is one of South Carolina's largest African American congregations.

This year, as Brookland Baptist Church celebrates its 100th anniversary, it is very easy to see how this once-small group of believers has grown to make the lives of those around them immeasurably improved for the better.

DOE HAS IGNORED GEOLOGICAL PROBLEMS AT YUCCA MOUNTAIN

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

Mr. GIBBONS. Mr. Speaker, this morning I joined with hundreds of Americans opposed to the idea of shipping high-level nuclear waste across the entire country to a geologically unstable site in a Nevada desert.

Scientific evidence continues to mount showing that Yucca Mountain is not a safe or sound location for nuclear waste, and evidence also shows that the Department of Energy has ignored its geologic problems.

Even former DOE officials have agreed that the DOE has not held Yucca Mountain to high scientific standards. Dr. Victor Gilinsky, former commissioner of the U.S. Nuclear Regulatory Commission, asserted in a sworn affidavit that the DOE's site suitability standard is so lax that it could be met in the basement of the DOE headquarters here in Washington, D.C.

Mr. Speaker, Americans deserve better. The site suitability of a nuclear repository should be based on science, not politics. Yucca Mountain is not a suitable site for the storage of the deadliest substance known to man. I urge Members to oppose the DOE Yucca Mountain lie.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Any record votes on postponed questions will be taken after debate has concluded on all motions to suspend the rules, but not before 6:30 p.m. today.

JOSEPH W. WESTMORELAND POST OFFICE BUILDING

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3960) to designate the facility of the United States Postal Service located at 3719 Highway 4 in Jay, Florida, as the ''Joseph W. Westmoreland Post Office Building''.

The Clerk read as follows:

H.R. 3960

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

SECTION 1. JOSEPH W. WESTMORELAND POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 3719 Highway 4 in Jay, Florida, shall be known and designated as the ''Joseph W. Westmoreland Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the Joseph W. Westmoreland Post Office Building.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Virginia (Mrs. JO ANN DAVIS) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Virginia (Mrs. JO ANN DAVIS).

GENERAL LEAVE

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3960, the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Virginia?

There was no objection.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 3960, introduced by the gentleman from Florida (Mr. JEFF MILLER) designates the facility of the United States Postal Service located at 3719 Highway 4 in Jay, Florida, as the Joseph W. Westmoreland Post Office Building.

Mr. Speaker, Joseph Westmoreland was appointed as postmaster at the Jay, Florida, post office in 1948, where he served for 41 years until his retirement in September 1989. Prior to this appointment, Mr. Westmoreland also served in our Nation's military during World War II as a member of the Army Air Corps. Throughout his life, Mr. Westmoreland distinguished himself as a community leader, constantly working for what was best for northwest Florida. Mr. Speaker, I urge adoption of H.R. 3960.

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, as a Member of the Committee on Government Reform, I am pleased to join my colleague in the consideration of H.R. 3960, a measure which names a postal facility after Joseph W. Westmoreland, introduced by the gentleman from Florida (Mr. JEFF MILLER) on March 13, 2002, and enjoys the support and cosponsorship of the Florida congressional delegation. This measure was originally introduced by our former colleague, Mr. Scarborough.

Mr. Speaker, Joseph Westmoreland was a member of the postal community, serving as postmaster of the Jay, Florida, post office for 41 years until his retirement in 1989. A World War II veteran, community leader, and very devout member of the Jay United Methodist Church, Mr. Westmoreland was a civil servant who believed in going the extra mile to help the public. As a matter of fact, there are some who would say he was a servant of the community and enjoyed it. I urge swift passage of this resolution.

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

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. JEFF MILLER), the distinguished sponsor of the bill.

Mr. JEFF MILLER of Florida. Mr. Speaker, it is a great privilege to rise today as the House considers H.R. 3960, a bill to designate the United States Postal Service Facility located in Jay, Florida, as the Joseph W. Westmoreland Post Office Building.

Mr. Speaker, earlier this year I introduced this measure to provide a fitting tribute to the service and life of the man who did so much for that area of the State in northwest Florida.

Mr. Joseph Westmoreland was born to humble beginnings in South Carolina before serving in the Army Air Corps during World War II. Upon leaving service in 1946, Joe married Evelyn, whom he had met while stationed at Hurlburt Field. The couple moved to Jay, where Evelyn's father owned a small grocery store, and where they would share 55 years of marriage.

Joe was appointed postmaster by Congress in 1948, a position he would serve in for 41 years until his retirement. Time and time again, Joe proved himself not only an exemplary postmaster, but a strong community leader until his death January 28 of last year. While living in Jay, he became a charter member of the Jay Lions Club and served in many positions in the Jay United Methodist Church, from teaching adult Sunday school classes to chair of the finance committee.

Joe was an example to all of us that a civil servant is forever indebted to the people he serves. His faith taught him that there is no greater act than service to fellow man, and his life was a testament to these beliefs. Although Joe is not with us today, his legacy of service and dedication to community serves as a shining example to those in northwest Florida.

Mr. Speaker, I thank Joe's wife, Evelyn, and his sons, Lofton and Dale, for sharing their husband and father with the communities for so many years.

I would like to thank the Committee on Government Reform, the gentleman from Indiana (Mr. BURTON), and the gentleman from California (Mr. WAXMAN) for their assistance in getting this bill to the floor, and urge my colleagues to support this measure to recognize a man who dedicated over 4 decades of his life to the people of Jay, Florida.

□ 1415

Mr. DAVIS of Illinois. Mr. Speaker, I yield such times he may consume to the gentleman from Texas (Mr. SANDLIN).

Mr. SANDLIN. Mr. Speaker, I rise today to support H.R. 3960, to designate a post office in Jay, Florida, as the Joseph W. Westmoreland Post Office Building.

Joseph Willis Westmoreland was an admirable American and a public servant. He was among the greatest generation and served in the Army during World War II. World War II veterans alone represent nearly 40 percent of all American war participants. These great individuals risked their lives for the future of this country and we must keep our promise to them. Mr. Speaker, the World War II veteran population is aging and we must keep our promise to these individuals and give them the Social Security benefits we guaranteed to them when they went off to war.

Joseph Westmoreland served as the postmaster of the Jay Post Office in Jay, Florida for 41 years. He dedicated his working years to public service and made our government a better place. After a lifetime of public service, Mr. Westmoreland retired to enjoy his golden years. Like over 32 million Americans, Mr. Westmoreland relied on Social Security as a safety net. In Florida alone, where this post office will be dedicated, there are over 3 million Social Security recipients. The Republican budget taps into the Social Security trust fund and jeopardizes the future of these millions of seniors in Florida and throughout the country.

The Joseph W. Westmoreland Post Office Building in Florida will be another shining example of what good government is all about. The Postal Service has a slogan, ''We deliver.'' Sadly, Mr. Speaker, this Congress continues not to deliver for America's retirement. This Congress, after spending down the surplus, continues to pass legislation to raid the Social Security trust fund. Our seniors deserve better.

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

I can imagine that over a period of 41 years as postmaster that Mr. Westmoreland must have passed out hundreds and thousands of Social Security checks and people probably would come to the post office with a smile on their face and with glee in their heart, knowing that they were going to pick up that valued Social Security check. I would just hope that we never do anything that would jeopardize or take away the opportunity for people to continue to have that feeling.

Mr. Speaker, I urge the passage of this resolution.

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

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

I urge the adoption of this measure honoring an exemplary civil servant.

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

The SPEAKER pro tempore (Mr. PENCE). The question is on the motion offered by the gentlewoman from Virginia (Mrs. JO ANN DAVIS) that the House suspend the rules and pass the bill, H.R. 3960.

The question was taken; and (two-thirds having voted in favor thereof)

the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

PHILIP E. RUPPE POST OFFICE BUILDING

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1374) to designate the facility of the United States Postal Service located at 600 Calumet Street in Lake Linden, Michigan, as the ''Philip E. Ruppe Post Office Building''.

The Clerk read as follows:

H.R. 1374

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

SECTION 1. PHILIP E. RUPPE POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 600 Calumet Street in Lake Linden, Michigan, shall be known and designated as the ''Philip E. Ruppe Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the Philip E. Ruppe Post Office Building.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Virginia (Mrs. JO ANN DAVIS) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Virginia (Mrs. JO ANN DAVIS).

GENERAL LEAVE

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Virginia?

There was no objection.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

H.R. 1374, introduced by the distinguished gentleman from Michigan (Mr. STUPAK), designates the facility of the United States Postal Service located at 600 Calumet Street in Lake Linden, Michigan, as the Philip E. Ruppe Post Office Building.

Mr. Speaker, Philip Ruppe was first elected to the United States House of Representatives from Michigan's Upper Peninsula in 1966 and served with distinction until 1979. Prior to his congressional service, Mr. Ruppe served in the United States Navy during the Korean War.

Mr. Ruppe, with his long family history in Michigan, has contributed to his community as an active civic leader and respected businessman. He brought this leadership and concern from northern Michigan to the Merchant Marine and Fisheries Committee and the Interior and Insular Affairs Committee where he served as the ranking member.

Mr. Speaker, I urge adoption of H.R. 1374.

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, as a member of the Committee on Government Reform, I am pleased to join with my colleague, the gentlewoman from Virginia (Mrs. JO ANN DAVIS) in consideration of H.R. 1374, legislation naming a postal facility after former Congressman Philip E. Ruppe. H.R. 1374 was introduced by the gentleman from Michigan (Mr. STUPAK) on April 3, 2001. This bill enjoys the support and cosponsorship of the entire Michigan delegation.

Mr. Ruppe represented northern Michigan from 1967 until 1979. During his tenure in Congress, Mr. Ruppe served on the Merchant Marine and Fisheries and Interior and Insular Affairs Committees, always dedicated to improving the quality of life for his constituents back home.

An active member of his community and noted businessman, he will long be remembered for his service to this House as well as service to the people of northern Michigan.

Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. STUPAK), the sponsor of this legislation.

Mr. STUPAK. I thank the gentleman for yielding me this time.

Mr. Speaker, I am pleased to offer H.R. 1374, to designate the United States Post Office in Lake Linden, Michigan, as the Philip E. Ruppe Post Office Building.

Mr. Ruppe, as has been noted, became a Member of the United States House of Representatives on January 3, 1967, and served until January 3, 1979. Phil Ruppe was born in Laurium, Michigan, on September 29, 1926, where his family has lived since the 1870s.

Mr. Ruppe married the former Loret Miller and she went on to serve as director of the Peace Corps and Ambassador to Norway. Phil and Loret taught their daughters the intrinsic value of public service. Unfortunately, Mr. Speaker, Loret Ruppe passed away in 1996.

Throughout his lifetime, Mr. Phil Ruppe was a community leader and businessman in the Keewanaw Peninsula located in Michigan's Upper Peninsula. Besides serving this country as a legislator, Phil Ruppe served his country as a lieutenant in the United States Navy during the Korean conflict.

While in Congress, Mr. Ruppe was devoted to the concerns of the people of northern Michigan and was a member, as has been noted, of the Merchant Marine and Fisheries Committee and the Interior and Insular Affairs Committee. One of his legislative achievements included establishing the Father Marquette National Memorial near St. Ignace, Michigan. Mr. Ruppe was devoted to constituent and economic development in northern Michigan. He was actually the first Congressman representing this northern Michigan district to have district offices, demonstrating his focus on local concerns. Mr. Ruppe was well respected by all Members of Congress.

Before Mr. Ruppe retired, former Member Sonny Montgomery best summarized Phil Ruppe when he said, and I quote, ''I have always been impressed with Phil's intense interest and dedication to his legislative committees. He has never failed to be an effective member and contribute to the deliberation of the Interior and Insular Affairs Committee and the Merchant Marine and Fisheries Committee.''

Mr. Speaker, a fitting tribute to Phil Ruppe's service to northern Michigan would be naming the Lake Linden Post Office after Phil Ruppe. I would like to thank the chairman of the Committee on Government Reform the gentleman from Indiana (Mr. BURTON) and the ranking member, the gentleman from California (Mr. WAXMAN) for moving this legislation. I would like to thank the gentleman from Illinois (Mr. DAVIS) and also the gentlewoman from Virginia (Mrs. JO ANN DAVIS) for moving forth the legislation on the floor.

I ask my colleagues to support this bill.

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield such time as he may consume to the gentleman from Arkansas (Mr. ROSS).

Mr. ROSS. Mr. Speaker, I rise in support of H.R. 1374, to designate a post office in Lake Linden, Michigan, as the Philip E. Ruppe Post Office Building. I am always satisfied when we honor a former colleague.

However, we should also be working to protect the Social Security trust fund from being raided. As we debate H.R. 1374, a good bill that will benefit hundreds or maybe thousands of Americans, we should also think about the millions of Americans who currently survive only on a Social Security income, like my 91-year-old grandmother back home in Prescott, Arkansas, who lives from Social Security check to Social Security check. Do they not deserve to live their latter years with dignity?

If we continue to pass fiscally irresponsible legislation that raids the Social Security trust fund, when will it be before their benefits are cut? Sometime between 2011 and 2016, we are going to have more people earning Social Security benefits than paying into the Social Security system. Everyone agrees that by 2041, Social Security as we know it today is broke.

My grandparents left an America a little bit better than they found for my parents. And my parents left us a little bit better country than they found for us. I think we owe it to our children and our grandchildren to ensure that we live the kind of life and make the kind of decisions, the kind of responsible decisions, sometimes difficult as they may be, but we must do those

things to ensure that we leave this country just a little bit better off than we found it for our kids and our grandkids.

What about the millions of baby boomers who will soon retire? Again, between 2011 and 2016 we will have more people earning Social Security benefits than those paying into the system. By 2041, Social Security as we know it today is broke. And guess what? That is assuming that the trillion dollars plus that has been borrowed from the Social Security system, with no provision on how it ever gets paid back, is paid back by 2041.

It is time that we stop raiding the Social Security trust fund. That is why the first bill I filed as a Member of Congress was a bill to tell the politicians in Washington to keep their hands off the Social Security and Medicare trust fund.

I hope that when those retirees who go to the Philip E. Ruppe Post Office expecting to pick up a Social Security check in a few years, I hope they are not left with an empty promise. I hope they have a Social Security check in their post office building just as our seniors do today, a check that many of them live on from paycheck to paycheck.

Let us pass this bill, but let us quit raiding the Social Security trust fund

Mr. DAVIS of Illinois. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. CONYERS), the dean of the Congressional Black Caucus.

Mr. CONYERS. Mr. Speaker, I am pleased that the ranking member, the gentleman from Illinois (Mr. DAVIS) would allow me some time, because I knew Phil Ruppe and worked with him. He was a real gentleman, a collegial Member of Congress. We worked on many projects together. I also wanted to raise the memory of his wife, Loret Ruppe, who was a former head of the Peace Corps and an Ambassador to Norway as well. I do not think it has ever been done before, but if ever there was a case for naming this Federal facility after both a husband and wife, this would be it. Unfortunately, she is deceased but those of us who remember this great couple from Michigan will remember and think very highly of the very appropriate memorialization of a building in their honor.

□ 1430

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

Mr. Speaker, I certainly want to thank the gentleman from Michigan for his fond memories of Mr. Ruppe and the fact that we are naming this postal facility for him.

People often wonder why it is that you are naming Federal buildings and why you are naming post offices and how important is this. Well, it is important because people who have made America, who have made America strong, ought to in fact be remembered.

One of the things that has made America strong is the fact that we have always been able to rely upon some assistance in our old age. We have always known, after we passed the legislation, that when it came to a certain period of time, you could look forward to having some help, you could know that you had a Social Security check coming. You could just rely upon it and know that it was there.

I would hope that as we name these post offices in memory of Americans who have made great contributions, that we also keep in mind that we need to keep the tradition of Social Security being available alive, well and healthy.

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

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I urge adoption of this worthy measure honoring one of our former colleagues.

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

The SPEAKER pro tempore (Mr. PENCE). The question is on the motion offered by the gentlewoman from Virginia (Mrs. JO ANN DAVIS) that the House suspend the rules and pass the bill, H.R. 1374.

The question was taken.

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

Mrs. JO ANN DAVIS of Virginia. 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.

EXTENDING BIRTHDAY GREETINGS AND BEST WISHES TO LIONEL HAMPTON

Mr. OTTER. Mr. Speaker, I move to suspend the rules and concur in the Senate concurrent resolution (S. Con. Res. 101) extending birthday greetings and best wishes to Lionel Hampton on the occasion of his 94th birthday.

The Clerk read as follows:

S. CON. RES. 101

Whereas Lionel Hampton is regarded internationally as one of the greatest jazz musicians of all time and has shared his talents with the world for more than eight decades;

Whereas Lionel Hampton has consistently exemplified acceptance, tolerance, and the celebration of racial and cultural diversity, by being one of the first black musicians to perform in venues and events previously open only to white performers, including performances with the Benny Goodman Quartet from 1936–1940, and as the first black musician to perform for a presidential inauguration, that of Harry S Truman in 1949;

Whereas Lionel Hampton has furthered the cause of cultural understanding and international communication, receiving a Papal Medallion from Pope Pius XII, the Israel Statehood Award, serving as a Goodwill Ambassador for the United States, and receiving the Honor Cross for Science and the Arts, First Class, one of Austria's highest decorations;

Whereas Lionel Hampton is one of the most recorded artists in the history of jazz;

Whereas Lionel Hampton has opened doors for aspiring musicians throughout the world, many of whom have established themselves as giants in the world of jazz, including Cat Anderson, Terrance Blanchard, Clifford Brown, Conte Candoli, Pete Candoli, Betty Carter, Ray Charles, Nat ''King'' Cole, Bing Crosby, Art Farmer, Carl Fontana, Aretha Franklin, Benny Golson, Al Grey, Slide Hampton, Joe Henderson, Quincy Jones, Bradford Marsalis, Wes Montgomery, James Moody, Fats Navarro, Joe Newman, Nicholas Payton, Benny Powell, Buddy Tate, Clark Terry, Stanley Turrentine, Dinah Washington, and Joe Williams, among others;

Whereas Lionel Hampton has worked to perpetuate the art form of jazz by offering his talent, inspiration, and production acumen to the University of Idaho since 1983, and in 1985, when the University of Idaho named its school of music after him, Lionel Hampton became the first jazz musician to have both a music school and a jazz festival named in his honor;

Whereas Lionel Hampton has received many national accolades, awards, and commemorations, including an American Jazz Masters Fellowship from the National Endowment for the Arts, Kennedy Center Honors, and a National Medal of Arts;

Whereas Lionel Hampton has received numerous awards and commendations by local and State governments and has received acknowledgment from hundreds of civic and performance groups;

Whereas Lionel Hampton's legacy of inspiration, education, and excellence will be perpetuated by the development of the Lionel Hampton Center at the University of Idaho, a facility that combines the finest in performance, scholarship, and research;

Whereas Lionel Hampton has made a difference in many lives by inspiring so many who have now become jazz greats, by reinforcing the importance of education at all levels, and by showing the world a way of life where love and talent are shared without reservation: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress, on behalf of the American people, extends its birthday greetings and best wishes to Lionel Hampton on the occasion of his 94th birthday.

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

The Chair recognizes the gentleman from Idaho (Mr. OTTER).

GENERAL LEAVE

Mr. OTTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on S. Con. Res. 101.

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

There was no objection.

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

Mr. Speaker, I am pleased to have the House consider Senate Concurrent Resolution 101, a resolution introduced by my colleague, Senator LARRY CRAIG

from Idaho. This resolution is virtually identical to its House version, House Concurrent Resolution 363, introduced by my distinguished colleague, the gentleman from Michigan (Mr. CONYERS).

This resolution extends birthday wishes to Lionel Hampton, the undisputed ''King of the Vibraphone.'' Lionel Hampton, whose enduring contributions as an extraordinary musician and artistic achievements symbolize the impact that he has had on jazz and that jazz music has had on our culture. Happy birthday, Lionel Hampton.

Mr. Speaker, Lionel Hampton has devoted his life to the love and the belief in jazz and music and education. Lionel Hampton has stated, ''Nothing is more important than doing something that you like, and that's jazz music. My heart and my soul are in jazz.''

Mr. Hampton was born in Louisville, Kentucky, on April 20, 1908. In the 1930s, Lionel Hampton's musical career hit its stride when he began playing with such musical luminaries as Louis Armstrong and Benny Goodman. Lionel Hampton formed his own band in the early 1940s, writing top-of-the-chart sellers, including his signature tune, ''Flying Home.'' Lionel Hampton was the first black musician to perform for a Presidential inauguration, that of Harry S. Truman in 1949.

In his lifetime, Mr. Speaker, Lionel Hampton has received numerous prestigious awards. These include the title of American Goodwill Ambassador bestowed on him by President Eisenhower and President Nixon, along with the Papal Medal from Pope Paul I. President George H.W. Bush appointed him to the Board of the Kennedy Center, and President Clinton awarded him the National Medal of Arts in 1992.

Lionel Hampton branched out in his musical career by running his own publishing companies and his own record label. In the 1980s, Lionel Hampton founded the Lionel Hampton Development Corporation, which was responsible for building two multi-million-dollar apartment complexes in Harlem.

In 1985, the Lionel Hampton Jazz Festival was launched at the University of Idaho in Moscow, Idaho. The festival has become a nationally acclaimed event, featuring 4 days of concerts, clinics, and student competitions. In 1987, the music school at the University of Idaho was named the Lionel Hampton School of Music, becoming the first musical school of a university to be named for a jazz musician. Lionel Hampton has stated that this event was the highlight of his distinguished career.

I might also state, Mr. Speaker, that Lionel Hampton created more than just a school of music, because that institution today has become a cultural center for celebrating the diversities that we have in race, in creed, and in social life and also in music.

We honor Lionel Hampton on his upcoming 94th birthday on April 20, because Lionel Hampton is, in the words of David Friesen, ''. . . a man that has truly been blessed, not only with the gift of playing music, but also the ability to communicate his love of music to so many.''

Mr. Speaker, it is appropriate that the House recognize the dedicated and outstanding accomplishments of Lionel Hampton today. He improved the lives of all who have heard and been touched by his love for jazz and his musical talent.

Mr. Speaker, I ask 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 Idaho in consideration of this resolution.

Lionel Hampton is an internationally acclaimed jazz artist and undisputed King of the Vibraphone. Lionel Hampton, who began his career as a drummer, has been thrilling individuals like the gentleman from Michigan (Mr. CONYERS) with his music for well over 50 years.

Hampton's idol during his early years was drummer Jimmy Bertrand, and drums became Lionel's first instrument. However, Hampton so impressed Louis Armstrong that he invited the young drummer to join his big band rhythm section for a recording session. During a session break, Armstrong pointed to a set of vibes at the back of his studio and asked Hampton if he knew how to play them. Taking up the challenge, Lionel, who was well schooled in his keyboard studies, picked up the mallets and said he would give it a go. Of course, the rest is history.

In 1936, Benny Goodman signed Lionel Hampton to form the Benny Goodman Quartet. The Quartet made history, not only for its great history, but because they were the first racially integrated group of jazz musicians.

In the 1940s, Lionel Hampton formed his own big band, the Lionel Hampton Quartet. ''Sunny Side of the Street'' and ''Central Avenue Breakdown'' are two of his most highly successful records. He flew to the top of the charts with his recording of ''Flying Home'' in 1942 and ''Hamp's Boogie-Woogie'' in 1943.

Many now-famous musicians and singers had their start with the Lionel Hampton Orchestra. Among these were Quincy Jones, Cat Anderson, Diana Washington, Joe Williams, and Aretha Franklin.

Hampton has received innumerable prestigious awards over the years. He was bestowed the title of Official American Goodwill Ambassador by Presidents Eisenhower and Nixon, the Papal Medal from Pope Paul I, and the Gold Medal of Paris, France's highest cultural award. In 1992 he received the highly coveted Kennedy Center Honors Award, and in 1997 he received the National Medal of the Arts, bestowed by President William Jefferson Clinton and First Lady HILLARY RODHAM CLINTON at the White House.

Lionel Hampton is a beloved classic in American jazz and popular music, and I join with the gentleman from Michigan (Mr. CONYERS) and others in both the House and Senate as sponsors of this resolution in congratulating Lionel Hampton on his 94th birthday. I thank him for his contribution to international music.

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

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield such time as he may consume to the gentleman from Hawaii (Mr. ABERCROMBIE).

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

Mr. Speaker, my remarks today are of a personal nature because I expect that the relationship that most of us have to Lionel Hampton is in fact personal.

I recall very clearly I think almost the first moment that I became aware of what was in fact America's contribution to the music of the world, jazz, when I inadvertently one afternoon was at a friend's house, and, completely without knowledge of what exactly I was doing, I had recently taken up the trumpet, and the gentleman from Michigan (Mr. CONYERS) is laughing at the moment because he knows when I say ''taken up the trumpet,'' I had just picked it up, because I was not able to do much more than that. I was a living example of ambition over technique and talent, and I can see that that relates then to a lot of Members here.

But what had happened was I saw something that said ''Carnegie Hall Concert, 1938, Benny Goodman Orchestra,'' and I had no idea at that time as a little boy what that might involve.

For those who are familiar with it, this was the concert that was made almost as an afterthought, with a single overhead microphone, tape that was in Benny Goodman's closet for many years, finally found it, and that was when the quartet that the gentleman from Illinois (Mr. DAVIS) cited, the first integrated quartet, not integrated in terms of musicians, integrated in terms of America's true voice of jazz, with white and black musicians, had been gathered together, with Teddy Wilson on piano and Gene Kruppa on drums, and, of course, Benny Goodman playing the lead in the quartet on clarinet and Lionel Hampton on the vibes.

When I heard that quartet playing, I had never heard anything like it in my life. It is so vivid in my mind, even now as I am speaking. And it is an emotional experience, because we have certain transcendent moments in our lives, and that was not just one of them, but perhaps one that most formed the world for me, a world view at the time, as to what was possible. The excitement of it, the vitality of it, the vividness of the playing, the exuberance, it was everything and anything that could be expected and hoped

for in American music and, by extension then, our gift, as I said before, to the world.

Lionel Hampton was a particularly meaningful part of that, because, along with Gene Kruppa on the drums, I do not think you can find, except perhaps in the hero of both of them, Louis Armstrong, anyone in jazz more enthusiastic, more full of life, more expressive of the innate vitality of jazz, than Gene Kruppa and Lionel Hampton playing together; and that excited me as a young boy. It motivated me in trying to do the best I could with that trumpet, becoming involved in a jazz band in high school; and I cannot think, as I look back and I try to recall in my life to this point, of a single minute, a single moment, when I was not happy playing music, that it did not give me a sense of self that was always by definition optimistic, I can tell my colleagues, if they ever heard me play.

□ 1445

I had a great tone, though. That was the thing. If only Hampton heard it, he would have said, kid, you got a great tone; too bad you missed out on the talent part. I cannot think of a single moment when I was not happy, not because I had any ambition to play the way that Hampton and Krupa and Goodman and Wilson played, but that that was my way of sharing with them the creative instinct that is in all of us and which had been freed in all of us by Lionel Hampton and all of the pioneers of jazz in this country.

It is fitting, of course, that we celebrate this today because Lionel Hampton is, of course, approaching almost a century. He has achieved iconic status, and for good reason, because that talent and that liveliness and that exuberance for life and for his music has been carried over into every venue in which he has exposed himself to the American public and, in fact, the world. If there is anything that characterizes Lionel Hampton, and for those who have not had the opportunity to see him in person, to listen to him in person, they have missed out on one of the greatest experiences of life. There is no one in music, there is no one in life that exudes more of the core of creativity and what it means to be a human being in terms of that creativity than Lionel Hampton.

I want to conclude, Mr. Speaker, by saying that we, as a species, differentiate ourselves from all of the other species on the earth by our ability to reflect and our ability to imagine. As I reflect on this life force called Lionel Hampton, and as I reflect on the capacity to create that he exemplifies, I can think of no greater example of what it means to be a good and true human being and creative person, a life force of which we can all be proud to have known musically and to be able to honor today.

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

Mr. DAVIS of Illinois. Mr. Speaker, I have been told that music is a universal language, and it is my pleasure to yield such time as he might consume to the gentleman from Michigan (Mr. CONYERS), one who is known as a culturist, but also an impresario himself.

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

Mr. CONYERS. Mr. Speaker, I thank the gentleman from Illinois (Mr. DAVIS), the ranking member of the subcommittee for yielding me this time, and I thank the gentleman from Idaho (Mr. OTTER), the chairman of the subcommittee.

I am delighted to be here, because Lionel Hampton is coming to the Capitol tomorrow and I am hoping that a number of us will be able to celebrate, not just his birthday, but his life and works. The gentleman from Idaho and a number of people from the University of Idaho will be here and we will be able to see and enjoy the company of this great legend.

Now, some wonder why on earth would a university in Moscow, Idaho, of all places, decide to name its institution after Lionel Hampton. Well, I am glad that question was asked, because years ago, and I think it was in the 1930s, someone there used to call Lionel Hampton and beg him to either come in or send jazz musicians and Lionel Hampton would always come out to Idaho. And gradually, over the years, the jazz department, the music department began to grow, because no one could figure out why all of these people were flying in from New York and Los Angeles to celebrate with the University of Idaho. Lionel Hampton would either go himself or, if he could not go, he would send someone, and the school has become one of the famous music institutions that grants degrees in the country.

So with this American music called jazz came the references that were made by my colleague about how the social, musical, religious and racial diversity grew up in that State and out of that university, and now it brings in people from all over the world. I was privileged to be there one year myself.

So this is a wonderful occasion. I am confident that this resolution will be unanimously supported by the Members. I just wanted to add a comment about Lionel Hampton the musician, the human being, because he is one of the warmest, most outgoing people that one could have ever hoped to meet, and when he performs, it is like he has to put everything into every performance. Every performance is his best; complete, exhaustive, exuberant. He goes up and down the aisles and out into the street and anywhere else, and his music is infectious. Everybody goes along with it.

As the gentleman from Hawaii was mentioning about the epiphany that can occur when one listens to great jazz, and Lionel Hampton, when we think of all of the people that he has been associated with that came out of his group, we understand why.

National Public Radio did a profile on Lionel Hampton, and I am going to include it in my remarks. It details all of the people that have been connected with this great musician.

Now, it is only appropriate to mention that he was not the first great jazz vibraphonist. As a matter of fact, Red Norvo was the first person to popularize that instrument. But his enthusiasm and his learning of music, because he was originally a drummer, but he studied piano, as has been indicated, but he laid the groundwork for the greatest jazz bebop vibraphonist, Milt Jackson, the late Milt Jackson, who was at his birthday, another birthday celebration in New York, and he came to pay tribute. Bill Cosby was there, who was another great jazz aficionado.

Mr. Speaker, it is just a marvelous thing that we here in the House and in the Senate would collaborate to get this resolution out just in time for Lionel Hampton to make his appearance on the Hill tomorrow.

So I congratulate the committee for its expeditious work, and I look forward to presenting this resolution to Lionel Hampton tomorrow.

BIOGRAPHY

There is some confusion about the year of Lionel Hampton's birth, which has sometimes been given as 1908. Around 1916 he moved with his family to Chicago, where he began his career playing drums in various lesser bands. In the late 1920s he was based in Culver City, California, where he worked in clubs and took part in several recording sessions (1930) with Louis Armstrong, who encouraged him to take up vibraphone. Hampton soon became the leading jazz performer on this instrument, and achieved wide recognition through his many film appearances with Les Hite's band. After playing informally with Benny Goodman in 1936 he began to work in Goodman's small ensembles, with which he performed and recorded regularly until 1940; as a result he became one of the most celebrated figures of the swing period, and his resounding success allowed him to form his own big band in 1940.

This group, which at times has included musicians of the stature of Cat Anderson, Illinois Jacquet, Clifford Brown, and Quincy Jones, has been one of the most long-lived and consistently popular large ensembles in jazz. From the 1950s Hampton undertook numerous ''goodwill'' tours to Europe, Japan, Australia, Africa, the Middle East, and elsewhere, and made a large number of television appearances, attracting a huge and enthusiastic international following.

Hampton performed in the Royal Festival Hall, London, in 1957, and played at the White House for President Carter in 1978; during the same year he formed his own record label, Who's Who in Jazz, to issue mainstream recordings. In the mid 1980s his band continued to draw capacity crowds throughout the world. Hampton was honored as alumnus of the year by the University of Southern California in 1983.

Hampton was not the first jazz musician to take up vibraphone (Red Norvo had preceded him in the late 1920s), but it was he who gave the instrument an identity in jazz, applying a wide range of attacks and generating remarkable swing on an instrument otherwise known for its bland, disembodied sound. Undoubtedly his best work was done with the Goodman Quartet from 1936–1940, when he revealed a fine ear for small-ensemble improvisation and an unrestrained, ebullient manner

as a soloist. The big band format was probably better suited to the display of his flamboyant personality and flair for showmanship, but after a few early successes, especially the riff tunes Flying Home, Down Home Jump, and Hey Bab-Ba-Rebop, the group was too often content to repeat former trimuphs for its many admirers. Hampton has at times also appeared as singer, played drums with enormous vitality, and performed with curious success asa pianist, using only two fingers in the manner of vibraphrone mallets.

Lionel Hampton, former Presidential appointed Ambassador of Goodwill, the holder of over 15 Honorary Doctor of Music Degrees, awarded the highest honors from the Kennedy Center of the Performing Arts and, the National Commission On The Endowment for the Arts, was recently honored at the White House in August 1998 in celebration of his 90th birthday. This musical legend has been the Co-Honorary Chairman of the International Agency for Minority Artist Affairs (IAMAA) since 1978. Not only a musician, Lionel Hampton is a businessman and, has developed housing projects across this nation and, is a leading philanthropist for community-based initiatives.

Mr. Hampton, reigning King of the Vibraphone for over a half a century, begain his musical career as a drummer. Born in Birmingham, Alabama in 1908, he spent most of his childhood in Kenosha, Wisconsin, where he first studied music under very strict Dominican nuns. His tools then were Louis Armstrong and a drummer named Jimmy Bertrand, who tossed his sticks in the air as lights blinked from inside his bass drum (a style Hamp still uses today in some of his shows).

In 1930, Lionel finally got to meet Louis Armstrong. Playing in a backup band for ''Satchmo'' at a nightclub in L.A. Hamp so impressed Louis that he invited him to a recording session. Armstrong spotted a set of vibes in the studio and asked Hamp if he knew how to play them. Never one to refuse a challenge, Lionel (who knew keyboards well) picked up the mallets. The first tune they cut was ''Memories of You,'' a new number just written by Eubie Blake, and it became a hit for Louis. John Hammond, great jazz impresario, heard the record and began touting Lionel's vibes work to Benny Goodman.

In August, 1936, Hammon flew out to L.A. and brough Goodman in to the Paradise Club to hear Lionel play. At that time, Benny had a trio within his big band featuring Teddy Wilson on piano and Gene Krupa on drums. ''Next thing you know,'' recalls Hamp, ''I was out there on stage jamming with these great musicians. That's one session I'll never forget''

To make a long story short, the Benny Goodman Trio became a quartet and made history-not only with the brilliant music they produced, but because they were the first racially-integrated group in the nation. The foursome recorded ''Memories of You,'' ''Moonglow,'' and ''Dinah.'' Hamp spent the next four years with Goodman as the quartet developed into the hottest jazz group in the world.

In the early 1940's, Lionel left Benny Goodman to form his own big band after the release of a couple of wildly successfully RCA singles under his own name: ''Sunny Side of the Street'' (on which he sang as well as playing vibes) and ''Central Avenue Breakdown'' (on which he played piano with two fingers, using them like vibes mallets.)

His first big band included such sidemen as Dexter Gordon and Illinois Jacquet, and he busted the charts with his recording of ''Flying Home'' in 1942 and ''Hamp's Boogie Woogie'' in 1943. Among the sidemen who got their start with Lionel Hampton are Quincy Jones, Wes Montgomery, Clark Terry, Cat Anderson, Ernie Royal, Joe Newman, Fats Navarro, Charlie Mingus, Al Grey, Art Farmer, and, of course, the singers: Dinah Washington (who was discovered-and named-by Hamp while working in the powder room of Chicago's Regal Theater), Joe Williams, Betty (Be Bop) Carter the great Aretha Franklin, among others.

Mr. DAVIS of Illinois. Mr. Speaker, I yield back the balance of my time, and I urge passage of this resolution.

Mr. OTTER. Mr. Speaker, far be it for me to add to the eloquence of the gentleman from Michigan, but I would just say that Lionel Hampton has been a groundbreaker throughout his career, throughout his life. He has been an internationally acclaimed giant of music, and because he is an internationally acclaimed giant of music, he has an been internationally acclaimed giant of communication, because we find many times in music one voice and we find one spirit, and that is what Lionel Hampton has brought to the world. We are to celebrate his 94th birthday.

