



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, SECOND SESSION

Vol. 148

WASHINGTON, WEDNESDAY, JUNE 12, 2002

No. 77

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. SIMPSON).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
June 12, 2002.

I hereby appoint the Honorable MICHAEL K. SIMPSON to act as Speaker pro tempore on this day.

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

PRAYER

The Reverend Kent Williams, Sunnybrook Christian Church, Stillwater, Oklahoma, offered the following prayer:

Sovereign God, I thank You for this great country, for President Bush and for these Members of Congress who are dedicated public servants divinely appointed by You. Lord, build a spiritual wall of protection around all of our leaders, our armed forces, and our citizens. "Contend with those who contend with us." You are faithful from everlasting to everlasting.

We seek Your guidance and wisdom as we strive to discern and accomplish Your plan and purpose. We commit ourselves to upholding Your absolute law, standards and precepts. Give us strength and courage, both in policy and personal example, to be people of character and integrity, and may "In God We Trust" be expressed in our lives, not just stamped on our coins. Continue to work in us and through us, that we would be people with pure hearts and clean hands.

As Abraham Lincoln anticipated, "that this Nation under God shall have a new birth of freedom," may we acknowledge that freedom comes from

great sacrifice, just as spiritual freedom and new birth come from the blood of Your Son shed at Calvary. In His Name we pray. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. WATKINS of Oklahoma 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.

INTRODUCING PASTOR KENT WILLIAMS, GUEST CHAPLAIN

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

Mr. WATKINS of Oklahoma. Mr. Speaker, I have the great pleasure of welcoming our guest chaplain in the House of Representatives today, Pastor Kent Williams. I thank him for the most appropriate and inspiring prayer he has offered up on our behalf as we seek divine guidance for the task that lies before us today.

Pastor Williams graduated with a degree in theology from Ozark Christian College in Joplin, Missouri. For 25 years he has been serving as pastor in churches in Missouri, Oregon, Texas, and Oklahoma.

Pastor Williams now serves as senior pastor at Sunnybrook Christian

Church in Stillwater, Oklahoma, my hometown. He provides ministerial support to Oklahoma State University's personnel and athletic programs and to most of my family. He is also a board member of Marriage Partners, an organization that strives to reduce the divorce rate and strengthen marriages and families in Oklahoma.

Pastor Williams has served as Chaplain of the Week at the Oklahoma State House of Representatives and has been a featured writer for national publications. He has been a keynote speaker and seminar leader for many Christian colleges and conventions, both nationally and throughout the great State of Oklahoma. He has worked across denominational lines to promote unity amidst diversity.

Pastor Williams and his wife, Kay, have two sons, Gabe and Joel. Also with them on the trip to Washington has been their nephew, Clinton Renken.

Pastor Williams is deeply committed to the service of his community, his church, his family and the Lord. Today I join with my colleagues in thanking Pastor Williams for honoring us with his presence, his message, and his prayers.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair desires to make an announcement.

After consultation with the majority and minority leaders, and with their consent and approval, the Chair announces that during the joint meeting to hear an address by the Honorable John Howard, Prime Minister of Australia, only the doors immediately opposite the Speaker and those on his right and left will be open.

No one will be allowed on the floor of the House who does not have the privilege of the floor of the House.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



Printed on recycled paper.

H3455

Due to the large attendance that is anticipated, the Chair feels the rule regarding the privilege of the floor must be strictly adhered to.

Children of Members will not be permitted on the floor, and the cooperation of all Members is requested.

The practice of reserving seats prior to the joint meeting by placard will not be allowed. Members may reserve their seats by physical presence only following the security sweep of the Chamber.

RECESS

The SPEAKER pro tempore. Pursuant to the order of the House of Wednesday, June 5, 2002, and clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 10 o'clock and 6 minutes a.m.), the House stood in recess subject to the call of the Chair.

During the recess, beginning at about 10:50 a.m., the following proceedings were had:

□ 1050

JOINT MEETING OF THE HOUSE AND SENATE TO HEAR AN ADDRESS BY THE HONORABLE JOHN HOWARD, PRIME MINISTER OF AUSTRALIA

The Speaker of the House presided.

The Assistant to the Sergeant at Arms, Richard Wilson, announced the Vice President and Members of the U.S. Senate who entered the Hall of the House of Representatives, the Vice President taking the chair at the right of the Speaker, and the Members of the Senate the seats reserved for them.

The SPEAKER. The Chair appoints as members of the committee on the part of the House to escort the Honorable John Howard, the Prime Minister of Australia, into the Chamber:

The gentleman from Texas (Mr. ARMEY);

The gentleman from Oklahoma (Mr. WATTS);

The gentleman from California (Mr. COX);

The gentleman from Illinois (Mr. HYDE);

The gentleman from Nebraska (Mr. BEREUTER);

The gentleman from Missouri (Mr. GEPHARDT);

The gentlewoman from California (Ms. PELOSI);

The gentleman from Texas (Mr. FROST);

The gentleman from California (Mr. LANTOS);

The gentleman from American Samoa (Mr. FALEOMAVAEGA).

The VICE PRESIDENT. The President of the Senate, at the direction of that body, appoints the following Senators as a committee on the part of the Senate to escort the Honorable John Howard, the Prime Minister of Australia, into the House Chamber:

The Senator from South Dakota (Mr. DASCHLE);

The Senator from Florida (Mr. NELSON);

The Senator from Mississippi (Mr. LOTT);

The Senator from Oklahoma (Mr. NICKLES);

The Senator from Texas (Mrs. HUTCHISON);

The Senator from Idaho (Mr. CRAIG);

The Senator from Indiana (Mr. LUGAR);

The Assistant to the Sergeant at Arms announced the Acting Dean of the Diplomatic Corps, the Honorable Jesse Bibiano Marehalau, Ambassador of Micronesia.

The Acting Dean of the Diplomatic Corps entered the Hall of the House of Representatives and took the seat reserved for him.

The Assistant to the Sergeant at Arms announced the Cabinet of the President of the United States.

The Members of the Cabinet of the President of the United States entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

At 11 o'clock and 2 minutes a.m., the Assistant to the Sergeant at Arms announced the Prime Minister of Australia, the Honorable John Howard.

The Prime Minister of Australia, escorted by the committee of Senators and Representatives, entered the Hall of the House of Representatives, and stood at the Clerk's desk.

[Applause, the Members rising.]

The SPEAKER. Members of the Congress, it is my great privilege and I deem it a high honor and a personal pleasure to present to you the Honorable John Howard, Prime Minister of Australia.

[Applause, the Members rising.]

ADDRESS BY THE HONORABLE JOHN HOWARD, PRIME MINISTER OF AUSTRALIA

Prime Minister HOWARD. Mr. Speaker, Mr. President of the Senate, distinguished Members of the House of Representatives and the Senate of the Congress of the United States, may I say how very touched I am by the warmth and generosity of your welcome. I appreciate very deeply the honor that you have extended to me today, but more importantly, the honor you have extended to my country, Australia.

I, on behalf of the 90 million freedom-loving Australians, convey to you their deep affection and warm greetings and their sense of solidarity and friendship.

The bonds between Americans and Australians are as strong as they are genuine; and that is, of course, because we share so many values in common: A belief that the individual is more important than the state; a belief that strong families are a nation's greatest resource; a belief that competitive capitalism is the real key to national wealth; and a belief that decency and hard work define a person's worth, not class or race or social background.

My friends, let me say to you today that America has no better friend anywhere in the world than Australia. Australians and Americans enjoy each other's company. We share a love of sport, and in some of them we are fierce competitors, and we even from time to time share the Academy Awards.

When I last came to this great Chamber of democracy on the 12th of September last year, the smoke still hung in the air over New York and Washington. Brave and courageous policemen and firemen, with no regard for their own safety, searched in the hope of finding survivors. The scale of loss and destruction was yet to be fully calculated. In seeking justice and not revenge, in choosing calm consideration over blind fury, in turning to friends before turning on enemies, the United States of recent months has led a great reaffirmation of all of those great values and principles on which both of our societies are based.

America fought back magnificently, and in the process has won the admiration of the world. You demonstrated to the world that where fundamental freedoms flourish, evil men can do their worst, cause death and devastation, but in the end, they will never win.

In his inaugural address, George Washington spoke of the destiny of the American people to preserve the sacred fire of liberty. That promise has been kept for more than two centuries, but never more so than since the appalling events of September last year. Through these times, Australians have shared your shock and anger, and have been partners in your resolve. We have taken our place beside you in the fight against terrorism because what happened last year in the United States was as much an attack upon our nation and the values that we hold dear as it was upon yours.

And as we meet, Australian and American troops are fighting side by side in Afghanistan. It is our constant prayer that they all return safely home to their loved ones.