Mr. Speaker, I would ask in closing that all Members support this resolution.

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

The SPEAKER pro tempore (Mr. PENCE). The question is on the motion offered by the gentleman from Idaho (Mr. OTTER) that the House suspend the rules and concur in the Senate concurrent resolution, S. Con. Res. 101.

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

A motion to reconsider was laid on the table.

CLERGY HOUSING ALLOWANCE CLARIFICATION ACT OF 2002

Mr. RAMSTAD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4156) to amend the Internal Revenue Code of 1986 to clarify that the parsonage allowance exclusion is limited to the fair rental value of the property, as amended.

The Clerk read as follows:

H.R. 4156

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 ''Clergy Housing Allowance Clarification Act of 2002''.

SEC. 2. CLARIFICATION OF PARSONAGE ALLOWANCE EXCLUSION.

(a) IN GENERAL.—Section 107 of the Internal Revenue Code of 1986 is amended by inserting before the period at the end of paragraph (2) ''and to the extent such allowance does not exceed the fair rental value of the home, including furnishings and appurtenances such as a garage, plus the cost of utilities''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by this section shall apply to taxable years beginning after December 31, 2001.

(2) RETURNS POSITIONS.—The amendment made by this section also shall apply to any taxable year beginning before January 1, 2002, for which the taxpayer—

(A) on a return filed before April 17, 2002, limited the exclusion under section 107 of the Internal Revenue Code of 1986 as provided in such amendment, or

(B) filed a return after April 16, 2002.

(3) OTHER YEARS BEFORE 2002.—Except as provided in paragraph (2), notwithstanding any prior regulation, revenue ruling, or other guidance issued by the Internal Revenue Service, no person shall be subject to the limitations added to section 107 of such Code by this Act for any taxable year beginning before January 1, 2002.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. RAMSTAD) and the gentleman from North Dakota (Mr. POMEROY) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota (Mr. RAMSTAD).

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

Mr. Speaker, in one of the most obvious cases of judicial overreach in recent memory, the Ninth Circuit Court of Appeals in San Francisco is poised to inflict a devastating tax increase on America's clergy. Unless Congress acts quickly, the 81-year-old housing tax exclusion for members of the clergy will be struck down by judicial overreach on the part of America's most reversed and most activist circuit court.

The focus of this court's attack is a long-standing clergy housing allowance. Dating back to 1921 and recodified in 1954 in section 107 of the Tax Code, this allowance prevents clergy from being taxed on the portion of their church income that is used to provide their housing. This allowance is similar to other housing provisions in the Tax Code offered to workers who locate in a particular area for the convenience of their employers, and military personnel who receive a tax exclusion for their housing.

Clergy members of every faith and denomination rely on the housing allowance. Without it, America's clergy face a devastating tax increase of $2.3 billion over the next 5 years. At a time when our places of worship are financially strapped and struggling to serve people in need, we cannot allow this important tax provision to fall.

The case, now in the Ninth Circuit, Mr. Speaker, arose because of a dispute over a 1971 IRS ruling that limited the clergy allowance to the fair rental value of the parsonage. A taxpayer in turn challenged this limit and won in tax court and the IRS appealed. But rather than simply considering the issue presented in the case, which was whether the Internal Revenue Service had authority to limit the allowance, the Ninth Circuit hijacked the case and turned it into a challenge of the very constitutionality of the housing allowance. Neither party in the case even raised the constitutionality issue or requested the court to consider that issue, so the Ninth Circuit, in turn, asked for a ''friend of the court'' brief from a law professor who happened to believe that it was unconstitutional.

□ 1500

Mr. Speaker, this is judicial activism at its worst. The legislation on the floor today will stop the attack on the housing allowance by resolving the underlying issue in the tax court case. H.R. 4156, the bill before us today, clarifies that the housing allowance is limited to the fair rental value of the home, which has been common practice for decades, for 81 years.

H.R. 4156, as introduced, included a section of congressional findings and statement of purpose, I might add. But the amendment before us, Mr. Speaker, deletes that section in order to accommodate the tradition that the Committee on Ways and Means normally has; that is, not to include such language in tax legislation.

However, the fact that it has been deleted does not, let me repeat that, does not, reflect the lack of support within the House or among the bill's sponsors.

The gentleman from North Dakota (Mr. POMEROY) has been tremendous in working with us on this legislation in a bipartisan way, bringing his considerable expertise to this important legislation, and I thank the gentleman for that. Certainly there is strong support among the bill's sponsors on both sides of the aisle for that language.

We believe Congress clearly has the constitutional authority to enact section 107 of the Tax Code and the amendments contained in H.R. 4156 that are before us today. In addition, we believe the Internal Revenue Service should provide guidance on the issue of fair rental valuation to avoid unnecessary disputes with taxpayers. I intend to work with my colleagues to make sure the guidance is issued.

Finally, the amendment clarifies that the new fair rental value limitation to section 107 applies prospectively to the year 2002 and beyond. Both H.R. 4156 and this amendment explicitly provide that for tax years before the effective date, the fair rental value limitation does not apply. This language is intended to end the current litigation and fully resolve the matter.

Mr. Speaker, again, I appreciate the strong bipartisan support this legislation has received from our colleagues, with 37 cosponsors. My fellow Committee on Ways and Means member and friend, the distinguished gentleman from North Dakota (Mr. POMEROY), the chief sponsor on the other side of the aisle, has been tremendous on working on this legislation.

Mr. Speaker, I urge my colleagues to vote for this bipartisan legislation to protect America's clergy from an unwarranted judicial attack and to preserve the important housing allowance.

Mr. Speaker, I also want to thank the gentleman from California (Chairman THOMAS) and the majority leader, the gentleman from Texas (Mr. ARMEY), for helping expedite this legislation.

I thank Jim Clark, chief counsel on our Committee on Ways and Means, for his work, as well as counsel on the Committee on Ways and Means, Lisa Rydland and Bob Winters, for their exemplary work. I thank Siobhan Abell, who helped arrange this bill to be expedited from the office of the majority leader, the gentleman from Texas (Mr. ARMEY), who as well deserves our gratitude.

Finally, I thank my own tax counsel, Karen Hope, who has worked night and day since this issue arose, and has really done a yeo-person's work on this important legislation.

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

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

Mr. Speaker, I want to begin by making it very clear that I strongly support this legislation, the Clergy Housing Allowance Clarification Act. I want to commend my friend and colleague on the Committee on Ways and Means, the gentleman from Minnesota (Mr. RAMSTAD), for his leadership in identifying this very troubling issue and for bringing it into legislative response, and for securing the cooperation of the majority leadership so we could consider this quickly as a stand-alone issue, and send the kind of response that I know both parties in Congress will want to send.

It really has been a wonderful piece of work by the gentleman from Minnesota (Mr. RAMSTAD), and I am really very pleased to have been a part of it.

From the earliest days of the Federal income tax, in the 1920s, the Tax Code has allowed the clergy of all religious faiths to exclude their housing allowance from taxable income. This provision has always been recognized not as an endorsement of any one religion, but as a reasonable accommodation of all religions.

The housing exclusion benefits clergy of all faiths, recognizing that a clergy person's home is not just shelter, but an essential meeting place for members of the congregation, and also, in light of the unique relationship between a pastor or a clergy member and the congregation, the distinct housing component of it is a unique feature of that relationship.

Under a longstanding IRS revenue ruling, the housing exclusion is limited to the fair market rental value of the home. As the gentleman from Minnesota (Mr. RAMSTAD) outlined, in a recent court case a taxpayer successfully challenged the IRS' authority to set such a limit.

This is a case of bad facts making bad law. When the IRS appealed that decision, the Ninth Circuit decided not to limit its review to the narrow question of whether the IRS exceeded its authority, but instead chose to consider whether the exclusion violates the constitutional doctrine of separation of church and State, an issue raised by neither party nor presented in the litigation before the court.

If the housing exclusion is struck down, as we can only assume the Ninth Circuit appears to be poised to do, the effect would be to increase taxes on clergy by $2.3 billion over the next 5 years. Churches, which already operate on the thinnest of margins, would be unable to offset this tax increase, and as a result, many could actually lose the services of their clergy. Rural churches are especially vulnerable.

Although many of us believe in the constitutionality of this provision, we cannot tell the court how to rule. But by passing this legislation, we can resolve the underlying issue in the case, and thereby protect the housing exclusion. H.R. 4156 codifies the prior revenue ruling by expressly limiting the housing exclusion to the fair market rental value of the home.

The leaders of our churches face many challenges in ministering to their congregations. They must cultivate faith in a world that too often seems not to have the time or inclination to accommodate spiritual development. They must help us grow healthy families, avoiding the harms of alcohol, drug abuse, domestic violence, and other perils that can tear apart our families and communities. They must help us serve those who lack adequate food, shelter, and other basic necessities.

At a time when their role in all of this I think is appreciated more than ever, to have them have to divert precious program dollars to pay a new tax bill is just completely unacceptable.

I had a very interesting roundtable meeting in North Dakota yesterday with a number of clergy terribly concerned about the underlying threat to the housing allowance. North Dakota has more churches per capita than any other State in the country, more than 2,000 churches, 78 percent of which are located in communities of under 2,500 people. These are congregations just struggling to get by. We have already lost 400 churches over the last several years, and projections are we could lose another fifty in this decade.

I had one of the roundtable participants talk about how, when their daughter was born, the trustee who happened to be the city accountant said they should go down and apply for food stamps, because they were now eligible, but that was all that could be paid. One other minister talked about when the pledges did not come in on schedule, they were simply not given their full dimension of meager salary. And to think about laying upon these congregations and these faithful servants of those congregations, the pastors, this new tax bill is really completely unacceptable.

One of the pastors participating gave me the tax return that he was about to put in the mail yesterday. It reflects the combined income of him and his wife, both pastors serving a church in Fargo, North Dakota. Although making a very modest income, the tax hit, if they lost the housing exclusion, would be an additional $3,958.

When he explained that to the chairman of the board of trustees as he

came out of the church to go to the meeting, the response by the chairman was, well, there goes the playground equipment. In other words, this was a congregation prepared to hold harmless the tax burden to the clergy, but they would literally be forced to divert dollars from constructing a Sunday school playground to send it to the IRS.

This is not a result anybody wants. Therefore, I believe that this legislation is so completely important. I again commend the gentleman from Minnesota (Mr. RAMSTAD) for his leadership.

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

Mr. RAMSTAD. Mr. Speaker, I yield 3 minutes to my good friend, the gentleman from Texas (Mr. SAM JOHNSON), a distinguished member of the Committee on Ways and Means and an important cosponsor of the bill.

(Mr. SAM JOHNSON of Texas asked and was given permission to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, I am glad to be an original cosponsor of the Clergy Housing Allowance Clarification Act, and I totally agree with what the gentleman from North Dakota (Mr. POMEROY) just elaborated on. I am sorry that the Ninth Circuit Court of Appeals has made our actions today necessary. Their motives are unreasonable, unconscionable, and unnerving, at best.

We must act quickly on this bill to preserve the parsonage allowance that members of the clergy receive as part of their compensation. For thousands of years, churches, temples, mosques, and synagogues have provided housing to members of their clergy. It makes complete sense that these benefits are not taxed.

Since 1921, the parsonage allowance has been considered exempt from the United States income tax system. The problem is that the Ninth Circuit Court of Appeals has taken it upon itself to challenge the very constitutionality of the clergy housing being tax-exempt.

Rather than simply decide the facts in a case that only had to do with how much of a minister's salary could be considered exempt, the court has gone way out of its way to raise this question. The best I can say about this issue is that at least it was not the IRS this time that decided to take this strange action.

If Congress does not act, clergy in this country would be faced with a tax increase, as the gentleman from North Dakota (Mr. POMEROY) said, of roughly $2.3 billion in the next few years.

Reverend Dr. Frederick Schmidt of SMU's Perkins School of Theology, who lives in my district, said it best when he wrote me a letter stating that not protecting the tax exemption ''will drastically alter the financial well-being of many clergy, and present a fiscal hurdle to religious communities that are ill-prepared to address that change.'' He calls it unconscionable and unnerving, as well.

I say that our courts must be restrained from undermining American values by making law. Americans are the most generous of people. However, I doubt they will want to increase their charitable donations simply because of a bad decision of a court in California.

In passing this bill, we are merely providing a legislative capstone to an issue that everyone else in America, except for the judges in the Ninth Circuit, presume to be current law.

I look forward to this bill being signed into law very quickly to take the case away from these nutty judges and settle the issue for our hard-working clergy.

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

Mr. POMEROY. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Speaker, first of all, I want to thank the gentleman from North Dakota (Mr. POMEROY) for yielding me time. I also want to commend the Committee on Ways and Means for bringing this legislation to us. I commend the gentleman from Minnesota (Mr. RAMSTAD) for the leadership that he has provided.

Mr. Speaker, I rise in support of H.R. 4156, the Clergy Housing Allowance Clarification Act of 2002. Regarding the U.S. Tax Court ruling that occurred in May of 2000 in the Warren versus Commissioner case about a well-established Internal Revenue Service decision to limit the amount of income that a member of the clergy could exclude from taxable income for a housing allowance, the IRS appealed this decision to the Ninth U.S. Circuit Court concerning their authority to limit the tax allowance for fair market rental value of a home, and to allow the court to review the constitutionality of the housing allowance tax-exemption for members of the clergy.

I believe that members of the clergy should continue this long-standing practice since 1921 to exclude from taxes a portion of their church income that is attributable to housing. Many clergy from every denomination rely on this tax benefit. If this housing allowance is not permitted, our clergy men and women could face a harsh tax increase of $2.3 billion over the next 5 years.

I encourage all of my colleagues to support H.R. 4156. This legislation would codify the original IRS ruling. This legislation would help thousands of clergy men and women throughout the Nation.

As one who spends a great deal of my individual time near, close by, and in interaction with members of the clergy, I can tell the Members that there is no legislation that they are more concerned about than this issue. I would encourage all of my colleagues to support it.

Once again, I commend the Committee on Ways and Means for bringing this to us.

□ 1515

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

In conclusion, I would just observe that while this body considers many very complex issues, the issue before us is an easy one. It is an extraordinarily important issue but an easy one. Bipartisan, no-brainer. We want to continue existing tax treatment of the housing allowance allowed the clergy of this country, and in that regard, I urge all of my colleagues to vote for the legislation that the gentleman from Minnesota (Mr. RAMSTAD) has so capably brought before us.

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

Mr. RAMSTAD. Mr. Speaker, may I inquire as to how much time remains?

The SPEAKER pro tempore (Mr. PENCE). The gentleman from Minnesota (Mr. RAMSTAD) has 11 minutes remaining.

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

I first want to thank again my distinguished colleague and friend the gentleman from North Dakota (Mr. POMEROY) for his excellent work on this legislation and strong bipartisan support. I want to thank the gentleman from Texas (Mr. SAM JOHNSON) and the gentleman from Illinois (Mr. DAVIS) for their supportive statements here today and their cosponsorship, as well as the 35 other cosponsors.

I certainly want to again thank the gentleman from California (Mr. THOMAS) and the gentleman from Texas (Mr. ARMEY), the majority leader, for helping us expedite this legislation to get it to the floor in such rapid fashion. I also want to thank the staff of the gentleman from California (Mr. THOMAS) of our Committee on Ways and Means, as well as the gentleman from Texas (Mr. ARMEY's) staff for working with my chief tax counsel, Karin Hope, on this important legislation.

Mr. Speaker, this legislative effort on behalf of our Nation's clergy is a great example of Congress working in a bipartisan, common sense way for a noble purpose. That purpose is to preserve the clergy housing allowance, to stop a $2.3 billion tax increase on our Nation's clergy. Hundreds of thousands of clergy from every faith and every denomination urge my colleagues support for this bipartisan legislation.

This legislation, Mr. Speaker, is important to virtually every religious congregation in America, to every church, every temple, every synagogue, and every mosque, and I urge a strong bipartisan vote for this important legislation to preserve the clergy housing allowance.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. RAMSTAD) that the House suspend the rules and pass the bill, H.R. 4156, as amended.

The question was taken.

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

Mr. RAMSTAD. 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.

GENERAL LEAVE

Mr. RAMSTAD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 4156.

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

There was no objection.

FAMILY FARMER BANKRUPTCY EXTENSION ACT

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4167) to extend for 8 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted.

The Clerk read as follows:

H.R. 4167

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

SECTION 1. AMENDMENTS.

Section 149 of title I of division C of Public Law 105–277, as amended by Public Laws 106–5, 106–70, 107–8, and 107–17, is amended—

(1) by striking ''October 1, 2001'' each place it appears and inserting ''June 1, 2002''; and

(2) in subsection (a)—

(A) by striking ''May 31, 2001'' and inserting ''September 30, 2001''; and

(B) by striking ''June 1, 2001'' and inserting ''October 1, 2001''.

SEC. 2. EFFECTIVE DATE.

The amendments made by section 1 shall take effect on October 1, 2001.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Arkansas (Mr. ROSS) each will control 20 minutes.

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

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4167, the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 4167. This bill reenacts and extends Chapter 12, a specialized form of bankruptcy relief for small family farmers for a period of eight months retroactive to October 1, 2001.

Chapter 12 was enacted on a temporary basis in 1986 and has been subsequently extended on several occasions over the years. Without question, the family farmer plays a critical role in our Nation's health and economic well-being. Unfortunately, bad weather, rising energy costs, volatile marketplace conditions, competition from large agri-businesses and economic forces experienced by any small business affect the financial stability of some family farmers.

Although Chapter 12 addresses the special needs of family farmers, it is utilized infrequently. While total bankruptcy filings in each of the past 6 years surpassed more than a million cases, the number of Chapter 12 cases has exceeded 1,000 on only one occasion, and that was back in 1996. In the absence of Chapter 12, family farmers may apply for relief under the bankruptcy code's other alternative, although these generally do not work quite as well for farmers as Chapter 12.

As my colleagues know, I have consistently supported prior efforts to extend Chapter 12 in this Congress. In addition, I have supported a provision included in both the House and Senate versions of H.R. 333, the Bankruptcy Abuse Prevention and Consumer Protection Act, that would make Chapter 12 a permanent component of the bankruptcy code.

H.R. 333 is currently in conference. As the chairman of the bankruptcy conference, I am pleased to report that the anticipated bankruptcy conference report will likely include a series of other provisions that will give family farmers even more enhanced protections under Chapter 12. These farmer-friendly provisions were included in the bankruptcy conference as part of complex and an extensively negotiable effort.

Specifically, the other provisions would, first, increase the debt eligibility limit and require it to be automatically adjusted for inflation so that more family farmers would qualify for relief under Chapter 12.

Second, lower the percentage of income that must be derived from farming operations which would also ensure that more farmers would be eligible for Chapter 12 than would be under current law.

Third, give farmers more protection with respect to how they may treat the claims of creditors.

Fourth, for the first time in the history of Chapter 12, allow certain family fishermen to be eligible for this form of bankruptcy relief.

Since August of last year, the House and Senate staff have been actively working to resolve the differences between the respective bills. In February of this year, House conferees sent the Senate a proposed offer resolving all outstanding issues. Although the Senate did not accept the proffer, only a mere handful of issues remain to be resolved.

In fact, I have scheduled a meeting of the bankruptcy conferees one week from today for the purpose of resolving these remaining issues. Accordingly, I expect to complete the bankruptcy conference well before the extension of Chapter 12, effectuated by this bill, expires.

H.R. 4167 is good for family farmers because it immediately restores Chapter 12 and maintains the status quo for an appropriate period of time. This bill serves to support our efforts in resolving the pending bankruptcy conference which when completed and enacted will provide even more protection for family farmers.

Accordingly, I urge my colleagues to support H.R. 4167.

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

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

This bill today is important to my congressional district back home in rural Arkansas, and quite frankly, it is important to farm families all across America. Family farmers injured by low commodity prices are being held hostage by the lack of certainty of whether or not Chapter 12 is going to be there for them.

Just last week, the House and Senate both voted to make Chapter 12 permanent through bankruptcy reform legislation. Yet that legislation remains in conference committee, and it is an issue that has been going on since 1997, and I do not know that it is going to be resolved anytime soon.

I support bankruptcy reform. As a member of the House Committee on Financial Services, I have fought hard to see that bill to the floor. I fought hard to see it passed on the floor of the United States House of Representatives, and I am as frustrated as anyone else that we have been trying to get bankruptcy reform since 1997, and yet it remains in the conference committee with an awful lot of amendments attached to it that have nothing in the world to do with bankruptcy reform, and I am perhaps a little less optimistic than the Chairman that we may see bankruptcy reform come our way soon.

I believe the gentleman from Wisconsin raises some very good points about what we need to do for our farm families as it relates to Chapter 12 bankruptcy reform, and I would, in fact, offer to sign on as a Democratic sponsor with him to write a bill that addresses the aspects that are in the overall bankruptcy reform legislation that is stuck in the conference committee. Let us take that, let us extract those ideas that will help our farm families out of that bill that has been around since 1997 in one form, fashion or the other, and let us really try to file a bill tomorrow that will really help, that will really help our farm families in an important way.

I think it is also important to note that although we have not had a lot of farm families file Chapter 12 bankruptcy, I think the ability to do that has helped a lot of our farm families be able to negotiate rather than simply file for bankruptcy. I do not think there is any dispute that Chapter 12 has worked well in saving our farm families by protecting the needs of both our financially struggling farm families as well as protecting their creditors.

Our farmers cannot afford to continue to be left hanging out in the wind and held hostage by bankruptcy legislation that is stuck in conference committee. I am not opposing the bankruptcy reform bill. I support it. I supported it in the House Committee on Financial Services. I supported it on the floor of the United States House of Representatives. I hope it is enacted and I hope it is enacted soon.

I also hope a new farm bill is enacted soon. I am on the House Committee on Agriculture. We wrote and passed that bill last October. It went to the Senate. They put some amendments on it that have really caused a lot of problems for farm families in my district. That, too, is now in conference committee. It seems like these conference committees are really causing a lot of havoc for our farm families, everything from bankruptcy reform to a new farm bill.

Our farm families, they need help and they need it now. I think it is important to note that farm families are the backbone of our rural communities, of rural America, and when we lose farm families, it has a devastating impact on the economy of rural America. Unfortunately, our farmers are under increasing financial pressure each year to make ends meet due to low crop prices, added debt simply to get their crops planted and increasing competition from imports from other countries.

We have seen that with commodities, with Canadian soft wood lumber. We have even seen it with the dumping of the so-called catfish that are being raised in cages in polluted rivers in Vietnam.

When Chapter 12 of the bankruptcy code was first enacted, there was legitimate concern over whether it would work. We now know that it has worked, and there is no reason why our farmers should have to wait to know that this safety net is there for them. Yet it has not been there for them since October 1 of last year.

We must move forward in helping our farm families. This measure extends Chapter 12 for 8 months, retroactively starting on October 1 and ending on May 31. While this is only a temporary fix, while the conference committee continues to do what they have done since the mid to late 1990s and, that is, try to work out a bankruptcy reform bill that can pass both the House and Senate and gain the President's signature, it is desperately needed for our farmers, for rural America. It is needed now and that is why this temporary fix is so very, very important.

I urge my colleagues not to delay any further, pass the Chapter 12 bankruptcy extension. Please let us pass it today for our farm families, so that they can do what they do best, and that is, feed America and feed much of the world.

Mr. Speaker, I yield as much time as he may consume to the gentleman from Texas (Mr. SANDLIN), whose district joins mine in Texarkana.

□ 1530

Mr. SANDLIN. Mr. Speaker, the well-being of family farms in America is critical to our economy and to the American way of life. Family farmers deserve certainty in pricing. They deserve certainty in legal protections. This legislation and bankruptcy reform is a part of that critical protection for American families and American farmers.

Last year both the House and the Senate voted to make Chapter 12 permanent, and yet here we sit. No decision, no reform, no protection; and uncertainty reigns supreme. We all recognize that it is important to protect both the family farmer and the creditor who provides needed and necessary capital. Neither the farmer nor the creditors can afford endless uncertainty.

Mr. Speaker, it is critical to help farmers now. We need a legitimate farm bill that is truly pro-agriculture. Additionally, we need legitimate protections for farmers as provided by this bill. Family farmers face uncertainty every day; it is nothing new. Weather, foreign markets, increasing competition from big corporate farmers, the list goes on and on. They should not face another uncertainty. We can prevent it. We can do something about it. We can pass this bill. We can tell American farmers and their families that their well-being is important to us.

Now this bill is not the be-all and the end-all. It is a temporary fix; but one that is critical, nevertheless. Haul this safety net up for our farmers and their children. Extend Chapter 12 for 8 months starting on October 1 and ending on May 31. Let us pass this bill and support our family farmers in America.

Mr. Speaker, I thank the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Arkansas (Mr. ROSS) for calling attention to this issue and presenting it to us today. Our farmers deserve our attention and our respect.

Mr. ROSS. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. PHELPS).

Mr. PHELPS. Mr. Speaker, I rise to support H.R. 4167, which extends Chapter 12 bankruptcy protection. However, I have concerns that this legislation will only temporarily extend Chapter 12 bankruptcy protection, by being retroactive to October 12 and extending through the end of May. Our farmers need this legislation to be made permanent, the point we made about a week ago.

When Chapter 12 was enacted in 1986, there were some questions whether it would work properly, so Congress made it temporary. The idea behind Chapter 12 is very straightforward. Other forms of bankruptcy relief are either too costly or do not fit the particular circumstances of a family farm. If one is out in the small hamlets and villages, they will make that very clear.

Last week I offered a motion to instruct the conferees on the farm bill; and my motion to instruct, which passed overwhelmingly, asked the conferees on the farmer bill to accept the language in the Senate bill that would make Chapter 12 of the bankruptcy code permanent. I do not think there is any controversy whatsoever that Chapter 12 works well and that it protects our family farmers who are in distress, or that it properly balances the legitimate needs of financially troubled farmers and their creditors, and that it preserves the family farm, which is our whole intent, our whole point.

It is our hope that the farm bill conferees will include Chapter 12 bankruptcy protection in the farm bill and that we will finally be able to offer this to our family farmers. Chapter 12 bankruptcy protection is also included in the bankruptcy bill which is currently in conference. Again, it is my hope we are able to pass this legislation and that it does not remain tied up in conference. Our farmers need this option; and I hope that we see through all of this, that we can simplify, cut to the chase and equip the family farms with what they need to face the terrible situation that was not brought on through any fault of their own.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. SMITH).

Mr. SMITH of Michigan. Mr. Speaker, this legislation is very important to farmers. I have been working on it for the last 6 years, trying to make Chapter 12 permanent so farmers are not put in the predicament of kind of an on-and-off situation, and also the bankruptcy courts holding pending some of those farm applications. I am glad that we are bringing it up to date and extending the Chapter 12 provisions until June 1, 2002.

Chapter 12 was originally enacted in 1986. We had a lot of farm bankruptcies. There was a problem. The other chapters were putting farmers at a disadvantage, making them sell their equipment which made it impossible for them to reorganize and start developing the kind of farm operation that could pay back some of those loans.

I appreciate that this is important legislation. It is an important piece of bankruptcy law. I am hopeful that we can make Chapter 12 permanent as the chairman's bankruptcy bill provides for. There are more than 12,000 farmers that have filed for Chapter 12 bankruptcy since it went into effect in 1986,

and they have been able to restructure their debts without having to liquidate property. The continued low commodity prices, the financial stresses facing farmers further exacerbate the importance of extending Chapter 12.

Mr. Speaker, I have introduced several bills. I would have preferred that we were going ahead with my bill, but I appreciate the chairman helping to make sure that this law is current for those farmers desperately needing bankruptcy protection.

Why is Chapter 12 so important to farmers—especially small, family farmers? Chapter 12 contains special provisions that allows farmers to use bankruptcy laws in the manner that is available to others seeking bankruptcy.

Under the bankruptcy laws, debtors must only have a certain level of debt to reorganize rather than liquidate. Many farmers have too many assets to do this, primarily because of the value of their farm equipment—their tractors, plows, combines, and tools. Obviously, this equipment is essential to the farm operation. If this equipment were used to pay off debts, how would the farmer then be able to operate the farm and reconstruct the business? Chapter 12 recognizes this fact of farm life and lets these farmers reorganize their debts rather than liquidate their property.

Extending this provision is especially critical today. There are many farmers who have filed for bankruptcy since the last Chapter 12 extension expired last fall. The courts are waiting for Congress to act and change the law to allow these farmers to re-file under Chapter 12. These farmers need the options available under Chapter 12 now.

I have introduced legislation that would make Chapter 12 protection permanent, and working with the Gentle Lady from Wisconsin, TAMMY BALDWIN, I have offered many bills extending these protections, most recently H.R. 2914.

Like many other Members, I am hoping that we can free the logjam that is holding up permanent Chapter 12 protections for farmers. I understand that the House and Senate conferees will be meeting soon on H.R. 3333, the bankruptcy reform bill. Let's hope that an agreement can be reached soon so that we do not have to come to the floor of the House to extend once again a provision that should be a permanent fixture in law.

I would like to express my support for the Gentleman for Wisconsin, Mr. SENSENBRENNER, the Chairman of the Judiciary Committee, not only for this bill, but also for his efforts to get the other body moving on a bankruptcy reform compromise that will make Chapter 12 permanent.

Mr. Speaker, Chapter 12 is critically important if we are to help family farmers maintain farms that, for many, have been in their families for generations. I urge my colleagues to support this very important piece of legislation.

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

Mr. Speaker, I would simply close in support of the bill by saying that this weekend I was driving across my congressional district, as I do every weekend, some 75,000 miles we traveled across those 29 counties over the past 16 months. There is a lot of row crop land not planted because our farm families do not know what to do. They do not know what to do because they are waiting on Chapter 12 bankruptcy protection; they are waiting on a new farm bill, both of which are tied up in conference committees.

Our farm families do not need more conference committees. They need Chapter 12 bankruptcy reform, and they need it permanent and they need it today. They need a new farm bill today. When that bill got gutted with amendments in the Senate and went to conference committee, in my district we began to see three-, four-, and five-generation farm families selling out. The price of equipment at those auctions dropped 35 percent overnight after those amendments were attached to the farm bill in the Senate and it was sent to the conference committee.

The time for action on bankruptcy reform, the time for action on a new farm bill for our struggling farm families is now. I think it is important to note that this bill sunsets 45 days from today. This is a temporary fix, and our farm families need it; but they need a long-term solution so they can continue to do what they do best, generation after generation after generation, and that is simply feed America and feed the world. I am proud today to stand in support of our farm families.

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

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

Mr. Speaker, I have been listening with great interest to the three speakers on behalf of my bill on the Democratic side of the aisle, and each of them complained about how long the bankruptcy conference has taken. Believe me, as the chairman of that conference, I am even more frustrated than they are because I have to deal with attempting to negotiate out very complex issues.

Mr. Speaker, let me tell the gentleman that we have made Chapter 12 permanent in that bankruptcy conference, and we have made it better for farmers so farmers will get a better deal by having the bankruptcy conference passed and signed into law, not only in Chapter 12, but also on the entire economic effect of bankruptcies on our economy.

In the last several years, bankruptcy courts have written off $44 billion of debt every year, and that amounts to $400 of additional cost of goods and services, in effect, a $400 hidden tax on people all throughout this country who pay their bills as agreed.

I think practically every farm family, let alone every other family in this country, would rather have that $400 in their pocket rather than having to pay more for goods and services because debts have been written off. One of the purposes of the bankruptcy bill that we have been dealing with has been to drive that $44 billion down so that the hidden tax on every American family would not be as great as $400 a year.

Last February I sent an offer to the Senate conferees. They rejected it. They never came back with their own offer; and I have called a meeting of the bankruptcy conference for Tuesday, April 23, 2002. I would like to ask the three Democratic speakers on behalf of Chapter 12 if they would do me a favor, and that is to write the Democratic Senate conferees and ask them to reach an agreement on the bankruptcy bill.

If we reach that agreement, I can assure the gentlemen that we can bring that bill to the floor the end of this month or the first part of next month and beat the farm bill conference to the President's desk.

I regret even having to talk about this because both Houses of Congress did pass bankruptcy reform legislation in the last Congress that included a permanent extension of Chapter 12, and guess what happened? The former President, Mr. Clinton, pocket vetoed the bill. If he had not done so, we would not be talking about this issue at all.

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

Mr. SENSENBRENNER. I yield to the gentleman from Arkansas.

Mr. ROSS. Mr. Speaker, I am in the House of Representatives. I am proud to be a conservative, small-town-value kind of Democrat that is standing before the gentleman today, and I am appalled that for some reason a Member of the House has some control over what happens in a Senate conference committee. I have no more control over the Democrats in the Senate than the gentleman from Wisconsin does.

Mr. Speaker, I think the American people are sick and tired of the partisan bickering that goes on in the Nation's Capitol. It should not be what makes the Republicans or Democrats look good or bad; it ought to be about doing what is right and providing a strong, effective voice for the people who sent us here to represent them.

Mr. SENSENBRENNER. Mr. Speaker, absolutely. I sent an offer over to the Senate 2 months ago to resolve all of the issues in the bankruptcy conference. They rejected it, but they never came back with a counterproposal of their own. So whatever we send over there, they appear not to like; but they do not have a counterproposal.

One of the things I think we are supposed to do in reconciling bills is to go back and forth until something is reached in the middle. I want to bring this matter to a head. I want to get the bankruptcy bill off the national table. I want to get Chapter 12 made better and made permanent, and I want to do it by getting H.R. 333 passed through both Houses and signed by the President of the United States. All I am doing is enlisting the gentleman's help and the help of the two other speakers to write a letter to those folks over there and tell them to be constructive, because they have not been that constructive to date.

Mr. BEREUTER. Mr. Speaker, this Member rises today to express his support for H.R.

4167, which retroactively extends Chapter 12 bankruptcy for family farms and ranches to June 1, 2002. Chapter 12 bankruptcy expired on October 1, 2001. This legislation is very important to the nation's agriculture sector.

This Member would express his appreciation to the distinguished gentleman from Wisconsin (Mr. SENSENBRENNER), the Chairman of the House Judiciary Committee, for introducing H.R. 4167. In addition, this Member would like to express his appreciation to the distinguished gentleman from Michigan (Mr. SMITH) for his efforts in getting this measure to the House Floor for consideration.

This extension of Chapter 12 bankruptcy is supported by this Member as it allows family farmers to reorganize their debts as compared to liquidating their assets. The use of the Chapter 12 bankruptcy provision has been an important and necessary option for family farmers throughout the nation. It has allowed family farmers to reorganize their assets in a manner which balances the interests of creditors and the future success of the involved farmer.

If Chapter 12 bankruptcy provisions are not extended for family farmers, it will be another very painful blow to an agricultural sector already reeling from low commodity prices. Not only will many family farmers have no viable option other than to end their operations, but it will also cause land values to likely plunge. Such a decrease in value of farmland will negatively affect the ability of family farmers to earn a living. In addition, the resulting decrease in farmland value will impact the manner in which banks conduct their agricultural lending activities. Furthermore, this Member has received many contacts from his constituents supporting extension of Chapter 12 bankruptcy because of the situation now being faced by our nation's farm families—it is clear that the agricultural sector is hurting.

I closing, this Member urges his colleagues to support H.R. 4167.

Mr. GEKAS. Mr. Speaker, I rise today to lend my strong support for H.R. 4167 and for farmers in financial distress. Extension of Chapter 12 is necessary to insure that these financially distressed farmers are granted the protection they need.

I would doubt that there is any one of us who does not want to aid a farmer in distress. Mr. Speaker, I am sure that H.R. 4167 will be approved today because the vast majority of this body recognizes the difficulty and risk inherent in farming and want to give farmers a fail-safe net of bankruptcy in case they become distressed. I have consistently supported efforts to extend Chapter 12. Since the bankruptcy reform movement started five years ago, there was not one moment in which we did not consider making Chapter 12 permanent.

Chapter 12 of the Bankruptcy code is a specialized form of bankruptcy relief available to family farmers. The special attributes of Chapter 12 makes it better suited to meet the particularized needs of family farmers in financial distress than other forms of bankruptcy relief, such as Chapter 11 (business reorganization) or Chapter 13 (individual reorganization). Chapter 12 allows family farmers to keep essential farm assets and reorganize their debts.

Chapter 12 was enacted on a temporary seven-year basis as part of the Bankruptcy Judges, United States Trustees, and Family Farmer Bankruptcy Act of 1986 in response to the farm financial crisis of the 1980's. It has subsequently been extended on several occasions. H.R. 333, the Bankruptcy Abuse Prevention and Consumer Protection Act, would make Chapter 12 permanent.

But isn't there more we can do? Of course farmers want a fail-safe net of bankruptcy in case they go into distress, but more than that, they want expanded markets, and an end to the federal death tax. We stand here today debating the merits of a bill that will aid failing farms, but we can't stop here—we must keep fighting to help American farms succeed. The best farmers in the world, American farmers, want a fair chance to compete with other farmers around the world and they want a legitimate chance to make a profit. I will continue to support Trade Promotion Authority and death tax repeal to help insure that American farmers have less need for the bankruptcy protections we vote to advance here today.

Mr. Speaker, I support H.R. 4167 for distressed farmers, but I urge my colleagues to grant the president Trade Promotion Authority so that markets for our agricultural goods will be opened from which our farmers will profit. I also ask that my colleagues permanently abolish the federal death tax, which is a specter that hangs over every family farmer who looks forward to passing his farm on to the next generation. Action on these pieces of legislation sends a message that the United States Congress recognizes the importance of the hard work, pride and competitive nature of the American agriculturalist.

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

The SPEAKER pro tempore (Mr. PENCE). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 4167.

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. SENSENBRENNER. 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.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 3 o'clock and 45 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. ISAKSON) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put the question on motions to suspend the rules on which further proceedings were postponed earlier today.

Votes will be taken in the following order:

H.R. 1374, by the yeas and nays;

H.R. 4156, by the yeas and nays; and

H.R. 4167, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

PHILIP E. RUPPE POST OFFICE BUILDING

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 1374.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Virginia (Mrs. JO ANN DAVIS) that the House suspend the rules and pass the bill, H.R. 1374, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 408, nays 0, not voting 26, as follows:

[Roll No. 93]

YEAS—408

Abercrombie	Capito	Ehlers
Ackerman	Capps	Ehrlich
Aderholt	Capuano	Emerson
Akin	Cardin	Engel
Allen	Carson (IN)	English
Andrews	Carson (OK)	Eshoo
Armey	Castle	Etheridge
Baca	Chabot	Evans
Bachus	Chambliss	Everett
Baird	Clay	Farr
Baker	Clayton	Fattah
Baldacci	Clyburn	Ferguson
Baldwin	Coble	Flake
Ballenger	Collins	Fletcher
Barcia	Combest	Foley
Barr	Conyers	Forbes
Barrett	Cooksey	Ford
Bartlett	Costello	Fossella
Barton	Cox	Frank
Bass	Coyne	Frelinghuysen
Becerra	Cramer	Frost
Bentsen	Crane	Gallegly
Bereuter	Crenshaw	Ganske
Berkley	Crowley	Gekas
Berry	Cubin	Gephardt
Biggert	Culberson	Gibbons
Bilirakis	Cummings	Gillmor
Bishop	Cunningham	Gilman
Blumenauer	Davis (CA)	Gonzalez
Blunt	Davis (FL)	Goode
Boehlert	Davis (IL)	Goodlatte
Boehner	Davis, Jo Ann	Gordon
Bonilla	Davis, Tom	Goss
Bonior	Deal	Graham
Bono	DeFazio	Granger
Boozman	DeGette	Graves
Borski	Delahunt	Green (TX)
Boswell	DeLauro	Green (WI)
Boucher	DeLay	Greenwood
Boyd	DeMint	Grucci
Brady (PA)	Deutsch	Gutknecht
Brady (TX)	Diaz-Balart	Hall (OH)
Brown (FL)	Dicks	Hall (TX)
Brown (OH)	Dingell	Harman
Brown (SC)	Doggett	Hart
Bryant	Dooley	Hastings (WA)
Burr	Doolittle	Hayes
Buyer	Doyle	Hayworth
Callahan	Dreier	Hefley
Calvert	Duncan	Herger
Camp	Dunn	Hill
Cantor	Edwards	Hinchey

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

NOT VOTING—26

Berman
Blagojevich
Burton
Cannon
Clement
Condit
Filner
Gilchrest
Gutierrez
Hansen
Hastings (FL)
Hilleary
Hilliard
Jefferson
Jenkins
Jones (OH)
Kingston
Levin
Pryce (OH)
Riley
Serrano
Simpson
Sweeney
Thornberry
Traficant
Watkins (OK)

□ 1857

Ms. SLAUGHTER, Mr. HOEKSTRA and Mr. SHAW changed their vote from ''nay'' to ''yea.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall No. 93, I was attending a U.S./Mexico conference on border environmental issues. Had I been present, I would have voted ''yea.''

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ISAKSON). Pursuant to clause 8 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting on each additional motion to suspend the rules on which the Chair has postponed further proceedings.

CLERGY HOUSING ALLOWANCE CLARIFICATION ACT OF 2002

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 4156, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. RAMSTAD) that the House suspend the rules and pass the bill, H.R. 4156, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 408, nays 0, not voting 26, as follows:

[Roll No. 94]

YEAS—408

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berry
Biggert
Bilirakis
Bishop
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Boozman
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clyburn
Coble
Collins
Combest
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gillmor
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Dan
Miller, Gary
Miller, George
Miller, Jeff
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sullivan
Sununu
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield

Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—26

Berman
Blagojevich
Burton
Cannon
Clement
Condit
Ehlers
Filner
Gilchrest
Gilman
Gutierrez
Hansen
Hastings (FL)
Hilleary
Hilliard
Jefferson
Jenkins
Jones (OH)
Kingston
Levin
Pryce (OH)
Riley
Sweeney
Thornberry
Traficant
Young (AK)

□ 1906

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Slated for:

Mr. FILNER. Mr. Speaker, on rollcall No. 94, I was attending a U.S./Mexico conference on border environmental issues. Had I been present, I would have voted "yea."

FAMILY FARMER BANKRUPTCY EXTENSION ACT

The SPEAKER pro tempore (Mr. ISAKSON). The pending business is the question of suspending the rules and passing the bill, H.R. 4167.

The Clerk read the title of the 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 bill, H.R. 4167, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 407, nays 3, not voting 24, as follows:

[Roll No. 95]

YEAS—407

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berry
Biggert
Bilirakis
Bishop
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Boozman
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clyburn
Coble
Collins
Combest
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
John
Johnson (CT)
Johnson (IL)
Johnson, E.B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Dan
Miller, Gary
Miller, George
Miller, Jeff
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sullivan
Sununu
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—3

Flake
Paul
Rohrabacher

NOT VOTING—24

Berman
Blagojevich
Burton
Cannon
Clement
Condit
Doyle
Filner
Gilchrest
Gutierrez
Hansen
Hastings (FL)
Hilleary
Hilliard
Jefferson
Jenkins
Jones (OH)
Kingston
Levin
Pryce (OH)
Riley
Sweeney
Thornberry
Traficant

□ 1915

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall No. 95, I was attending a U.S./Mexico conference on border environmental issues. Had I been present, I would have voted "yea."

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 476, CHILD CUSTODY PROTECTION ACT

Mrs. MYRICK, from the Committee on Rules, submitted a privileged report (Rept. No. 107–411) on the resolution (H. Res. 388) providing for consideration of the bill (H.R. 476) to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT ON H.R. 2646, FARM SECURITY ACT OF 2001

Mr. SMITH of Michigan. Mr. Speaker, pursuant to clause 7(c) of rule XXII, I hereby announce my intention to offer a motion to instruct conferees on H.R. 2646 tomorrow. The form of the motion is as follows:

Mr. SMITH of Michigan moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2646 (an Act to provide for the continuation of agricultural programs through fiscal year 2011) be instructed:

(1) to agree to the provisions contained in section 169(a) of the Senate amendment, relating to payment limitations for commodity programs; and

(2) to insist upon an increase in funding for:

(A) conservation programs, in effect as of January 1, 2002, that are extended by title II of the House bill or title II of the Senate amendment; and

(B) research programs that are amended or established by title VII of the House bill or title VII of the Senate amendment.

□ 1915

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. ISAKSON). 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 Utah (Mr. HANSEN) is recognized for 5 minutes.

Mr. HANSEN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

BACKLASH OF HATE

The SPEAKER pro tempore (Mr. FLAKE). Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, I rise today to draw attention to the backlash of hate that is occurring around the country and around the world as the result of September 11 and as a result of current actions in the Middle East. Mr. Speaker, this Congress must condemn these violent acts which are hurting families and communities around the world and here at home.

During the first week in April, two men dressed in Orthodox Jewish clothing were attacked and beaten in Berkeley, California, one of the most tolerant cities in the United States, and they were beaten because they were Jewish. In the same town, a Jewish student center located near the campus was broken into and antiIsrael slogans were spray-painted on the property. Also in California, a Los Altos Hills orthodox Christian church with a congregation of mostly Palestinians and Arab Americans was destroyed in a mysterious fire.

And it continues. In Los Angeles, three 17-year-old boys, all wearing yarmulkes were walking home from a friend's house at 12:30 a.m., when 2 skinheads attacked and beat them for no other reason than that they were Jewish. Across the country in Florida, a pickup truck was driven into the front of an Islamic center in Tallahassee. The driver, motivated by hatred of Muslims, bragged to the officers that he could have blown up the mosque if he had put propane tanks on the front of his truck. He also said that he tried to join the military in order to kill Muslims.

Mr. Speaker, all of these events happened over the past 3 weeks. However, since September 11, the increasing trend of hate has been abundantly clear. Immigrants from south Asia appear to have been the victims of attacks and other racially motivated incidents because they were perceived, often incorrectly, to be Arab or Muslim.

The National Asian Pacific American Legal Consortium reported 250 incidents against South Asian immigrants just in the last 3 months of the year 2001. This number compares to 400 to 500 incidents a year, bad enough, that were reported in the past. Complaints of discrimination received by Arab American Muslim and Sikh groups have soared.

Since September 11, the Council on American Islamic Relations has received more than 1,700 reports of workplace bias, Arab profiling, discrimination in schools, physical assaults and other incidents compared with 322 in all of the year 2000.

This backlash is not only a national problem, it is a global problem. France has seen a wave of attacks on Jewish schools, cemeteries and synagogues. According to an annual study by the Tel Aviv University, anti-Semitic acts rose sharply around the world after September 11 and following Israel's offensive into the West Bank. The study revealed some of the worst anti-Semitic days since the end of World War II.

Congress must make it clear that there is no room for personal attacks and bigotry in America or abroad. The first step we as a Congress can take is to pass H.R. 1343, the Local Law Enforcement Hate Crimes Prevention Act introduced by Congressman JOHN CONYERS. Under current law, the government must prove both that the hate crime occurred because of a person's association with a designated group and because the victim was engaged in a Federal activity such as voting or serving on a jury. H.R. 1343 would eliminate these overly restrictive obstacles to Federal involvement, which have prevented government involvement in many cases in which individuals kill or injure others because of racial or religious bias.

In addition, H.R. 1343 would authorize the Department of Justice to assist local prosecutions and investigate and prosecute cases in which bias violence occurs because of the victim's sexual orientation, gender, or disability. Currently, Federal law does not provide authority for involvement in those cases.

Mr. Speaker, the people of the United States must set an example for the world by expressing our differences without resorting to violence against our neighbors. We must remember that disagreement can be expressed without physically attacking or demeaning those with whom we disagree. Our freedom of speech is a fundamental right that should be used for causes that citizens are passionate about, but not in a way that damages others' rights to their opinion.

Mr. Speaker, this Congress has the ability to combat unnecessary hatred and lead the charge. Let us take a first step by passing H.R. 1343.

CHALLENGES FACING RURAL AMERICA

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

Mr. MORAN of Kansas. Mr. Speaker, I appreciate the opportunity to address the House this evening in regard to our responsibility as Members of this body to listen to our constituents. It is important that once we listen, that we bring that message back to Washington, to our colleagues here on the House Floor, and to the administration down the street.

Mr. Speaker, within the last few weeks I completed my 66th town hall meeting, one in each county of the First Congressional District of Kansas. Unfortunately, Mr. Speaker, there are many challenges that rural America faces as we try to survive today, have a little prosperity, and move our people and our communities to the future.

The issues across my State and across rural America continue to be serious; issues related to agriculture. This is another year, Mr. Speaker, in which farm commodity prices remain low. In addition to that, we have, in many places in the country, and including most of Kansas, a very severe drought.

So on top of low commodity prices, our farmers face the prospect of poor production. Absent snow falls this winter, absent rainfalls this spring, our ability to put a product into the bin at any price has become very difficult.

Our circumstances in agriculture are bleak, remain bleak, and they are the backbone for the economy of places like Kansas, and it is important that we continue our efforts in regard to farm legislation. Our conferees, the gentleman from Texas (Mr. STENHOLM), the ranking member, and the gentleman from Texas (Mr. COMBEST), the chairman of the House Committee on Agriculture, continue in almost 24-hour-a-day sessions attempting to negotiate a farm bill. It is important that this work proceed. It is important that there be a return financially to the farmers and ranchers of this country.

Our farmers are concerned not only about farm policy, but about the desire for competition within the agribusiness world, the entities which they buy from and sell to, and certainly a desire for open markets, the ability to export their agriculture commodities around the world.

So, Mr. Speaker, I hope to raise the awareness of my colleagues from places outside the farm belt of the importance of farm policy, the importance of agriculture and consumption, and the importance of having competition within the agricultural arena.

We look forward to meeting the country's energy needs with agriculture, and certainly the opportunities for biodiesel and ethanol remain an important opportunity for our farmers across the grain belt of our country. But in addition to agriculture, we

have concerns with our hospitals. Medicare has become a huge factor in whether or not hospital doors remain open, whether or not there are physicians in our communities, and we need to continue to find ways that we can reimburse our health care providers in rural America who are 60, 70, 80 and even 90 percent of the patients that those hospitals treat and that are seen by our physicians are Medicare recipients.

In addition, we have issues related to small businesses. How do we keep our businesses on Main Street? Clearly, the tax burden, the rules and regulations that we in Congress and those in administrations, current and past, have placed upon our business community have a huge impact. We do not have more customers everyday who move to our communities for our businesses to sell to, to spread those increasing costs among. So we in Congress have an obligation to oversight, to reign in those rules and regulations that lack common sense and that are not based upon science, because the end result of failing to do so means that the business community in rural America suffers.

It is also important for us to have adequate transportation, to make certain that our railroads, our highways, our airports and aviation are functioning, that people who live in rural America have access to the rest of the world. Of course we have concerns about the consequences of losing passenger train service across long distances of our country. I look forward to working with my colleagues in that regard.

Finally, I would say education and technology are important to rural America. We need to do our part to make certain that our Federal mandates are paid for. The consequences of our failure to pay for IDEA has a huge effect upon those who try to finance local school districts through the property tax levy.

So we have our work cut out for us as we look at educational issues to make sure that what we require, we pay for. It is important for us to make certain that the rural communities and the people who live there are not left behind as the rest of the world accesses technology. It is important to us to have fiberoptics and Internet and broadband services; things that used to have to be done in the city can now be done in rural places across the country.

So despite all of our challenges, we know what the issues are. We must work together, rural and urban America, to try to make a difference in the lives of all Americans. But I will tell my colleagues that despite the problems in 66 counties during the last few weeks, I remain optimistic because the people are there to make a difference.

□ 1930

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

(Mr. LIPINSKI addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

TRIBUTE TO LIEUTENANT (J.G.) RAFE WYSHAM, USN

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

Mr. WALDEN of Oregon. Mr. Speaker, I rise this evening to pay tribute to a young Oregonian serving our country abroad as part of Operation Enduring Freedom. Lieutenant Junior Grade Rafe Wysham, a native of Madras, Oregon, is currently assigned as an F–14 Radar Intercept Officer aboard the U.S.S. *John F. Kennedy* in the Arabian sea.

Mr. Speaker, Lt. Wysham is a third-generation naval officer. His grandfather, a veteran of the Second World War, served on a destroyer and received the Purple Heart. Rafe's father, Bill, served as a tactical coordinator on a P–3 naval aircraft in Vietnam. In short, Mr. Speaker, the Wysham family is not unfamiliar with the sacrifices that attend service in the United States Armed Forces.

After his graduation from Madras High School in 1994, Rafe entered the United States Naval Academy, where he graduated in 1998 in the top 10 percent of his class. Following his graduation from the academy, Rafe was sent to flight school in Pensacola, Florida, followed by advanced training in Norfolk, Virginia. His assignment to the U.S.S. *Kennedy* marks his first overseas deployment.

Mr. Speaker, on March 3 of this year, Lieutenant Wysham was confronted with a sobering reminder of the danger he faces every time he straps himself into his Tomcat and is catapulted into the sky.

That day during takeoff on a routine training mission in the Mediterranean Sea, Rafe's aircraft developed a problem that prevented it from gaining enough airspeed to take flight. Nevertheless, the carrier's catapult system launched the plane forward too fast to abort the takeoff, but too slow to make it into the air. The aircraft's pilot, Lieutenant Commander Christopher M. Blaschum of Virginia Beach, immediately called for both to eject.

Rafe complied, but blacked out from the force of that ejection. Tragically, while Rafe's parachute opened and delivered him safely to the water below, Commander Blaschum's chute failed and his life was lost.

Lieutenant Wysham woke to find himself floating in the water in full gear, directly in the path of one of the world's most lethal warships. Cutting away his seat pan, he swam desperately to escape the oncoming carrier, which passed within 20 feet of him. Fortunately, Rafe survived.

Mr. Speaker, the loss of his pilot was a devastating blow to Lieutenant Wysham, his shipmates aboard the U.S.S. *Kennedy*, and the entire naval family. Commander Blaschum leaves behind a wife and two sons, Jack and Max, who will carry the memory of their father's service and his ultimate sacrifice as long as they live.

Mr. Speaker, Lieutenant Wysham would probably be mortified to know that he is being honored on the floor of the United States House of Representatives today. He is not the sort who seeks public recognition for his service to our country. Neither is he the sort to dwell on his own mortality, or let the fear of the unexpected keep him from completing his vital mission.

Indeed, Rafe was back up in the air less than a week after the accident, and in an e-mail to his mother shortly after the incident, Rafe wrote, ''I entered this business knowing something like this could happen.'' Like the thousands of men and women in uniform fighting the war on terrorism, Lieutenant Wysham simply accepts his reality, and he marches on.

Mr. Speaker, the author, James Michener, wrote a famous story of another group of naval aviators whose service in the Korean War bears close resemblance to that of the men and women serving in harm's way today. In his novel, the Bridges at Toko-Ri, Michener tells of an officer named Harry Brubaker, a lawyer who had fought as a carrier pilot in World War II, and then was recalled to fight again in the skies over Korea. Brubaker is not at all pleased with the turn of events, but tucks in his chin and accepts his duty, nonetheless.

Brubaker's task force commander is a salty old admiral named Tarrant, who develops a deep but well-concealed affection for the young pilot. Tarrant describes him as one of the men who ''hammer on in, even though the weight of the war has fallen unfairly on them. I always think of them as the voluntary men. The world is always dependent on the voluntary men.

In the end, Brubaker is lost pressing the attack on the bridges, leaving the old admiral reeling in the loss of one of his boys. On the final page of the book, he asks himself the question that haunts us all when we learn of the heroism of our men and women in uniform: ''Why is America lucky enough to have such men,'' he asks. ''Where did we get such men?''

Mr. Speaker, in this case, we got them from the small town of Madras, Oregon, and the bigger city of Virginia Beach, Virginia. Thank God we have them, voluntary men, like Rafe Wysham and Chris Blaschum. We should be forever grateful on that account.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman 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.)

HONORING WALK–FM OF LONG ISLAND, NEW YORK

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

Mr. GRUCCI. Mr. Speaker, today I rise to honor WALK Radio Station in my district on Long Island that is celebrating their 50th birthday this Saturday, April 19. WALK–FM invited the public to visit its new stations and studios on Colonial Drive in Patchogue on its official opening day, Saturday, April 19, 1952.

Quoting from the invitation, the station's staff was ''most anxious for you to see the glamorous, fully-equipped studios and offices in our ultra-modern building, which is not only the radio showplace of Long Island, but one of the most beautiful radio stations in the East.''

WALK received well wishes on the air that day from radio and television personalities of the era, including Perry Como, Dick Powell, Kay Starr, and Jack Sterling.

A clipping from the Bay Shore Sentinel and Journal dated April 24, 1952, described WALK this way: ''The ultra-modern station affords the best in facilities and promises to become a most important link in the communications field in Suffolk County.''

In more recent years, WALK 97.5 FM has had consistent ratings success. WALK has been the number one adult radio station on Long Island for over 16 years, reflecting a heritage of broadcast excellence. WALK uniquely balances the needs of the Long Island community in providing vital news, weather, and traffic information, and a variety of music that Long Islanders enjoy at home, at work, and while in their car.

WALK's news and public service commitment has been recognized and honored over the years with a slew of awards from the Long Island Coalition for Fair Broadcasting, the New York State Broadcasters Association, and the Press Club of Long Island. On the trade side, their programming has won national awards from Billboard Magazine and Radio & Records.

WALK 97.5 was chosen as the National Association of Broadcasters' Marconi Adult Contemporary Station of the year in 2001, giving the station national recognition for its community service and leadership.

In short, WALK embraces the Long Island community through its tireless support of the island's not-for-profit organizations and important causes, like the fight against breast cancer.

Mr. Speaker, I ask my colleagues in the House to join me in congratulating WALK–FM radio and its employees for 25 years of being a thoughtful neighbor, and for its leadership in the community for over 50 years.

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

(Mr. PALLONE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

EQUAL PAY

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Indiana (Ms. CARSON) is recognized for 5 minutes.

Ms. CARSON of Indiana. Mr. Speaker, I rise in support of the Equal Pay Day. The Equal Pay Act became public law in 1963, making it illegal to pay women lower rates for the same job strictly on the basis of sex. Yet, almost four decades later, the wage gap among women and men persists.

It is appalling that in the year 2002, women across the United States continue to be discriminated against on the basis of gender. Women holding similar jobs with similar education, skills, work experience, job content, still earn less than men. The Census Bureau reports that women earn 27 cents less than men on the dollar.

Why would I bring this up, other than it being Equal Pay Day, Mr. Speaker? There has been a lot of commentary here on the floor of the House about welfare and welfare reform, and truly, women want not to draw welfare, but rather to get into the marketplace and be economically self-sufficient.

Yet, we find just in Indiana, in a glance at Indiana, that the African American women earn only 67 percent of what men earn, and the earnings among Latino women fall even lower, earning 58 percent of what men earn. Three-quarters of African American women and Latinos work in just three types of employment: sales, clerical, and service and factory jobs, and a majority of those women do not even make enough money to reach the poverty line for a family of four, which is $18,000 in the year 2002.

In Indiana, women, older women, women who are Social Security age, are living in poverty because their income, their lifetime income earnings, have decided the amount of their Social Security checks. So the consequence of that is that women are drawing a very minuscule amount of Social Security checks, which propels them into a remaining lifetime of poverty.

Thirty-nine years ago, President Kennedy signed the Equal Pay Act. He called it the first step in addressing the unconscionable practice of paying female employees less wages than male employees for the same job. At that time, women earned 58 cents for each dollar earned by a man. So Mr. Speaker, equal pay is not only a woman's issue, it is a family issue. It is beneficial for the entire family.

Women often provide a significant amount or all of their family's income, and in many cases, they are the sole wage-earners, struggling to provide their families with the best quality of life they possibly can. It is a shame that they and their families continue to be victims of this unjust discrimination.

I thought it was imperative that we call this to the attention of the House of Representatives and to the United States, as well, to suggest that we have, indeed, come a long way since Niagara Falls, but we have a long way to go.

STUART R. PADDOCK, JR.

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

Mr. KIRK. Mr. Speaker, Stuart Paddock, Jr., was a leader. He inspired reverence among his friends, his associates, and his employees. He was a leader who did not take credit, but instead, gave it away. He led with vision, enthusiasm, determination, and courage. His kind words, his optimism, trust in people, and thoughtfulness endeared him to all.

According to an editorial in today's Daily Herald, if we took a poll of the people who work at the Herald, we would find something extraordinary. We could not find a single person with a bad word to say about Stu, not one. The work force numbers 880. That is the kind of leader he was.

Stu Paddock died on Monday, April 15, at the age of 86. During three-and-one-half decades of ownership, he built the Daily Herald from a weekly community newspaper to the third largest daily in Illinois. His is a remarkable success story of a family-owned business in an era of corporate giants.

Paddock was the inspirational heart and soul of one of the small number of family-owned newspapers in America. When he assumed leadership of the company in 1968, the newspapers were publishing three times a week, with a circulation below 20,000. At his death, he left a growing suburban daily with a circulation of over 148,000, now the 7th largest in the Nation.

Born September 19, 1915, in Palatine, Paddock graduated in 1937 from Knox College in Galesburg, and joined the paper as an assistant editor. He was called into service shortly after Pearl Harbor as a second lieutenant, serving as a company commander in a tank destroyer battalion as part of Patton's Third Army in Europe. He was discharged in 1946 at the rank of captain.

In 1969, Paddock's willingness to take risks saved the newspaper. A critical slowdown occurred when Marshall Field and his Sun-Times started a daily newspaper called The Day in direct competition with the Herald. Over the next 4 years, the weekly Herald newspapers lost 40 percent of their circulation.

A plan to publish three times a week failed to turn around the paper's fortunes. ''We either had to go daily or die,'' Paddock later reflected. Shortly after taking over as president, he

turned the paper into a five-days-a-week publication in 1969. Day Publications soon surrendered and sold its newspaper operations to Paddock in 1970.

Paddock constantly pushed expansion, adding weekend editions and weekly papers in Lake County in the 1970s that then went daily in 1984, and in the years since, Paddock oversaw nearly 20 expansions into areas of Lake, DuPage, Kane, McHenry, and Will counties.

□ 1945

Paddock's thoughtfulness is legendary among staff. Bob Frisk, the Daily Herald's veteran assistant managing editor of sports, retells the story of the night he was to be inducted into the media wing of the Illinois Basketball Coaches Hall of Fame in Bloomington. Bob's wife was very ill and could not attend. Frisk was feeling lonely when Stu and Ann Paddock walked into the room. Paddock told Frisk, ''We didn't want you to be alone when you were inducted on this big night.''

Stu's legacy is rich with similar stories, like funding spirits ''not the cheap stuff'' for a holiday party to celebrate a job well done in Naperville and coming out to cheer on employees who were playing for the local softball team.

Stu Paddock enjoyed classical music, the Bears and opera. He supported a number of good causes like the Chicago Symphony Orchestra, Lyric Opera, Ravinia, Goodman Theatre and the Elgin Symphony Orchestra. Stu was the father of six, five daughters and a son. His wife, Ann, his four children and between them, 23 grandchildren and four great grandchildren.

Stuart R. Paddock, Junior, he served our country, he served our community, he served his employees and served his family with courage, honor, determination and thoughtfulness and will be sorely missed by all.

IN HONOR OF EQUAL PAY DAY

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

Mr. DINGELL. Mr. Speaker, I rise today in honor of Equal Pay Day. This is a national day of action to promote fair pay. It is disheartening that Equal Pay Day comes only once a year. Mr. Speaker, everyday should be equal pay day.

Even though we have had equal pay laws on the books for nearly 40 years, women still only earn .73 cents to the male dollar nationally. In my home state of Michigan, that figure is even worse, with women earning an average of .67 cents to the male dollar. Not surprisingly, women of color are in the worst position, earning only .64 cents to the male dollar. This, Mr. Speaker, is quite simply a disgrace.

Equal work deserves equal pay. But in today's economy, unfair pay hurts more than just women; it hurts families. When women are not paid fairly, it lowers the family income. That means there is less money for essentials like groceries, doctors' visits, and clothes for the children. This is not a women's issue, Mr. Speaker, it is a family issue. We protect America's working families by rectifying this wrong.

What can we do? I have two answers for you.

1. We can pass the Paycheck Fairness Act, which was introduced by my good friend from Connecticut, ROSA DELAURO. The Paycheck Fairness Act would strengthen existing equal pay and civil rights laws by providing effective remedies to women who are not being paid equal wages for equal work.

2. We can pass the ERA, reintroduced this year by my good friend and colleague, the gentlewoman from New York, CAROLYN MALONEY. We have waited too long to provide women with equal standing in the Constitution. The ERA would put some real teeth in our equal pay laws, and guarantee equal pay for equal work.

I would encourage all members who are not currently cosponsors of the ERA to join us. We have 200, but we need more. I would ask my colleagues to truly represent the 50 percent of their constituency that still goes unrecognized in the very document that guarantees our rights and freedoms. Why should women be left behind?

Mr. Speaker, I thank Representatives DELAURO and MALONEY for their much needed leadership on this very important issue.

There is no excuse for disparity in pay between men and women. Mr. Speaker, it is time for action. In honor of Equal Pay Day, I would ask my colleagues to join me as cosponsors of these two important bills. There is no better time than the present. Let's stop ignoring this serious family problem today.

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.)

EXPRESSING SUPPORT FOR REPEAL OF MARRIAGE TAX PENALTY

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

Mr. SCHROCK. Mr. Speaker, I am happy to join my colleagues this evening in calling for the support of Congress to set in concrete the repeal of the marriage tax penalty.

I was honored last year to become president of the Republican freshman class of the 107th Congress. Early last year, our class members came together and made the repeal of the marriage tax penalty our class priority. Fresh from the campaign trial and living in and working in our districts, each of our class members came to Washington with the understanding that one of the major priorities of the American people was to bring an end to this anti-family, anti-marriage tax.

On our third day on the job, our class joined with the gentleman from Illinois (Mr. WELLER) to announce our commitment to the repeal of the marriage tax penalty. We championed this noble cause and were successful in obtaining the eventual repeal of the marriage tax penalty.

Unfortunately, due to Senate rules, the marriage tax penalty repeal legislation included a sunset provision that would automatically reinstate the marriage tax penalty in the year 2011. What does that say to the American people about this Congress?

Marriage is the bedrock of our society. It is an institution that is to be honored and respected, and it is a bond that should not be put asunder, especially by the tax policies of the Federal Government.

Yet until last year, our tax laws gave married couples a $1,400 surprise on their tax bill. They saw their taxes go up for no other reason than they said ''I do,'' and the effect of this tax mostly penalized young couples trying to get their feet on the ground and retired couples just trying to keep their feet on the ground.

In the second congressional district of Virginia, which I represent, there are over 56,000 married couples which were subject to the marriage tax penalty. However, if these couples decided to live together, rather than get married, they would not have to pay the tax. That is simply unfair.

The repeal of the marriage tax penalty provides a new level of fairness by preventing the Federal Government from penalizing couples for being married. Now these families are able to keep $1,400 a year of their hard earned income if they can save for a down payment on a house or a new car, obtain health insurance, pay off student loans, save for their children's education or to pay off debts.

The repeal of the marriage tax penalty passed last year is now helping families all across our Nation to better plan for their future. If they are able to eliminate debt, save for retirement or pay cash for large ticket items, their future discretionary income will grow, helping to also grow our economy.

Between now and 2011, it is certain that many of these couples' income will increase from raises or from taking new jobs. Also, they will be able to better handle their day-to-day expenses and any emergencies that may come along, but in 2011, that comfort level provided by tax relief is set to disappear for these families. On that day, the penalty for being married will surprise them once again.

I cannot stand by and allow that to happen to the 56,000 families that I represent. Unfortunately, there are those in this body and the other body that do not support making the repeal of the marriage tax penalty permanent. They will argue that we must work to ensure that Social Security is intact for future and present retirees. I could not agree more. Social Security is important for all Americans, and we should make sure that it stays protected for

all Americans. However, I believe we can save Social Security and provide meaningful tax reform at the same time.

If we restrain the growth of government and the growth of discretionary spending, we can achieve both, and the economic benefits from tax relief will help generate greater revenues as our economy continues to pull out of the now ended recession.

Therefore, the repeal of the marriage tax penalty should be made permanent this year. Let us show the American people that this Congress is determined to support legislation that helps strengthen families and thus our communities and economy.

When the tax permanency legislation comes to the House floor, I hope that we will send a strong message in support of American families by voting in favor of repealing this marriage tax penalty once and for all.

MAKING PERMANENT THE BUSH TAX CUT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Illinois (Mr. WELLER) is recognized for 60 minutes as the designee of the majority leader.

Mr. WELLER. Mr. Speaker, this week we have an important vote in the House of Representatives, and my good friend from Virginia, the leader of the freshman class, our new Members, spoke so eloquently on this issue that is before us, and a group of us plan to kind of expound on this issue that is going to be before us this week.

As President Bush noted this past weekend, the tax cut that the President led, initiated and our Congress passed and was signed into law in June expires in less than 10 years, and tonight we felt it was important to talk about the impact of a temporary tax cut because this week, on Thursday morning, the House of Representatives will begin debate on legislation which will make permanent what has become known as the Bush tax cut.

Let us review a little bit of history here. Over the last 7 years that we have had a Republican majority in the Congress, we have been working to balance the budget and also to lower taxes for working families. Unfortunately the previous administration, the Clinton-Gore administration, vetoed time and time again our effort to lower taxes for working Americans.

Fortunately, the voters of our Nation this past year and a half ago in November of the year 2000 elected a President who feels the same way the majority of this House does, that is, the taxes are too high, families are struggling, and of course, we need to find ways to bring fairness to the Tax Code.

I was very proud of the President's leadership because he noted in January of last year, and January 2000 when he became President, that the economy was in a downturn. The President inherited a weakening economy and he says we have got this huge surplus, all this extra tax revenue that the Federal Government is collecting because taxes are too high and we are not spending it all, thanks to the fiscal responsibility of this House. So why do we not take a portion of that surplus, that extra tax revenue, and give it back to working families? Provide an across-the-board tax cut that helps every working family, bring about tax fairness by eliminating the marriage tax penalty, wiping out the death tax, increasing opportunities for retirement savings and saving for a college education?

The President was successful. President Bush's leadership, with the leadership of the gentleman from Illinois (Mr. HASTERT) and Committee on Ways and Means chairman, the gentleman from California (Mr. THOMAS), this House led the effort to lower taxes, and in June of this past year, the President signed into law what has become known as the Bush tax cut. Unfortunately, because of the arcane rules of the Congress, the tax cut was temporary, which meant it had to expire in the year 2011.

When we think about that, when it expires, it is going to mean a big tax increase on millions of working families across this country. That is really what this vote is about on Thursday is whether or not we continue to keep taxes lower for working families, whether or not we continue to have tax fairness or do we bring back an unfair Tax Code that punishes married couples and takes away the family farm and family businesses and makes it harder to save for retirement or a college education, essentially imposing a tax increase on working Americans. That is what this vote is going to be this week.

I would note that one of the arguments the President made when he talked about the need to cut taxes is that the President stated that we need to get the economy moving again, and if workers have a little extra spending money in their pockets, they are going to be able to meet the family needs, go to the grocery store, make some improvements to their home, fix the car, maybe have a family vacation the first time ever.

The President said that if his tax cut was signed into law, the economy would get better, and frankly, it was working. Economists tell us that by Labor Day of this past year, Labor Day 2001, the economy was on the rebound and the Bush tax cut was the primary reason that the economy was on the upswing. Of course, every one of us knows what occurred on September 11 and the terrible tragedy of that attack on our Nation and its economic impact with almost 1 million Americans having lost their jobs.

Well, the Bush tax cut is continuing to work and the economy is beginning, according to economists, to get on the rebound again, and tonight we want to talk about what was in the Bush tax cut.

I would note, as I stated earlier, that the Bush tax cut did a number of good things to help working families. Provided for marginal rate reductions, reducing the tax rate for every American who pays taxes, creating a whole new tax rate structure. In fact, we created a new lower tax rate for the lowest income Americans, lowering their taxes from 15 percent to 10 percent, helping low income taxpayers.

We also, of course, repealed the death tax, a tax which has historically taken a majority of the family business away from families who inherit the family business from the founder and that has caused so many businesses to go out of business, and some of my colleagues are going to talk about that.

We doubled the child tax credit from $500 to $1,000, helping families with children better afford their children's needs.

We increased retirement savings, increasing the amount one can contribute to their IRA from $2,000 to $5,000, what one can contribute to their 401(k) from $10,500 to $15,000, and for working moms and empty nesters, we allowed those over 50 to make up missed contributions to their IRA and 401(k), essentially what we call catch-up contributions.

We helped families save for education, increasing education savings accounts from $500 to $2,000 a year, and allowing families to use that for expenses for elementary and secondary education, as well as for college.

Those are good things. Also, because many families were stepping forward and volunteering to adopt children and give children a loving home, we increased the adoption tax credit to $10,000 for children with special needs, and of course, for those with nonspecial needs, we have it at $5,000, and we also increased the income level of families that can qualify from $75,000 to $150,000, and we also prevented the alternative minimum tax from interfering or taking away this tax relief for working families.