In these past months, President Bush has displayed the tenacity, the strength, and the depth of character of a very great leader. And he is also applying those great qualities to the tensions in the Indian subcontinent between India and Pakistan, and in the intractable situation in the Middle East.

It is a special privilege for me to return to this historic place to address the representatives of a great Nation of whose people we hold in such high regard, and for whom we feel great warmth and affection toward.

Like you, Australia enters the new century strong and prosperous. Over the past decade, the productivity and growth of our economy has been ahead of most other developed nations.

Our pioneer past, so similar to your own, has produced a spirit that can overcome adversity and pursue great dreams; where pursued, a society of opportunity, fairness and hope, leaving as

you do, the divisions and prejudices of the old world far behind. Like your own, our culture continues to be immeasurably enriched by immigration from the four corners of the world. We believe, as you do, that nations are strengthened and not weakened, broadened and not diminished, by a variety of views and an atmosphere of open debate.

Most of all, we value loyalty given and loyalty gained. The concept of mateship runs deeply through the Australian character. We cherish, and where necessary, we will fight to defend the liberties we hold dear.

Australian and American forces fought together for the first time in the Battle of Hamel in France in World War I. The date of the attack, the 4th of July, 1918, was deliberately chosen by the Australian commander, General John Monash, to honor your countrymen. One of the Australian units held in reserve for that attack was the Third Pioneer Battalion, and it had a young signalman called Lyle Howard. He was my father.

From that moment to this, we have been able to count on each other when it has mattered most; and let me say, and I know I speak on behalf of all of my fellow Australians, in saying that we will never forget the crucial help that Americans extended to us during the darkest days of World War II. Without that help, our history and our society would have been totally different.

Successive generations of Australians and Americans have fought side by side in every major conflict of the 20th century, in the jungles of New Guinea, in Korea, in Vietnam, in the Gulf, in the skies and oceans around the globe, and now in another new century among the rock-strewn mountains of Afghanistan.

The ANZUS Treaty of 1951 pledged each country to come to the aid of the other if it were under attack.

And so it was that in a United States Air Force plane made available to me for my return to Australia on the 12th of September last year to enable me to return to Australia and high above the Pacific Ocean, I informed the United States Ambassador to Australia, Tom Schieffer, that it was our intention for the first time in the 50-year history of the ANZUS Treaty to invoke that treaty in response to the attack upon America.

America was under attack. Australia was immediately there to help.

My friends, both of our societies are built on a deep respect for the worth of each individual.

“The worth of a state, in the long run,” wrote John Stuart Mill in 1859, “is the worth of the individuals composing it . . . a state which dwarfs its men in order that they may be more docile instruments in its hands even for beneficial purposes, will find with small men no great thing can really be accomplished.”

America and Australia are societies which extol the precious worth of each

individual man and woman. Like you, I see family life at the heart of a nation's existence. Not only does the family nurture and educate our children but it provides emotional anchorage for all of us as we travel through life.

The strength of the family, of course, goes beyond the spiritual and the emotional. United, caring families are the best social welfare system mankind has ever devised.

Both of our societies draw great strength from the spirit of volunteerism. The huge, exuberant success of the Sydney Olympic Games in 2000 owed a lot to the warm and infectious dedication of tens of thousands of volunteers. They gave the games a sense of exhilaration and joy which contributed enormously to their success.

Edmund Burke once called voluntary groups society's “small platoons.” They are, in fact, the living tissue between the government and the people.

I think we would all agree that political life in both of our nations is undergoing great change. I find, as I am sure you do, that politics now is a lot less tribal than it used to be. Lifelong allegiances are looser and less frequent. Modern society has given young people infinitely more options than was the case a generation ago. Governments must be decisive but also modest. Grand gestures without practical results help no one. People want outcomes, not political fireworks and constant battles. And above all, they want space from governments to get on with their own lives.

I have spoken much of our common values, our shared history, and our deep respect and affection for each other as peoples. Let me say that we also share a common interest in spreading and better understanding the benefits of globalization. The balance sheet of globalization is overwhelmingly favorable to mankind. We must, however, better understand and explain its advantages to all of our citizens. Trade reform and liberalization have delivered benefits to people in many countries, and I believe they can deliver much more.

I understand that the demands of local constituencies and international responsibilities must be finely balanced. As a true friend, let me say candidly that Australia was intensely disappointed with the passage of the recent farm bill. It will damage Australia's farmers. They are efficient producers with very little government support. I know that the farm and export subsidies of, for example, the European Union are much greater than those of the United States. Indeed, OECD agricultural subsidies are two-thirds of Africa's total gross domestic product. The cost of these subsidies is at least three times all of the Overseas Development Aid to developing countries. This only serves to illustrate the urgent need for global reform of agriculture within the World Trade Organization framework.

The challenge is to achieve a comprehensive Doha trade round. That will require close cooperation and collaboration between Australia and the United States within the WTO. American leadership will be crucial. May I respectfully express the hope that Congress gives the President full authority to negotiate new trade agreements.

At the same time, we in America and Australia have an historic opportunity to give even greater momentum to our bilateral economic relationship. That is why Australia has proposed the negotiation of a free trade agreement between our two countries. A comprehensive free trade agreement by boosting trade and investment between us would add a stronger economic dimension to the very deep bilateral ties that are already there.

Turning for a moment to the strategic challenges of our own region, let me say that Australia welcomes and encourages full and active engagement by the United States in the Asia Pacific. It is immensely important not only to the nations of that region, but also to the interests of the United States. There is no region in the world more dynamic and changing more rapidly than the Asian Pacific region.

For ourselves, Australia is proud of the leadership role that we were able to play in East Timor. To share the great independence celebration of that tiny country of fewer than a million people only a few weeks ago and to savor for a moment their sense of hope and exhilaration was a very moving experience. We stand ready to work in partnership with America to advance the cause of freedom, particularly in our shared Pacific region.

Mr. Speaker, Mr. President of the Senate, ladies and gentlemen of the Congress, you have, as I said at the beginning, paid a great honor and compliment to me but more particularly to my nation, Australia, in inviting me to address you today. Our relationship has been long. The ties between us are strong. The bonds on a people-to-people basis between Americans and Australians are deep and rich. This relationship is nourished by many things. It is nourished by a shared history, it is nourished by a common commitment to democratic ideals and values, and it is nourished by our deep and resolute commitment to the role of the individual in society and the place of the family in the national framework of both of our nations.

I express to you on behalf of my fellow countrymen and women our sense of commitment to the constant struggle to preserve democracy and freedom around the world. I say it with great warmth, because there is nothing false or phony or lacking in spontaneity in the relationship between our two peoples. It is not contrived. It is genuine. We like each other, and we do not mind saying it. Can I say to you today that as we move forward into this new century, we do so in the knowledge that no matter what will happen, and there

will be many paths of difficulty requiring courage and grit and sacrifice, we will travel through the century in the constant company of a true and great friend.

May God bless the peoples of America and Australia.

[Applause, Members rising.]

At 11:00 o'clock and 30 minutes a.m., the Prime Minister of Australia, accompanied by the committee of escort, retired from the Hall of the House of Representatives.

The Assistant to the Sergeant at Arms escorted the invited guests from the Chamber in the following order:

The Members of the President's Cabinet.

The Acting Dean of the Diplomatic Corps.

JOINT MEETING DISSOLVED

The SPEAKER. The purpose of the joint meeting having been completed, the Chair declares the joint meeting of the two Houses now dissolved.

Accordingly, at 11 o'clock and 31 minutes a.m., the joint meeting of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The House will continue in recess subject to the call of the Chair.

□ 1456

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at 2 o'clock and 56 minutes p.m.

PRINTING OF PROCEEDINGS HAD DURING THE RECESS

Mr. REHBERG. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess be printed in the RECORD.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain 10 one-minutes per side.

MARRIAGE PENALTY

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

Mr. REHBERG. Mr. Speaker, I rise today to urge my colleagues to stand in strong support of the American family by once and for all permanently

eliminating the multibillion-dollar tax on the sanctity of marriage. If we fail to act, married couples in my home State of Montana will be hit with more than \$150 million in increased taxes every year.

Mr. Speaker, the words "I do" that are exchanged between married couples should be a pledge to build a strong family and achieve their own slice of the American pie. It should not be a forced commitment to paying higher taxes to the Federal Government.

I urge my colleagues to send a clear message that this Congress stands with the American family by voting for the permanent repeal of the marriage penalty.

PLAN TO PRIVATIZE AIR TRAFFIC CONTROL

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

Mr. BERRY. Mr. Speaker, on June 4 of this year, the administration amended executive order 13180 dated 12/7/2000 by amending the language that deemed air traffic control as an inherently governmental function. This is the first step toward privatization of air traffic control, and it is a slap in the face to our Nation's wonderful air traffic controllers.