Of course, part of the debate of who benefits from tax relief is who gets it, and there is always some who say, oh, we cannot cut taxes because those who pay taxes will get it. We should not help those who pay taxes because apparently they are rich. Well, let me note who it is that benefited from the Bush tax cut.

Under the President's tax plan that was signed into law and this Congress supported on and that we are going to make permanent or vote to make permanent this week, over 100 million individuals and families pay lower taxes. Forty-three million married couples see their taxes reduced on average by more than $1,700 a year. Thirty-eight million families with children will receive an average tax cut of almost $1,500. Eleven million single moms with children will be able to keep on average $77 more to care for their children. Thirteen million seniors will see their taxes reduced on average by $920, and

3.9 million taxpayers, including 3 million taxpayers with children, will have their taxpayer liability for the Federal tax burden completely eliminated.

Think about that. Almost 4 million taxpayers under the Bush tax cut, those at the lower end of the economic area, pay no more taxes, thanks to the Bush tax cut.

Small business owners and entrepreneurs will receive a big chunk of this tax relief. Whenever my colleagues argue about who is going to get the rate reduction and what that means, they have to recognize that the vast majority of small businesses, almost 80 percent, pay in the top rate, and we lowered their rate to 35 percent.

□ 2000

Mr. Speaker, I have worked with many of my colleagues over the last several years to address something we call the marriage tax penalty. Often in debate I have asked that question, is it right, is it fair that under our Tax Code 28 million married working couples pay higher taxes just because they are married.

Prior to the Bush tax cut, Americans saved money on taxes if they stayed single. Our Tax Code encouraged couples not to marry. We made a decision, and it was certainly a priority of House Republicans, to remove the penalty on marriage. I often introduced a couple from Joliet, Illinois, Shad and Michelle Hallihan, who in combined income make about $65,000. Their marriage tax penalty was $1,400 that they paid in higher taxes just because they got married.

Under the Bush tax cut, their marriage tax penalty was eliminated. Now if the Bush tax cut is allowed to expire, Shad and Michelle Hallihan will once again pay higher taxes just because they are married. Their child, Ben, who is 2, they got married about the time we introduced the legislation, the child was about a year old by the time the Bush tax cut was signed into law. When the Bush tax cut expires, when Ben is 11 or 12, that is $1,400 less that Shad and Michelle Hallihan are going to have to be able to set into their education savings account.

Let me give an example of another couple from Joliet, Illinois, Jose and Magdalene Castillo. They are both laborers in Joliet, Illinois. They have two children, Eduardo and Carolina. They suffer the marriage tax penalty as well. They make about $85,000 a year. Jose makes about $57,000 in his building trade construction-related job, and Magdalene makes about $25,000. With their combined income and the way the marriage tax penalty works for the Castillos is by being married, they file jointly. When you are single, you file as two singles. But when you marry, you file jointly, which means you combine your income. That usually pushes one into a higher tax bracket. For the Castillos, for Jose and Magdalene, they paid $1,100 in higher taxes just because they were married.

Now, if our colleagues in this House of Representatives vote this week against making the Bush tax cut permanent, Jose and Magdalene Castillo are going to end up paying higher taxes once again when the Bush tax cut expires. I believe that is wrong, and I believe the majority of this House thinks it is wrong and unfair that if the Bush tax cut were to expire that couples like Jose and Magdalene Castillo and Shad and Michelle Hallihan would pay higher taxes just because they are married.

We have two leaders that are here in the House that have been leaders on issues so important when it comes to helping working Americans. I would like to yield to the gentleman from Indiana (Mr. KERNS), who has been one of the leaders and one of my partners in eliminating the marriage tax penalty.

Mr. KERNS. Mr. Speaker, I rise today in support of the legislation to make the elimination of the marriage tax permanent. One of my top priorities when I came to Congress was to eliminate the marriage tax penalty, a penalty that unfairly punishes hard-working men and women for entering into marriage, a fundamental institution of our Nation.

I have worked closely with the gentleman from Illinois (Mr. WELLER), who has been a leader of this Nation on this issue. I was a chief cosponsor of this bill to end the marriage tax penalty, and it has been moving forward steadily, but we do not have the job done yet. We succeeded in passing marriage tax relief; but after 10 years, the marriage tax penalty returns. Imagine that, our Federal Tax Code would once again punish married couples. That is why we are here today, to stand up for families, to call for the final end to this unfair penalty that singles out married couples. Simply put, the elimination of the marriage tax penalty helps families. This is legislation that will provide relief to nearly 43 million married couples. It will save the average married couple $2,720. If we do not make this elimination of the marriage tax penalty permanent, Congress will be raising taxes on families. We should allow families to keep more of their hard-earned dollars and to save and use as they choose. The government should not be in the business of discouraging marriage.

For that same reason, the permanent repeal of the death tax is also sound public policy. People work hard all of their lives it save and pass along something for their families, perhaps a farm or a small business to their children and grandchildren. It is wrong for the Federal Government to punish those families for their hard work and success. While we took a step in the right direction of ending the Federal estate tax, it, too, like the marriage tax, returns after 10 years. How can we expect the American people to plan for the future with the threat of the death tax returning after a few years looming overhead?

We must continue to protect and preserve the family farm and small businesses by making repeal of the death tax permanent. Mr. Speaker, we must make the elimination of the marriage tax and the elimination of the death tax permanent. If we do not, Congress will be increasing taxes on families. Let us work toward a more family-friendly Federal Government. Let us have a more family-friendly Congress. Let us end these burdensome taxes once and for all.

Mr. WELLER. Mr. Speaker, I thank the gentleman from Indiana (Mr. KERNS), who as a freshman has been a real leader in his efforts to eliminate the marriage tax penalty and working with President Bush and the gentleman from Illinois (Mr. HASTERT) and ensuring that a key part of the Bush tax cut included what we consider to be the most unfair tax of all, and that is the tax on the institution of marriage, one of society's most basic institutions.

Mr. Speaker, I yield to the gentleman from Missouri (Mr. HULSHOF).

Mr. HULSHOF. Mr. Speaker, what an appropriate time for us to really continue this debate that we began a year ago last spring when we, this body, voted in a bipartisan way to enact some significant tax relief.

Mr. Speaker, yesterday was in fact tax day; and always there are jokes that sort of go around April 15. My favorite happens to be an old Farmer's Almanac saying if Patrick Henry thought taxation without representation was bad, he ought to see it with representation.

As one of the members of the Committee on Ways and Means that insists on doing my own taxes, and I did not deny myself that enjoyment over the weekend, I was thinking what can we do to make the Tax Code simpler and fairer. As my seat mate on the Committee on Ways and Means, the gentleman from Illinois (Mr. WELLER) has done so admirably, and over these months I feel as if I know quite well Shad and Michelle Hallihan because the gentleman tells their story so frequently on the House floor.

As we set this debate up, Mr. Speaker, first of all, why is this vote necessary? Why is it that we are talking about permanence or the lack of permanence with what Congress did last summer? It is interesting to note, I think, that tax increases are always permanent. I think back, we had a debate recently about the Spanish-American war tax, a tax on luxury telephones back in 1898 to help pay for the war effort, and later the World War I effort. That tax still exists today.

I think of the inheritance tax that was enacted back in 1916; it still exists today. It is a permanent tax. Even the tax increases of 1993, I know the Democratic colleagues are proud to point out that tax increase passed without one single Republican vote; and a lot of those items called deficit reduction tax still exist today.

So it is ironic when we are talking about tax increases; they are always

permanent. And yet when it comes to tax decreases, that is letting Americans keep more of their hard-earned money, we have to go through yeomen effort to try to make those tax cuts permanent.

I have had constituents who asked me why was this sunset placed on the bill. Well, there were procedural rules. When this tax relief measure made it to the other body, there were opponents to the bill which threatened to filibuster the bill and institute a lot of arcane budget rules unless this sunset were added. There is no public policy rationale behind this sunset. It was simply an effort to avoid a procedural roadblock in the United States Senate. I do not believe that American taxpayers should be held hostage to arcane Senate budget rules. From that policy perspective, I think it is important that we vote in favor of permanence.

Mr. WELLER. Mr. Speaker, say that the Bush tax cut were to expire and the House and the Senate were to fail to pass legislation to make permanent the Bush tax cut, eliminating the marriage penalty, wiping out the death tax, across-the-board tax reductions, helping low-income families, creating a much lower tax bracket for low-income families, would you consider that a tax increase?

Mr. HULSHOF. Mr. Speaker, there is no question about it. There was some discussion already that certain Senators were talking earlier in the year about suspending this year's tax relief and capturing those monies for additional spending. There was some discussion about whether suspending those tax cuts would in fact be a tax increase or not. Putting that aside, clearly on January 1, 2011, if Congress fails to act, we will see a significant income tax hike of billions of dollars on America's families, just as some of those that the gentleman mentioned in his congressional district.

I know that the gentleman from Indiana (Mr. KERNS) earlier was talking about the death tax and marriage penalty relief, and I see my cosponsor of H.R. 2316, the gentleman from Wisconsin (Mr. RYAN), is here; and I look forward to hearing what he has to say.

In today's Wall Street Journal there was an editorial in favor of permanence, and it was focusing on making the death tax repeal permanent. I absolutely agree with that, but I think the entire tax relief measure that we enacted in this Congress last year, all of those provisions, should be made permanent. Here is why:

There are so many sole proprietors, small businesses in America, in fact, the majority of small businesses in America that actually pay the individual income tax rate. In other words, they did not pay the corporate income tax rate, but instead because they are sole proprietorships and partnerships, perhaps they are subchapter S corporations, they have the benefit of this individual income tax rate that they pay each April 15. As these income tax rates are reduced, and when they are fully phased in in 2006, small businesses are going to have additional resources for fostering economic growth and development. In other words, they capture that money that normally they would pay to the Federal Government, they get to reinvest it in their businesses which creates more jobs, provides additional spending power for those people who work for those small businesses. For then to say, to pull the rug out from underneath them on January 1, 2011, and say well, we know that you have enjoyed low tax rates of the last couple year, but on New Year's Day of 2011, these tax rates go back to the pre-2001 level, that is a significant income tax hike.

It is for policy reasons that I think this body should act, and certainly I would call on all of those from both sides of the aisle that supported this bill a year ago. I think there were 28 Democrats who joined us in this bipartisan vote. If it was good policy then, it remains good policy now.

Mr. WELLER. Mr. Speaker, reclaiming my time, I thank the gentleman from Missouri for his leadership and helping small businesses and agriculture. Seventy-nine percent of those who benefit from the rate reduction at the top bracket, as the gentleman pointed out, are self-employed entrepreneurs and small business people. They are not rich people. These are folks down on Main Street.

□ 2015

They are real people that work hard, struggle to employ their neighbors and, of course, benefit when we lower the tax rate because, frankly, making permanent the Bush tax cut is also good for the economy.

One thing I have heard time and time again from businesspeople and entrepreneurs and small businesspeople and farmers is that when they know there is a provision in the Tax Code that affects them and it is permanent, they are more inclined to make long-term investment decisions. When the consequences are short-term, they are hesitant. So if we really want to get this economy moving again, it is one more reason to make permanent the Bush tax cut.

We have been joined by the gentleman from Wisconsin (Mr. RYAN), a colleague of ours on the Committee on Ways and Means, someone who is one of the thinkers in the House when it comes to understanding policy and understanding also what it means for small business and for farmers and for working people in every community in America. I yield to the gentleman from Wisconsin.

Mr. RYAN of Wisconsin. I thank the gentleman from Illinois for yielding. First before I contribute, I would like to thank the two of you gentlemen for your leadership on this issue. This is my first year on the Committee on Ways and Means. I have long known about the gentleman from Illinois' work on repealing the marriage penalty. He is the reason the marriage penalty is repealed in this legislation. He deserves the credit for that. And the gentleman from Missouri (Mr. HULSHOF) who is my lead partner on this bill is the leading advocate for agriculture and tax policy and helping farmers, in Congress, I would add. I want to thank him for allowing me to join him in proposing this legislation and being his coauthor on this legislation to make this tax cut permanent.

I have been watching the debate. It seems that you can wrap it up into four big issues. This tax bill, which we all worked very hard to pass, the President proposed, we worked on it in the Committee on Ways and Means, we passed it bipartisanly through the House, through the Senate and got it signed into law, this tax cut fixes four big inequities. It brings fairness to four major issues.

As the gentleman from Illinois has championed, it brought fairness to the issue of the marriage penalty. It reduced and repealed the marriage tax penalty. But it did many other things. On the retirement end, we have a pension system that before this tax bill was written at a time in our pension laws, in our economy, when people did not change jobs that much. What we did in this bill was update our pension laws so people could move their pensions with them as they change jobs. We fixed a lot of the problems that have been experienced with the Tax Code in the new economy. They have been fixed in this bill.

We increased the act for businesses to offer higher 401(k) matches to their employees. We increased the cap on 401(k)s. We increased the cap on IRAs from $2,000 to $5,000. That is another big problem, a big fairness issue that we restored in this bill. We also repealed the estate tax, a tax that has been the single greatest killer of the transfer of family farms and small businesses on to the next generation. And what we did in income tax rates, and as you gentlemen mentioned, almost 80 percent of the top rate bracket filers file as individuals, meaning the small businessmen and women of America are not corporations, they are not C corps, they do not file their taxes as large corporations, they file their taxes as subchapter S corps, as sole proprietorships. Therefore, they pay individual tax rates.

What happens right now under the tax law, we are taxing small businesses at a rate higher than we tax the largest corporations. So the small business men and women of America on Main Street USA, in the barber shops, and all the small manufacturers, they were being taxed before this tax bill at nearly 40 percent, while we were taxing the largest corporations of America, IBM, General Motors, Chrysler at 35 percent. This tax bill lowers that small business tax rate to the same tax rate as large corporations.

Mr. WELLER. Let me ask the gentleman this question. Are you telling me that prior to the Bush tax cut, that self-employed people, entrepreneurs, small businesspeople actually paid at a higher tax rate than IBM or any other major corporations?

Mr. RYAN of Wisconsin. That is exactly right. That is one of the injustices, one of the fairness issues we fixed in this tax bill. We finally lowered the small business tax rate to be equal with the corporate tax rate. Because before this tax cut, it was higher than that. Not only do we help Americans save for their retirement, not only do we repeal the estate tax in this bill, the single greatest killer of transfer of your business to the next generation, not only did we repeal the marriage penalty and not only did we lower the small business tax rate to that level of the large corporate tax rate, what we did was we helped people reinvest in their businesses, we helped people keep more of their own money.

What is going to happen if this legislation to make this tax cut permanent does not pass is we will be imposing on January 1, 2011, the single largest tax increase in American history in any given year. We are going to impose on the American taxpayer a $125 billion tax increase that year.

So, for example, if you are a small business owner or a family farmer and your estate is worth, they say, $3 million, there are a lot of small family farms in Wisconsin that are worth well more than $3 million. They have a lot of assets locked up in combines, in land, in barns and other kinds of things. If you are a small business owner and you own some kind of small distribution business, you have some vans and trucks and a factory, $3 million can add up very quickly. If you died in the year 2010, you do not pay an estate tax. That is the correct way to do it, because you already paid taxes on all the money you earned while you were living. But if that person with the $3 million estate dies on January 1, 2011, that person is going to have to pay $800,000 in estate tax. Just think of this. If you die in the year 2010 when the estate tax is repealed, no tax. If you die the next year, $800,000.

Mr. WELLER. I represent the south side of Chicago and the south suburbs, of course, an area that is going from farmland to subdivision in many cases. We have a lot of family farmers in the Frankfurt and Mokena area, in the Manhattan area in Will County, and they would like to stay in the farming business. But many of them have told me the story of when grandpa died, because the value of that land for development purposes, even though they wanted to keep it in the family farm, continue farming it, keep it in open space, because they like farming and it is a family business, because of the estate tax and the value of that land if they sold it to somebody who would develop it and build houses or put a factory there, turn it into an industrial park, they were forced to sell off a piece of grandpa's farm in order to pay the estate tax.

So if you care about open space, about urban conservation, farmland and urban sprawl and frankly the environment, you should work for the elimination of the death tax. I know that was one of the arguments I heard many times from the farmers in my suburban area, if you care about the environment, about open space and the preservation of farmland, you want to eliminate the death tax.

Mr. HULSHOF. I would like to amplify the point by my colleague from Wisconsin and coauthor of this bill to sunset the sunset. It is interesting that a New York Times columnist, as he was commenting on the work that we had done, and finally we were moving toward repeal of the death tax, but as the gentleman noted, for a single year, 2010, and this New York Times columnist dubbed what we had done, the ''throw momma from the train act,'' because the only way to take full advantage of the death tax repeal was to throw momma from the train in the year 2010 because on January 1 of the next year, then here comes the death tax springing out of the grave, coming back to life.

Mr. RYAN of Wisconsin. I appreciate that comment. That is what is so crazy about this arcane rule in the other body that was forced into this legislation that sunset this tax cut in the year 2011. If this legislation that we are now proposing does not pass, on the year 2011, the estate tax goes from zero to 55 percent. The education IRAs go from a $2,000 limit back down to $500. The IRAs, individual retirement accounts, go from a $5,000 per year limit back down to $2,000. 401(k)s go back from $15,000 per year down to $10,500. The marriage tax penalty comes back to haunt us. All of those things that we will have been accustomed to over the decade, all of those tax inequities, marriage tax penalty, estate tax, taxing small businesses at a higher rate than corporations, all will come back in that one year to sock it to the American economy. That is one thing that I think we need to bear in mind.

What is this going to do to our economy? I hear it from so many small business members and entrepreneurs and farmers in my district, that they say, we cannot plan appropriately for the future. There is so much hesitancy built into the marketplace all across America because they do not know as small business men and women whether they can bank on the fact that these tax laws are going to be made permanent. So they withhold that investment. They do not take that extra risk. The bank will not give them credit because they do not know what is going to happen in the future with respect to tax law. So we see a hesitancy built into the marketplace. That means less risk, less job creation, less economic growth.

Mr. HULSHOF. As we have already begun to debate this and as representatives of the media have begun to inquire about the bill being on the floor this week, and one question that I think we have to continue to answer this week as we move forward the bill's consideration on Thursday is why are we taking up the bill now? If we are talking about something, the sunset actually not taking effect until January 1 of 2011, why consider the bill now?

I think the gentleman has, in part, answered the question, because if you are a small businessperson, certainty in the Tax Code is appropriate as you make long-term decisions about your own business. Moreover, especially the death tax. You cannot legitimately plan or have an estate plan based upon the uncertainty of the death tax being gone today and back tomorrow. And so that certainty is necessary. I would say to those green eyeshade wearers in this body, I do not mean to denigrate because there are fiscal considerations to this as well, but I was informed by one of the media representatives today that the Senate majority leader said that a vote on permanence would be fiscally irresponsible. And so I want to answer with certain budget numbers, that this is fiscally responsible. If we were to enact permanence to the tax cut of a year ago, the revenue impact would be $374 billion over the next 10 years. The amount, the most recent projection by the Congressional Budget Office, that is, our bookkeepers for the House, propose that over that same period of time, we will be taking in a surplus of $2.332 trillion. And so this really, as far as the fiscalness of what we are taking up, is appropriate.

I think, again, the worst thing we could do is allow these tax items, the many tax relief measures that we have been talking about, to somehow allow them to be what we know in parlance to be called extenders, that is, just as they are getting ready to expire, maybe giving another 2 or 3-year extension of that tax cut. Again, I think that just breeds a lot of uncertainty.

And so from a policy perspective, I think it is so vitally important that we enact this permanence.

Getting away from the numbers, if the gentleman would permit me just another minute or so, I do not have a photograph, but a family that has actually been portrayed, I think, in USA Today and some other national publications is the Eiffert family. Howard Eiffert, the constituent, is from Columbia, Missouri. Howard Eiffert began a lumber business back about 37 years ago. He has two sons now, Brad and Greg. Brad and Greg Eiffert are running the lumber business. It is a fairly small business. It employs about 32 people. Yet they are so concerned about the estate tax or the death tax that they have reported that annually they contribute between $30,000 and $35,000 a year to purchase an insurance policy on the life of Howard Eiffert, the founder of this company, in the event that he were to meet his demise in that year and that insurance policy then

would pay the Federal Government this estate tax bill.

Brad and Greg, who now run this company, have expressed to me so many times, and very passionately, think of what that business could do with another 30 to $35,000 a year. It could be a well-paying job for another employee every year. It could be maybe another piece of equipment. It could be adding on to their warehouse where they keep the lumber and their inventory. It could be a lot of things. But unless we make the death tax permanent, unless we take this entire tax cut of a year ago and make that tax cut permanent, there is going to be this continued uncertainty, which is a drain on our small businesses across the country. That is why I hope for a good vote this week.

□ 2030

Mr. RYAN of Wisconsin. I want to point out also the score the gentleman mentioned, the revenue cost that is assumed by the Congressional Budget Office. What is interesting about that score is not so much that it is $374 billion out of a surplus of $2.3 trillion. It is that that is the most dour and pessimistic, conservative score anybody could come up with, because that score assumes that people will not change their behavior when their taxes are cut.

That score denies the assumption that if we lock in permanency we are going to unleash a lot of investment out there. When we lock in certainty to the small American businessman and businesswoman and entrepreneur, that, yes, this tax law is permanent and now you can move on with certainty to expand your job and invest, that we are going to get positive economic growth out of that, I believe that the economic positive benefits we are going to get out of this bill will more than make up for a lot of the revenue costs we are assuming.

They assume no one makes a change if their taxes are changed. They assume no positive economic growth is derived from a lowering of marginal income tax rates or repeal of the estate tax. They just assume it is a loss of revenue to the government.

So even though we now can point out that the loss of revenue according to our budget keepers is minuscule in comparison to the size of the surplus over the decade, they do not point out all of those positive economic benefits, the jobs that will be created, the investment that will be unleashed, by making certainty in this tax bill.

Mr. WELLER. Reclaiming my time, again I want to commend the gentleman from Missouri (Mr. HULSHOF) and the gentleman from Wisconsin (Mr. RYAN) for their leadership on making permanent what we call the Bush tax cut and what the real impact is on families.

When we think about it, voting against permanency is a tax increase. It is a tax increase on millions of Americans. The Bush tax cut actually provides help for 100 million Americans who benefited from the Bush tax cuts: across-the-board rate reductions, which helped everyone who pays taxes; elimination of the marriage tax penalty; elimination of the death tax; doubling the child tax credit; increased opportunity for retirement savings and saving for education.

If you vote against making it permanent, you are really voting to put the marriage tax penalty back on Jose and Magdalene Castillo, or Shad and Michelle Hallihan and 28 million other married working couples across America who pay higher taxes, or the hundreds of thousands of small businesses and family farms that are in jeopardy of moving on to the next generation because of the death tax; and if we fail to make permanent the elimination of the death tax, we put it back in place, jeopardizing the future of the family farm and the family business.

If you care about retirement savings, well, if you vote against making permanent the Bush tax cut, you better save every dime that you are capable of doing right now, because in 2011 you will go back to $500, versus the $2,000 for education savings accounts, or $2,000 versus $5,000 for your IRA. Those are tax increases.

Some are going to argue that we should not make it permanent because they want to spend the money. They think it is better that we collect that money and reimpose those taxes and collect that money and spend it here in Washington, because Washington can better spend the folks back home's hard-earned dollars better than they can.

I was so proud of the leadership of President Bush, and I was so proud of the leadership of Speaker HASTERT and the Republican majority in this House and moving through the Bush tax cut, because, similar to the Kennedy and Reagan tax cuts, this tax cut is meaningful. One hundred million Americans benefit.

Again, let me share those statistics of who benefits from the Bush tax cut and our efforts to make it permanent. Again, 100 million individuals and families pay lower taxes because of the Bush tax cut. If we fail to make it permanent, their taxes go up.

Forty-three million married couples see their taxes reduced on average by more than $1,700 a year. If you vote against making the Bush tax cut term permanent, you are reimposing a marriage tax penalties on Jose and Magdalene Castillo, who right now save about $1,125 a year because of marriage tax penalty relief.

Thirty-eight million families a year with children, Jose and Magdalene are an example here with Eduardo and Carolina, they benefit from the child tax credit as well. If you fail to make the Bush tax cut permanent, you take that away from them and raise their taxes on their kids. That is wrong.

I have a note that 13 million senior citizens have seen their taxes reduced under the Bush tax cut on average by $920, and 3.9 million taxpayers, including 3 million taxpayers with children, had their tax liability to the Federal Government completely, completely wiped out.

Mr. RYAN of Wisconsin. If the gentleman will yield on that point, what was that number again?

Mr. WELLER. Three million families with children no longer pay Federal income taxes because of the Bush tax cut.

Mr. RYAN of Wisconsin. Under the Bush tax cut, over 3 million families are being taken off the Federal income tax roles and would be put back on, they would have new taxes reimposed back on them, if this tax bill is not made permanent?

Mr. WELLER. Reclaiming my time, the gentleman from Wisconsin is absolutely right. Three million families with children would be placed back on the tax rolls, and 3.9 million taxpayers would be placed back on the tax rolls.

Mr. RYAN of Wisconsin. Three million families hit with a new tax in the year 2011.

Mr. WELLER. Yes. The gentleman from Wisconsin is absolutely correct. If you think about it, who are those families? Who are those individuals? They are low-income Americans. The biggest beneficiaries of the Bush tax cut, what we passed this past year, were low-income families, because low-income families saw the biggest portion of their taxes wiped out. If you think about it, 3 million Americans with children who previously had paid taxes no longer pay Federal taxes. That is total simplification of their taxes. They no longer have to pay taxes.

What happens to the money that would have come to Washington? They can spend it back home in Janesville, Wisconsin, and Morris, Illinois, and Columbia, Missouri, fine communities, where there are hard-working people who can better spend their hard-earned dollars better than we can for them and take care of their families' needs, and maybe buy some new clothes for the kids to go to school, or make an addition on to the family house, build an extra bedroom for the children. They have all been bunking together, and they are getting older and they want to put an addition on the house. So they can afford to do it with the Bush tax cut. But if you vote against permanency, you are reimposing that and hurting those 3.9 million families who no longer pay taxes because of the Bush tax cut.

I would like to ask the gentleman from Missouri, and be happy to yield, you have also been one of the leaders on retirement savings. Of course, the Bush tax cut built upon a lot of the work done by our colleague, the gentleman from Ohio (Mr. PORTMAN), and many others who have worked so hard to increase the opportunity for small businesses to offer additional retirement savings opportunities for their workers, and also for individuals to be able to set aside money in their IRAs.

I would be happy to yield to the gentleman to explain that portion of the Bush tax cut.

Mr. HULSHOF. I appreciate the gentleman yielding.

What is interesting about our Tax Code is it really does punish those who wish to save and invest. There are so many other nations that have a higher savings rate than the United States of America because we have built into our code, in fact, I am so familiar again with my 1040, having just spent so much time with it, line 8 of your 1040 says what was your interest income, put that here, because we are going to tax it. A lot of nations do not do that.

So we have tried in various ways to help American families, especially as they look way down the road at retirement. We have a vexing problem ahead of us as far as the baby boomers retiring and the future solvency of Social Security. That is an issue for another day.

But what we have done over the course of Congress, since 1997, as the gentleman recalls the significant tax relief that we passed back in 1997, that was actually signed into law by then President Clinton, we created some additional savings vehicles and tried to expand the opportunities for families to put money aside in 401(k) plans, or, as the gentleman knows, really a pet issue of mine, to help parents save for their childrens' education. Back in 1997, the idea was created of an education savings accounts. Now we have the ability, because of last summer's tax cut, the Bush tax cut, as the gentleman has referred to it, we have now given more flexibility to families to put money, or even neighbors or churches or businesses, to put money into a family's education account in the name of their child.

It used to be pretty strict as to what that education account could be used for. Now we have some flexibility. Not only can you contribute more money into it, up to $2,000 a year, but it is not just for those students, those children who go to public college. It could be used for any educational expense for any child. It could be K through 12. It could be a tutor at school if you are having trouble with 4th grade math. It could be a computer program, it could be a foreign language skill or some help in that regard. It can be anything to help educate our kids.

So this was a tremendous change, a positive change. We called it the Coverdell account in honor of the late Senator from Georgia who had first created this idea back in 1997 of putting aside money and letting the interest that is built up be tax free.

I hesitate to think, I shudder to think, that if we do not make this tax cut permanent, that that flexibility is gone, the ability to contribute money into that education account, up to $2,000 a year, is gone.

So the number of positive tax changes that we have helped create, in a bipartisan way, friends across the aisle have helped vote for it, worked for some of these items, those items would be no longer in the Tax Code. That positive tax relief would be obliterated if this House and Congress do not act to make the tax cut permanent.

Mr. WELLER. Reclaiming my time, again, I salute the gentleman from Missouri for his leadership in helping expand education savings accounts. I think of thousands of families in the district that I represent, the South Side of Chicago and the south suburbs, who now have the opportunity, thanks to your leadership, to be able to set aside money for elementary and secondary education, schools of their choice, or else for other expenses affecting their child's education.

In the past it was only for college and you could only set aside $500; but under the gentleman's leadership, you can set aside up to $2,000. Think about that. When a child turns 18, if you could only set aside $500, that is $9,000. Well, we all know what college costs today, and that would not go very far at a year's tuition at most universities across this country.

But thanks to the gentleman's leadership, now they would be able to set aside $2,000 a year and potentially have up to $36,000 that they could save and set aside for college, if they do not spend any of that for elementary or secondary education.

So I commend the gentleman for his leadership. That means a lot to the people of the south suburbs, towns in Joliet and elsewhere.

We have been joined by my other seatmate on the Committee on Ways and Means, a classmate of mine. I remember when the gentleman from Arizona (Mr. HAYWORTH) and I were elected to Congress. Of course, we were working on the Contract with America, and a key part of the Contract with America was lowering taxes for families. Of course, part of Contract with America was eliminating the marriage tax penalty, creating a new adoption tax credit, creating a new child tax credit.

Thanks to the leadership of many, and particularly the gentleman from Arizona, we created that new adoption tax credit. Of course, we expand it in the Bush tax cut and make it bigger. And we created the child tax credit as part of the Contract with America, and we have doubled that under the Bush tax cut. If we fail to make it permanent, we lose it. It is taken away.

I would be happy to yield to the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Speaker, I thank my colleague from Illinois, Mr. Speaker; and I thank my other colleagues the Committee on Ways and Means, the gentleman from Missouri and the gentleman from Wisconsin, for joining us this evening.

In listening to my friend from Missouri speak about the different opportunities, I was struck by really two themes running through his discourse. One is the notion of flexibility and freedom, and the other a basic philosophy that we really need to change, and we have played a great role in changing it, and that is the notion that people should not be punished for succeeding; that they should have the possibilities economically to deal with whatever challenges confront them in life.

My friend from Missouri talked about educational tax credits, and certainly our heart goes out not only to those who are planning for college, but children with special needs, the opportunity to help parents of a Down's Syndrome child, provide educational opportunities through the Tax Code to enhance their options and flexibility, not to wait upon the largesse of government, but to utilize their own money for their own legitimate interests and their own timetable.

That is really what it comes down to, to transfer money, power and influence out of the hands of a bureaucracy, an impersonal bureaucracy in Washington, D.C. and understand that the money utilized does not belong to the Federal Government.

I look and I see my friend from Arizona serving tonight as Speaker pro tem. Last night we were at the State Capital in Phoenix discussing the realization that the money people gave voluntarily April 15 is their money.

□ 2045

They give to the Federal Government ''voluntarily.'' When we allow people to have more of their own money to save, spend, and invest as they see fit, things work better for them, and government actually works better.

The other thing that my colleagues have talked about tonight is the bipartisan nature of this historically. Think back to recent history. Four decades ago it was Jack Kennedy who said, let us reduce the marginal tax rates; in his words, ''a rising tide lifts all boats.'' Two decades ago it was President Ronald Reagan who suggested the same thing, and then just last year, working with our current President, George W. Bush, we were able to again enact marginal rate reductions.

Now, here is something, and this is one of the things I lament in the way Washington works. Given the arcana of the budget and the way we predict things here, it is very Washington-centric. We take a look at what is called a static model. We fail to take into account growth in revenues to the Federal Government. It is a historical fact that under Jack Kennedy and under Ronald Reagan, when we reduced the tax rates, revenues actually increased to the Federal Government.

The gentleman from Arizona in the Chair tonight made the point last night at the State capital. And, we recall this as members of the Committee on Ways and Means in 1997 when we, through cheerful persistence, persuaded a reluctant President to join us in a reduction in the top rate of capital

gains taxation, especially for primary residences that cost less than $600,000, and what that meant to housing starts and new home sales and just a change in the real estate market.

But it was very interesting; the gentleman from Arizona, the Speaker pro tempore tonight, made the point that the forecasters, the estimators said that that capital gains rate reduction was going to cost the Federal Government. Yet, the reality is in terms of revenue accrued, it has been a triple-digit winner. Revenue has been produced. Why? Because it is a simple notion, regardless of party affiliation. The simple fact that the budgeteers do not want to recognize is this: reduction in tax rates leads to economic activity, leads to job creation, especially when we reduce the capital gains rate, leads to capital formation and the use of capital, putting it to work. When we do that in an economy, a people prosper. Indeed, one magazine in town asked our friends on the left if they were really concerned about revenues to the government, perhaps they should join us in asking for tax reductions because overall revenues increase, based on economic activity.

So it is simple self-interest, not selfishness, but a chance just as President Kennedy said in the 1960s, that a rising tide lifts all the boats, and as President Reagan said in the 1980s, that people can save, spend, and invest their money as they see fit, rather than keeping Washington in charge, or as President Bush said in Iowa yesterday: expand the recovery, take the lesson that we learned in the economic downturn, and even in the wake of the dark days, in the aftermath of 9–11 and the uncertainty we confronted then, and move to make the marginal tax relief and the other provisions that my colleagues have discussed tonight, Mr. Speaker, move to make that permanent so that we can continue to grow this economy and people will have the freedom and the flexibility to choose what is right for them, and they will not wait upon government programs for improvement, with educational opportunities, especially for those children with special needs, with the purchase of a home, with the starting of a business, with the raising of a family; indeed, every facet of American life, give people the freedom to recognize the money belongs to them.

Mr. Speaker, we made substantive changes in the Tax Code and it is a start, but we need to follow the call of our Commander in Chief who asks now that we finish the job, that we make these rate reductions permanent, so that the economic renaissance and the rebuilding and the restoration of our economic conditions toward greatness can continue. I thank the gentleman.

Mr. WELLER. Mr. Speaker, I would be happy to yield some additional time to the gentleman from Arizona, and I would like to ask the gentleman from Arizona a question. We have been noting in our conversation here about the 100 million Americans who benefit from what we call the Bush tax cut and that, of course, is the fact that there are 3 million Americans who, under the Bush tax cut, no longer pay Federal taxes, low-income families. Of course, if we fail to make it permanent, those low-income families are taxed once again, and that 79 percent of those who benefit from the top rate reduction are small business entrepreneurs. I am happy to yield the remaining time to the gentleman from Arizona.

Mr. HAYWORTH. Mr. Speaker, one fact which we should remember and which should give every Member of this House pause, if we fail to make these tax cuts permanent, then a decade hence, we will see the largest tax increase in American history eclipsing what we saw in 1993 under former President Clinton.

Mr. WELLER. Mr. Speaker, in closing, again, we have a very important vote on Thursday. Thursday morning this House of Representatives is going to cast a vote on whether or not to make what we call the Bush tax cut permanent. A vote against permanency is a vote for the biggest tax increase in the history of our Nation, or do we continue to help those 100 million Americans who benefit from the Bush tax cut who see their rates reduced, 3 million Americans who no longer pay taxes, couples such as Jose and Magdalene Castillo who will no longer pay the marriage tax penalty, but if the tax cut expires, they will once again, because people like the Castillos from Joliette, Illinois will once again pay the marriage tax penalty. Let us make it permanent. Let us do the right thing. Let us prevent the world's largest tax increase.

RAISING THE FEDERAL DEBT LIMIT

The SPEAKER pro tempore (Mr. JOHNSON of Illinois). Under the Speaker's announced policy of January 3, 2001, the gentleman from Indiana (Mr. HILL) is recognized for 60 minutes as the designee of the minority leader.

Mr. HILL. Mr. Speaker, this evening the Blue Dog Coalition will once again be discussing the administration's request that Congress raise the Federal debt limit, and that is what we want to talk about this evening. The Blue Dog Coalition, for those who are listening, is a group of about 30 Democrats who believe it is important for the Federal Government to be fiscally responsible; in other words, not to spend more money than it takes in. I think the American people, with their families, try to practice their own home budgets in the same way, and the Blue Dog Democrats have adopted this principle. Balancing our budgets helps us keep interest rates lower so that businesses and families can borrow money at lower interest rates. It is the only right and common sense thing to do. The Blue Dogs tonight want to talk about some problems that are going on with our present Federal budget that I think the American people need to hear.

This past August, Secretary of the Treasury O'Neill wrote the first of three letters to Congress requesting an increase in the debt limit. In these letters, he asked for a $750 billion increase. None of these letters, however, mentioned how long $750 billion would keep the Federal Government in the clear. More important, none of the letters recognized the irresponsibility inherent in asking Congress to hand the administration a three-quarters of a trillion dollar blank check without also requiring it to explain how we are going to get back to balanced budgets and a Social Security surplus that is off limits.

Many of my Blue Dog colleagues have pointed out on past Tuesdays that the Federal debt limit is a lot like the credit limit on any credit card used by any American. The difference in this example is that the administration has hit its credit limit at $5.95 trillion dollars, but not indicated a willingness to examine its own fiscal policies. Few things in life are certain, but I feel confident in saying that the average family in southern Indiana, if faced with a maxed out credit card, would step back for a moment and figure out how he is going to pay it off.

In early April, Secretary O'Neill sent another letter to Congress. This time he was writing to inform Senate and House leaders that he was tapping Federal Government retiree accounts, let me repeat that again, that he was tapping Federal Government retiree accounts in order to give the Federal Government the breathing room it needs to continue to meet its spending obligations.

Now, Mr. Speaker, in the private world, if a business tried to raid its pension fund and was found guilty of doing that, they would go to jail, but here we are doing a similar thing with government retiree accounts in order to give the government the breathing room it needs to continue to meet its spending obligations.

Six years ago, 225 members of the majority party voted to reprimand and prohibit then-Secretary of the Treasury, Robert Rubin, from taking these same actions. Now, one could argue that the old saying, what is good for the goose is good for the gander is in order here. Even if one-quarter of the 147 who remain in the House had been moved to action by Secretary O'Neill's recent maneuver, there is little doubt in my mind that together we would have already sat down to discuss some kind of compromise, a plan to, one, raise the debt limit enough to get the government through this fiscal year; and two, to get our budget back in balance without relying on Social Security surpluses.

Historically, partisan squabbling has characterized the debate over whether to increase the Federal debt limit. There are many Blue Dogs, however,

who would like to put an end to political gamesmanship and get down to business. We do not believe in political brinkmanship, especially when the ability of the United States Government to continue to meet its lawful financial obligations is on the line.

No one among us is suggesting that the Federal Government be allowed to default on its debt. Secretary O'Neill's recent tapping of the Federal employee retirement funds, however, does not change the fact that we are bumping up against the debt ceiling. In fact, action is still needed and the Secretary now has one less accounting trick up his sleeve. As of this evening, the administration has put only one option on the table: raise the debt limit by three-quarters of a trillion dollars. That is it; that is the only option.

In early 2001, it was projected that the debt limit would not need raising until 2008. Let me repeat that. In early 2001, last year, it was projected that the debt limit would not need raising until 2008. Even though the administration has requested an increase in the debt limit far sooner than we expected, there has been no talk about its evaluating its own budget policies, no talk about fashioning a plan to get back to a balanced budget without using the Social Security surpluses, and no talk that maybe, just maybe, we have a problem here that needs to be dealt with.

The basic Blue Dog position has not changed. We still say that along with any action on the debt limit must come a recognition that we have a problem and a plan to correct that problem.

The current budget situation is like the elephant living in the living room. He is there and he is larger than life, but very few, if any, of our colleagues on the other side of this aisle, they will not acknowledge him. Several of my Blue Dog colleagues and I have been, over the past couple of months, trying to alert everyone who will listen, to the elephant's presence. Rest assured that we will keep coming down here to the floor and pointing him out until everyone acknowledges that he exists and he is in the living room.

This elephant, unfortunately, comes with his own set of numbers. In one year, the projected 10-year surplus decreased $4 trillion. The Federal Government will run a deficit, both this year and next year. Because of these deficits, the Federal Government will have to borrow money to pay its bills and, to pay these bills, the government will borrow almost $2 trillion more this decade than was expected when the CBO published its numbers in January of 2000.

□ 2100

All told, by the time the interest payments are added in, the national debt will be almost $3 trillion larger than earlier projected when the 10-year budget closes. And, to top it all off, Social Security surplus dollars will be used to help balance the budget through the end of the decade. This is our problem: The elephant is a fiscal house not in order.

Last year, the Blue Dogs presented a plan that was prudent, fiscally responsible, and dealt with the future of both Social Security and Medicare. Our plan would have cut taxes and paid down the debt. Unfortunately, we were not successful in passing our plan.

Now we are being asked to greenlight an additional three-quarters of a trillion dollars in debt to help implement the plan that carried the day. That is too much to ask when we have not at all yet acknowledged the elephant in our midst.

The conventional wisdom here in Washington is that the long-term increase in the debt limit will be attached to the supplemental appropriations request. This $27 billion supplemental spending request to fund the immediate needs in the war on terrorism is very obviously important. The war is important, and we need to fund it. From the beginning of this war campaign, we have been supportive of doing whatever it takes to make sure our fighting men and women can do their jobs. But pairing an increase in the debt limit to this important bill is not necessary. In fact, it could complicate consideration of the supplemental request.

So as members of the Blue Dog Coalition, we are ready to sit down and work with the administration to come up with a plan to get our budget back in balance without using Social Security surpluses, and provide for a short-term increase in the debt limit. It is time for all of us, Democrats and Republicans, to roll up our sleeves and get the work done.

Mr. Speaker, it is my pleasure to yield to the gentleman from the great State of Utah (Mr. MATHESON), another member of the Blue Dog Coalition, a new member who has done an outstanding job on the Committee on the Budget.

Mr. MATHESON. Mr. Speaker, I thank my colleague, the gentleman from Indiana, for yielding to me, and also I appreciate the very good description he has given of the circumstances we are finding ourselves in.

This is not an easy circumstance. It is a challenge we face. The answers to this challenge are not simple.

If they were simple, we probably would have already taken care of it, but we have not. Instead, we find ourselves in a circumstance where our country has a war on terrorism, our country faces increased requirements in terms of providing for homeland security, and those are issues that we as Blue Dog members support. We fully support that effort.

We are also in a recession. We are hopefully coming out of that recession right now.

But those factors, the increased resources going to the war on terrorism and to homeland security and our country's recession, have clearly put us into a circumstance where right now we are running a deficit this year.

I do not like deficits and I do not like debt. I think most members of the Blue Dog Coalition, in fact, I think all members of the Blue Dog Coalition, would agree with me on that. But we recognize that there are times in the short term where it is appropriate, in extraordinary circumstances. Being at war, in a recession, it is appropriate to see a deficit.

But just like in the business world, there are times when we have a bad year and maybe we put more money out than we pay in revenue; but in the business world, if we keep doing that year after year, we get in trouble.

The problem here is we do not have a plan yet for how we are going to get out of the problem. For the administration to request an increase in the debt limit of $750 billion, I have to tell the Members, we throw a lot of numbers around in this town, but that is a lot of money. To suggest we raise the limit by that much without identifying any plan for how we are going to end this pattern of increased deficit spending, that is just not being responsible, and that is not really what my constituents elected me to do.

I am not here to force this country to face some type of problem that they are not able to pay off their obligations. I would be more than happy to support a short-term limited increase in our debt limit to accommodate the current circumstances we are in, where the war on terrorism and the recession have clearly put us into a deficit situation. I will accept that for the short term. The Blue Dog Coalition is prepared to support a clean, limited increase in the debt ceiling to accommodate that purpose in the short term.

But what we have to have happen along with that is a commitment to sit down and really take on this long-term problem. There are no easy solutions, as I said at the outset. It is going to require a lot of work, a lot of work by people on both sides of the aisle.

That is why I have to suggest that I am really proud to be part of the Blue Dog Coalition, because I think the Blue Dogs really have a reputation for sitting down, rolling up their sleeves, and putting their plan out on the table. We do not try to use a lot of rhetoric, we try to talk about real numbers, and we welcome people to sit down with us and tell us where we are wrong, because we are open to a dialogue and we are open to suggestion. I wish more people in the House would take us up on that offer, because this problem we face right now is a serious one, and it is one that is of great concern.

I look at this issue, quite frankly, as I look at a lot of issues, through the eyes of my 3-year-old son. I try to think about what life is going to be like for him. I think about the extra burden we are placing on his generation as we rack up more and more debt, and a bigger slice.

Do Members know those pie charts we always see, where that slice of the pie that represents interest payments is just going to keep expanding? That is not a future I want to leave for my son. I do not think it is a future anybody in Congress would want to leave for the next generation, and that ought to be the focus that we have right now as we make those decisions.

When we talk about this debt limit issue, I often like to refer to an experience I had before I came to Congress, in the private sector. I worked developing independent power plants, co-generation facilities. I developed a couple of facilities, and each cost $100 million. I had to go out and convince a bank to lend me money to build those power plants. That bank required me to have a story that I could tell them, a story about how, over the long run, they were going to get their money back.

That makes sense. We can all relate to that. Whether we have been in the business world and had to borrow a business loan, or whether we have taken out a home mortgage or a car loan, we have to pass a test. We have to be able to have a story about how I have the capability to pay that back.

We are being asked to raise this debt limit $750 billion, and we do not have that story. We are here as Members of Congress. We are the banker here. We have to represent the people's interest in making sure there is a story about how this is going to be paid back. Until we have that, it is just not responsible. It is not responsible to raise this by $750 billion.

So I am so pleased that the Blue Dog Coalition has made this an issue. We keep coming here to the floor to raise this issue, because we are looking for people to work with. We are looking for an opportunity to sit down and roll up our sleeves.

We recognize the magnitude of this problem and the complexity of this problem. There is no easy way out. We cannot do it alone, so we call on everybody on both sides of the aisle: Please, let us sit down, let us develop a long-term plan. Let us not be irresponsible and just give a blank check to Congress and to the administration to rack up another $750 billion of debt with no way out of that pattern.

Mr. HILL. Mr. Speaker, I thank the gentleman from Utah for an outstanding presentation.

One of the things that I heard the gentleman talking about was that we are not opposed to raising the debt ceiling. There is a war going on, and there are certain responsibilities that we have to think about. That is one of them.

But one of the reasons why I like the Blue Dogs so much is they are a group of Democrats that are responsible. It is responsible to raise the debt ceiling to fight the war, but it is also our responsibility to have some kind of a plan. Right now, there is no plan.

Mr. Speaker, I have come to know the gentleman from Illinois (Mr. PHELPS) very well for the last going on 4 years now, and he is a man with a distinguished record in the Congress of the United States, and one of the outstanding Blue Dogs who feels very strongly about this issue. I yield to the gentleman from Illinois (Mr. PHELPS), a person that I came into Congress with back in 1998, and a person who serves on the Committee on Agriculture and the Committee on the Budget.

Mr. PHELPS. Mr. Speaker, I thank the gentleman for yielding to me. I thank my friend, the gentleman from Indiana, for his leadership and his persistence on this issue.

I would also like to thank my colleagues on the Blue Dog Coalition for giving me the opportunity once again to speak on this important issue.

We, as the fiscal policy leaders of this great Nation, have a responsibility to look out for future generations. How can we say that we are doing our best to look out for our children when we are not keeping our commitment to save the Social Security and Medicare trust fund surpluses?

We need to be fiscally responsible. My Blue Dog colleagues and I realize that. That is why we are spending these hours and these weeks trying to drive this point home.

It should not be hard for others to understand that, as well. Fiscal responsibility does not mean raising the debt limit when we are already in debt by $5.9 trillion. Fiscal responsibility does not mean tapping into the Social Security trust fund to support other government programs every year for the next 10 years, for a total of $1.5 trillion. Fiscal responsibility means working together as a team on both sides of the aisle to get the budget back in check without tampering with our Social Security surplus.

I completely understand that our Nation is in a different place than we were 7 months ago, and we need to be effective and properly fight this war on terrorism. I believe we are. We stand behind this President and his Cabinet to do this.

However, we should be able to come up with a solution that battles the war against terrorism without taking away from crucial resources here at home, resources that our citizens depend on and resources that our children are counting on us to protect. Social Security funds belong to the people that paid them out of their own hard-earned dollars, just like they have all the other taxes they have paid.

I have heard much around here about giving back money to the taxpayers. These are their dollars they have entrusted us, their government leaders, to save for the purpose for which they were intended. But there are those around here who want the taxpayers to believe that there is enough money to return taxes from the same source twice, and then try to convince them that Social Security can remain solvent and do all this other good stuff we claim we are going to do. That just is not so.

I want to pay down the public debt, balance the budget, give tax cuts that are affordable and reasonable, as I have voted, such as repealing the estate tax and the marriage tax penalty, those that are affordable, and that we can make Social Security then solvent.

But all of this cannot be done if we travel down this path and this policy direction. We must be honest with the American people, the citizens of this Nation, and level with them from the standpoint of what is realistic.

There is a big price to pay for strong leadership, and to be responsible. It is not easy, coming before the American people and telling them that those on both sides of the aisle emphasized the point just this time last year that the Social Security money and the Medicare trust fund were in a lockbox, locked away where we would not touch it. But now we are saying that we have enough money to do all this by projecting 10 years in the future the rosiest forecasts that reflect the best the economy ever has been in our history, without acknowledging what has happened to us after September 11, and without acknowledging the loss through the recession and the tax cuts that we did a year or so ago.

Now we are talking that we can do all of this, keep it solvent, and still look the public in the face and say we are being honest about the budget. This is not so. It is my responsibility to tell the truth, because I did not take it lightly when I took that oath of office and said that I would deal with the facts as I see them and the truth as I know it.

That is why I feel so strongly about this issue tonight, and want to communicate it in the best terms possible. It is a complex situation, but we must face it. This is your money, too. We said we should save it for the purpose for which you gave it, not say it is a tax return that we can ignore, building up the debt at the same time, and never communicate truthfully.

Mr. HILL. Mr. Speaker, I thank the gentleman from Illinois for his remarks. He is exactly right, that this is people who paid their payroll taxes. It is their money, and we should be making sure that we preserve it for them in their retirement years, and not be using it for other things.

□ 2115

I would like to call on one of the deans of the Blue Dog Coalition, a man I have really come to respect very much. He is a leader on this issue, leader on the Committee on Ways and Means, a leader for the Congress of the United States. So I would like to yield some time to the gentleman from Tennessee (Mr. TANNER).

Mr. TANNER. Mr. Speaker, I come tonight to talk about debt. That seems to be the topic of the day, and I have got to tell my colleagues, I watched the previous hour and I was thinking

all of the time I was watching that these are the same folks that last year touted the tax plan as presented and now tonight say, oh, no, it is terrible because it was not permanent. We were criticized last year, but let me talk about what is happening in this country.

My colleagues are seeing a group, a minority within a minority really, the Blue Dog Democrats, my colleagues are seeing a group emerge from all of the rhetoric here in this town, partisan rhetoric. They are seeing a group emerge that has some credibility on the debt. What was missing and what is missing and what will be missing on Thursday morning when we talk about making the tax cut bill that the House passed last year and the Senate passed last year permanent, what they do not say is that we have right now in, and the citizens of this country right now last year paid $360 billion in interest on a revenue total of $1.991 trillion. This comes out of a CBO publication of March of this year.

That is an 18 percent mortgage on this country. There is no business in the world, in America or anywhere else that I know of, that can withstand an 18 percent mortgage on their inventory, on what they are doing in terms of their business. If we take away the interest on the debt that was paid as far as Social Security goes, we have a net total of $206 billion, which on non-Social Security revenue, amounts to 16 percent. Said another way, this country right today has a 16 percent mortgage on it that we all have to pay.

Now, if we want to ensure and people want us to ensure that not only those that are my age but my children and my grandchildren will be overtaxed all of their lives and all of the foreseeable future, then keep us on the road of the Republican policies that have been enunciated here and will be enunciated here Thursday, and that basically is we are going to spend more because we are in a war, which we should. We are going to do a tax break for those of us in my generation passing on to those who are in uniform tonight in Afghanistan, fighting the war and their children. We are going to borrow money so that we can have a tax break to spend more money, knowing we have an 18 percent or 16 percent, whichever figure we want to use, mortgage on this country.

If people want to make sure that we are going to be overtaxed as an American public for the rest of our lives, then continue down the Republican policies. Because what it means is it means cut taxes now, spend more and borrow, and borrowing means interest and that interest has got to be paid before we do anything, before we have a missile system, before we have a submarine, before we have an aircraft carrier, before we have an interstate highway. Before we have anything, we have got to pay the interest.

If my colleagues want to make sure that we are going to overtax ourselves and those who follow us for the rest of their lives and ours, then just follow down this road and borrow more money and borrow more money, and we will make sure, we will make very sure that we are overtaxed and they are overtaxed as follows.

This is something that they do not say. Nikita Khrushchev once said that an American politician is a fellow that likes to promise to build a dam or a bridge where there is no river. This is not easy stuff, to stand here and say to the American public we cannot do what some of these people around here want to tell them that we can do.

We cannot spend the money that is necessary to win and fight, fight and win the war on terrorism. We cannot cut taxes for everybody in this land right now and spend that money without borrowing money to do it, and when we do, we are making a mistake that I think generations will pay for because that interest keeps going, whether someone is on vacation, whether someone is sleeping, whatever they are doing they have got to pay the interest.

People know that and so I am proud that the Blue Dogs took this hour to talk about fiscal responsibility. There has not been in my mind a sitting down and talking about prioritizing what we have to do. We have got to win the war on terrorism. Whatever it takes, we have got to do it. We are willing to do that, but by gosh, to cut taxes on somebody making $50 million a year at the same time my colleagues are trying to ask everybody else to sacrifice is simply not right. It is not right generationally.

We do not want to leave this country to our children with rivers and streams that fish cannot live in and kids cannot swim in. We do not want that. We did not inherit that and we sure do not want to leave it. We do not want to leave a country where kids have to wear a hospital mask to ride their bicycle because the air is so polluted that they cannot breathe unless they have a mask on. We did not inherit that, and we do not want to leave that. We did not inherit a country that was broke, and I do not want to leave my kids a country that is broke.

If we continue down the path we are going, where we are spending more, cutting revenue, and borrowing more so we pay more interest, that is exactly the formula that we have been asked to pass, and I just think it is wrong. I think it is wrong generationally, not only to people, our contemporaries, but it is wrong to our children, and I hope that we can, the Blue Dogs and others who are here with us tonight, can impress on the American people that it is not easy to be against tax cuts.

It is not easy to be against more spending, but there has to be priorities given to what we need, and we are willing to cut and cut spending any way we can to make sure that we are doing the things only that are necessary, but we have got to have the revenue to pay for what we want. If we are not willing to do that, then I think we are generationally immoral with regard to what we are giving to our children.

I appreciate the gentleman taking this time. I do not know if anybody is listening to what we are saying or not, but when we have got an 18 or 16 percent mortgage on this country and we do not make any attempt to get back in the black, I think what we are doing is passing the buck, and I think that is wrong.

Mr. HILL. Mr. Speaker, reclaiming my time, would the gentleman agree that it was just a couple of years ago when we began to reverse this trend of debt, the United States Government incurring debt, we were actually running a surplus, and would he agree within a very short period of time, say within the last 12 months, we have completely reversed that policy of surplus budgets into deficit spending once again?

Mr. TANNER. Mr. Speaker, I would agree, but whether I agree or not, I think the facts speak for themselves. Last year at that time we were told there was money as far as the eye could see. We had a $5 trillion surplus. That did not come true.

The budget that the President submitted shows red ink for the next 10 years. Once this interest figure gets up 20, 25 percent, I have never seen a country that was proud, free and broke. There is not one on the face of the earth, and we are going broke under these policies, and people are going to begin to realize that I think that, unlike maybe public perception now, at least when it comes to the Blue Dog Coalition, there are some Democrats around here that are more fiscally and financially responsible than all the Republicans who want to tell my colleagues, as they have, we are going to cut taxes, increase spending, but they do not say more borrowing, and more borrowing means more interest, and more interest means more taxes from now on, forever.

Mr. HILL. Mr. Speaker, I thank the gentleman for his leadership on this issue. The gentleman from Tennessee can say it just about as good as anybody in the Congress can say it, and he is exactly right, and his leadership on this issue is very much appreciated.

I would like to call on a freshman Member of Congress who has asserted himself as a rising star in the Congress of the United States, the gentleman from California, (Mr. SCHIFF).

Mr. SCHIFF. Mr. Speaker, I thank the gentleman from Indiana for yielding and for his leadership and the bipartisan ethic he has brought to this House, which has certainly been a model for this freshman.

Once again, I join my Blue Dog colleagues on the House floor tonight to bring attention to an issue that has long-term implications for our Nation's future. The administration has come to Congress asking us to raise the debt limit by $750 billion. This request

comes to us a full 7 years earlier than was predicted when the budget was submitted just last year.

The request to raise the debt limit presents us with an ideal opportunity to re-examine our long-term budget priorities and particularly our commitment to protecting the Social Security surplus.

Perhaps second only to the hanging chad, the enduring political buzz word of the 2000 election, was ''lock box.'' It seems almost quaint now to think back about lock box, but this Congress and the President promised the American people that the Social Security trust fund surplus would be placed in an iron clad box and used solely to fund the retirement of the baby boom generation. Do my colleagues remember that? Democrats and Republicans all agreed on this. The inviolable lock box.

Here we are now with a budget that promises to break that lock box wide open regardless of the long-term fiscal consequences.

Social Security faces a serious financial crisis, and this budget would do away with the lock box entirely and allow the surplus to be raided to pay for tax cuts and additional Federal spending. The primary source of the Social Security revenue is the payroll tax paid by millions of American workers and their employers.

According to the 2001 Social Security trustee's report, Social Security outlays will exceed payroll tax revenues in less than 14 years. By 2025 Social Security will face an annual cash shortfall of $400 billion. An annual cash shortfall of $400 billion. By 2038, the last year the trust funds are technically solvent, the annual shortfall will be over a trillion dollars.

Despite these ominous numbers, the administration's budget, according to the Office of Management and Budget, will consume the entire trust fund surplus in just a few years. This debate is not about whether Social Security needs reform. It does. This debate is not about whether preserving the trust fund surplus will save Social Security in the long term. It will not.

This debate is about common sense and fiscal responsibility. It is common sense that we should not in any way consider tampering with the trust fund before Congress agrees to and passes Social Security reform legislation. Spending the surplus will leave our children holding the bag. They will have to pay for the unfunded obligations that build up in the Social Security trust fund if we spend the surplus, and to pay for these obligations, the Treasury will step in, pay the entitlement, and to come up with that cash, Congress will have to cut spending, raise taxes, or borrow even more as if the trust funds had never existed, and our children will pay the consequences. They will have to deal with our lack of fiscal responsibility.

This Congress cannot afford to take such a risk in light of the fiscal challenges that we face in the next 10 years. Social Security is the most successful government assistance program ever. Millions of senior citizens rely on it to survive. Millions of working Americans are currently paying Social Security taxes, expecting their money to be used for its intended purpose, and we understand that we are now faced with the challenges of fighting a war and bringing our country out of this economic slowdown.

We have accepted this reality and we are willing to work together to develop fiscal policies that reflect our wartime needs, protect the Social Security trust fund and set our country back on the path toward fiscal responsibility.

□ 2130

Mr. Speaker, while we examine the need to increase the national debt, we must tread carefully and remain constantly aware of the burden we are placing on future generations because this debate is about more than our current economic situation. It is about what we will pass on to our children and to their children. We must continue to work in a bipartisan way to return to a balanced budget and fiscal discipline without using the Social Security surplus. This is a promise we make, and a promise we must keep.

Mr. HILL. Mr. Speaker, I thank the gentleman from California (Mr. SCHIFF) for his outstanding remarks and his leadership.

The gentleman was talking about Social Security and how important it is and how we need to preserve it for our senior citizens and to protect it. I was in Columbus, Indiana, in a retirement home about a month ago; and I was talking to some retirees in that home. One of the senior citizens spoke up to me and asked a question, Where does Social Security come from? My reply to her, It comes from payroll taxes. And she said, Who pays the payroll taxes? And I said, People who work and employers.

She said, What gives the right for people in Congress to steal our money then if we pay the taxes? She is exactly right. If we are spending Social Security surpluses for things other than Social Security, we are in effect stealing that money. Strong words on her part that makes some sense.

At that same meeting was a good friend of mine who is going to be the next Speaker, the gentleman from Maryland (Mr. HOYER), who is the ranking member of the Committee on House Administration, and the other night his basketball team from Maryland beat my basketball team from Indiana University. And if there was going to be any team that beat the Hoosiers, I would just as soon it be the team of the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding and for being such a great sport and a representative of such a great team with such a great coach with Mike Davis, their coach handling himself so well. We are proud of the job he did.

Mr. Speaker, 1 year ago President Bush and congressional Republicans promised us that we could have it all. They said we could afford the largest tax cut in a generation and still be able to invest in domestic priorities, strengthen Social Security and Medicare, and pay off our publicly held debt. When we Democrats questioned whether we could afford the President's $1.7 trillion tax cut, and that is absent the additional interest we have to pay, which the gentleman from Tennessee (Mr. TANNER) talked about, and still pay down the debt, our Republican colleagues responded there was a danger in paying off the publicly held debt too quickly.

Well, worry no more because we are not in any hurry to pay off any debt. In fact, we are in a hurry to incur a lot more debt. The OMB now projects that our national debt, which includes publicly held and intergovernmental debt, will approach $7.8 trillion by the end of 2007. That is $275 billion more debt than was projected at the beginning of last year. Just this month after congressional Republicans again rebuffed the request of the Secretary of Treasury, Mr. O'Neill, to increase the statutory debt limit of $5.59 trillion by $750 million, the administration was forced to borrow Federal employee retirement funds to ensure that the government meets its obligations. In other words, Federal employees' pension dollars are now funding government. The gentleman from Indiana (Mr. HILL) spoke of that earlier in his remarks.

Do Members remember the last time that happened? It was back in 1995, and the GOP was blocking an increase in the debt ceiling in an attempt to get President Clinton to sign their budget. Treasury Secretary Rubin used the same short-term device that Secretary O'Neill is using to avoid a default. How did congressional Republicans respond? They reprimanded him. They threatened to impeach the Secretary of Treasury, and former Speaker Gingrich derided the tactic as ''looting.'' The gentleman referred to stealing Social Security funds. Mr. Gingrich, the Speaker of the House, said that what Bob Rubin was doing so we would not default in the payment of the monies that the richest Nation on the face of the earth owed, that he was prepared to say that he was looting the Treasury.

I have not heard one Republican come to this floor and say that Secretary Paul O'Neill is looting the Treasury. Now, I represent 58,000 Federal employees. I do not think we ought to be doing this policy; but frankly, we have an obligation to pay it back, and I think we are going to do that. But the fact of the matter is if Secretary O'Neill did not do it, this government would default on its debt. If that happened, the finances of the world would be put at risk.

Republicans, when Secretary O'Neill did it, neither criticized the administration for doing precisely the same thing that Secretary Rubin had done,

and which sent them in orbit 7 years ago, nor accede to an increase in the debt ceiling. In other words, they do not want to make sure that we do not default, and they do not want to raise the debt. That is the definition of irresponsibility. That is the definition of pretending you are doing something when you are doing just the opposite.

My good friend, the gentleman from Tennessee (Mr. TANNER) said it exactly right. If we defaulted, interest rates would skyrocket. Average people, no matter how deeply their taxes were cut, could not afford their mortgage payment, particularly if they were an ARM, an adjustable mortgage. They could not afford to buy consumer goods with interest because interest rates would skyrocket. That would be an irresponsible policy, but it is the policy that we are pursuing today.

In what can only be described as a perverse twist, House Republicans intend to bring legislation to the floor in 2 days that will make last year's tax cut permanent and drive us even deeper into the fiscal ditch.

Mr. Speaker, I am not a Blue Dog; but I support much of what the Blue Dogs support, particularly as it relates to fiscal policy. Why? Because it is fundamental that if we do not manage our finances responsibly, we will not manage anything else responsibly. In just 15 months, our Nation has experienced the worst fiscal reversal in the history of the world; $5 trillion in projected surpluses have evaporated. Think of that. President Bush stood at this podium 12 months ago in February of 2001 and predicted, he said he was assured we were going to have a $5.6 trillion surplus over the next 10 years. We said you better be careful. That is a long projection to make. You ought not to mortgage the farm based on what you think your income is going to be 6, 7, 8 years from now.

A month ago President Bush came to that same podium, presented a budget, and lo and behold the surplus he now projects over that same 10 years is $1.6 trillion. That is $4 trillion less. What he does not factor into that is because we have less surplus and are going into debt, we are going to have an additional $1 trillion in interest. We heard the gentleman from Tennessee (Mr. TANNER) talking about that, which means we have lost $5 trillion in 12 months.

I wish Ross Perot would start having infomercials on that issue. It is critical. We cannot operate this great Nation with our responsibilities to our own citizens, and in the international community, operating as fiscally irresponsibly as that. Five trillion dollars. Our debt is climbing again, and according to the Congressional Budget Office, our on-budget accounts will be in deficit every year for the next 10 years, producing a total on-budget deficit of nearly $2 trillion.

Now, the gentleman from Indiana (Mr. HILL) talked about our policies in the 1990s. They are instructive because in 1992 we had a $292 billion annual operating deficit. We could not, nor should we have sustained that. So we came in in 1993, and we adopted a program. It cut spending deeply and it raised taxes. Some people would say that is an awful thing to do. What does raising taxes mean? I do not mean raising them in terms of increasing them. It means this generation is committed to paying for what it buys.

My position is if we do not want to pay for it, we ought not to buy it. I do not mean that we ought not to buy an aircraft carrier that we can amortize over 40 years. It is like buying a house, you mortgage it and pay it over time. We ought not to be paying for salaries that are used this year with borrowed money. That is how New York went bankrupt and we had to bail them out. We need to be responsible.

There is an extraordinary American sitting on the floor with us. He is the gentleman from Nebraska (Mr. OSBORNE), one of the greatest football coaches in the history of this country. He taught his young people fundamentals. He did not teach them to make some hail Mary pass, he hoped that would happen from time to time. What he taught them was how to block, how to tackle, how to run, how to watch what the other fellow was doing, how to learn your plays. He taught the fundamentals. He was convinced if those young people knew the fundamentals, they would win games. Because, as Gary Williams knows, as Coach Smith knows, if you teach young people the fundamentals, they will win games because they will do it right. And sometimes, yes, they will do something spectacular.

But a nation, a nation needs to pay attention to its fundamentals as well. Do any of my colleagues in this Chamber remember what the majority leader said last July? I talked about the President 12 months ago. Last July the gentleman from Texas (Mr. ARMEY), majority leader of this House: ''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 tax cuts, then we will do that,'' said the gentleman from Texas (Mr. ARMEY).

We are now some 9 months later. On Thursday, we are not going to do that. In our budget that we passed, not with my vote, just a few weeks ago, we did not do that. We preached fundamentals, but we are not playing fundamentals. And the losers will not be, frankly, any of us who sit on this floor. It will be our children and grandchildren, and it will be the fiscal integrity of this great Nation.

That promise turned out to be as empty as the GOP's lockbox stunt last year. The rally is that the Republican tax cut is the single largest factor in erasing our surpluses. Do we need to pay for the war on terrorism? Absolutely. Is it going to cost us more money than we expected? Yes. Should we follow that policy? Of course we should. We are in lock step with our President in confronting those who would undermine our security and safety in this land, and, very frankly, in other lands as well.

However, the Social Security and Medicare surpluses which were critical, as the gentleman from Texas (Mr. ARMEY) said, and would not be touched, are in fact going to be used 100 percent.

I have some other things to say about this policy, but I want to close with this. David Stockman in 1981 became director of the Office of Management and Budget.

□ 2145

He came in with a roar, like March, I suppose, and he was going to see that this budget was balanced. In fact, Ronald Reagan, when he signed the Reagan program in 1981 said the budget is going to be balanced by October of 1983. Or perhaps it was 1984.

In any event, it did not happen. Mr. Stockman, of course, was the director of OMB the same year I was elected to Congress. His mandate, sell President Reagan's supply side economic program. President Reagan assured us, as I said, that by fiscal 1984 we were going to balance the budget. We did not. Instead of producing increased revenue, the Reagan tax program threw us into fiscal freefall. The budget deficit, just under $79 billion in 1981, exploded until, as I said before, peaking at $290 billion in 1992. As David Stockman himself later admitted, and I quote, David Stockman, OMB director, ''I knew that we were on the precipice of triple digit deficits, a national debt in the trillions and destructive and profound dislocations throughout the American economy.''

David Stockman, in his book, looked back on his service with lament because he knew where we were going. My friends, it is clear where we are going if we continue to pursue these policies. What the Blue Dogs are saying is that we need to work together, not Republicans and Democrats, but 435 of us, elected by our people, to responsibly manage their country, their dollars, their hard-earned wages. We need to commit ourselves to doing that. I commend the Blue Dogs for their leadership on this most critical fundamental responsibility of this Congress.

Mr. HILL. I thank the gentleman from Maryland for that strong presentation. The gentleman has been in the Congress for quite some time and has an historical appreciation for the events as they have unfolded on this particular issue. His presentation was an exposure of the truth. That is what we need more of in this institution. I just cannot say enough about that strong presentation. I am glad that though he is not a Blue Dog Democrat, he has the same feelings that we do about this issue and I appreciate his comments.

Another Member who is not a Blue Dog Democrat is the gentleman from Wisconsin (Mr. KIND). He has asked to

have a few minutes to share with us about this very important issue. I yield to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. I thank the gentleman from Indiana (Mr. HILL) for not only grabbing this hour for an important conversation and debate that we are going to be having later this week but for the leadership that he has particularly shown on fiscal responsibility, maintaining fiscal discipline. He has been very active in both the Blue Dog and also the coalition of which I am a member, the New Democratic Coalition. We have a lot of overlap in the membership between our two groups, and it is because we are basically fiscal soulmates.

When it comes to the issues affecting the public purse, the Federal budget, both of our groups, the New Dems and the Blue Dogs, believe very strongly in maintaining fiscal discipline, keeping our eye on taxpayer dollars, trying to promote policies that will best position this Nation to deal with the challenges of the future, which to me seems the looming budget debt and the implosion that is about to occur starting next decade. Of course I am referring to the 77 million Americans who are all marching virtually simultaneously to their retirement, the so-called baby boom generation, who will start entering into the Social Security and Medicare trust funds.

Yet this week we are going to have a very important policy debate in regards to whether or not this Nation will have the resources to deal with the greatest fiscal challenge we face, that is, this aging population and the burden it will place on the Social Security program, the burden it will place with rising health care costs and how do we maintain some common sense and fiscal discipline to deal with that.

I am very concerned. It is almost like deja vu all over again, pursuing the policies of the 1980s where we had large tax cuts being proposed and enacted which left us in annual structural deficits year after year, adding to the $5.7 trillion national debt that we now have rather than maintaining the fiscal discipline which was needed. For me, and I believe for a lot of people in this Congress, one of the keys to future economic growth and prosperity, and it is something we hear constantly from Chairman Greenspan when he is testifying, is keep your eyes on the effect fiscal policy has on long-term interest rates. They have consistently testified, and the history of fiscal policy shows, that when you start racking up deficits again, adding to the national debt rather than subtracting from it, having the public sector squeezing the private sector for the limited resources in order to finance ongoing government operations, it has an adverse effect on the bond market and it leads to long-term interest rates going up rather than coming down, which is a hidden tax then on all Americans, whether they are wealthy or middle-income or low-income Americans, because of the additional expense it will take for them to borrow money, whether it is for home payments or car or credit card payments or to invest capital in businesses. It is the long-term interest rates we need to keep an eye on.

The best thing we can do as an institution here is to maintain sound fiscal policy, reduce the national debt which will help reduce those long-term interest rates and really set us on the course for long-term economic prosperity. This is a serious issue. One of the concerns I have is that the majority party in the House and the party at the White House right now are pursuing policies that are not enabling our country to best position ourselves for the challenges of the future. That is what has to change.

I think people back home are beginning to realize that the tax cut that was enacted last year is being financed now through the collection of payroll taxes, FICA taxes, additional moneys that are supposed to be going in and guarded in the Social Security and Medicare trust funds, but which are now being raided in order to finance these tax cuts. If anyone last year would have been told that this would be the reality, that we would be passing tax cuts for some Americans and paying for it through the collection of payroll taxes that are supposed to be going into these trust funds, they would have thought it was crazy economic policy to pursue. But given the economic slowdown, the change of events of last September, that is, in fact, the situation.