On 9/11 our air traffic controllers safely landed 5,000 planes in 2 hours without an error. They did an incredible job. What else must be done to prove that the current system that we have that is in place works well?

Mr. Speaker, I do not want my family or other Americans to board commercial airliners that the traffic in the sky is controlled by the lowest bidder. I think we have tried that with airline security and have clearly demonstrated without a shadow of a doubt that it does not work.

I rise today in opposition to this plan to privatize air traffic control.

ELIMINATION OF MARRIAGE PENALTY TAX

(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 week we are going to bring up the elimination of the sunset clause for the marriage penalty tax.

Mr. Speaker, 120,000 individuals in my State, 60,000 married couples, are affected by this tax. If we allow this tax to come back, to rise from the dead one more time in the year 2010, we are going to do severe injustice to those 60,000 couples. Couples are going to end up paying \$1,300, \$1,400 more in tax simply because they are married. This is an unjust and unfair clause, and we must eliminate the sunset clause so that this tax remains buried once and for all. We cannot afford to have our married couples deciding whether or

not they should remain married over paying a tax.

TRADE ADJUSTMENT ASSISTANCE

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

Ms. ESHOO. Mr. Speaker, I rise today in support of the Trade Adjustment Assistant Compromise based on legislation that the gentleman from Texas (Mr. BENTSEN) and I introduced in the House and which passed the Senate last month. This compromise represents the first major overhaul of this 40-year-old program. For the first time in our history, a health care benefit is provided for unemployed workers as a result of trade. It increases eligibility, it doubles funding for worker training, it harmonizes the NAFTA TAA, it expands income support from 52 weeks to 78 weeks, and it allows for shifts in production to any country, not just Canada or Mexico.

□ 1500

I want to tell a quick story that underscores this point. Last month 3,300 electronic workers who were laid off from JDS Uniphase in my region were denied TAA benefits because their factory moved to China. At the same time workers in Connecticut were eligible for TAA because their plant moved to Canada, and that is because workers only receive TAA benefits if their plant moves to Canada or Mexico.

Another problem with the program is that it covers workers who make cars but not those who make the parts that go into them. We need a 21st century policy on the duality of trade. We should have fair trade, and fair treatment should be the partners.

I urge all House Members to support this in the conference.

RESTRUCTURE AND EXPAND TRADE ADJUSTMENT ASSISTANCE PROGRAM

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

Mr. BENTSEN. Mr. Speaker, I rise today in support of H.R. 3670, the bill introduced by the gentlewoman from California (Ms. ESHOO) and myself to restructure and expand the Trade Adjustment Assistance Program. The other body has already adopted this legislation as part of the Trade Promotion Authority, and the House will soon vote to go to conference with the other body to work out a trade promotion authority bill. As one who supported TPA, who supported Fast Track, I believe it is imperative on the part of the House that we adopt the Senate's version of Trade Adjustment Assistance. If we are going to have a real trade package for this country, it has to benefit not just those who win from trade but those who lose from

trade as well, including the workers who lose their job through no fault of their own. We should have a full package which includes a revamp of the Trade Adjustment Assistance Program for the first time since 1962 when it was created by the Kennedy Administration. So I hope that the leadership of the House, the Republican leadership, will have the wisdom if they really want to pass a TPA bill and proceed to the Senate for a real Trade Adjustment Assistance reform package.

PREVENTING CHILD ABDUCTIONS

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

Mr. LAMPSON. Mr. Speaker, I have been getting up every day for the last several months and talking about Ludwig Koons who has been held in Italy illegally after being taken away from the United States of America, and by now we all know the name Elizabeth Smart, the young girl who was abducted from her bedroom in Salt Lake City, Utah. In light of the tragedy of her disappearance and on behalf of the Missing and Exploited Children's Caucus here in Congress, I would ask and send our prayers to Elizabeth and to her family, but I would also like to remind parents all across this country to talk to your kids about their personal safety, talk to them about the "Know the Rules" educational program put out by the National Center for Missing and Exploited Children. And I would urge every parent to log on to www.missingkids.com and learn what they can do to protect and educate their children.

Nearly 2,000 children are reported missing every day in the United States of America, and we all must be prepared as parents and grandparents to deal with the tragedy, should it occur. That means having updated quality photographs and knowing our children's height and weight. We should be aware that looking at pictures of missing kids brings them home and that we commit ourselves to looking at the photos we get in the mail or we see in a grocery store. If we all do our part, together we can prevent abductions and bring children like Elizabeth and like Ludwig Koons home where they belong.

PRIVATIZATION OF U.S. AIR TRAFFIC CONTROL, A BAD IDEA

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

Mr. HOLDEN. Mr. Speaker, recently the idea of privatizing the United States air traffic control system has been given a renewed life. Mr. Speaker, that would be a very bad idea. A competent and reliable air traffic control system is vital to the safety of our flying public, and public safety is a re-

sponsibility of the Government. Simply put, air traffic controllers perform an inherently governmental function for our Nation.

Mr. Speaker, proponents of privatizing air traffic controllers like to cite three countries they consider to be successful examples of privatization: Australia, Great Britain, and Canada. Unless we consider a walkout, a pending bankruptcy and a pending labor strike to be examples of success, I would respectfully disagree. Let us face the fact that privatization of air traffic control does not work.

On September 11 of last year, air traffic controllers proved their worth as inherently governmental employees. Our air traffic control system is the envy of the world. Let us keep it that way.

APPOINTMENT OF CONFEREES ON H.R. 4775, 2002 SUPPLEMENTAL APPROPRIATIONS ACT FOR FURTHER RECOVERY FROM AND RESPONSE TO TERRORIST ATTACKS ON THE UNITED STATES

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 4775) making supplemental appropriations for further recovery from and response to terrorist attacks on the United States for the fiscal year ending September 30, 2002, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

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

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I offer a motion to instruct conferees.

The Clerk read as follows:

Mr. OBEY 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 H.R. 4775 be instructed to insist, for each item directly related to the war on terrorism or homeland security, on the higher dollar amount in either the House bill or the Senate amendment and to disagree to any item that appropriates additional funds earmarked for a specific project not related to the war on terrorism or homeland security.

The SPEAKER pro tempore. The gentleman from Wisconsin (Mr. OBEY) will be recognized for 30 minutes and the gentleman from Florida (Mr. YOUNG) will be recognized for 30 minutes.

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

Mr. OBEY. Mr. Speaker, I yield myself 9 minutes.

Mr. Speaker, the motion to instruct conferees directs the House Members serving on the conference to convert what has been all too often merely a rhetorical assault on terrorism into a real war. It requires that we go to the higher dollar figure on any item directly related to the war on terrorism, and it also directs that we delete from

the conference report funding for any item that is earmarked for a specific project or individual Member of Congress. That is to ensure that this supplemental remains focused on the job before us, fighting terrorism, and that those engaged in that war on behalf of the American people have the resources that they need to conduct that war.

I find that ordinary people are somewhat amazed when they find that, despite all the rhetoric about a war on terrorism, we often continue to decline to provide the resources needed to actually conduct that effort. One example is the fact that the Pentagon called up 80,000 Guard and Reservists following September 11.

We need those Reserves because our regular force is overwhelmed with all of the requirements being placed on them. If you do not believe me, Secretary Rumsfeld has made that statement. We do not have enough mechanics to keep all of our planes in the air, we do not have enough MPs to protect our bases and guard prisoners. But, remarkably, when the Pentagon told the White House budget office that it would cost \$5.8 billion more than was contained in the regular fiscal 2003 appropriation bill to pay the cost of those Guards and Reservists called up to active duty, the White House budget office told them they could only have \$4.1 billion. As a result, many of those reserves will have to be sent home early, unless we appropriate a considerable amount above the White House request. In my view, this is ludicrous. It is one of those situations that continues because it is so outrageous that nobody really believes it is going on.

The truth is that some of the same people at the other end of the avenue who give lectures about the war on terrorism, particularly in the OMB, are particularly stingy when it comes to providing cash that is actually needed to conduct the effort. As a result, the resources needed by those who are actually engaged in that effort are not getting there and will not get there unless Congress acts to reverse the request.

I would give the House another example. We have heard a lot of talk in the last several days about a dirty bomb. The President and Secretary of Energy, a former Republican Senator, a man named to that office by the President and confirmed by the Senate when it was still in Republican hands, a man respected on both sides of the aisle, Secretary Abraham, has asked that we spend some money in this bill to deny terrorists access to the radioactive materials that could be used to build a dirty bomb. He asked that we clean up sites where we used to make nuclear weapons and increase security at those sites. He asked that we relocate low level radioactive materials in a central depository. He asked that we provide more security for the movement of nuclear weapons.

This the White House Budget Director did not say no to, they said "hell,

no." I would like to insert in the RECORD at this point a letter written by the Assistant Secretary of Energy for the Budget to OMB in order to demonstrate what I just said.