I think it is time for groups like the Blue Dog Coalition and the New Democratic Coalition to stand up and start making an issue of this. I commend the gentleman from Indiana (Mr. HILL) for his leadership and for the time he was able to get this evening to talk about this very important issue.

Mr. HILL. I thank the gentleman from Wisconsin for joining us here this evening.

ENDANGERED SPECIES ACT

The SPEAKER pro tempore (Mr. JOHNSON of Illinois). Under the Speaker's announced policy of January 3, 2001, the gentleman from Nebraska (Mr. OSBORNE) is recognized for 60 minutes.

Mr. OSBORNE. Mr. Speaker, I represent a very large rural area in Nebraska. Ninety-seven percent of this district is privately owned. Currently landowners are very concerned about property rights and they are especially concerned about the Endangered Species Act, because this Act can be tremendously invasive.

Currently, I believe there is a crisis of confidence regarding the administration of the Endangered Species Act. I am going to mention just a few things here that have happened that have led to this crisis of confidence. First of all, the Klamath Basin situation that happened a year ago, the water, the irrigation water for 1,400 farmers was cut off abruptly.

Of course, what this did was to cause a great deal of financial hardship. There were two types of suckers in Klamath Lake, and coho salmon in the river below that were supposedly to be protected. As a result, the farmers lost their crops, some lost their farms, land values declined from $2,500 an acre to $35 per acre in that particular area. Oregon State University estimates that the loss of water cost the economy $134 million in that particular area. And so this was a tremendously costly and a very invasive situation that occurred.

Of course, to make matters worse, recently the National Academy of Science, in an independent peer review, ruled that there was insufficient data to justify the decision to shut off the irrigation water in the Klamath Basin. In other words, they have more or less said that this was something that should not have happened. Factors other than the lower levels in Klamath Lake were endangering the sucker fish and actually the larger releases of water, the irrigation water that normally went down the irrigation canals, was released down the Klamath River supposedly to help the coho salmon and actually because this water was warmer, the National Academy of Science indicated that these larger releases actually harmed the coho salmon. So it was the reverse of what they had tried to accomplish.

Secondly, more recently, in a congressional hearing, we heard from people from Fish and Wildlife and the Forest Service and these officials were asked to testify, because seven employees of these agencies and a Washington State agency also falsely planted Canadian lynx hair in the forests of Washington and Oregon. You might ask, why in the world would somebody do this? Why would you go out and bother to take hair from a captive lynx and plant it in widespread areas? Apparently this would result in a wider declaration of critical habitat for the Canadian lynx and they must have felt in some way that this would have helped preserve the Canadian lynx.

Obviously, it was a falsehood and, according to testimony, others within government agencies were aware of the planted lynx hair and did not report it. The interesting thing was that after all of this happened, the guilty parties were subjected to counseling as a punishment, and most of them received their year-end bonuses and raises. And so you would think, well, what kind of a message are we sending if somebody falsifies data and yet practically no consequences occur as a result of that falsification?

Recently, the National Park Service also indicated some false and inflated numbers of visitors to national forests from an actual count of 209 million visitors to our national forests, and they reported 920 million visitors which was roughly a 400 percent increase, an inflation, that was false.

Again you might ask, why in the world would a responsible Federal agency do this? They certainly can count better than this. Certainly this could not be a mathematical error to miss by 700 million visitors. Again I think, many assume that this had something to do with the fact that they wanted to point out overcrowding, and that maybe some more roads or some more areas of the parks needed to be restricted to visitors because of overcrowding.

And so many of these different situations have led to somewhat of a crisis of confidence in terms of how our public officials are dealing with the Endangered Species Act and our wildlife in general. It would seem that sometimes there is not a real level playing field involved in this situation.

Recently here in Washington, D.C., the Environmental Protection Agency gave the Corps of Engineers permission to dump thousands of tons of sludge into the Potomac River. Of course this was in direct violation, you would think, of the Endangered Species Act because the sturgeon, the short-nosed sturgeon, occupies the Potomac River and it is endangered. And so you would say, why would they do this? How in the world could you get by with this when out in the West you cannot do these other things? And, of course, it also caused beavers and ducks and others to be mucked up to the point where they had a hard time surviving. It would appear that maybe one of the answers is that these tons of sludge, if they are not pumped into the Potomac River, would have to be put in dump trucks and would be trucked through the city of Washington, D.C., which is not real politically popular in this area.

So sometimes people in rural areas have the feeling that maybe there is a double standard and maybe people in some urban areas because of the size of the population and the economic impact do not pay quite the same price. And so that has been a concern.

And then the issue that I want to spend most of my time tonight on has to do with the Central Platte River in the State of Nebraska. In 1978, 56 miles of the Central Platte were declared critical habitat for the whooping crane. At that time in 1978 there were not very many cranes, whooping cranes, probably less than 50. And so they were listed as an endangered species and certainly rightly so. At the present time they are doing better. There are roughly 175 whooping cranes that fly generally through the State of Nebraska. And so as a result of that designation, we find that some things occurred.

□ 2200

As a result, in order to protect habitat, critical habitat, for the whooping crane, the Platte River Cooperative Agreement began to take shape. What they proposed in this agreement was in-stream flows. So what was required was 2,400 cubic feet per second of water down the Platte River in that area of critical habitat in the spring.

The interesting thing here is that water generally is lost to irrigation, because you do not irrigate that early in the spring, and some of it is lost to power generation as well, and it was strictly put there to enhance the habitat for the whooping crane.

It was interesting, because the original recommendation by many biologists was not 2,400 cubic feet per second, but rather they said 1,300 cubic feet per second would be the ideal flow. By tweaking it one way or another, Fish and Wildlife almost doubled the flow and the amount of water that goes down the river. They wanted 1,200 cubic feet per second during the summer, and then they want pulse flows of 12,000 to 16,000 cubic feet per second for 5 days in May and June of wet years.

This is a huge amount of water in the Platte River, and it results in some flooding; and it results in some real difficult situations. Some people assume that actually the main issue here is that it deepens the channels in the river when you have these large pulse flows, and then the issue is what do you do to compensate for the loss of sediment in the river when you do this?

Now, the problem with those pulse flows is as follows: the 12,000 to 16,000 cubic feet per second as we mentioned will deepen the channel in the river and will remove sediment. So Nebraska is being, as part of their contribution to the cooperative agreement, is being asked to contribute 100,000 acre feet of water, stored in Lake McConahay; and this water is being used to flow down the Platte River when people feel the cranes might need it. Wyoming contributes 34,000 acre feet of water and Colorado 10,000 acre feet of water, so the total contribution is 140,000 acre feet of water. So that is an interesting premise, and it is fairly expensive.

Of course, the other issue is there are some other requirements, and that is that there are no new depletions in the Platte River. So we not only have these flows, but within 3 to 4 miles of either side of the Platte River, you cannot set down a new well within 3 to 4 miles of the river after 1997. So a community that is expanding, a farmer, whatever, is no longer able to do this.

Then the sediment that is lost in the river from the large pulse flows has to be replaced. At one time what they were doing was talking about the fact that they would haul in 100 dump truckloads of sediment per day, and this would go on for years and years and years. You can imagine the cost of doing this. That is supposed to replace the sediment that these large pulse flows used to take sediment out of the river.

Now they have revised that, and they are talking about taking bulldozers and pushing islands into the river and causing more sediment. So as you can see, this is a very invasive procession; it is a very expensive process; and it has been very difficult to administer.

That is phase one. After 10 years, phase two kicks in. Phase two, listen to this, requires 417,000 acre feet of water. That is about triple what we are talking about here, 140,000 acre feet. So when you get up to 417,000 acre feet of water, you are talking about practically all of the irrigation water used in the Platte River system. So what farmers and ranchers are rightly concerned about is that at some point the Endangered Species Act could be used in a way that would cut off all irrigation up and down the Platte River, which is several hundred miles long, and would probably make the Klamath Basin situation pale by comparison.

So far the estimated total cost of the project, that is just to the cooperative agreement, it is not the water loss or anything else, just to plan it is $160 million. That is just to create it, as we said. That is a small cost compared to the cost of the irrigation water, the power lost and the land and sediment dumping and so on.

So I think most people would say the cooperative agreement has been time-consuming, has been expensive and has been burdensome to landowners. And, the most important thing, the thing I would really like to drive home tonight, is the idea that the whole thing, I believe, is based on a false premise; and the false premise is that that 56-mile stretch of the Platte River is critical for the existence of the whooping crane.

So let us take a look at the map of Nebraska. The area here in red, from Lexington to Grand Island, is the critical habitat for the whooping crane, really not quite that far. So the idea of critical habitat is this is habitat that it is removed or in some way damaged or changed; it really does great damage to the endangered species. So you would assume that this would be an area that would really be critical to the migration of the whooping crane as they go north and south.

So let us take a look at this issue and some of the data. The Watershed Program director, who worked for the Whooping Crane Trust, this was an environmental group, not a farm group, this was an environmental group, and he worked for that group for 17 years and wrote a document filed on March 22, 2000, that was sent to Fish and Wildlife, and the letter states as follows: ''From 1970 through 1998, that is a total of 29 years, 11 years there were no whooping cranes.''

That is almost 40 percent of the time there were no whooping cranes that were sighted at any point in this stretch of river, which is supposedly critical habitat. You would think if that was critical habitat, that certainly you would not go 40 percent of the years without any observation of a whooping crane in that area.

Then he goes on to say this: ''On average, less than 1 percent of the population of whooping cranes was ever confirmed in the Platte Valley during that same time frame.''

So, again, if it is critical habitat, you would think that you would see 50 percent, 60 percent, 80 percent, whatever.

But you have had 1 percent or less cranes who have ever been seen in that region of the river over 29 years.

Probably the most convincing evidence that I have run across is that from 1981 to 1984, a period of 2½ to 3 years, there was a radio-tracking study of whooping cranes where they had an electronic collar put on them so you knew absolutely where they were all the time. This went on for three southern migrations and two northern migrations. Eighteen cranes at that time represented somewhere between 15 and 20 percent of the total whooping crane population.

Here was what they found in that research: they found that none of those 18 whooping cranes over 2½ years, three southern and two northern migrations, none of them used the Platte River at any time during that migration.

Now, surely if this is critical habitat for the whooping crane, you would think that at least seven or eight or nine of those cranes would have regularly used the river, but yet not one of them did over that period of time of 2½ years. It is not a case here where they can slip out of the area under the radar screen, because they are checked electronically and they know where they are. They were not in that area of the river.

So the author goes on to say: ''I wonder if the Platte River would even be considered if the Fish and Wildlife Service was charged with designating critical habitat today. Whooping crane experts that I have visited would be hard-pressed to consider the Platte River, given our current state of knowledge.''

Then he says: ''Certainly none would be willing to state on a witness stand that the continued existence of the species would be in jeopardy if the Platte River were to disappear.''

So what he is saying is if this area of the Platte River for some reason went away, he does not know of any experts that would say that would harm the whooping crane. Yet that is the critical habitat, and that is the area that has caused all of the in-stream flows, the 140,000 acre feet of water and the sediment being dumped into the Platte River to compensate for pulse flows, and all of the things that are going on up and down this river, which really have impacted farmers and ranchers.

Also within three miles of either side of this river, you cannot drill a new well. Anytime you do, you have to close down another one. So all of the water here is restricted, primarily for this particular stretch of the Platte which is supposed to preserve the whooping crane. So again, I would have to say that this is a false premise.

The thing we might also mention is that whooping cranes, normally when they do stop in February, and they do stop, and you will see a scattergram of where they stop, and there are some here, and there are some here and up here, so they are all through the State, but normally they only stay overnight.

If this was critical habitat, they would probably stay here for several days, a week, maybe a month, and regroup, do some mating, whatever; but they do not. I think they simply fly along, and when they are tired and see some water, they drop in for the evening. It may be here, it may be here, it could be almost anywhere place. It might be on a lake, Sand Hill Lake or whatever.

But the important thing to remember is this central part of the Platte is really critical habitat for one group of cranes, and that is the Sand Hill cranes. There are roughly 400,000 to 500,000 Sand Hill cranes that come into that area, and they spend 2 to 4 weeks every year. They come from Arizona, and they come from Texas and Oklahoma and Arkansas and Louisiana; and they funnel into this area, and they are heavily concentrated in this area; and then they go up to their nesting grounds up in Canada and North Dakota and so on.

So what has happened I think is early on Fish and Wildlife and others made a mistake, and I think it was an honest mistake. I think they assumed that the whooping crane does the same thing as the Sand Hill crane, and that the whooping crane really needed this area to spend time to stage, to mate, to gain strength for the rest of their trip. But that is not the case. We very well have proven this at the present time.

There is one whooping crane that got mixed up, and this whooping crane apparently was imprinted and identified with Sand Hill cranes. They have even named it. ''Oklahoma'' is the name of it. This particular crane comes with the Sand Hill cranes, and he sticks around for 3 or 4 weeks like the other Sand Hill cranes, because he thinks he is a Sand Hill crane, apparently. I would wonder how many of the sightings in this area have been Oklahoma, that one crane. He may have been sighted many times over. So, anyway, there is a difference between these two different species; and I think it is important that we understand that this is the case.

Actually, Fish and Wildlife is doing everything they can to make the habitat fit the whooping crane. Twice a day they fly the river here looking for whooping cranes; and, of course, if you look hard enough, you may find something. But, still, you are only having 1 percent, maybe 2 percent of the total population, even with surveillance flights going back and forth on the river. Only 1 to 2 percent of the whooping cranes are spotted in that area as they come north or as they go south.

So, again, we would say that probably most definitely there has been an improper designation of this area for the whooping crane, and nobody cares too much if it is an improper designation. The main issue is simply the fact that it is causing an awful lot of disruption up and down the Platte River Valley.

Now, further, and I think this is important too, Fish and Wildlife is expected shortly to declare 450 miles of the Platte River and the Loop River right here and the Niabrara River as critical habitat for the piping plover and the least tern. Ninety-seven percent of these rivers flow through private land. Also these same two species, the piping plover and the least tern, will have critical habitat declared in South Dakota, North Dakota, Montana and Minnesota; and in those States almost 100 percent of the area is public land. In Nebraska it is almost all private. The same issues that apply to the whooping crane apply to this particular designation of these species.

So it is interesting. But let us stick with the middle section of the Platte River, because this is the area we know the most about, and this is the area where we have the most data. Again, refer to the document from the watershed director who wrote the letter. He said ''that the Central Platte does not offer any naturally occurring nesting habitat for these species, i.e., the piping plover and least tern, is amply demonstrated by the fact that no tern or plover chicks were known to fledge on any natural river sandbar during the entire decade of the 1990s.''

So this stretch of river we have been talking about was studied over a 10-year period, and at that time they found no fledglings of chicks on the river, other than in sand pits which are off the river and then some man-made sandbars that were strictly designed for this fledgling capacity.

□ 2215

So the problem is that these birds nest near the water level. So any time there is a fluctuation, any time a river raises, it flushes out the nests. So they do pretty well on lakes, they do pretty well on sand pits, but they do not do very well on rivers, particularly rivers that fluctuate.

So the letter from this particular individual who wrote to the Fish and Wildlife Service, the researcher said this. He said, ''A 50-to-60 day window of flows less than about 1,500 cubic feet per second during late May through mid July is necessary to allow for nesting and subsequent fledging. This did not happen in the 1990s. Nests and/or young were flooded out.''

So what he is saying is this: that on that stretch of Platte River, any time you get elevated flows above 1,500 cubic feet per second, because the nests are built right at water level, you are going to flush them out. So what they are trying to do is that they are trying to regulate flows in the river from this lake right here, Lake McConaughy. The problem is that the lake is 100 miles from the start of the critical habitat, right there, and it is about 170 miles to the end of the critical habitat, which is right there.

Now, the problem is that it takes, to go 100 miles, that water needs 5 days to get to the start of the habitat, it needs 7 days to get to the bottom end of the habitat, so you are releasing water out

of Lake McConaughy to control the flow to try to get 1,500 cubic feet per second or whatever. The problem is that in the next 5 days, we better not have a rain. Because if we have a rain down here or if we have a significant inflow from the South Platte River, then, all of a sudden, that water comes up and that is what happened for 10 straight years. All of those rivers were flushed out. So here we have critical habitat, again, that is going to be very disruptive to ranchers and farmers that apparently is not working.

For some reason, the sand pits and the lakes and the other areas where the piping plover and the least tern have been hatching and have been fledging have not been declared as critical habitat; only the rivers. So this is a little bit of a puzzle, at least to me; I do not quite understand exactly how this is working.

So it would seem that attempting to create a river environment which, for most nesting by the piping plover and the least tern, may actually harm the species. This is the logic.

Again, the letter from this particular researcher goes on. He says, ''This begs the question as to whether it is in the best interests of the species' long term well-being to attract them to an area where they are likely to be flooded or eaten by predators.'' So what you do is you adjust the river and in the spring, because you are trying to hold down the flows, you get them to nest and then over that next 50 or 60 days, you are holding your breath and, most of the time, they are going to get flooded out. So you attract them into an area that probably is going to result in their destruction. They would be much better off if they went to a sand pit or some place where they are not going to be flooded out. So in some ways, all of the machinations and the different gyrations that we are going through here to save the piping plover and the least tern may actually contribute to their demise.

So it is interesting to note that much of the regulation of critical habitat is designed to restore habitat to its original state. That is sort of the gold standard I think for many environmental groups, and particularly for Fish and Wildlife. So we read in the Journals of Lewis and Clark 1800, as they went up the Missouri River, we read about prairie dogs and we read about buffalo. So these folks are pointing to these journals and they are saying, well, this is where the prairie dogs once lived and this was before people disturbed it. Therefore, we must restore this situation, this habitat, and we must make sure these species are again existent in those areas.

So there was a study done by EA Engineering in the late 1980s, and they indicated this. They said the Central Platte did not play a significant role in the maintenance of the least tern or the piping plover prior to the construction of Kingsley Dam in 1941. Here is the dam, and what they are saying is before that dam was in existence back in the 1800s, nobody saw the piping plover or least tern in any numbers at all along the Platte River.

They said there were 3 reasons for this: Number one that ran the river ran unimpeded; the snow pack melted and the highest water would occur in June, which was about in the peak nesting time for the piping plover and least tern. Every year they got wiped out because that water went up and they could no longer survive and then, the Platte River is rather unique in that in August, it would dry up. Most years there would not be any water in the river, which meant essentially that there was no feed, there was no habitat for the young birds if they did manage to survive. So the river was not really what some people thought it was. Then lastly, there was no historical data of tern or plover sightings on the Central Platte at all during the early 1900s, the late 1800s.

So we would say, well, certainly, if settlers, trappers, people who went along the river, if they were there they would have seen them and they would have reported them, but they did not do so. So the assumption is that this is not critical habitat that is indigenous to the species. This is not something that has occurred over a long period of time, and if it has worked at all, it has been because of that dam. But even then, it has not been effective.

So what we are saying here is that the critical habitat designations for the whooping crane and the piping plover would not seem to be accurate, at least the way I interpret the data. So I have requested the Secretary of the Interior provide an independent peer review through the National Academy of Science or some equivalent agency. I know that Secretary Norton is dedicated to making decisions based on accurate data. I have talked to her, and I know this is true. So we are assuming, we are hoping that we can avert another situation similar to the Klamath Basin by having an independent peer review. I think everyone is willing to live with it if the data indicates it. But most people that I know who study the river are really uncomfortable with making this critical habitat and all of the changes that occur in Nebraska, in Wyoming and in Colorado, for what appears to be nonexistent habitat. So we are hoping that we can get a study done.

Mr. Speaker, I think it is important that those listening do not assume that I oppose endangered species. I am very much in tune with wildlife and I certainly do not want to see the whooping crane suffer, the piping plover, the least tern, the prairie dog, or whatever, but I think it is important to remember that sometimes the Endangered Species Act may actually harm the species. Of course I already mentioned that the coho salmon was harmed by the larger flows out of Klamath Lake because the water warmed up and when the water went down the river, the coho were damaged. So that is one example of the Endangered Species Act actually harming a species.

We have also talked about the flows on the Central Platte luring the piping plover to nest and then having them wiped out by rain events. Then let us consider one other case, and that is the issue of prairie dogs, because the prairie dogs are now considered threatened. They are not listed. But I think the one thing that people need to understand is that ranchers and farmers right now can, in places, tolerate some prairie dogs, because they know they can control them. Now, a prairie dog can take over and eliminate a whole pasture, a whole ranch, a whole farm if they are left unchecked. But you can handle a prairie dog colony here, a prairie dog colony there, and you understand if they start spreading, you can do something to control the spread. But once the prairie dog is listed as endangered or threatened, then you cannot do anything to that prairie dog.

So ranchers and farmers are concerned. So right now, some ranchers and farmers are saying, I cannot afford to have any prairie dogs on my property in case it is listed as an endangered species. So I think right now in some ways, the Endangered Species Act and the ability to list the prairie dog potentially may be working against the prairie dog more than any other issue at the present time.

So we have had several examples, and there are others where the Endangered Species Act does not serve landowners and wildlife well. We talked about the Klamath Basin issue, the 2001 Canadian lynx, falsification of visitor data to national forests, the ignoring of the dumping of sludge into the Potomac and also the critical habitat designation on the Platte River. Let us be fair. I think it is only fair to say this too. I have been a little bit hard on fish and wildlife and the Forest Service. Certainly the great majority of Federal employees who work with endangered species are ethical, they are hard-working. I have met them, I know them and I have worked with them. It is like any profession: 5 or the 10 percent tend to paint with a very broad brush.

However, I would have to say this, in all candor. I do believe that an end-justifies-the-means mentality has become more and more pervasive. In other words, there is the thought process that we need to save the species; therefore, we are going to make sure that we do whatever we have to do to have plenty of critical habitat, and we are going to protect the species and we are not going to be too worried about the financial consequences to ranchers and other people. So the absolute authority granted by the Endangered Species Act has given license, I believe, to rather serious abuses and we have chronicled some of those this evening. The person closest to the species is the landowner and the person who often cares as much about the species as anybody is the landowner.

So I have seen some cases where Fish and Wildlife people have worked in partnership and in a symbiotic relationship with the landowners. This has made a huge difference, because when you get the landowners on board, when they are with you and they understand what you are trying to do and they understand you are not out to get them, some great things can happen for the wildlife. So I have seen it that way.

I have seen it on the other hand too. I have seen arbitrary behavior where the Endangered Species Act has been used as a club: my way or the highway. You guys do not have any rights, we are going to shove it down your throat. When that happens, you find that the landowner is forced to choose between a species and his livelihood, and the landowner usually is going to choose his livelihood. The Endangered Species Act, often unnecessarily, forces the landowner to make this choice, and when this happens, everyone loses.

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT ON H.R. 2646, FARM SECURITY ACT OF 2001

Mr. TANCREDO. Mr. Speaker, pursuant to clause 7(c) of rule XXII, I hereby announce my intention to offer the following motion to instruct House conferees tomorrow on H.R. 2646.

The form of the motion is as follows: I move that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2646, an Act to provide for the continuation of agricultural programs through fiscal year 2011, be instructed to disagree to the provisions contained in Section 452 of the Senate amendment, relating to partial restoration of benefits to legal immigrants.

WELFARE REFORM AND OTHER ISSUES IMPORTANT TO AMERICANS

The SPEAKER pro tempore (Mr. BOOZMAN). Under the Speaker's announced policy of January 3, 2001, the gentleman from Colorado (Mr. TANCREDO) is recognized for 60 minutes.

Mr. TANCREDO. Mr. Speaker, before I give my comments tonight, I want to take note of one individual in particular here in the room with us tonight and those that are also here every single night, every single day on the floor, and they are the pages that have worked so hard to make the operation of this House successful as it is. In particular, one Katie Roehrick, who I spoke to just a little earlier, I want to especially point out and thank her for her work and staying late in the evenings as she does and to her mom, Brenda, for producing such a lovely daughter.

Mr. Speaker, there are a number of issues with which I wish to deal tonight. Before I begin the major body of my presentation, I want to refer to the comments that were made by members of the minority party here earlier this evening, and for at least an hour, perhaps longer, they went on about the concerns they have with the fact that we have, that this body has passed and this Congress has passed, a package of bills that we refer to as a stimulus package and essentially, they are measures designed to reduce taxes on the people of the United States of America.

□ 2230

I think, and they were concerned about this, and they certainly do not want, as they said, they do not want these measures to become permanent. They want all of the temporary tax cuts to remain only temporary. In fact, they are concerned about the fact that we passed them at all. They would just as soon that we never had passed tax cuts.

I would like the people listening, and also, most importantly, Mr. Speaker, I want to address this comment to the House, and reflect upon exactly what it was that we had to do in order to get Democratic support for our package, the package that we refer to as a stimulus package. I think it is very elucidative. It tells us a great deal about the difference between the two parties, and about the way in which we do our business here in this House. It tells us a great deal about how we view government and its relationship to the people.

Now, it is undeniably true that as a result of a number of things, traditional economic downturns, the war we are facing, a variety of other issues have impacted negatively on the economy of this Nation. That is undeniably true. No one argues with that.

As a result, revenues have dropped, jobs have disappeared, and Federal, State and local governments are having a more difficult time meeting their commitments because revenues have decreased. That is undeniably true. That is the only thing upon which we agree.

Everybody here can agree there is a problem. The President has articulated the problem, and has postulated a response and a solution. This is what separates the two parties, this philosophy of government embodied in this whole idea of a stimulus package, ''stimulus,'' meaning to get the country moving again.

What can we do, what is there that the Members of this body can do, to reinvigorate the American economy?

Now, when we presented this in the form of a motion here on the floor, in the form of regulations and/or laws, here is what we came up with.

On the Republican side, we said that the best thing that we can do as a body is to in fact reduce the tax burden on the people of the country and on the businesses that employ the people of this country, because we believe in order to get the economy in fact stimulated, as the title of the package implies, we need to increase the number of jobs that are available to the people of the country. We have to make sure that the government does what it can do to make it easier for corporations, for small businesses, to employ other people, to sell their products and services, and thereby prosper. We believe that is the way to get the economy moving again.

What did our friends on the other side offer to this stimulus package? What did we in fact have to include in order to get it passed? The one proposal, the one and only proposal that came from the minority party to stimulate our economy, was to increase the length of time people could be on unemployment compensation.

Now, we can argue for the need for the Federal Government to increase the length of time people can be eligible for unemployment, but that is a separate debate. It should be a separate debate, totally and completely different from the debate over what it is we can do to get the economy moving again. Yet, this is the only thing they put forward, an increase in the amount of time people could be eligible for unemployment.

Now, I suggest, Mr. Speaker, that that is a perfect example. I cannot think of a better way to explain to the American people the difference that exists between two parties, two philosophies, two ideas of government.

One, because we want tax breaks, we are characterized as heartbreakers, cruel, or only wanting to help the ''rich.'' But as has been said often on this floor, and certainly something with which I agree, Mr. Speaker, I have never personally been given a job by a poor person. Jobs only come from people who can afford to give jobs, companies that can afford to employ people. And their ability to do so, their ability to employ people, is directly related to the costs they incur to be in business.

One of those costs, in fact, I think a very expensive cost, is the cost of the government. I think it is too high. I think we interfere far too much with the marketplace and with people's ability to actually do business.

There are legitimate roles for the government, undeniably, legitimate roles in this area. But when we are talking about trying to get this economy moving again, and then to hear our friends on the other side of the aisle come up here tonight and talk for over an hour about their fear that a tax break, that a tax cut would in some way or other jeopardize the success of our stimulus package, that is absolutely incredible.

Actually, it is not incredible, it is to be expected, but it is also to be rejected. It is a failed philosophy. We cannot tax ourselves out of a recession. What we can do is, of course, unleash the power, the spirit, and the enterprise of the American people, and that is what we have done. That is what this President has requested. That is how this Congress has responded.

We should not only disavow any attempt on the part of the minority

party to retain the degree to which all of these things were temporary, but we should in fact move quickly to make all of these tax reductions permanent, and we should do so with haste and with great pride, because it is in fact what will get this country moving again.

Now, it is interesting to note that although we heard a number of protestations from the other party tonight about the cost of government, about the expenditures of the Federal Government, something I am sure they are not used to actually doing, when we consider that for 40 years this body was controlled by the Democratic Party and for 40 years we were in deficit spending, and the idea of a balanced budget was almost laughable. In fact, I know that many people did consider it a joke: How could we ever do that? Impossible. It is only right and just and God willed somehow that we would always be in deficit spending, as long as they were in charge.

So the idea of actually coming to the floor and talking about fiscal prudence, fiscal responsibility, I am happy to hear it. I hope somehow or other those words begin to actually take root within the Members of the other side. I hope they actually begin to listen to what they say about being able to actually prioritize the needs of this Nation in a way that allows us as a nation to live within our means, as we all must do, or face the consequences.

I say that that is ironic in a way because, on another note, we will be and have been for some time and we will continue to debate the issue of immigration into the United States of America. We will talk about the need for immigration, and we will talk about its impact, and the fact that diversity plays such a wonderful role in the American landscape.

We will soon be debating whether or not we should in fact be increasing the amount of money, and in particular, the amount of food stamps, that will be made available to people who are here who are not citizens of the country: an expansion of the food stamp welfare program. That may be up on this floor as early as tomorrow. It is the motion that I made earlier upon the beginning of my comments here that I intend to instruct the conferees, at least I intend to bring a motion before this body that would instruct the House conferees that are presently in conference with the Senate over the farm bill to not agree to any expansion of welfare benefits for people who are not citizens of the United States.

Now, we passed just a few years ago, 6 short years ago, we passed a bill in this body that is widely, widely accepted as being a monumental improvement in the area of welfare. The Welfare Reform Act that we passed in this body did a number of amazing things. It was a sea change, if you will. It was one of the few times that a government reverses its policy and begins to go in a different direction. That hardly ever happens around here, as we know, but it happened in 1996, and to the benefit of literally millions and millions of Americans, millions of Americans who were no longer besieged, in a way, by the plight of welfare.

I say it in that way, I couch it in those terms, because that is exactly what welfare is in reality, it is a plight. It is something that we understood in 1996 to affect intrinsically, I say, intrinsically, the character of the Nation, and to negatively affect the people it was designed to benefit.

Welfare was always, since the beginning of the country, designed or thought of as being a very thing. For the most part, of course, we know at the beginning of the Nation it was never thought of as being a government responsibility at all; it was the responsibility of churches and of local communities. But we have expanded that concept dramatically, as we all know. We did so, I think, for the most part for very altruistic reasons. We did so because we believed that the people who were more well off needed to help and benefit those who were in need. That is something that I think we can all agree to.

But the whole idea of welfare was that it was a temporary thing, meant to get them over a particular bump in the road, a problem they were having in their lives that, with a little bit of help from the government, they could overcome and move on to self-sufficiency.

But we all know, Mr. Speaker, what happened over the course of time: it was no longer thought of, for the most part, as just a temporary thing; it was thought of as a lifestyle. It became a lifestyle for far too many, literally millions of Americans, far too many Americans. And it did not benefit them, in the long run.

In a way, there is a great metaphor. We could think about penguins who were at one time able to fly. I always think about this, and realize that over eons of time, these particular birds did not use that ability and they eventually lost it.

What we did to a lot of people was to take away their ability to fly; in this case, I mean to actually make their own way in life. We took away their self-esteem.

There have been many books, many research papers, written on the effects, the negative effects, of welfare on our society. We came to that conclusion as a majority of this body, and with the President. After he vetoed it two times, the past president, President Clinton, he eventually came to the conclusion that it was the right thing to do, and it was. That was to stop doing what we were doing and begin to move in a direction that would once again reflect that original attitude about welfare; that is, that it was a temporary intercession on the part of the Federal Government or the State or local government, and that the worst thing we could do was to make it a continuing process.

So we started a new era, and almost without exception, every State began to see a reduction in the number of people on the welfare rolls. Now we are something like 50 percent below where we were. Some States, I am told, are 80 percent or 90 percent below where they were in 1996.

Now, a lot of people say, well, naturally, it is because, of course, we had a time of economic prosperity. But I would refer to the many, many studies that have been done on this issue that have shown that heretofore, prior to 1996, it did not matter how many economic boom and bust cycles we went through in the country, it did not matter that the graph showed this fluctuating line in times of great prosperity, in times of economic downturns. It did not matter that, over the course of time, the number of people on welfare went up, and the economic boom cycle had nothing to do with bringing it down. It never came down. It went up in good times, it went up in bad times, prior to 1996.

□ 2245

It was not the economic good times of the nineties. After all, we only passed this in 1996. It began to take effect maybe 1997–1998, and we had already been in a period of at least 10 or more years of economic upturn. Why had we not seen an increase in the number of people employed during that period and getting off of welfare during the time prior to 1996, say, from about 1985 to 1996?

We did not see it because, of course, the welfare system only encouraged people to stay on welfare. We encouraged generation after generation after generation of people to be on welfare. It is all they knew. It is all they trusted. It is all that they could actually hope for or think about.

We actually forced a change in the character, the national character of a nation, an amazing thing.

So what are we now proposing in the farm bill? We are proposing to add people to the welfare rolls, 200,000, perhaps more, depending upon which version of this thing is passed by this body, if it is passed. I suggest if history is any guide to this, it will be far more than 200,000; but what we are saying is that all of the things we did right in 1996 we are going to undo, little by little here; and we are going to start with people who are immigrants to the country, legal, that is true, but nonetheless ineligible for welfare at the present time, ineligible for food stamps at the present time.

Mr. Speaker, there is a peculiar thing that we do, one of the many I guess that we do with regard to this issue of immigration, and that is, that when someone comes here as an immigrant they have to actually find a sponsor who is willing to say and swear to the fact that when this person comes in as the person they sponsor, that they, in fact, will be held financially responsible so that that person coming in will

never be a drain on the resources of the Nation. We say that all the time. I mean, that is every single person comes in, they actually sign it.

Amazingly, Mr. Speaker, we do not enforce it. In fact, there is not a mechanism to enforce it. We would not know what court to go to. There is no regulation that allows us to actually have a pathway to do this. So it is never enforced. Not one person, not one person here today as an immigrant, and some are eligible under our laws because of economic status, but none should be eligible because of the fact that we have someone who said they would be responsible, financially responsible. Yet not one person has ever been held responsible for an immigrant family coming here that then goes on welfare, not one. It is a big joke, as much of the immigration issue is a nasty, ugly and really not-so-funny joke. No one has ever been held responsible, no one; but that is the law. They are supposed to.

I ask my colleagues, Mr. Speaker, should it be the business of this body to actually reverse some of the activity, some of the benefits of the 1996 Welfare Reform Act and now begin an expansion of the number of people who are on welfare, in this particular case, on food stamps, who are made eligible for food stamps? I believe it is wrongheaded.

I know that there are political motivations for this. I understand that in this body is what really makes things work. That is the mother's milk of this organization, that is, what are the politics of the issue, and in this case, it is pretty clear. There is a rapidly-expanding immigration population in the United States; and the hope that we can garner their support, the political support of these people who will soon become citizens and eligible to vote and even those who vote, even though they are not citizens, and they do en masse, believe me, fraudulently vote, but we are all concerned about the impact of this massive immigration on our own political futures. This goes from the White House down through the House and Senate.

Mr. Speaker, it is fascinating, because in the Zogby poll I saw not too long ago there was one portion of it where they actually went to Hispanic Americans, and in this case Hispanic immigrants to the country who are not yet citizens, and said there is a proposal to, among other things, provide amnesty for people coming into this country, and would you be more or less inclined to vote for someone who supported amnesty for someone here illegally? Amazingly, a majority of the people, Hispanic Americans, said no, I would not be in favor of that. I would actually vote against someone who proposed that.

I believe with all my heart, Mr. Speaker, that we can appeal to every American, whether they be Hispanic or black or Italian, as I am, or Hungarian or Polish or whatever, we can appeal to them all to vote for our party based on our principles.

I am a Republican. The principles of my party rest on less government, less welfare, more individual freedom, a greater degree of trust and understanding of the importance of individual responsibility. That is what I believe we can appeal to people on.

People on the other side have their own principles and ideas, all just as deeply felt, all principled. I do not suggest for a moment that the folks on the other side of the aisle do not feel these things as strongly as I feel our principles.

Let us go forward based on who we are and what we are and ask for the support of the people who are here in the country; and I think, as Republicans, I think we will win. Certainly we will win our share. We will not win every single person, but I believe we can win our share by saying to them that we trust you, we want you to be part of this American mosaic, and we want to give you the freedom to both succeed and the freedom to fail.

That is the essence of freedom. Every country on the Earth that has tried the other experiment we call socialism, that experiment that tells people you really cannot fail, you really cannot, do not worry, we will always make sure you have a job even if your job produces nothing of value, the government will subsidize it, we will always make sure you have a home, a little apartment maybe someplace, because this is a guarantee against your ever failing.

Well, when you say to people you cannot fail, you also say to them, well, you cannot succeed; and the greatness of America is the fact that here we do say to everyone or at least it is the promise of America that you have this great opportunity. The great opportunity is to succeed even beyond your wildest imagination, and yes, you may fail, but that is an important part in the process, and to fail does not mean it is all over. It means you start again on a new path.

That is what I consider to be the American way. That is what I consider to be the promise we should hold out to everyone coming into the United States and to people who have been here for all of their lives, that we give them both the freedom to succeed and the freedom to fail.

There is an immediate allure I know to going up to people and saying we will protect you from failure, we will make sure you cannot; and we will hide any of the negative from you, but to fail as a system cannot work like this, and they have failed all over the world. It is only our system that now shines a light as a beacon really to the poor and impoverished of the world as to how we can improve the lives of everyone.

The poorest American for the most part lives even a better life than most of the people in the Third World. The poorest American has a better life today than most people in the world. I say in the world because, in fact, the Third World populations dwarf those of the rest of the world and so, in reality, the poorest American still lives better than most people in the world.

That is an amazing thing. It is an incredible thing, and of course if you are here and the only thing against which you judge it is what your neighbor has you feel impoverished, and I do not mean for a moment that we should not do everything we can to make sure that everyone in the United States does not move as quickly as they possibly can toward economic self-sufficiency, but welfare is not the way to do it.

It is more often than not a political ploy. It is a political carrot we dangle in front of people for their votes, but it is in a way as destructive to them as a drug that we put in front of them. Welfare is a drug that once injected becomes addictive. We recognize that. This is what I am saying now. What is amazing to me is that we came to this conclusion as a body, as a country just 6 years ago. Yet here we are talking about expanding the number of people eligible for, in this case, food stamp benefits; and again I say it is simply for political reasons.

The issue of immigration is one with which we must deal; and it will be interesting to see tomorrow, Mr. Speaker, if we do bring this motion to the floor to instruct conferees. It will be interesting to see how all the people who stood on the floor tonight to talk about fiscal discipline, the importance of not spending more than we take in, it will be interesting to see how they vote on this $2 billion proposal, an expansion of welfare.

My guess is that most of them will vote to expand it. Regardless of the fiscal implication of this country, it really does not matter. I would bet, Mr. Speaker, that most of the people on this floor would vote for it even if it expanded welfare by $20 billion, by $50 billion, because the issue is not fiscal responsibility at that point. It is politics. It is votes. How many votes can we buy with welfare; and as I have told people on my side of the aisle so often, Mr. Speaker, we will never be able to outbid the folks on the other side of the aisle for votes when it comes to handicap welfare because everything we offer they will up the ante.

After all, it is not their money. It is just the people's money. Why not buy votes with the people's money? It is not yours, and that is in fact what we are doing here when we expand welfare. It is, in fact, what we are doing when we expand the number of people that can come into the United States. It is exactly what we do when we try to stop organizations of our government from actually enforcing the immigration laws, because we want for the most part, many people here want more people coming into the country. Why? Because they want diversity? Because they have some sort of altruistic feeling? No. No, sir. I do not believe that that is the case.

I think for the most part, this is my feeling, Mr. Speaker, I believe that what we are talking about here is the most crass politics. I see it as verbose. I see the people coming in as potential voters that I know want to retain power and even if you have to buy them off to do so, through government programs and services, some people will do that.

There is a great danger to this country from massive immigration, both legal and illegal. It is on many fronts. One is, in fact, the economic implications of massive immigration. For many, many years, immigration was thought of as one of the things that drove the economic engine of this country, and we still talk about it in that way. We still talk about the need for labor, especially low-cost labor. People on my side of the aisle especially talk about the need for low-cost labor and the importance of, in fact, keeping the engine running with those folks, and therefore, the need for massive immigration.

For a long time, Mr. Speaker, I think that that was a legitimate argument. When the country was going through the industrial revolution, it was in desperate need of low-cost labor. That was necessary for the accumulation of capital and for the eventual development of our system.

□ 2300

And there were horrendous examples of the excesses of the time, sweat shops and the like. Nonetheless, a case could be made for the need for massive numbers of low-cost, low-skilled workers. I suggest, Mr. Speaker, like everything, the economics of this changed dramatically and that the impact today of massive numbers of low-skilled, low-wage workers is actually negative on the country.

I know that there are people who will disagree with me, recognizing as I hear all of the time from certain industries that they could not run their business, a lot of ski areas in Colorado, talk about the fact that they cannot find enough people, they have to rely on immigrants; and they know that most of them are illegal.

Here is an interesting concept put forth by a Vanderbilt professor, and I will characterize it in this way. Massive immigration of low-skilled workers privatizes profits and socializes costs. That means that there are undeniably a number of people who do profit as a result of having a lot of low-skilled people working for them. They do in fact have greater profits in that regard because you can pay lower wages. But on the other side, there are costs to society. There are costs for schools, costs for streets, hospitals, costs for social services, including welfare. What we have found is that the cost of immigration, especially for low-skilled, low-wage people are higher than the profits they return, higher than the benefits that they provide in terms of taxes, higher than what they actually turn in in terms of their own tax revenues.

Low-wage, low-skilled workers naturally pay less in taxes, naturally. Many of them, of course, are paid in cash because they are illegal. They are here illegally. So there is an advantage to the employer who can skirt the law by paying the employee in cash, thereby avoiding all kinds of employment taxes, and to the employee who takes it in cash who therefore does not have to pay taxes on it, does not have to account for it or fill out any forms. So a huge amount of money, a huge part of this economy, is a cash economy from which the government receives absolutely no revenues.

For those people who then in fact do pay taxes, they are people who pay a low level because naturally they are low-skilled, low-wage earners. Most pay none. Even if they are filing, they do not really pay taxes with the exception of sales and use taxes, but they pay no income taxes for the most part. But the costs of society are significant.

The cost of adding each new person to a community is about $1,500 and that is the first year, taking into account all of the things that have to be put in place for that additional person, streets, houses, all of the infrastructure. It is not economically viable; it is no longer something that pushes the engine of the economy. It is a drain on the economy. It is a governor, if you will, on the engine, on the speed of the engine.

It does in fact benefit certain people, undeniably true. The hotel owners in the resort areas in my State are benefited by having low-skilled, low-wage people come into the United States seeking jobs that perhaps no one else would take. That is what we always hear. But what we do not hear is the rest of that line, jobs no one else would take for the price I am paying this person. Well, it is true that perhaps they will have a harder time getting other folks to take those jobs, but it is not true this is an overall economic benefit to the Nation.

The numbers are staggering. In a recent article, and I should preference this by saying at the height of the immigration wave into the United States in the early part of the 20th century, we saw about 200,000 people a year coming in. That was only for 2 or 3 years, and after that it went down. That was tops. That was at the heyday of immigration into the country. Today, about a million come in legally. We do not know how many come in illegally.

Mr. Speaker, here is an interesting article that appeared recently in World Net Daily. It says in Cochise County, Arizona, the U.S.-Mexican border is the most heavily used corridor for illegal alien traffic on America's southern border, and the numbers of unauthorized immigrants smuggled across the porous border dumbfounds the imagination. As of October 19, 2001, the U.S. Border Patrol had apprehended 158,782 illegals. That was in 2001. By the Border Patrol's own admission, it catches one in five and admits that around 800,000 have slipped across the border up to that point in time. Local ranchers who have been watching the border for several generations strongly disagree and estimate that the agency nets one in 10. Estimates are that in 2001, over 1.5 million unlawful immigrants crossed into America in what the Border Patrol people called the Tucson sector. The numbers are staggering. It is growing dramatically.

Mr. Speaker, please understand, we are not just talking about people from Mexico or South America; we are talking about people from all over the world coming through Mexico.

This article goes on to identify the many people coming through that border illegally from the Middle East. A Border Patrol spokesman stated that the other than Mexican detentions has grown by 42 percent. Most of the non-Mexican immigrants are from El Salvador, but they have picked up people from all over the world. Arabs have been reported crossing the Arizona border for an unknown period, and border rancher George Morgan encountered thousands of illegals crossing his ranch on a well-used trail. He talks about an incident where he saw literally hundreds on his property one day. They were all Iranians, 100 Iranians, coming across the border. This article goes on to detail that particular phenomenon. That is to say that just because we have a porous border in the south and we talk about the danger that that poses to America from an economic standpoint, please understand that there is another danger that it poses to America, and that is a very vital part of this discussion, and that is the danger to our national security that is as a result of our porous borders, that is as a result of the fact that we do not care.

Mr. Speaker, we do not care who comes across. We are afraid of actually putting into any sort of order our border control efforts. We are afraid of it. Why are we afraid? How can this be, Mr. Speaker? That after 3,000 Americans were killed by aliens, people who came here from other countries for the purpose of doing harm, some of them here illegally as a result of overstaying their visas, how can we say that we turn a blind eye and that we do not care about the fact that these borders are porous? How can we continue to encourage people to come across those borders illegally? How is it that we can be so cavalier about what I consider to be one of the most important aspects of our national sovereignty, the establishment of, the protection of, the defense of our borders.

□ 2310

Is it really passe? Is it really outdated for me to stand on the floor of this body and this House and plead for the protection of our borders, the defense of our borders? Is that really that odd? How is it that we can look at this

whole phenomenon and not reel by the impact made when we understand the fact that every day, literally thousands of people are crossing our borders without our knowledge, certainly without our permission. For the most part, I am sure that their intentions are benign. But whether their intentions are simply to take a low-cost job that no one else will take or their intentions are to do something more evil, the fact is that the impact is negative on the country, negative from an economic standpoint and negative from a national security standpoint.

This body has failed to produce a single piece of legislation, both the House and the Senate together, failed to produce a single piece of legislation which will significantly increase the security of the people of the United States as regards the borders. We have done a great deal to improve our ability to respond to the threats of terrorists in Afghanistan, in Iraq maybe soon, in the Philippines, in the Republic of Georgia, the many other nations where we have identified tentacles of the terrorist threat Al Qaeda. We have done a marvelous job. It is to the credit of this President, this body, the Congress of the United States and more importantly to the people, the men and women who serve in the Armed Forces, that we have been able to accomplish what we have been able to accomplish since 9/11. But it is not enough, Mr. Speaker.

We have one primary responsibility here in this body, one thing that is more important than making sure that we fund health and human services activities, education activities, transportation and all of the other budget bills that we deal with. Something more important than that is the protection of the life and property of the people of this country. We shirk that responsibility if we do not pay attention to our borders, if we do not get some sort of hold on our own immigration policy and become a real nation. Because a real nation has borders. It defends them. It determines who comes across them to the best of its ability. It expels people who come across illegally. We laugh at that. We wink at it. It is a joke.

Let me tell you, Mr. Speaker, we will not be laughing the next time we have an incident. God forbid that another event occur in this Nation that we can attribute to the evil intent of people who come here from other nations and who sneak across or come across legally and stay beyond what they should or who lie to us for telling us why they are coming in. All those people coming in illegally, we have a responsibility to do everything we can to protect the American citizens by defending our borders. Do not shirk this responsibility, I beg my colleagues. It is our primary responsibility. God and the American people will judge us for our actions.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HASTINGS of Florida (at the request of Mr. GEPHARDT) for today and the balance of the week on account of official business.

Mr. THORNBERRY (at the request of Mr. ARMEY) for today and April 17 on account of a death in the family.

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 Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. LIPINSKI, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. DINGELL, for 5 minutes, today.

Ms. CARSON of Indiana, for 5 minutes, today.

Mr. STRICKLAND, for 5 minutes, today.

(The following Members (at the request of Mr. WELLER) to revise and extend their remarks and include extraneous material:)

Mr. HANSEN, for 5 minutes, today.

Mr. MORAN of Kansas, for 5 minutes, today.

Mr. WALDEN of Oregon, for 5 minutes, today.

Mr. GRUCCI, for 5 minutes, today.

Mr. KIRK, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. SCHROCK, for 5 minutes, today.

ADJOURNMENT

Mr. TANCREDO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 14 minutes p.m.), the House adjourned until tomorrow, Wednesday, April 17, 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:

6188. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Truth in Lending [Regulation Z; Docket No. R–1118] received April 5, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6189. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule—Guides for the Household Furniture Industry—received March 21, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6190. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule—Guide Concerning Fuel Economy Advertising For New Automobiles—received March 21, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6191. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule—Guide For The Rebuilt, Reconditioned, And Other Used Automobile Parts Industry—received March 21, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6192. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule—Rule Concerning Disclosures Regarding Energy Consumption and Water Use of Certain Home Appliances and Other Products Required Under the Energy Policy and Conservation Act (Appliance Labeling Rule)—received March 21, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6193. A letter from the Acting Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Air Force's Proposed Letter(s) of Offer and Acceptance (LOA) to the Taipei Economic and Cultural Representative Office in the United States for defense articles and services (Transmittal No. 02–05), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

6194. A letter from the Director, International Cooperation, Department of Defense, transmitting a copy of Transmittal No. 08–02 which informs of the intention to sign the Future Air Capabilities Projects (FAC) Memorandum of Understanding (MOU) between the United States, France, Germany, and the United Kingdom, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

6195. A letter from the Director, International Cooperation, Department of Defense, transmitting a copy of Transmittal No. 07–02 which informs of the intention to sign an Amendment to the Memorandum of Understanding (MOU) between the United States, the United Kingdom, Canada, and The Netherlands concerning the Cooperative Framework for the System Development and Demonstration (SDD) Phase of the Joint Strike Fighter (JSF) Program and the Netherlands Supplement between the United States and The Netherlands, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

6196. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Japan [Transmittal No. DTC 12–02], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

6197. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Japan [Transmittal No. DTC 027–02], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

6198. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles to India [Transmittal No. DTC 168–01], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

6199. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Japan [Transmittal No. DTC 032–02], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

6200. A letter from the Inspector General, Railroad Retirement Board, transmitting the semiannual report on activities of the

Office of Inspector General for the period April 1, 2001, through September 30, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

6201. A letter from the FHWA Regulations Officer, Department of Transportation, transmitting the Department's final rule—Right-of-Way and Real Estate; Program Administration [FHWA Docket No. FHWA–2001–8624] (RIN: 2125–AE82) received March 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6202. A letter from the FMCSA Regulations Officer, Department of Transportation, transmitting the Department's final rule—Certification of Safety Auditors, Safety Investigators, and Safety Inspectors [Docket No. FMCSA–2001–11060] (RIN: 2126–AA64) received March 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6203. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 757 Series Airplanes [Docket No. 2001–NM–07–AD; Amendment 39–12632; AD 2002–02–04] (RIN: 2120–AA64) received March 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6204. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300 B2 and A300 B4; A300 B4–600, B4–600R, and F4–600R (Collectively Called A300–600); and Model A310 Series Airplanes [Docket No. 2001–NM–253–AD; Amendment 39–12633; AD 2002–02–05] (RIN: 2120–AA64) received March 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6205. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–200, –200C, –300, and –500 Series Airplanes [Docket No. 2000–NM–332–AD; Amendment 39–12636; AD 2002–02–08] (RIN: 2120–AA64) received March 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6206. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pilatus Britten-Norman Limited BN–2, BN–2A, BN–2B, and BN–2T Series Airplanes [Docket No. 2001–CE–38–AD; Amendment 39–12638; AD 2002–02–10] (RIN: 2120–AA64) received March 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6207. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A319, A320, and A321 Series Airplanes [Docket No. 2000–NM–413–AD; Amendment 39–12652; AD 2002–03–11] (RIN: 2120–AA64) received March 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6208. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; BAE Systems (Operations) Limited Model BAe 146 Series Airplanes and Model Avro 146–RJ Series Airplanes [Docket No. 2000–NM–266–AD; Amendment 39–12651; AD 2002–03–10] (RIN: 2120–AA64) received March 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6209. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; SOCATA—Groupe AEROSPATIALE Model TBM 700 Airplanes [Docket No. 2001–CE–10–AD; Amendment 39–12644; AD 2002–03–03] (RIN: 2120–AA64) received March 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6210. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; CFM International, S. A. CFM56–5 Series Turbofan Engines [Docket No. 2001–NE–20–AD; Amendment 39–12461; AD 2002–02–13] (RIN: 2120–AA64) received March 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6211. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Honeywell International, Inc., (formerly AlliedSignal, Inc., and Textron Lycoming) T5311A, T5311B, T5313B, T5317A, T5317B, T53–L–11, T53–L–11A, T53–L–11B, T53–L–11C, T53–L–11D, T53–L–11AS/SA, T53–L–13B, T53–L–13BS/SA, T53–L–13BS/SB, and T53–L–703 Turboshaft Engines [Docket No. 2000–NE–34–AD; Amendment 39–12642; AD 2002–03–01] (RIN: 2120–AA64) received March 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6212. A letter from the Program Analyst, FAA, Department Of Transportation, transmitting the Department's final rule—Airworthiness Directives; BAE Systems (Operations) Limited Model BAe 146 and Avro 146–RJ Series Airplanes [Docket No. 2001–NM–224–AD; Amendment 39–12648; AD 2002–03–07] (RIN: 2120–AA64) received March 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6213. A letter from the Acting Director, Office of Regulatory Law, Department of Veterans' Affairs, transmitting the Department's final rule—Board of Veterans' Appeals Rules of Practice: Claim for Death Benefits by Survivor (RIN: 2900–AL11) received April 5, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HANSEN: Committee on Resources. H.R. 3955. A bill to designate certain National Forest System lands in the Commonwealth of Puerto Rico as components of the National Wilderness Preservation System, and for other purposes; with an amendment (Rept. 107–409). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 3421. A bill to provide adequate school facilities within Yosemite National Park, and for other purposes; with an amendment (Rept. 107–410 Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mrs. MYRICK: Committee on Rules. House Resolution 388. Resolution providing for consideration of the bill (H.R. 476) to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions (Rept. 107–411). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII, the Committee on Education and the Workforce discharged from further consideration. H.R. 3421 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 3421. Referral to the Committee on Education and the Workforce extended for a period ending not later than April 16, 2002.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. MANZULLO (for himself and Ms. VELÁZQUEZ):

H.R. 4231. A bill to improve small business advocacy, and for other purposes; to the Committee on Small Business.

By Mr. FERGUSON:

H.R. 4232. A bill to extend the temporary suspension of duty on bromine-containing compounds; to the Committee on Ways and Means.

By Mr. FERGUSON:

H.R. 4233. A bill to extend the temporary suspension of duty on filter blue green photo dye; to the Committee on Ways and Means.

By Mr. FERGUSON:

H.R. 4234. A bill to extend the temporary suspension of duty on a fluoride compound; to the Committee on Ways and Means.

By Mr. RAHALL (for himself, Mr. GEORGE MILLER of California, Mr. MURTHA, and Mr. STRICKLAND):

H.R. 4235. A bill to amend the Black Lung Benefits Act, and for other purposes; to the Committee on Education and the Workforce.

By Mr. ACEVEDO-VILÁ (for himself, Mr. UNDERWOOD, and Mrs. CHRISTENSEN):

H.R. 4236. A bill to provide access to welfare tools to help Americans get back to work; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ACKERMAN:

H.R. 4237. A bill to provide for the liquidation or reliquidation of certain entries of protective cases; to the Committee on Ways and Means.

By Mr. BECERRA:

H.R. 4238. A bill to extend the temporary suspension of duty on 5-[(3,5-Dichlorophenyl)-thio]-4-(1-methylethyl-1)-(4-pyridin lmethyl)-1H-imidazole-2-methanol carbamate; to the Committee on Ways and Means.

By Mr. BECERRA:

H.R. 4239. A bill to extend the temporary suspension of duty on [4R-[3(2S,3S),4R]]-3-[2-Hy-droxy-3-[(3-hydroxy-2-methyl-b enzoyl)amino]-1-oxo-4-phenylbutyl]-5,5-di-methyl-N-](2-methyl penyl)-methyl]-4-thiazolidine-carboxamide; to the Committee on Ways and Means.

By Mr. BECERRA:

H.R. 4240. A bill to extend the temporary suspension of duty on (2E,4S)-4-(((2R,5S)-2-((4-Fluorophenyl)-methyl)-6-methyl-5-((5-methyl-3-isoxazolyl)-carbonyl y)amino)-1,4-dioxoheptyl)-amino)-5-((3S)-2-oxo-3-pyrrolidiny l)-2-pentenoic acid, ethyl ester; to the Committee on Ways and Means.

By Mr. BECERRA:

H.R. 4241. A bill to suspend temporarily the duty on 1H-imidazole,4-(1-methylethyl)-2-

[(phenylmethoxy)methyl]-(9C 1); to the Committee on Ways and Means.

By Mr. BECERRA:

H.R. 4242. A bill to suspend temporarily the duty on Benzamide, N-methyl-2-[[3-[(1E)-2-(2-pyridinyl—ethenyl]-1H-indazol-6- yl)thio]-; to the Committee on Ways and Means.

By Mr. BECERRA:

H.R. 4243. A bill to suspend temporarily the duty on 1(2H)-Quinolinecarboxylic acid, 4-[[[3,5-bis(trifluoromethyl)phenyl] methyl](methoxycarbonyl)amino]-2-ethyl- 3,4-dihydro-6-(trifluoromethyl)-, ethyl ester, (2R,4S)-(9CI); to the Committee on Ways and Means.

By Mr. BECERRA:

H.R. 4244. A bill to suspend temporarily the duty on Disulfide,bis(3,5-dichlorophenyl)(9C1); to the Committee on Ways and Means.

By Mr. BECERRA:

H.R. 4245. A bill to suspend temporarily the duty on Pyridine,4-[[4-(1-methylethyl)-2-[(phenylmethoxy)methyl]-1H- midazol-1-yl] methyl]- ethanedioate (1:2); to the Committee on Ways and Means.

By Mr. BECERRA:

H.R. 4246. A bill to suspend temporarily the duty on 1H-Pyrazole-5-carboxamide,N-[2-fluoro-5-[[3-[(1E)-2-(2-pyrid inyl)ethenyl]-1H-indazol-6-yl]amino]phenyl]1,3-dimethyl-; to the Committee on Ways and Means.

By Mr. BECERRA:

H.R. 4247. A bill to suspend temporarily the duty on 1H-imidazole-2-methanol,5-[(3,5-dichlorophenyl)thio]-4-(1-me hlethyl)-1-(4-pyridinylmethyl)-(9C1); to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4248. A bill to suspend temporarily the duty on Paclobutrazole Technical; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4249. A bill to suspend temporarily the duty on Paclobutrazole 2SC; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4250. A bill to suspend temporarily the duty on Methidathion Technical; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4251. A bill to suspend temporarily the duty on Vanguard 75 WDG; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4252. A bill to suspend temporarily the duty on WAKIL XL; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4253. A bill to suspend temporarily the duty on Oxasulfuron Technical; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4254. A bill to suspend temporarily the duty on Mucochloric Acid; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4255. A bill to suspend temporarily the duty on Azoxystrobin Technical; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4256. A bill to suspend temporarily the duty on Flumetralin Technical; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4257. A bill to suspend temporarily the duty on Cyprodinil Technical; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4258. A bill to suspend temporarily the duty on Mixtures of Lambda-Cyhalothrin; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4259. A bill to suspend temporarily the duty on Primisulfuron; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4260. A bill to suspend temporarily the duty on 1,2 Cyclohexanedione; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 4261. A bill to suspend temporarily the duty on Difenoconazole; to the Committee on Ways and Means.

By Mr. COX:

H.R. 4262. A bill to suspend temporarily the duty on certain refracting and reflecting telescopes; to the Committee on Ways and Means.

By Mr. COYNE:

H.R. 4263. A bill to extend the temporary suspension of duty on Baytron M; to the Committee on Ways and Means.

By Mr. COYNE:

H.R. 4264. A bill to extend the temporary suspension of duty on Baytron P; to the Committee on Ways and Means.

By Mr. COYNE:

H.R. 4265. A bill to extend the temporary suspension of duty on certain ion-exchange resins; to the Committee on Ways and Means.

By Mr. COYNE:

H.R. 4266. A bill to extend the temporary suspension of duty on Thionyl Chloride; to the Committee on Ways and Means.

By Mr. COYNE:

H.R. 4267. A bill to extend the temporary suspension of duty on DEMT; to the Committee on Ways and Means.

By Mr. COYNE:

H.R. 4268. A bill to extend the temporary suspension of duty on PHBA (p-hydroxybenzoic acid); to the Committee on Ways and Means.

By Mr. COYNE:

H.R. 4269. A bill to extend the temporary suspension of duty on Iminodisuccinate; to the Committee on Ways and Means.

By Mr. COYNE:

H.R. 4270. A bill to extend the temporary suspension of duty on Mesamoll; to the Committee on Ways and Means.

By Mr. COYNE:

H.R. 4271. A bill to extend the temporary suspension of duty on Baytron C-R; to the Committee on Ways and Means.

By Mr. COYNE:

H.R. 4272. A bill to extend the temporary suspension of duty on ortho-phenylphenol (OPP); to the Committee on Ways and Means.

By Mr. COYNE (for himself and Mr. HOLDEN):

H.R. 4273. A bill to extend the temporary suspension of duty on 11-Aminoundecanoic acid; to the Committee on Ways and Means.

By Mr. COYNE:

H.R. 4274. A bill to extend the suspension of duty on Vulkalent E/C; to the Committee on Ways and Means.

By Mr. COYNE:

H.R. 4275. A bill to suspend temporarily the duty on Phenylisocyanate; to the Committee on Ways and Means.

By Mr. COYNE:

H.R. 4276. A bill to suspend temporarily the duty on Bayowet FT-248; to the Committee on Ways and Means.

By Mr. COYNE:

H.R. 4277. A bill to suspend temporarily the duty on APEC 1745; to the Committee on Ways and Means.

By Mr. COYNE:

H.R. 4278. A bill to suspend temporarily the duty on P-Phenylphenol; to the Committee on Ways and Means.

By Mr. CRANE:

H.R. 4279. A bill to suspend temporarily the duty on certain rubber riding boots; to the Committee on Ways and Means.

By Mr. DEMINT (for himself and Mrs. MYRICK):

H.R. 4280. A bill to suspend temporarily the duty on aluminum etched foil; to the Committee on Ways and Means.

By Mr. DEMINT (for himself and Mrs. MYRICK):

H.R. 4281. A bill to suspend temporarily the duty on Chemical RH water-based (iron toluene sulfanate); to the Committee on Ways and Means.

By Mr. DEMINT (for himself and Mrs. MYRICK):

H.R. 4282. A bill to suspend temporarily the duty on Chemical NR Ethanol-based (iron toluene sulfanate); to the Committee on Ways and Means.

By Mr. DEMINT (for himself and Mrs. MYRICK):

H.R. 4283. A bill to suspend temporarily the duty on tantalum top/bottom inner shield, tantalum pan, tantalum crucibles, tantalum rod, and tantalum wire; to the Committee on Ways and Means.

By Mr. DEMINT (for himself and Mrs. MYRICK):

H.R. 4284. A bill to suspend temporarily the duty on tantalum capacitor ink; to the Committee on Ways and Means.

By Mr. DEMINT:

H.R. 4285. A bill to suspend temporarily the duty on certain cultured crystals; to the Committee on Ways and Means.

By Mr. DEMINT:

H.R. 4286. A bill to suspend temporarily the duty on certain manufacturing equipment; to the Committee on Ways and Means.

By Mr. DEMINT:

H.R. 4287. A bill to suspend temporarily the duty on certain manufacturing equipment; to the Committee on Ways and Means.

By Mr. DEMINT (for himself and Mrs. MYRICK):

H.R. 4288. A bill to suspend temporarily the duty on nickel powder; to the Committee on Ways and Means.

By Mr. DEMINT:

H.R. 4289. A bill to suspend temporarily the duty on certain manufacturing equipment; to the Committee on Ways and Means.

By Mr. DEMINT:

H.R. 4290. A bill to provide for the liquidation or reliquidation of certain entries of certain manufacturing equipment; to the Committee on Ways and Means.

By Mr. DEMINT:

H.R. 4291. A bill to suspend temporarily the duty on certain manufacturing equipment; to the Committee on Ways and Means.

By Mr. DEMINT:

H.R. 4292. A bill to provide for the liquidation or reliquidation of certain entries of certain manufacturing equipment; to the Committee on Ways and Means.

By Mr. DEMINT:

H.R. 4293. A bill to suspend temporarily the duty on certain manufacturing equipment; to the Committee on Ways and Means.

By Mr. DEMINT:

H.R. 4294. A bill to provide for the liquidation or reliquidation of certain entries of certain manufacturing equipment; to the Committee on Ways and Means.

By Mr. DEMINT:

H.R. 4295. A bill to suspend temporarily the duty on certain manufacturing equipment; to the Committee on Ways and Means.

By Mr. DEMINT (for himself and Mrs. MYRICK):

H.R. 4296. A bill to suspend temporarily the duty on barium titanate; to the Committee on Ways and Means.

By Mr. DEMINT (for himself and Mrs. MYRICK):

H.R. 4297. A bill to suspend temporarily the duty on thermal release plastic film; to the Committee on Ways and Means.

By Mr. DEMINT (for himself and Mrs. MYRICK):

H.R. 4298. A bill to suspend temporarily the duty on certain formulated silver paints and pastes to coat tantalum anodes colloidal precious metals; to the Committee on Ways and Means.

By Mr. DEMINT (for himself and Mrs. MYRICK):

H.R. 4299. A bill to suspend temporarily the duty on polymer masking material for aluminum capacitors (UPICOAT); to the Committee on Ways and Means.

By Mr. ENGLISH:

H.R. 4300. A bill to suspend temporarily the duty on standard grade ferroniobium; to the Committee on Ways and Means.

By Mr. ENGLISH:

H.R. 4301. A bill to suspend temporarily the duty on a certain chemical; to the Committee on Ways and Means.

By Mr. ENGLISH:

H.R. 4302. A bill to suspend temporarily the duty on a certain chemical; to the Committee on Ways and Means.

By Mr. ENGLISH:

H.R. 4303. A bill to suspend temporarily the duty on a certain chemical; to the Committee on Ways and Means.

By Mr. ENGLISH:

H.R. 4304. A bill to suspend temporarily the duty on a certain chemical; to the Committee on Ways and Means.

By Mr. ENGLISH:

H.R. 4305. A bill to suspend temporarily the duty on a certain chemical; to the Committee on Ways and Means.

By Mr. ENGLISH:

H.R. 4306. A bill to suspend temporarily the duty on a certain chemical; to the Committee on Ways and Means.

By Mr. HASTINGS of Washington:

H.R. 4307. A bill to extend temporary suspension of duty with respect to Ethofumesate; to the Committee on Ways and Means.

By Mr. HASTINGS of Washington:

H.R. 4308. A bill to extend the temporary suspension of duty with respect to Desmedipham; to the Committee on Ways and Means.

By Mr. HASTINGS of Washington:

H.R. 4309. A bill to extend the temporary suspension of duty with respect to Phenmedipham; to the Committee on Ways and Means.

By Mr. HASTINGS of Washington:

H.R. 4310. A bill to extend the temporary suspension of duty with respect to Diclofop methyl; to the Committee on Ways and Means.

By Mr. HASTINGS of Washington:

H.R. 4311. A bill to suspend temporarily the duty on endosulfan; to the Committee on Ways and Means.

By Mr. HAYES:

H.R. 4312. A bill to provide emergency agricultural assistance to producers of the 2002 crop of certain agricultural commodities; to the Committee on Agriculture.

By Mr. HOLDEN:

H.R. 4313. A bill to suspend temporarily the duty on 3-[(4 Amino-3-Methoxyphenyl) Azo]-benzene sulfonic acid; to the Committee on Ways and Means.

By Mr. HOLDEN:

H.R. 4314. A bill to suspend temporarily the duty on 2-Methyl-5-nitrobenzenesulfonic acid; to the Committee on Ways and Means.

By Mr. HOLDEN:

H.R. 4315. A bill to suspend temporarily the duty on 2 Amino 6 Nitro Phenol 4 sulfonic acid; to the Committee on Ways and Means.

By Mr. HOLDEN:

H.R. 4316. A bill to suspend temporarily the duty on 2 Amino 5 sulfobenzoic acid; to the Committee on Ways and Means.

By Mr. HOLDEN:

H.R. 4317. A bill to suspend temporarily the duty on 2,5 bis [(1,3 Dioxobutyl) Amino] benzene sulfonic acid; to the Committee on Ways and Means.

By Mr. HOLDEN:

H.R. 4318. A bill to suspend temporarily the duty on p-Aminoazobenzene 4 sulfonic acid, monosodium salt; to the Committee on Ways and Means.

By Mr. HOLDEN:

H.R. 4319. A bill to suspend temporarily the duty on p-Aminoazobenzene 4 sulfonic acid; to the Committee on Ways and Means.

By Mr. HOLDEN:

H.R. 4320. A bill to suspend temporarily the duty on 3-[(4 Amino-3-Methoxyphenyl) Azo]-benzene sulfonic acid, monosodium salt; to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 4321. A bill to extend the temporary suspension of duty on R115777; to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 4322. A bill to suspend temporarily the duty on ET–743; to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 4323. A bill to extend the temporary suspension of duty on Imazalil; to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 4324. A bill to extend the temporary suspension of duty on Norbloc 7966; to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 4325. A bill to extend the temporary suspension of duty on Fungaflor 500 EC; to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 4326. A bill to suspend until December 31, 2006, the duty on Benzenepropanal, 4-(1,1-Dimethylethyl)-Alpha-Methyl-; to the Committee on Ways and Means.

By Mrs. KELLY:

H.R. 4327. A bill to suspend temporarily the duty on 2,7-Naphthalenedisulfonic acid, 5-[[4-chloro-6-[[2-[[4-fluoro-6-[[5-hydroxy-6-[(4-methoxy-2- sulfophenyl)azo]-7-sulfo-2-naphthalenyl]amino]-1,3,5-triazin 2-yl] amino]-1-methylethyl]amino]-1,3,5-triazin-2-yl]amino]-3-[[4-(ethenylsulfonyl)phenyl]azo]-4-hydrox'-, sodium salt; to the Committee on Ways and Means.

By Mrs. KELLY:

H.R. 4328. A bill to suspend temporarily the duty on 1,5-Naphthalenedisulfonic acid, 3-[[2-(acetylamino)-4-[[4-[[2-[2-(ethenylsulfonyl)ethoxy]eth yl]amino]-6-fluoro-1,3,5-triazin-2-yl]amino]phenyl]azo]-, disodium salt; to the Committee on Ways and Means.

By Mrs. KELLY:

H.R. 4329. A bill to suspend temporarily the duty on 7,7'-[1.3-propanediylbis[imino(6-fluoro-1,3,5-triazine-4,2-d iyl)imino[2-[(aminocarbonyl)amino]-4,1-phenylene]azo]]bis-, sodium salt; to the Committee on Ways and Means.

By Mrs. KELLY:

H.R. 4330. A bill to suspend temporarily the duty on Cuprate(3-), [2-[[[[3-[[4-[[2-[2-(ethenylsulfonyl)ethoxy]ethyl]amino]-6-fluoro-1,3,5-triazin- 2-yl]amino]-2-(hydroxy-.kappa.O)-5-sulfophenyl]azo-.kappa.N2]phenylmethyl]azo-.kappa.N1]-4-sulfobenzoato(5-)-.kappa.O], trisodium; to the Committee on Ways and Means.

By Mrs. KELLY:

H.R. 4331. A bill to suspend temporarily the duty on 1,5-Naphthalenedisulfonic acid, 2-[[8-[[4-[[3-[[[2-(ethenylsulfonyl)ethyl]amino]carbonyl]phe ny]amino]-6-fluoro-1,3,5-triazin-2-yl]amino]-1-hydroxy-3,6-d isulfo-2-naphthalenyl]azo]-, tetrasodium salt; to the Committee on Ways and Means.

By Mr. KING:

H.R. 4332. A bill to designate the facility of the United States Postal Service located at 80 Killian Road in Massapequa, New York, as the ''Gerard A. Fiorenza Post Office Building''; to the Committee on Government Reform.

By Mr. LAHOOD:

H.R. 4333. A bill to suspend temporarily the duty on certain certain wheel rims; to the Committee on Ways and Means.