THE SECRETARY OF ENERGY,
Washington, DC, March 14, 2002.

Hon. MITCHELL DANIELS, Jr.,
Director, Office of Management and Budget, Eisenhower Executive Office Building, Washington, DC.

DEAR MR. DANIELS: This letter and accompanying enclosure transmit the Department of Energy's proposal to request supplemental funding to meet urgent and compelling requirements for safeguards and security, emergency response, and energy security and assurance activities.

The Department of Energy is entrusted with the mission of designing, developing, manufacturing, assembling, stockpiling, refurbishing, decommissioning, and most importantly protecting the Nation's critical nuclear complex. To meet the Department's critical security mission, we are storing vast amounts of materials that remain highly volatile and subject to unthinkable consequences if placed in the wrong hands. These materials permeate the Departmental complex including sites under the programmatic jurisdiction of the National Nuclear Security Administration, the Office of Environmental Management, and the Office of Science.

The events of September 11 resulted in heightened security throughout the complex. Our sites were directed to conduct vulnerability assessments based on an evaluation of potential consequences of the type of event that occurred on September 11. These security vulnerabilities were assessed on a site-by-site basis and immediate action was taken to mitigate many of the concerns. As a result, the Department issued Interim Implementing Guidance to the Design Basis Threat document that outlined the basis for initial physical security measures. In conjunction with this guidance, I directed the Departmental Elements to reassess their security requirements and associated costs with a view towards maintaining the highest level of security commensurate with the revised threat and response strategy. Although the initial supplemental and funds appropriated by Congress helped respond to the most urgent near term security needs, the Department now is unable to meet the next round of critical security mission requirements.

The funding request of \$379.7 million identified in the enclosure is a critical down payment to the safety and security of our Nation and its people. Failure to support these urgent security requirements is a risk that would be unwise.

I appreciate the time your staff has spent with us in discussions about the Department's security concerns and needs. However, as you can see, we need your financial support to continue addressing the critical security requirements that face the Department and our Nation. Accordingly, if you and your senior staff need a more detailed classified briefing of our requirements, threats, and strategies, please have your staff contact Mr. Joseph Mahaley, the Department's Director of Security, at 202-586-3345.

My point of contact on the specifics of this funding supplemental request is Dr. Bruce M. Carnes, the Director of the Office of Management, Budget and Evaluation/Chief Financial Officer, who can be reached on 202-586-4171.

Sincerely,

SPENCER ABRAHAM.

DEPARTMENT OF ENERGY,
Washington, DC.

Ms. ROBIN CLEVELAND,
Program Associate Director, National Security Division, Office of Management and Budget, Eisenhower Executive Office Building, Washington, DC.

DEAR MS. CLEVELAND: The Department of Energy is now at a crucial juncture in executing our safeguards and security program. The Department's remaining safeguards and security budgets are not sufficient to implement the security posture requirements that appropriately respond to the September 11th attacks. On March 14, the Secretary transmitted to Director Daniels supplemental funding proposals for safeguards and security, emergency response, and energy security. The Secretary's transmittal letter described the underlying need to increase our response capabilities for emergencies and improve the security posture of Department in order to adequately protect the public, our workers, and the environment. We appreciate your support for our \$26.4 million supplemental request to increase emergency response efforts, however, we are very disappointed that we did not get your support for supplemental security funding.

We are disconcerted that OMB refused our security supplemental request. I would have much preferred to have heard this from you personally, and been given an opportunity to discuss, not to mention, appeal your decision. We were told by Energy Branch staff that the Department's security supplemental proposals were not supported because the revised Design Basis Threat, the document that outlines the basis for physical security measures, has not been completed. This isn't a tenable position for you to take, in my view. We are not operating, and cannot operate under Interim Implementing Guidance, and you have not provided resources to enable us to do so.

Given our current security funding and the physical security situation we face today, Mr. Joseph Mahaley, our Security Director, and I would like to meet with you to discuss our fiscal year 2002 and 2003 safeguards and security concerns. I can be contacted on (202) 586-4171 to arrange this discussion.

Sincerely,

BRUCE M. CARNES,
Director, Office of Management,
Budget and Evaluation/CFO.

Mr. Speaker, we have much the same situation with the FBI. They have had a huge problem with respect to their computers. The gentleman from Florida (Mr. YOUNG) and I have tried to do everything possible to solve that problem, both last year and this.

The FBI is ages behind in both the overall architecture of their computer system and the security of that system. As a result, they have failed to convert massive amounts of information into a digital format so that it can be stored in a safe and remote location and so that it can be shared with agents working in other parts of the country or shared with other agencies, such as the CIA. The FBI has been asking for the resources to make that happen. But, again, there apparently are people running the Justice Department or people in OMB who think it would be too expensive.

In my view, you do not have to have a master's in public policy from Harvard or any other school to know that that is just plain nuts. Almost any person you would meet on the street

would tell you that the \$100 million the FBI is asking for to fix that system is cheap compared to the cost of letting one of those creeps get through the system with a dirty bomb or biological weapon or any one of the things that could bring havoc to our cities.

I would oppose spending any money that is not needed, but it is ridiculous to go down the road we are traveling now, short-sheeting some of the agencies who need more money now, not next year or the year after, in order to get the job done. You do not kill terrorists just by moving boxes on an organizational chart. You also need to back up whatever changes you make in reorganization with adequate resources. Those resources cost money, and we ought to provide it.

Now, the differences between the House and the Senate bills are not large, Mr. Speaker, at least not in relative terms. They have included earmarks for certain Members which we did not do in the House bill and which we should not do in the conference report. They have excluded several of the savings that are in our bill, and some of those we are going to disagree with. But, to me it is important to keep the Guard and Reserve funds and the other needed defense funds in this bill, and this motion would help to do that.

There are other small but important differences. The Senate is above the House by \$5 million for U.S. Attorneys. I ordinarily would not be standing here asking for more money for U.S. Attorneys, but my information is that we are putting a real load on prosecutors with all of the arrests and detentions that we have engaged in, and that that money is needed.

□ 1515

They are below us on the U.S. Marshals, and I know that the marshals also need the money.

What this instruction says is take a look at the needs and go forward with the conference report that recognizes that we are, in fact, at war, and ought to be providing these higher levels.

Mr. Speaker, last week, the White House released a document calling for a new Department of Homeland Security. Perhaps the most compelling page in that document was an organization chart showing how many different portions of the government were engaged in the war on terror. I have a copy of that chart directly from the White House; but I would point out that what the White House neglected to provide to Congress, the press, or the American people, was a copy of what the organization of the war on terror would look like after that reorganization plan was adopted. What those charts will show is that most of the government activities related to homeland security will still be untouched.

Now, the debate on reorganization can wait for another day. We certainly have to have reorganization; and in some areas I think we have to go further than the administration has so far

proposed. But the point I am trying to make is that we can pass all of the reorganizations in the world, and we will still not deal with the problem, unless we adequately provide the financial resources necessary to demonstrate that we really mean business in closing the security gaps that now face this country on the homeland defense front, and that is the purpose of this motion. It simply says again, and I repeat, it says that in each instance we should adopt the higher of the two numbers between the Senate and the House in dealing with gaps in our homeland defenses, and it says that we should eliminate or not include in the conference report any dollar items that are meant for the purpose of what are known as "Member earmarks."

I think that is a very plain explanation, and I would ask for a "yes" vote on the motion.

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

Mr. YOUNG of Florida. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, I want to thank the gentleman from Wisconsin (Mr. OBEY) for offering this motion to instruct, for it gives us an opportunity to remind our colleagues what it is that we are doing here. We are dealing with an emergency supplemental appropriations bill to provide for the defense of the Nation and our homeland security. What we are talking about is repaying to the military services the funds that they have expended already on the war in Afghanistan. The services have used considerable amounts of money that normally would have been reserved for their fourth quarter training activities and maintenance activities, quality-of-life activities. So in effect, we are paying back money that has already been spent because of the war in Afghanistan.

So our troops are involved, our intelligence community is involved. We are talking about paying for the safety and security of the United States, at home and abroad. We are talking about recovery in New York City; and we are talking about promoting U.S. foreign policy to prevent future terrorist attacks. In other words, we were a government mobilized after the terrible, terrible attack on September 11 to protect America, to protect Americans, and to do everything humanly possible to guarantee that those tragedies are not allowed to happen again.

So I thank the gentleman from Wisconsin (Mr. OBEY) for giving us the opportunity to discuss this. But I cannot support his motion to instruct for a very simple reason, and it is not that I disagree with some of the items that he has spoken of and that he would like to see done. I know the gentleman from Wisconsin and I both have visited the agencies that he has mentioned and we both understand the needs that they have to bring their technology into the 21st century, for example.

But the gentleman from Wisconsin is an experienced expert negotiator; and I

think because of that expertise, he understands that if we were to pass this motion to instruct, we would take away much of the flexibility of the conference committee to resolve many of the differences that exist between the House and the Senate.

The Senate bill is approximately \$3 billion higher than the House bill. It does contain some special projects that were added in the other body which I would like to see taken from the bill, and I would like to have the opportunity to negotiate some of those special projects out of the bill, because from what I have seen of the bill so far, there are numerous projects that were added there that I do not think belong in this bill. But we have to have the ability and the opportunity to negotiate with our counterparts in the other body to reach a conference agreement that we can bring back to both Houses and pass quickly and get this bill to the President.

What is happening, Mr. Speaker, is that here we are in the middle of June. If the services do not have these monies replaced by July 1, their planning is already set to stand down training operations, to stand down sailing Navy ships, Navy vessels, to stand down flight hours, training hours for pilots. I do not want that to happen. So we need to expedite this, and we need to have the ability to conduct negotiations that are necessary to get this conference completed, and then passed by the House and the Senate, and then sent to the President for his approval.

So I think the gentleman's motion is well intended, but I think it really ties our hands behind our backs on the part of those of us who will be part of this conference that will be leading the negotiations with the other body.

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

Mr. OBEY. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I know my good friend from Florida, the chairman of the committee, and I do not think that he is any happier to have to fight this war on terrorism, at least in terms of resources, with one hand tied behind his back, any more than I am. And I think it is fair at this point to state what the record has been in the past on this issue.

After the tragic events of September 11, we were asked by the White House Budget Office to provide emergency funding of an unlimited nature for an unlimited number of years, a blank check. Both the chairman and I said no, we were not going to write a blank check to anybody; and we sat down and immediately worked out a compromise. Within 10 days, we had sent to the White House a bill that contained \$40 billion in emergency resources to deal with those events.

We then proceeded to, as he said, visit security agencies all over town. We spent almost 5 days gathering information from the security agencies: NSA, CIA, Centers for Disease Control,

FBI. You name it, we talked to them about what their emergency needs were, and we tried to meet them. In the end, over the threat of a veto from the White House, we were able to put almost \$4 billion in additional funds into the appropriation bill to fight terrorism.

If we had listened to the OMB rather than our own instincts and rather than listening to the agencies who were charged with the responsibility for fighting that war, if we had done that instead of listening to those agencies, we would not have fixed the problem that the FBI had with its computer system. They had a problem under which more than 50 percent of their computers could not even send a picture of a terrorist to another FBI computer around the country. We fixed that, because we appropriated more money than was requested. We added to the security of our ports and our borders by providing more money than was requested. So we did not have to rely on traffic cones as deterrents on the U.S.-Canadian border in the unguarded checkpoints on that border. We took care of that problem.

In the supplemental which is now before us, this committee has tried to respond, even though the White House Budget Office did not. We tried to respond fully to the request of the FBI that they be given additional funds in order to hire the translators that are necessary so that some of the information which is lying on the floor in some of our security agencies can actually be reviewed. The Immigration and Naturalization Service asked for money for which they were at least partially denied; they asked for money so that they could institute a new system so that they would actually know when someone had overstayed their visa and had been asked to leave the country and had declined to do so. The Immigration and Naturalization Service wanted a system which would enable them to track those people so that we can give them the thumb and get them out of the country. Our bill corrected the oversight of OMB.

Air marshals. They still are not able to communicate directly with the ground. The House bill makes an attempt to fix that. It also made an attempt to correct the problem created by the White House Budget Office declining to approve the Pentagon request for the funds needed to reimburse them fully for the activation of the Guard and Reserves to fill in until we can train additional personnel.

So I fully admit that this motion would cost more money than the administration has asked for. I make no apology for it. I think it is needed. I think the average citizen would too, and I would urge Members to vote "yes" on the motion.

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

Mr. YOUNG of Florida. Mr. Speaker, I yield 6 minutes to the gentleman from Kentucky (Mr. ROGERS).

Mr. ROGERS of Kentucky. Mr. Speaker, I thank the chairman for yielding me this time.

Mr. Speaker, let me speak briefly to the motion that is before us insofar as it relates to parts of the supplemental that are not the military branch part; specifically, the Transportation Security Administration, which our subcommittee deals with. The House-passed bill includes some \$3.8 billion in the supplemental for the TSA. We have yet to receive from the TSA the justifications for those figures. Yet the Senate bill, if we go along with this motion, if this motion passes and we have to go to the higher figure in the Senate bill, some \$4.7 billion, we have no justifications for it. I cannot show to my colleagues the documents that say, this is what we actually have to have.

In the House-passed bill, we already gave more than was requested for several items. For example, we said, here is \$20 million. Replace all of the magnetometers in 429 airports in the country, because the new state-of-the-art magnetometers will save the need for a lot of hand wands that are now searching you as you go through. The new machines will do that work for us. It will save many of us taking our shoes off as we go through the airport and having somebody, a federally paid employee, carry your shoes to be searched.

□ 1530

Those requests were not in the administration request. Yet, we put it in there, because we think it will save money down the pike. But we have yet to receive the justifications for the monies that we included in the House-passed version of the bill, which is significantly less for TSA than the Senate figures.

If this motion should pass and we have to go to the higher levels in the Senate bill, then who knows how many employees they are going to hire. At first they said, we need 33,000 people. A few weeks later they said, no, it is going to be more like 60,000. By the time we had our hearing, they were up to 73,000.

We said, whoa, let us stand back and talk about this. So we put a level in our House-passed bill that they cannot exceed in terms of the numbers of employees of TSA during the remainder of this fiscal year, 45,000 people, max. If we have to go to the higher Senate figure, then that personnel level is out the window.

We think it is wise to have some discipline, I say to the gentleman from Wisconsin (Mr. OBEY), on that hiring process during the remainder of this fiscal year that is covered by the supplemental.

In addition, we also put in the bill monies to allow the air marshals that are flying in the planes to be able to communicate independently to ground stations. That was not requested, and yet we think it is a very important

thing at a modest cost. So I think there are a lot of items in the House-passed bill that perhaps would be negated if we were to have to go to the higher levels on the Senate bill.

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

Mr. ROGERS of Kentucky. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Speaker, I thank the gentleman for yielding.

I would simply like to say that I completely agree with the remarks made by the gentleman with respect to the Transportation Security Agency. There is no question that that agency so far has been without a clue, and they are out of control. I think the gentleman has played an excellent role in trying to introduce them to reality.

Let me simply say that obviously that agency needs to be straightened out, but I am sure that he understands as well that eventually that agency is going to have to receive more money than is in either bill, probably.

I would be, for instance, very interested in working out a proposal under which we would appropriate the money that is needed to that agency, but hold it in reserve until they meet the standards that the gentleman has laid out, because I think both of us want to deal with the problem. We simply want to make sure we are not throwing money at an agency that does not know what to do with it.

Mr. ROGERS of Kentucky. Mr. Speaker, I appreciate the gentleman's thoughts, and he is correct. I appreciate the gentleman's comments. We are right now, as the gentleman knows, in the process of gearing up for the 2003 appropriations bills. In fact, I just got off the phone with the Secretary of Transportation about this bill and the 2003 bills coming up. In fact, we hope to mark up the 2003 bills in a few days, even, which will give us the chance to take a second look and see what is needed down the pike in 2003 without having to address that at this particular moment in time.

So I appreciate the gentleman's idea about the need for more funds in homeland security TSA next year, but I do not think we need it now.

I would hope that we would not pass this motion and tie the hands of the gentlemen as they negotiate with the other body. I appreciate the gentleman bringing this motion up because it gives us a chance to talk about the issue, but I would hope that it would not pass, because I do not want to tie the chairman and the ranking member's hands when they go to do battle with the other body.

Mr. YOUNG of Florida. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Virginia (Mr. WOLF), another subcommittee chairman on the Committee on Appropriations.

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

Mr. Speaker, I rise in opposition to the motion to instruct conferees of the gentleman from Wisconsin (Mr. OBEY).

I believe that such a motion would prompt almost a guaranteed, if you will, veto, and would absolutely unnecessarily restrict the ability of the conferees in negotiating with the other body.

This is probably the most important bill that we will pass in this Congress, and in some respects, if we were to do this, it may very well jeopardize the passage, or if not jeopardize, certainly bog down the process.

The President has already indicated that he would veto the bill as being too costly, and if we move forward with this motion and go to all those higher levels, then the bill would go well beyond and above the funding level proposed by the Senate.

So for those reasons and the reasons that the gentleman from Kentucky (Mr. ROGERS) had covered, and the chairman, the gentleman from Florida (Mr. YOUNG), I would urge Members to vote no on the motion.

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

Mr. OBEY. Mr. Speaker, I urge a yes vote on the motion to instruct, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. LINDER). Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Wisconsin (Mr. OBEY).