By Mr. LAHOOD:

H.R. 4334. A bill to suspend temporarily the duty on certain visual signaling equipment; to the Committee on Ways and Means.

By Mr. LAHOOD:

H.R. 4335. A bill to suspend temporarily the duty on certain machinery parts; to the Committee on Ways and Means.

By Mr. LAHOOD:

H.R. 4336. A bill to suspend temporarily the duty on certain parts of gearing, gear boxes, and other speed changers; to the Committee on Ways and Means.

By Mr. LAHOOD:

H.R. 4337. A bill to suspend temporarily the duty on parts of fuel-injection pumps for compression-ignition engines; to the Committee on Ways and Means.

By Mr. LAHOOD:

H.R. 4338. A bill to suspend temporarily the duty on certain lubricating pumps; to the Committee on Ways and Means.

By Mr. LAHOOD:

H.R. 4339. A bill to suspend temporarily the duty on fuel-injection pumps for compression ignition engines; to the Committee on Ways and Means.

By Mr. LAHOOD:

H.R. 4340. A bill to suspend temporarily the duty on certain engine parts; to the Committee on Ways and Means.

By Mr. LAHOOD:

H.R. 4341. A bill to suspend temporarily the duty on certain engine parts; to the Committee on Ways and Means.

By Mr. LAHOOD:

H.R. 4342. A bill to suspend temporarily the duty on certain compression-ignition internal combustion piston engines; to the Committee on Ways and Means.

By Mr. LAHOOD:

H.R. 4343. A bill to suspend temporarily the duty on marine propulsion engines; to the Committee on Ways and Means.

By Mr. LAHOOD:

H.R. 4344. A bill to suspend temporarily the duty on certain tubes, pipes, and hoses; to the Committee on Ways and Means.

By Mr. LAHOOD:

H.R. 4345. A bill to suspend temporarily the duty on certain tubes, pipes, and hoses; to the Committee on Ways and Means.

By Mr. LAMPSON:

H.R. 4346. A bill to suspend temporarily the duty on PTFMBA; to the Committee on Ways and Means.

By Mr. LAMPSON:

H.R. 4347. A bill to suspend temporarily the duty on difluoroaniline; to the Committee on Ways and Means.

By Mr. LANGEVIN:

H.R. 4348. A bill to extend the temporary suspension of duty on Solvent Blue 124; to the Committee on Ways and Means.

By Mr. LANGEVIN:

H.R. 4349. A bill to extend the temporary suspension of duty on 4-Amino-2,5-dimethoxy-N-phenylbenzene sulfonamide; to the Committee on Ways and Means.

By Mr. LANGEVIN:

H.R. 4350. A bill to extend the temporary suspension of duty on Solvent Blue 104; to the Committee on Ways and Means.

By Mr. LANGEVIN:

H.R. 4351. A bill to extend the temporary suspension of duty on Pigment Yellow 154; to the Committee on Ways and Means.

By Mr. LANGEVIN:

H.R. 4352. A bill to extend the temporary suspension of duty on Pigment Yellow 175; to the Committee on Ways and Means.

By Mr. LANGEVIN:

H.R. 4353. A bill to extend the temporary suspension of duty on Pigment Red 208; to the Committee on Ways and Means.

By Mr. LANGEVIN:

H.R. 4354. A bill to extend the temporary suspension of duty on Pigment Red 187; to the Committee on Ways and Means.

By Mr. LANGEVIN:

H.R. 4355. A bill to extend the temporary suspension of duty on Pigment Red 185; to the Committee on Ways and Means.

By Mr. LANGEVIN:

H.R. 4356. A bill to suspend temporarily the duty on benzoic acid, 2-amino-4-[[(2,5-dichlorophenyl)amino]carbonyl]-, methyl ester; to the Committee on Ways and Means.

By Mr. LANGEVIN:

H.R. 4357. A bill to suspend temporarily the duty on Pigment Red 176; to the Committee on Ways and Means.

By Mr. LANGEVIN:

H.R. 4358. A bill to suspend temporarily the duty on p-amino benzamide; to the Committee on Ways and Means.

By Mr. LANGEVIN:

H.R. 4359. A bill to suspend temporarily the duty on Pigment Yellow 214; to the Committee on Ways and Means.

By Mr. LANGEVIN:

H.R. 4360. A bill to suspend temporarily the duty on Pigment Yellow 180; to the Committee on Ways and Means.

By Ms. MCCARTHY of Missouri (for herself, Mr. SKELTON, and Mr. GRAVES):

H.R. 4361. A bill to reduce temporarily the duty on Imidacloprid pesticides; to the Committee on Ways and Means.

By Ms. MCCARTHY of Missouri (for herself, Mr. SKELTON, and Mr. GRAVES):

H.R. 4362. A bill to reduce temporarily the duty on FOE Hydroxy; to the Committee on Ways and Means.

By Ms. MCCARTHY of Missouri (for herself, Mr. SKELTON, and Mr. GRAVES):

H.R. 4363. A bill to reduce temporarily the duty on Alkylketone; to the Committee on Ways and Means.

By Ms. MCCARTHY of Missouri (for herself, Mr. SKELTON, and Mr. GRAVES):

H.R. 4364. A bill to reduce temporarily the duty on Beta-cyfluthrin; to the Committee on Ways and Means.

By Ms. MCCARTHY of Missouri (for herself, Mr. SKELTON, and Mr. GRAVES):

H.R. 4365. A bill to suspend temporarily the duty on Imidacloprid Technical; to the Committee on Ways and Means.

By Ms. MCCARTHY of Missouri (for herself, Mr. SKELTON, and Mr. GRAVES):

H.R. 4366. A bill to suspend temporarily the duty on Bayleton Technical; to the Committee on Ways and Means.

By Ms. MCCARTHY of Missouri (for herself, Mr. SKELTON, and Mr. GRAVES):

H.R. 4367. A bill to suspend temporarily the duty on Propoxur Technical; to the Committee on Ways and Means.

By Ms. MCCARTHY of Missouri (for herself, Mr. SKELTON, and Mr. GRAVES):

H.R. 4368. A bill to suspend temporarily the duty on MKH 6561 Isocyanate; to the Committee on Ways and Means.

By Ms. MCCARTHY of Missouri (for herself, Mr. SKELTON, and Mr. GRAVES):

H.R. 4369. A bill to suspend temporarily the duty on Propoxy Methyl Triazolone; to the Committee on Ways and Means.

By Ms. MCCARTHY of Missouri (for herself, Mr. SKELTON, and Mr. GRAVES):

H.R. 4370. A bill to suspend temporarily the duty on Nemacur VL; to the Committee on Ways and Means.

By Ms. MCCARTHY of Missouri (for herself, Mr. SKELTON, and Mr. GRAVES):

H.R. 4371. A bill to suspend temporarily the duty on Methoxy Methyl Triazolone; to the Committee on Ways and Means.

By Ms. MCCARTHY of Missouri (for herself, Mr. SKELTON, and Mr. GRAVES):

H.R. 4372. A bill to reduce temporarily the duty on MKH 6562 Isocyanate; to the Committee on Ways and Means.

By Mr. MCDERMOTT (for himself, Mr. WYNN, Mrs. CHRISTENSEN, Ms. KAPTUR, Mr. FROST, Mr. GEORGE MILLER of California, Mr. BONIOR, Mr. STARK, Mr. KUCINICH, Ms. LEE, Mr. UDALL of New Mexico, Mr. JACKSON of Illinois, Mr. ACEVEDO-VILÁ, and Mrs. MINK of Hawaii):

H.R. 4373. A bill to amend the Federal Unemployment Tax Act and the Social Security Act to modernize the unemployment insurance system, and for other purposes; to the Committee on Ways and Means.

By Mr. MEEKS of New York (for himself and Mr. FOLEY):

H.R. 4374. A bill to amend the Internal Revenue Code of 1986 to clarify the treatment of frequent flyer mileage awards; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4375. A bill to suspend temporarily the duty on Levafix Golden Yellow E-G; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4376. A bill to suspend temporarily the duty on Levafix Blue CA/Remazol Blue CA; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4377. A bill to suspend temporarily the duty on Remazol Yellow RR Gran; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4378. A bill to suspend temporarily the duty on Indanthren Blue CLF; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4379. A bill to extend the temporary suspension of duty on Sodium petroleum sulfonate; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4380. A bill to suspend temporarily the duty on Chloroacetic acid; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4381. A bill to suspend temporarily the duty on Indanthren Yellow F3GC; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4382. A bill to suspend temporarily the duty on Acetyl Chloride; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4383. A bill to suspend temporarily the duty on 4-Methoxy-phenacychloride; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4384. A bill to suspend temporarily the duty on 3-Methoxy-thiophenol; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4385. A bill to suspend temporarily the duty on Levafix Brilliant Red E-6BA; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4386. A bill to extend the temporary suspension of duty on Isobornyl Acetate; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4387. A bill to suspend temporarily the duty on 2,4-xylidine; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4388. A bill to extend the temporary suspension of duty on certain TAED chemicals; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4389. A bill to suspend temporarily the duty on Remazol Br. Blue BB 133%; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4390. A bill to suspend temporarily the duty on Fast Navy Salt RA; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4391. A bill to suspend temporarily the duty on Levafix Royal Blue E-FR; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4392. A bill to suspend temporarily the duty on p-Chloro aniline; to the Committee on Ways and Means.

By Mrs. MYRICK:

H.R. 4393. A bill to suspend temporarily the duty on esters and sodium esters of Parahydroxybenzoic Acid; to the Committee on Ways and Means.

By Mr. NADLER:

H.R. 4394. A bill to amend the Internal Revenue Code of 1986 to provide for regional cost of living adjustments; to the Committee on Ways and Means.

By Mr. NEAL of Massachusetts (for himself and Mr. AKIN):

H.R. 4395. A bill to suspend temporarily the duty on a certain chemical used in industrial coatings formulation; to the Committee on Ways and Means.

By Mr. NEAL of Massachusetts (for himself and Mr. AKIN):

H.R. 4396. A bill to suspend temporarily the duty on a certain chemical used in industrial coatings formulation; to the Committee on Ways and Means.

By Mr. NEAL of Massachusetts (for himself and Mr. AKIN):

H.R. 4397. A bill to suspend temporarily the duty on a certain chemical used in industrial coatings formulation; to the Committee on Ways and Means.

By Mr. NEAL of Massachusetts (for himself and Mr. AKIN):

H.R. 4398. A bill to suspend temporarily the duty on a certain chemical used in industrial coatings formulation; to the Committee on Ways and Means.

By Mr. NEAL of Massachusetts (for himself and Mr. AKIN):

H.R. 4399. A bill to suspend temporarily the duty on a certain chemical used in industrial coatings formulation; to the Committee on Ways and Means.

By Mr. NEAL of Massachusetts (for himself and Mr. AKIN):

H.R. 4400. A bill to suspend temporarily the duty on a certain chemical used in industrial coatings formulation; to the Committee on Ways and Means.

By Mr. NETHERCUTT:

H.R. 4401. A bill to suspend temporarily the duty on RWJ 241947; to the Committee on Ways and Means.

By Mr. NETHERCUTT:

H.R. 4402. A bill to suspend temporarily the duty on RWJ 394718; to the Committee on Ways and Means.

By Mr. NETHERCUTT:

H.R. 4403. A bill to suspend temporarily the duty on RWJ 394720; to the Committee on Ways and Means.

By Mr. NUSSLE:

H.R. 4404. A bill to amend the Harmonized Tariff Schedule of the United States to provide duty-free treatment for certain log forwarders used as motor vehicles for the transport of goods; to the Committee on Ways and Means.

By Mr. PENCE:

H.R. 4405. A bill to extend the temporary suspension of duty on diethyl phosphorochidothioate; to the Committee on Ways and Means.

By Mr. PENCE:

H.R. 4406. A bill to suspend temporarily the duty on 3,4-DCBN; to the Committee on Ways and Means.

By Mr. PENCE:

H.R. 4407. A bill to extend the temporary suspension of duty on 2,6-dichloroaniline; to the Committee on Ways and Means.

By Mr. PENCE:

H.R. 4408. A bill to suspend temporarily the duty on Cyhalofop; to the Committee on Ways and Means.

By Mr. PENCE:

H.R. 4409. A bill to extend the temporary suspension of duty on benfluralin; to the Committee on Ways and Means.

By Mr. PENCE:

H.R. 4410. A bill to extend the temporary suspension of duty on 1,3-diethyl-2-imidazolidinone; to the Committee on Ways and Means.

By Mr. PENCE:

H.R. 4411. A bill to suspend temporarily the duty on ethalfluralin; to the Committee on Ways and Means.

By Mr. PENCE:

H.R. 4412. A bill to extend the temporary suspension of duty on diphenyl sulfide; to the Committee on Ways and Means.

By Mr. PENCE:

H.R. 4413. A bill to suspend temporarily the duty on Asulam; to the Committee on Ways and Means.

By Mr. PENCE:

H.R. 4414. A bill to suspend temporarily the duty on 2-methyl-4-chlorophenoxyacetic acid; to the Committee on Ways and Means.

By Mr. PENCE:

H.R. 4415. A bill to suspend temporarily the duty on Florasulam; to the Committee on Ways and Means.

By Mr. PENCE:

H.R. 4416. A bill to extend the temporary suspension of duty on DMDS; to the Committee on Ways and Means.

By Mr. PENCE:

H.R. 4417. A bill to suspend temporarily the duty on Propanil; to the Committee on Ways and Means.

By Mr. PENCE:

H.R. 4418. A bill to extend the temporary suspension of duty on Methoxyfenozide; to the Committee on Ways and Means.

By Mr. PENCE:

H.R. 4419. A bill to extend the temporary suspension of duty on halofenozide; to the Committee on Ways and Means.

By Mr. PENCE:

H.R. 4420. A bill to suspend temporarily the duty on Myclobutanil; to the Committee on Ways and Means.

By Mr. PENCE:

H.R. 4421. A bill to extend the temporary suspension of duty on Starane F; to the Committee on Ways and Means.

By Mr. PENCE:

H.R. 4422. A bill to suspend temporarily the duty on Ortho-phthalaldehyde; to the Committee on Ways and Means.

By Mr. PENCE:

H.R. 4423. A bill to extend the temporary suspension of duty on Triazamate; to the Committee on Ways and Means.

By Mr. PENCE:

H.R. 4424. A bill to suspend temporarily the duty on trans 1,3-dichloropentene; to the Committee on Ways and Means.

By Mr. PENCE:

H.R. 4425. A bill to suspend temporarily the duty on methacrylamide; to the Committee on Ways and Means.

By Mr. PENCE:

H.R. 4426. A bill to suspend temporarily the duty on Cation Exchange Resin; to the Committee on Ways and Means.

By Mr. PENCE:

H.R. 4427. A bill to extend the temporary suspension of duty on Propiconazole; to the Committee on Ways and Means.

By Mr. PENCE:

H.R. 4428. A bill to extend the temporary suspension of duty on B-Bromo-B-nitrostyrene; to the Committee on Ways and Means.

By Mr. PENCE:

H.R. 4429. A bill to suspend temporarily the duty on Oryzalin; to the Committee on Ways and Means.

By Mr. PENCE:

H.R. 4430. A bill to extend the temporary suspension of duty on quinoline; to the Committee on Ways and Means.

By Mr. PENCE:

H.R. 4431. A bill to extend the temporary suspension of duty on 2-Phenylphenol; to the Committee on Ways and Means.

By Mr. PENCE:

H.R. 4432. A bill to extend the temporary suspension of duty on tebufenozide; to the Committee on Ways and Means.

By Mr. PENCE:

H.R. 4433. A bill to extend the temporary suspension of duty on 3-amino-5-mercapto-1,2,4-triazole; to the Committee on Ways and Means.

By Mr. PENCE:

H.R. 4434. A bill to suspend temporarily the duty on Gallery; to the Committee on Ways and Means.

By Mr. PENCE:

H.R. 4435. A bill to extend the temporary suspension of duty on 4,4-dimethoxy-2-butanone; to the Committee on Ways and Means.

By Mr. PENCE:

H.R. 4436. A bill to extend the temporary suspension of duty on Fenbuconazole; to the Committee on Ways and Means.

By Mr. PENCE:

H.R. 4437. A bill to extend the temporary suspension of duty on Diiodomethyl-p-tolylsulfone; to the Committee on Ways and Means.

By Mr. PENCE:

H.R. 4438. A bill to suspend temporarily the duty on trifluralin; to the Committee on Ways and Means.

By Mr. PETERSON of Pennsylvania:

H.R. 4439. A bill to suspend temporarily the duty on certain polyamides; to the Committee on Ways and Means.

By Mr. PETRI:

H.R. 4440. A bill to suspend temporarily the duty on fixed-ratio gear changers for truck-mounted concrete mixers; to the Committee on Ways and Means.

By Mr. POMBO:

H.R. 4441. A bill to reduce the duty on certain straw hats; to the Committee on Ways and Means.

By Ms. PRYCE of Ohio (for herself and Mr. TIBERI):

H.R. 4442. A bill to suspend temporarily the duty on certain necks used in cathode ray tubes; to the Committee on Ways and Means.

By Mr. RANGEL:

H.R. 4443. A bill to suspend temporarily the duty on polytetramethylene ether glycol; to the Committee on Ways and Means.

By Mr. RANGEL:

H.R. 4444. A bill to suspend temporarily the duty on magnesium aluminum hydroxide carbonate hydrate; to the Committee on Ways and Means.

By Mr. RANGEL:

H.R. 4445. A bill to suspend temporarily the duty on leaf alcohol; to the Committee on Ways and Means.

By Mr. ROGERS of Michigan (for himself, Mr. WILSON of South Carolina, Mr. ISSA, Mr. SULLIVAN, Mr. BOOZMAN, Ms. HART, Mrs. CAPITO, Mr. GRUCCI, Mr. SCHROCK, Mr. AKIN, Mr. SIMMONS, Mr. CHAMBLISS, Mr. BACHUS, Mrs. KELLY, Mr. BEREUTER, Mr. CANTOR, Mrs. BIGGERT, Mrs. ROUKEMA, Mr. FLETCHER, Mr. FOLEY, Mr. HORN, Mr. RILEY, Mr. KENNEDY of Minnesota, Mr. FERGUSON, Mrs. JOHNSON of Connecticut, Mr. SHAYS, Mr. LATOURETTE, Mr. OXLEY, Mr. KELLER, Mr. MCHUGH, Mr. TIBERI, Mr. NEY, Mr. COOKSEY, Mr. EHRLICH, Mr. GREEN of Wisconsin, Mr. ISRAEL, Mr. CLAY, Mr. ROSS, Ms. KILPATRICK, Mr. CUMMINGS, and Mr. RUSH):

H.R. 4446. A bill to support certain housing proposals in the fiscal year 2003 budget for the Federal Government, including the downpayment assistance initiative under the HOME Investment Partnerships Act, and for other purposes; to the Committee on Financial Services.

By Mrs. ROUKEMA (for herself, Mr. ROTHMAN, and Mr. DOOLEY of California):

H.R. 4447. A bill to suspend temporarily the duty on certain prepared or preserved artichokes, not frozen; to the Committee on Ways and Means.

By Mrs. ROUKEMA (for herself, Mr. ROTHMAN, and Mr. DOOLEY of California):

H.R. 4448. A bill to suspend temporarily the duty on certain prepared or preserved artichokes; to the Committee on Ways and Means.

By Mr. SIMMONS:

H.R. 4449. A bill to suspend temporarily the duty on combed cashmere and camel hair yarn; to the Committee on Ways and Means.

By Mr. SIMMONS:

H.R. 4450. A bill to suspend temporarily the duty on carded cashmere yarn of 6 run or finer; to the Committee on Ways and Means.

By Mr. STRICKLAND (for himself and Mr. NEY):

H.R. 4451. A bill to amend the Harmonized Tariff Schedule of the United States to provide separate subheadings for low-energy magnets and articles containing magnets and to create additional U.S. notes explaining the tariff classification of low-energy magnets and articles containing magnets; to the Committee on Ways and Means.

By Mr. WATKINS (for himself and Mr. POMEROY):

H.R. 4452. A bill to amend title XVIII to provide for a 5-year extension of the authorization for appropriations for certain Medicare rural grants; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 4453. A bill to suspend temporarily the duty on Sulfur Black 1; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 4454. A bill to suspend temporarily the duty on Reduced Vat Blue 43; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 4455. A bill to suspend temporarily the duty on Fluorobenzene; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 4456. A bill to extend the suspension of duty on Propiophenone; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 4457. A bill to extend the suspension of duty on Meta-chlorobenzaldehyde; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 4458. A bill to extend the suspension of duty on 4-bromo-2-fluoroacetanilide; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 4459. A bill to extend the suspension of duty on 2,6, Dichlorotoluene; to the Committee on Ways and Means.

By Mr. DEMINT (for himself and Mrs. MYRICK):

H.R. 4460. A bill to suspend temporarily the duty on tantalum powder; to the Committee on Ways and Means.

By Mr. RILEY (for himself, Mr. ADERHOLT, Mr. BACHUS, Mr. CALLAHAN, Mr. CRAMER, Mr. EVERETT, and Mr. HILLIARD):

H. Con. Res. 377. Concurrent resolution expressing the sense of Congress regarding the establishment by the Hyundai Motor Company of its first automotive manufacturing facility in the United States; to the Committee on Energy and Commerce.

By Mr. NEY (for himself and Mr. HOYER):

H. Con. Res. 378. Concurrent resolution commending the District of Columbia National Guard, the National Guard Bureau, and the entire Department of Defense for the assistance provided to the United States Capitol Police and the entire Congressional community in response to the terrorist and anthrax attacks of September and October 2001; to the Committee on House Administration.

By Mr. ROGERS of Michigan:

H. Con. Res. 379. Concurrent resolution recognizing the efforts and activities of the National SAFE KIDS Campaign to prevent all unintentional injuries among children, including bicycle-related traumatic brain injuries; to the Committee on Energy and Commerce.

By Mr. SENSENBRENNER:

H. Res. 387. A resolution providing for the expulsion of Representative James A. Traficant, Jr., from the House of Representatives; to the Committee on Standards of Official Conduct.

By Ms. SANCHEZ:

H. Res. 389. A resolution providing for the expulsion of Representative James A. Traficant, Jr., from the House of Representatives; to the Committee on Standards of Official Conduct.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the followingtitles were introduced and severally referred, as follows:

By Mr. DEMINT:

H.R. 4461. A bill to provide for the liquidation or reliquidation of entries ofcertain manufacturing equipment;to the Committee on Ways and Means.

By Mr. FRELINGHUYSEN:

H.R. 4462. A bill to provide for the reliquidation of certain entries;to the Committee on Ways and Means.

By Ms. MCCARTHY of Missouri:

H.R. 4463. A bill to provide for the liquidation or reliquidation of certain entries;to the Committee on Ways and Means.

By Mr. ROGERS of Michigan:

H.R. 4464. A bill to provide for reliquidation pursuant to section 1003 of theMiscellaneous Trade and Technical Corrections Act of 1999;to the Committee on Ways and Means.

By Ms. SANCHEZ:

H.R. 4465. A bill to provide for the reliquidation of entries of certain machines usedto replicate optical discs;to the Committee on Ways and Means.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 122: Mr. LOBIONDO, Mr. PETERSON of Minnesota, Mr. LUCAS of Kentucky, Mr. SIMPSON, Mr. LEACH, Mr. TOM DAVIS of Virginia, Mr. FORBES, and Mr. MANZULLO.

H.R. 168: Mr. SIMPSON.

H.R. 448: Mr. FILNER.

H.R. 647: Mr. SCHROCK.

H.R. 648: Mrs. JO ANN DAVIS of Virginia.

H.R. 721: Ms. WATSON, Mr. SCHIFF, and Mr. HOSTETTLER.

H.R. 792: Ms. HOOLEY of Oregon.

H.R. 848: Mr. ISRAEL, Mr. SULLIVAN, Mr. PASCRELL, Mr. MALONEY of Connecticut, Mr. STRICKLAND, and Mr. SHIMKUS.

H.R. 854: Mr. TERRY, Mr. OLVER, Mrs. DAVIS of California, and Mr. HUNTER.

H.R. 951: Mr. TAUZIN, Mr. PAUL, Mrs. MCCARTHY of New York, Ms. ROS-LEHTINEN, and MR. CRENSHAW.

H.R. 1041: Ms. HART.

H.R. 1073: Mr. HILLEARY.

H.R. 1081: Mr. PETRI.

H.R. 1109: Mr. STEARNS, Mr. PICKERING, Mr. SHADEGG, Mr. JENKINS, Mr. LATHAM, Mr. LUCAS of Oklahoma, and Mr. BARTLETT of Maryland.

H.R. 1198: Mr. LATOURETTE, Mr. NEY, and Mr. HOLDEN.

H.R. 1239: Mrs. DAVIS of California.

H.R. 1262: Mr. LEVIN, Mr. BONIOR, and Mr. LANTOS.

H.R. 1265: Mr. PRICE of North Carolina.

H.R. 1305: Mr. GILMAN, Mr. ISTOOK, and Mr. WEINER.

H.R. 1353: Mr. MASCARA.

H.R. 1421: Mr. LOBIONDO.

H.R. 1436: Mr. BERRY and Mr. PHELPS.

H.R. 1475: Mr. WEINER and Ms. KAPTUR.

H.R. 1524: Mr. SOUDER.

H.R. 1556: Mr. SULLIVAN, Mr. CANTOR, Mr. COMBEST, Mr. PASTOR, Ms. MCKINNEY, Mr. LUCAS of Kentucky, Mr. GANSKE, and Mr. TERRY.

H.R. 1581: Mr. DICKS.

H.R. 1598: Mr. HOLT, Mr. LEACH, and Mr. BAIRD.

H.R. 1602: Mr. JEFF MILLER of Florida.

H.R. 1609: Mr. TERRY.

H.R. 1671: Mr. TOWNS, Ms. MCCOLLUM, and Mr. FRANK.

H.R. 1759: Mrs. CHRISTENSEN.

H.R. 1795: Mr. MALONEY of Connecticut, Mr. ROSS, and Mr. CRAMER.

H.R. 1808: Mr. HEFLEY.

H.R. 1873: Mr. KENNEDY of Rhode Island.

H.R. 1919: Mr. LATHAM.

H.R. 1943: Mr. BOUCHER, Mr. GORDON, Mr. GIBBONS, and Ms. MCCOLLUM.

H.R. 1956: Mr. NETHERCUTT and Mr. LEWIS of Kentucky.

H.R. 1979: Mr. BARR of Georgia and Ms. DUNN.

H.R. 1983: Mr. GARY G. MILLER of California and Mr. ABERCROMBIE.

H.R. 2002: Mr. BURTON of Indiana, Mr. WELLER, Mr. TERRY, and Mr. VISCLOSKY.

H.R. 2073: Mr. ABERCROMBIE.

H.R. 2125: Mr. HEFLEY, Mr. LYNCH, and Mr. FORD.

H.R. 2148: Mrs. MINK of Hawaii.

H.R. 2163: Mr. LARSEN of Washington and Mr. SULLIVAN.

H.R. 2219: Mr. WELLER, Mr. GREENWOOD, Mr. KLECZKA, and Mr. COOKSEY.

H.R. 2220: Mr. FOLEY.

H.R. 2290: Mrs. JOHNSON of Connecticut.

H.R. 2316: Mr. HOSTETTLER, Mr. MANZULLO, Mr. SHUSTER, Mr. SIMPSON, and Mr. BACHUS.

H.R. 2347: Mr. SHUSTER.

H.R. 2349: Mr. MOORE and Mr. LARSON of Connecticut.

H.R. 2374: Mr. ROGERS of Michigan.

H.R. 2419: Mr. MCGOVERN.

H.R. 2462: Mr. LIPINSKI and Mr. ISRAEL.

H.R. 2466: Mr. PAUL, Mr. HILLEARY, Mr. DOYLE, Mr. BONILLA, Mr. LEWIS of Kentucky, and Mr. TURNER.

H.R. 2487: Mr. BROWN of Ohio and Mr. CLAY.

H.R. 2569: Mr. CHAMBLISS.

H.R. 2605: Mr. ALLEN.

H.R. 2623: Mr. ROTHMAN.

H.R. 2638: Mr. DOOLITTLE and Mr. KING.

H.R. 2695: Mr. TANCREDO.

H.R. 2714: Mr. ADERHOLT, Mr. FLAKE, Mr. CHAMBLISS, Mr. CALVERT, and Mr. HOSTETTLER.

H.R. 2735: Mr. PLATTS, Mr. PETRI, Mr. TANCREDO, and Mr. LATOURETTE.

H.R. 2817: Mr. FOLEY and Mr. KING.

H.R. 2820: Mr. SHOWS, Mr. MASCARA Ms. DELAURO, and Mr. HALL of Ohio.

H.R. 2867: Mr. MANZULLO and Mr. CARSON of Oklahoma.

H.R. 2874: Mr. BLAGOJEVICH, Mrs. JO ANN DAVIS of Virginia, and Ms. KAPTUR.

H.R. 2878: Mr. STRICKLAND.

H.R. 2941: Mr. MALONEY of Connecticut, Mr. SOUDER, and Mrs. MINK of Hawaii.

H.R. 2957: Mr. PENCE and Mr. OWENS.

H.R. 3058: Mr. BECERRA and Ms. WATSON.

H.R. 3113: Mr. COYNE.

H.R. 3231: Mr. UDALL of Colorado and Mr. COOKSEY.

H.R. 3234: Mr. ALLEN.

H.R. 3278: Mr. RAHALL.

H.R. 3321: Mr. SWEENEY and Mrs. MCCARTHY of New York.

H.R. 3333: Mr. KERNS.

H.R. 3388: Mr. DAVIS of Illinois and Mrs. KELLY.

H.R. 3397: Mr. HOYER.

H.R. 3435: Mr. MASCARA.

H.R. 3450: Mr. MORAN of Virginia, Mr. BECERRA, Mr. BASS, Mr. WEINER, Mr. BAIRD, Mrs. TAUSCHER, and Mr. VITTER.

H.R. 3476: Mr. CALVERT.

H.R. 3478: Mr. MASCARA.

H.R. 3553: Mr. SNYDER.

H.R. 3569: Mr. MASCARA.

H.R. 3573: Mr. PAUL.

H.R. 3605: Mr. BARR of Georgia.

H.R. 3611: Mr. GOODLATTE.

H.R. 3615: Mr. DAVIS of Illinois.

H.R. 3618: Mr. RILEY.

H.R. 3626: Mr. HORN and Mr. PETERSON of Minnesota.

H.R. 3679: Mr. HASTINGS of Florida and Mr. PAYNE.

H.R. 3684: Mr. SCHROCK and Mr. OTTER.

H.R. 3686: Mr. CALVERT and Mr. PHELPS.

H.R. 3698: Ms. HART.

H.R. 3717: Mr. TANCREDO and Mr. HOEKSTRA.

H.R. 3747: Mr. UDALL of Colorado and Ms. SOLIS.

H.R. 3794: Mr. WU, Mr. FRELINGHUYSEN, Mr. CUMMINGS, Mr. GEKAS, Mrs. MORELLA, Mr. LANGEVIN, Ms. SANCHEZ, and Mr. MARKEY.

H.R. 3831: Mr. CLEMENT, Mr. HEFLEY, and Mr. PETERSON of Minnesota.

H.R. 3834: Mr. RANGEL.

H.R. 3842: Mr. CALVERT.

H.R. 3847: Mr. ANDREWS and Mr. PAYNE.

H.R. 3887: Ms. WOOLSEY, Mrs. MEEK of Florida, Mr. HOLT, Mr. LARSEN of Washington, Mr. PASTOR, Mr. DAVIS of Illinois, Mr. MORAN of Virginia, Mr. GILMAN, Mr. GONZALEZ, Ms. KILPATRICK, Mr. JACKSON of Illinois, Mrs. MALONEY of New York, Mr. ACKERMAN, Mr. NADLER, Mrs. MINK of Hawaii, Ms. BROWN of Florida, Mr. MATSUI, Ms. HARMAN, Ms. LOFGREN, Mr. BRADY of Pennsylvania, and Mr. ALLEN.

H.R. 3952: Ms. LEE and Mr. FILNER.

H.R. 3972: Mr. PAUL.

H.R. 3974: Ms. HART.

H.R. 3976: Mr. KLECZKA.

H.R. 4000: Mr. WALSH, Mr. GREEN of Wisconsin, Ms. HART, Mr. FROST, Mr. PAYNE, Mr. OWENS, Mr. PALLONE, Mr. KENNEDY of Rhode Island, and Mr. HILLIARD.

H.R. 4014: Mr. WELDON of Florida, Mr. HOEFFEL, Mr. LANTOS, Ms. DELAURO, Mr. STUPAK, Mrs. MINK of Hawaii, and Mrs. KELLY.

H.R. 4018: Mr. RODRIGUEZ and Mr. LATOURETTE.

H.R. 4019: Ms. HART.

H.R. 4037: Ms. SOLIS.

H.R. 4038: Ms. LEE.

H.R. 4043: Mr. CULBERSON and Ms. HART.

H.R. 4066: Mr. MCNULTY, Mr. PASTOR, Mr. SULLIVAN, Mr. MATHESON, Mr. RANGEL, Mr. LEVIN, Mr. WEXLER, Mrs. LOWEY, Mrs. JONES of Ohio, Mr. SANDERS, Mr. CAPUANO, Mr. LATOURETTE, Mr. KING, Mr. PRICE of North Carolina, Mr. HOLT, Mr. GUTIERREZ, Mr. MEEHAN, Mr. DICKS, Mrs. MALONEY of New York, Mr. CARSON of Oklahoma, Ms. CARSON of Indiana, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. MCCARTHY of New York, Mr. NADLER, Mr. FRANK, Mr. MATSUI, and Mr. FOLEY.

H.R. 4071: Mr. HOEKSTRA.

H.R. 4086: Mr. INSLEE, Mr. MOORE, Mr. LYNCH, and Mr. HORN.

H.R. 4090: Mr. BARR of Georgia, Mr. HAYWORTH, Mr. WILSON of South Carolina, and Mr. SHAYS.

H.R. 4104: Mr. LUCAS of Kentucky.

H.R. 4119: Mr. ROHRABACHER, Mr. CROWLEY, and Mr. FORBES.

H.R. 4152: Mr. PICKERING, Mr. YOUNG of Florida, Mr. WICKER, Mr. FORBES, and Mr. TIBERI.

H.R. 4156: Mr. WELLER, Mr. PICKERING, Mr. SOUDER, Mr. HAYES, Ms. HART, Mr. WATKINS, Mr. SHIMKUS, Mr. BACHUS, Mr. TANNER, Mr. STUMP, Mr. PETERSON of Minnesota, Mr. KIND, and Mr. DAVIS of Illinois.

H.R. 4158: Mr. RANGEL.

H.R. 4169: Mr. CANNON.

H.R. 4193: Ms. MCCOLLUM.

H.R. 4197: Mr. MCGOVERN.

H.R. 4198: Mr. MCGOVERN.

H. Con. Res. 114: Mr. LYNCH, Mr. SNYDER, Mr. KUCINICH, Mr. DAVIS of Illinois, Mr. OWENS, Mr. FATTAH, Ms. LEE, Mr. ENGEL, Mr. TOWNS, Ms. KAPTUR, Ms. WATSON, Mr. HASTINGS of Florida, Mr. FRANK, Mr. CLAY, Ms. BROWN of Florida, and Ms. CARSON of Indiana.

H. Con. Res. 162: Mr. CANTOR.

H. Con. Res. 222: Mr. GORDON and Mr. FORBES.

H. Con. Res. 291: Mr. FOLEY and Ms. MCKINNEY.

H. Con. Res. 315: Mr. STENHOLM and Mr. CALVERT.

H. Con. Res. 340: Mr. OWENS and Mr. FROST.

H. Con. Res. 359: Mr. FROST, Mr. KILDEE, and Mr. FRANK.

H. Con. Res. 371: Mr. BOOZMAN, Mr. EHRLICH, Mr. LEWIS of California, Mr. CASTLE, Mr. FILNER Mrs. DAVIS of California, Ms. BROWN of Florida, Ms. HARMAN, Mr. BAIRD Mr. COYNE, Mr. JONES of North Carolina, Mr. OSE Mr. HALL of Ohio, Mr. FORBES, Mr. PENCE, Mr. CRAMER Mr. MORAN of Virginia, Mr. RADANOVICH, Mr. BRADY of Pennsylvania, and Mr. WYNN.

H. Res. 225: Mr. FOLEY.

H. Res. 295: Mr. PENCE.

H. Res. 361: Mr. MCHUGH, Ms. BALDWIN, and Mr. FATTAH.