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

Mr. OBEY. 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, 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 4 p.m.

Accordingly (at 3 o'clock and 40 minutes p.m.), the House stood in recess until approximately 4 p.m.

□ 1602

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LINDER) at 4 o'clock and 2 minutes p.m.

APPOINTMENT OF CONFEREES ON H.R. 4, SECURING AMERICA'S FUTURE ENERGY ACT OF 2001

Mr. BARTON of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 4) to enhance energy conservation, research and development and to provide for security and diversity in the energy supply for the American people, and for

other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

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

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. MARKEY

Mr. MARKEY. Mr. Speaker, I offer a motion to instruct conferees.

The Clerk read as follows:

Mr. MARKEY of Massachusetts 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. 4 be instructed, to the extent possible within the scope of conference, to ensure that no provision of the bill will create a deficit in the non-social security portion of the Federal budget during any year of the 10-year budget estimating period unless there are sufficient offsets under the bill so that there is no net deficit during such 10-year period.

The SPEAKER pro tempore. Pursuant to clause 7(b) of rule XX, the gentleman from Massachusetts (Mr. MARKEY) and the gentleman from Texas (Mr. BARTON) each will control 30 minutes.

The Chair recognizes the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Speaker, I yield myself 2 minutes.

The motion which I am offering at this time on behalf of myself, the gentleman from Texas (Mr. STENHOLM) and many other Members is to ensure that as the Members of the House now meet with members of the Senate on the energy bill, that the Members from the House be instructed that none of the expenditures inside of the bill, as it is finally produced, using the number which is now in the House bill, \$34 billion worth of subsidies, should be paid for out of the Social Security or Medicare trust fund.

The bulk of the subsidies in the bill go to the oil, to the gas, to the coal, to the nuclear industries. Some of it goes to the renewable industries. That is all fine, but it should not come out of the Social Security and Medicare trust funds.

Senior citizens in our country have worked too long and too hard in building those trust funds so they can be there to provide both for the income retirement guarantee and for the health care guarantee. Otherwise we will see a cutback in the quality of health care which senior citizens get and a cutback in the amount of money they will have on a daily or weekly basis to pay for the necessities in their life.

So this is the critical moment where we begin to decide whether or not we are going to be tough on the squandering of the trust funds. We have already seen over the last several weeks votes that now will extend the estate tax benefits to the wealthiest people in our country. There are going to be efforts coming up later on this week to do the same thing when it comes to the marriage penalty deductions.

What about the senior citizens? What about the people who built this country? What about the greatest generation? My colleagues do not have a surplus to do all those other things until they are sure they are not taking it out of the Social Security and Medicare trust fund.

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

PARLIAMENTARY INQUIRY

Mr. BARTON of Texas. Mr. Speaker, I want to ask a parliamentary inquiry. We are now debating the motion to instruct conferees; is that correct?

The SPEAKER pro tempore. That is correct.

Mr. BARTON of Texas. Mr. Speaker, the gentleman from Massachusetts (Mr. MARKEY) has 15 minutes and I have 15 minutes?

The SPEAKER pro tempore. The gentleman from Massachusetts (Mr. MARKEY) and the gentleman from Texas (Mr. BARTON) each have 30 minutes.

Mr. BARTON of Texas. Mr. Speaker, I am sure we can do this in less than an hour, I would hope.

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

I want to compliment my excellent and good friend from Massachusetts for offering this motion to instruct conferees. It is obvious that some thought has gone into it. I do not believe anybody on our side of the aisle is for deficit financing or deficit spending, and obviously we worked very hard, as the gentleman from Massachusetts would, I think, acknowledge, to create a bipartisan bill, H.R. 4, that we are sending to conference.

I think after we have a little debate to flush out what exactly it is this motion to instruct conferees is attempting to do, I am going to recommend that we accept it. I do not see any reason we cannot agree, going to conference, to try to make sure the American people know that we want an energy policy for this country that is based on a balanced approach both on the production side and on the consumption side, and in no way are we trying to create through the guise of an energy policy a bill that would increase the public debt.

Having said that, I think we need to make a few points in order so that the Members that are in their offices watching this debate on television and other interested citizens understand that the energy bill that we are sending to conference is an authorization bill. It is not a spending bill. It is not an appropriation bill. So in one sense it has nothing to do with deficit spending or any other thing like that. It is trying to list a series of priorities for this country in terms of an energy policy.

Historically, the United States of America has adopted, as a general policy, that our energy policy is going to be based on free markets, where we attract private capital. We employ that private capital in the most cost-efficient fashion and allow private entrepreneurs to provide energy at the least

cost of any industrialized society in the world. Because of that, the United States has the world's largest gross national product. We have the world's largest standard of living for a large industrialized nation, and we have tremendous opportunities, as we speak, for our children and our grandchildren.

So if the gentleman from Massachusetts (Mr. MARKEY) wants to say that as we go to work on a bipartisan basis for an energy policy for the present and the future that we try to ensure that our House conferees work to insist that it is all done in a cost-effective fashion and does not increase the national debt, I for one am going to endorse that and I would assume that in the absence of Chairman TAUZIN, what I say goes on this floor unless the Speaker sends me an urgent message to run the other way in which I would have to attack my good friend from Massachusetts (Mr. MARKEY) and try to impugn him, and I am not going to do that because I know he is a decent fellow at heart and has got the national interest.

So with that, Mr. Speaker, I would simply say that we are going to start this conference on a bipartisan fashion and it is going to be my recommendation at the appropriate time that we accept this motion to instruct conferees.

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

Mr. MARKEY. Mr. Speaker, I yield 2 minutes to the gentleman from California (Ms. ESHOO).

Ms. ESHOO. Mr. Speaker, I thank our ranking member for yielding me this time.

Mr. Speaker, today we are going to conference on a bill that gives \$34 billion in tax breaks to energy companies. Who is going to pay these costs? I heard my wonderful friend, the gentleman from Texas (Mr. BARTON), my colleague on the Committee on Energy and Commerce, make his statement, and with all due respect, we see this not only differently but very differently. Who is going to pay these costs? It will be the Social Security beneficiaries and future generations because that is where the cash is.

In California, and according to official estimates, electricity suppliers stuck California with at least \$8.9 billion in illegal electricity charges between May of 2000 and June of last year. These estimates came before we started to learn about some of the unethical and possibly criminal trading activities of energy suppliers. Almost every day there are news reports about another company that has gamed the market in one way or another, and not only in California but in a host of States. For months my colleagues and I have been asking for a House inquiry into these matters. While others are investigating these serious flaws, and the Senate already is, the House has been conspicuously absent.

The House must have a meaningful inquiry before we consider a conference report on sweeping energy legislation.

We should not repeat what happened last year, holding one or two hearings and then declaring the problem solved. We should all support this motion to ensure that we do not saddle seniors and future generations with the costs of these energy company tax breaks. These tax breaks at \$34 billion should be subjected to the same budget treatment as everything else. If you want it, pay for it and declare how you are going to do it. That is what is demanded of other parts of the Federal budget. That is what we should be doing with this. So I urge my colleagues to support this motion. It makes sense and it is fair.

Mr. MARKEY. Mr. Speaker, I yield 4 minutes to the gentleman from West Virginia (Mr. RAHALL).

Mr. RAHALL. Mr. Speaker, I thank the distinguished gentleman from Massachusetts (Mr. MARKEY), our friend, for yielding time to me.

I do rise in support of this motion. Certainly, Mr. Speaker, it is time to enact a new national energy policy for the 21st century, but not, not, at the price of dipping into Social Security and Medicare to finance tax breaks for major oil companies. And that is exactly what the Republican-sponsored House energy bill would do through its lavish tax and royalty relief provisions for large oil companies.

This is not just political rhetoric. According to the nonpartisan Congressional Research Service, the House version will provide \$35 billion in tax breaks. There is no offset provided and, of course, there are no budget surpluses to pay for it. Let me point out that one provision in the House bill would let companies that want to drill for oil and gas in the Federal waters in the Gulf of Mexico forego paying royalties to the American people. Truly a royalty holiday.

Under the House bill, a company drilling in Federal waters of between 400 and 800 meters deep can receive, for free, 5 million barrels of oil or gas equivalent. The owners of these resources, the American people, guess what they get? Zero. Zero. Zilch.

□ 1615

It gets even sweeter. Nine million barrels of oil or gas equivalent for drilling in waters between 800 to 1,600 meters for free. If they drill deeper, they get a whopping 12 million barrels of oil or gas equivalent for free.

Oil production in the Gulf of Mexico has soared by 65 percent over the last 8 years, with gas production in deep Gulf of Mexico waters increasing by 80 percent in the past 2 years alone. At a time when the Gulf of Mexico is booming in such a way, I do not feel that we need to give more oil and gas away to encourage the industry to drill.

In conclusion, executives of major oil companies will simply love the House energy bill. But a plain folk, a person who pays for gas for their vehicle, would have to wonder why they should be gouged twice: at the pump and at the U.S. Treasury.

Mr. Speaker, vote for this motion. Vote for our constituents' interest and not the special interests. I commend the gentleman from Massachusetts (Mr. MARKEY) for offering the motion to instruct, and urge bipartisan support.

Mr. BARTON of Texas. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, I listened with great interest to the comments of the gentleman from West Virginia (Mr. RAHALL) about the oil and gas industry, and I know they are heartfelt. I would point out that this bill has a sizable section on clean coal technology that the gentleman is one of the co-authors of. I know the gentleman thinks that is an excellent part of the bill, and it is an excellent part of the bill.

Just as there are things that help his part of the country and his industry and his people, some of us think that some of the other parts of the bill that might have some impact on deep water drilling and keeping marginal wells and stripper wells in, we do not see those as efforts to help an industry so much as we see those as efforts to keep the working man working and to keep energy prices at stable levels.

Mr. Speaker, I understand that there can be differences of opinion, and I want the gentleman to know that we are going to accept this motion to instruct and go to conference in a bipartisan way. As some of the issues that the gentleman raised come up, Members will listen; and as the gentleman is also a conferee, I am sure the gentleman will listen, and we will report back a bill that the American people will find good for the country.

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

Mr. BARTON of Texas. I yield to the gentleman from West Virginia.

Mr. RAHALL. Mr. Speaker, I thank the gentleman for yielding.

I understand the bipartisan fashion in which he speaks. The clean coal language in the bill, while I am not detracting from the use of clean coal technology, I do not cosponsor this particular provision. It happened to come out of the Committee on Energy and Commerce, not the Committee on Resources.

I might also say to the gentleman, that the coal that happens to come from my particular region of southern West Virginia is already clean coal. Clean coal technologies are fine, and I do not speak against them, but we do not have to apply those technologies to the coal that comes out of southern West Virginia and eastern Kentucky, which is some of the cleanest burning coal, low sulfur content, high btu.

Mr. BARTON of Texas. Mr. Speaker, reclaiming my time, we will stipulate that the gentleman's coal is clean. We might want to point out that coal in general has sizably larger emissions of VOCs than some of my dirty natural gas. It is about 95 percent, maybe 96 percent cleaner. We are going to work to clean up all energy sources. I would

also hope that we will help to revitalize the nuclear industry which has no emissions.

Mr. RAHALL. Mr. Speaker, if the gentleman would continue to yield, I hope the gentleman does not forget about his lignite coal in his home State of Texas.

Mr. BARTON of Texas. Mr. Speaker, we have some lignite coal, and we are proud of it; and some of it was in my old congressional district.

Mr. MARKEY. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. STENHOLM).

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

Mr. Speaker, I want to begin by acknowledging that now more than ever, America needs a balanced, forward-looking energy policy that will infuse our energy sector with both efficiency and competition, formulated to protect America against emergencies in the energy market. This bill does that.

I commend the gentleman from Texas (Mr. BARTON). I appreciate the spirit with which he has accepted this amendment to instruct. This amendment is not aimed at the committee. This amendment is aimed at the leadership of this House which continues to borrow on our Social Security trust funds in order to pay for those things that we need. This is a good energy bill. I commend the gentleman from Massachusetts (Mr. MARKEY) for his participation in this, and I see the gentleman from Louisiana (Mr. TAUZIN) is here. They have worked very well to put together a bill which has many good features.

We no longer can rely on the same old policy, and I am pleased to see that we are on the verge of having a national energy policy that will achieve many of these goals. There are many provisions in H.R. 4, as well as in the legislation passed by the Senate, that I have been a long-time supporter of, including access to capital for domestic oil and natural gas production; increased research in alternative fuels such as nuclear energy; advanced clean coal technology; a sound commitment to renewable energy; and improved energy efficiency and environmental standards.

Yet when the House considered H.R. 4, I was disappointed that the tax incentives, again that I have supported for many years, were not considered within the context of the budget process.

Last year, the President promised that we could have it all. He argued that the projected \$5.6 trillion in surpluses within 10 years was enough for a large tax cut, a decent Medicare prescription drug benefit, increases in education spending, a national energy policy, and increases in defense spending.

This Congress could have taken time to look comprehensively at using the Tax Code to accomplish many goals, including some much-needed improvement to our energy policy. Regrettably, we made it considerably more

difficult to provide for the needed spending in the area of energy as well as other top priority issues that are facing this country.

Instead of figuring out how are we going to stop the tide of red ink and stop spending Social Security surplus dollars, the House leadership continues to push irresponsible tax cuts.

Just a few weeks ago, the majority leadership passed the supplemental appropriation that also makes room for a \$750 billion increase in the debt limit. Those of us who said that we ought to sit down and figure out how to get our budget back in order before we approve another \$750 billion in debt were ignored.

This week is no different. We are considering a permanent extension of marriage penalty relief. Permanent extension. Again, motherhood and the flag, everybody is for it; except our grandchildren should not be for it, but they do not have a vote.

We will also vote in a moment on another great-sounding issue, and that is requiring a two-thirds vote in order to raise taxes. But yet my friend from Tennessee was denied an opportunity to have an amendment on the floor that would suggest that we ought to have a three-fifths vote to borrow money. It is easier to borrow money because our grandchildren do not have a vote on that issue. It is tough to raise taxes. In fact, show me one Member of this body who stands up and says, "I am going to raise taxes," and I will show my colleagues a Member that is about to get unelected in November.

But here we are. As a result, we are experiencing trust fund raids and deficit for the foreseeable future, instead of large projected surpluses, all to pay for this reckless economic plan.

Mr. Speaker, all we are asking is let us get back on a plan to balance the budget without using Social Security. The current estimates for this year's unified budget deficit are between \$150 billion and \$250 billion. That is deficits, and not all of it has to do with September 11. Not all of it has to do with the economy. As Members read in the Wall Street Journal today, Mitch Daniels, director of OMB, is finally coming around and beginning to have a moment of honesty: "At this rate, there are not sufficient resources for a decent Medicare drug benefit, education spending, or energy policy."

I do not understand the philosophy of folks who do not have a problem with leaving our children and grandchildren with a large debt just so we can have a tax cut or more spending today. I want our children and grandchildren to inherit a strong economy and a Federal Government that can meet its commitments for Social Security and Medicare. I definitely do not want them to inherit a massive national debt and legacy of deficit spending.

The motion to instruct conferees is very straightforward and reflects a principle that every Member of this body has solemnly vowed to protect.

The motion simply states the conferees, to the extent possible, within the scope of conference, ensure that no provision of bill create a deficit in the non-Social Security portion of the Federal budget during the duration of the bill, unless there are sufficient offsets under the bill, thereby ensuring that it does not raid Social Security surpluses.

Until we deal with the long-term financial problems facing Social Security, we need to be very careful about any tax or spending bills that would place a greater burden on the budget in the next decade. If Members believe that more tax cuts and increased spending are more important than eliminating the national debt and protecting the integrity of the Medicare and Social Security trust funds, vote against this motion. I am glad nobody is going to vote against it. I believe Members should support it.

Mr. Speaker, I support the spirit of the gentleman from Texas (Mr. BARTON) for agreeing to this, and I do know that the spirit of the conferees will somehow find it in their hearts to talk to the leadership and get the leadership to go along with this excellent proposal.

The SPEAKER pro tempore (Mr. LINDER). Without objection, the gentleman from Louisiana (Mr. TAUZIN) will control the balance of the time of the gentleman from Texas (Mr. BARTON).

There was no objection.

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

Mr. Speaker, as we begin the final steps toward enacting a comprehensive national energy policy for our country, I want to remind the Nation and this House of two important facts. The first was that this House passed H.R. 4, the SAFE Act, Securing America's Future Energy on or about August 1 of last year.

We passed it by an overwhelming bipartisan majority. In fact, it passed out of the subcommittee by a vote of 29 to 1, and I want to thank the chairman of the Subcommittee on Energy and Air Quality, the gentleman from Texas (Mr. BARTON), for the great work the gentleman did in perfecting the core of this bill in subcommittee.

It passed out of the full committee by a vote of 50 to 5, and I particularly want to thank the gentleman from Michigan (Mr. DINGELL) for his extraordinary cooperation and bipartisan support for us to produce this energy policy for the House and the Nation. I thank the gentleman from Massachusetts (Mr. MARKEY) for the work he did, and the gentleman knows that we worked out quite a number of important features in the bill that he was interested in regarding conservation, alternative fuels and other areas.

The bottom line is we produced this bill for the House on August 1, 2001, before September 11. We produced this bill for the House when after years of sort of benign neglect, we came to a conclusion that this Nation needed as a matter of national security a cohesive

energy policy which was not written in fits and starts, but balanced things and brought into play conservation and alternative fuels and new technologies and potential new sources of energy for our country.

We did it out of concern that we were becoming more and more dependent upon foreign sources that were not as reliable as they once were. At a time when we were facing about 57 percent of imports to satisfy this Nation's energy demands, we decided we had better do something. We better talk about conservation. We better talk about alternative fuels and new technologies and new means by which we could move about this country. We better tell the automobile industry that we wanted some fuel savings in the SUV fleet, and we wanted to make sure that there was in fact new and available sources of energy to power the electric grids of this country so the rest of America did not experience what California went through.

We did it on August 1, 2001. Then on September 11, 9-11, we witnessed the awful effect of this new age we have entered, this new age where this country is at war against terror; and it has dawned on us what we did on August 1 has even more relevance after 9-11.

Here are some numbers. I want Members to think about the fact that we are now buying a million barrels of oil a day from Iraq. It costs this country \$21 billion a year. That \$21 billion is money we send to the Iraqi Government, to that country. What do they use it for? They use it to build weapons of mass destruction after they have thrown the U.N. inspectors out. They use it to send money to the families of suicide bombers. They use it to build radar sites that lock onto the American planes that are patrolling the no-fly zones, and build missiles to try to knock down American airmen as we try to live up to and complete the terms of that peace agreement following the Persian Gulf War, planes that are carrying jet fuel that is made in part from Iraqi oil. How crazy is this? How insensible is this?

□ 1630

We have watched as one of our dearest energy commercial friends, Venezuela, has come under a regime that thinks Castro is a pretty nice guy. Fidel Castro, if you remember, was a guy that Nikita Khrushchev's son wrote about in the memoirs, who acknowledged that Castro asked and advised Nikita Khrushchev to launch a full scale preemptive nuclear strike against America during the Cuban missile crisis. That is the guy Mr. Chavez loves, and we depend upon Venezuela for so much of our energy supplies in this country. In fact, we depend upon Venezuela for lot of the reformulated gasoline that completes our clean air program in America. Think about that. Think about the fact that this country depends every day, every one of us that gets in an automobile, every one of us

that gets in an airplane, depends every day on people who are on the other side in this war on terror to make fuel available to us and that the money we spend to buy fuel from them helps to underwrite the terrorists who are attacking this country. And then I think you begin to realize how important this conference on energy is going to be and how critical it is that the work of this House on H.R. 4 be, as much as we can, sustained in the conference with the Senate.

The Senate has added some important features to the bill we passed. They have built a good electricity title that we are going to work on. Chairman BARTON has done a good job in building a House position. We are going to have a chance, with our Democratic colleagues, to hopefully add an electricity title to the bill that is going to better ensure transmission lines work, that they are there to move energy from areas of surplus to areas of demand, that we have enough electricity in the grid that nobody has to go through what California went through. We are going to continue to work with the Senate on the provisions it has added to make sure that we have other blends in the mix, like ethanol in the mix of our reformulated gasolines. And we are going to try to make sure that when we produce a bill, that it is well balanced, that it contains not just conservation and new technologies and alternative fuels, but it also contains some incentives to make sure we produce here at home gas and oil and fuel and coal and other electric supplies that we can depend upon because they are made in America, instead of being produced by people that we cannot trust in this world anymore. We are going to try to produce a balanced bill.

I am going to ask all our colleagues to stand with us as we go into conference with the Senate to make sure we have that.

If I could make just a point. That 1 million barrels a day we buy from Iraq, that is what we could produce in ANWR if we could include an ANWR provision in the conference. We are going to fight for one as we go to conference with the Senate.

So today as we begin this process, as the conferees are named, as we begin the process to produce a comprehensive energy policy for America, we ought to be reminded every day of that conference of 9/11 and how much more critical it is that this House and the Senate succeed in putting a bill in front of the President to sign before we leave here to go face the voters in November. This may be the most important national security work we do. We ought to do it well. We ought to do it right.

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

Mr. MARKEY. Mr. Speaker, I yield 3 minutes to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Speaker, I thank the ranking member for yielding me

this time and I rise in very strong support of the Markey motion to instruct.

Make no mistake about it, the energy bill provides a world of opportunity for wasting taxpayer dollars in pursuit of very bad policy. I agree with my dear colleague from Louisiana about the need for renewables here at home. The problem is the bill pays very short shrift to that while it gives away \$34 billion over 10 years and shovels money like coal into energy blast furnaces out of the Social Security trust fund.

We are really happy that the motion to instruct apparently has been accepted by the other side. But for the life of me, I do not know how they are going to make the numbers work, because a week ago the Republican majority had borrowed \$207 billion from the Social Security trust fund and that number this week went up to \$212 billion. And now this bill adds \$34 billion in red ink on top of that. Somebody has to keep the ledger balanced at the end of the year.

What seems to pass for energy policy in this administration includes renewal of the Price Anderson Act which exempts nuclear power plants, for example, from liability for accidents and potentially streamlining the licensing process for companies that are seeking to bring old reactors back on-line—like the one in my district which just had a hole eaten in its head, and they are trying to figure out what to do about it. It has been shut down for months.

The failure of this administration to provide an intelligent energy policy and the failure of Congress to pass tough, no-nonsense campaign finance reform creates a climate for vast giveaways of taxpayer dollars. If you look at the nuclear industry alone, which the Vice President loves a great deal, they gave more than \$13.8 million to Federal candidates in the 2000 election cycle. Most of our citizens do not have that kind of election clout.

So I would just say it is important to pass this motion to instruct conferees to protect the Social Security trust fund being tapped as the only place to get the money for the kind of corporate giveaways that are included in this bill. Unfortunately, the surpluses that had begun to build as of January 2001 have now plummeted into deficits in every single account in this government. The promise that was made with seven votes that we took here on this floor “not to break the lockbox” has been broken seven times. We are now in the red already this year, as of yesterday \$212 billion. This bill worsens that problem.

I urge my colleagues to vote for the Markey motion to instruct and stop the raid on Social Security trust funds being cashed out to the corporate energy giants.

Mr. TAUZIN. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from North Carolina (Mr. BURR), the vice chairman of the Committee on Energy and Commerce.

Mr. BURR of North Carolina. Mr. Speaker, my only regret is that we had

not had this debate and this level of cooperation about the economic stimulus package, because had we started it sooner, it would have been bigger. The fact is the economy would go faster and we would not have the challenges that we do about programs that the American people want.

I find it ironic that we have a debate about robbing money from Medicare in the same month that we hope to pass a \$300-billion-plus Medicare prescription drug benefit for seniors who desperately need it across this country. We will in this House, once again as we did 2 years ago, pass it, but in all likelihood we will not do it with a unanimous vote.

Mr. Speaker, H.R. 4 does a tremendous amount, and I think we are in agreement on the highlights of this bill. It is the SAFE Act. It is about securing America's future energy needs. It is about making energy policy and energy availability predictable and, most importantly, affordable. The House passed a comprehensive national energy bill which builds on the President's national energy policy and that was to promote economic development and domestic energy supplies and encourage increased efficiency and conservation.

This motion to instruct will be accepted, and we should, because nobody wants to rob Social Security and Medicare. But the fact is that many of the areas that have been pointed out as tax breaks are, in fact, issues that were lobbied for by all Members, because they deal with conservation.

Let me just point out a few. We give a tax credit for residential solar energy because we know that we need to diversify the sources that we get our energy from. We give tax credits for fuel cells, the possible best breakthrough in the future, for less of a reliance on the fuels that we currently import. We give modifications and extensions for provisions relating to electric vehicles, clean fuel vehicles, clean fuel vehicles' refueling property. We give tax credits for energy-efficient appliances. We give credits for energy-efficient improvements to existing homes. We give allowance and deductions for energy efficiency for commercial properties. We give investment and production tax credits for clean coal technology.

As a member of the North Carolina delegation where we just passed smokestack legislation which cleans up our State, it is challenging, but we cannot do it without the Federal Government's investment in clean coal technology.

By the way, Mr. Speaker, in addition, we in this bill increase the LIHEAP authorization levels. That is the needs of low-income Americans for heat in the winter, and I am sure that is probably calculated in these predictions of what we steal from Medicare and Medicaid.

The fact is that, Mr. Speaker, we are challenged with many more things than just energy policy this year. This one bill makes predictable not only the

supply but the cost. We as a Congress will be challenged with additional needs of supplemental appropriations to fight a war on terrorism. We will be challenged to find the money for the Medicare prescription needs of our seniors. But since we have taken care of some of it in budget resolutions, we may be challenged as money runs short. We can find the areas we get it from. We have before. We will again. We will live up to the fiduciary responsibility that the American people have entrusted in us.

I hope that all of our colleagues will join us in supporting the motion to instruct conferees, protecting the bank that we are in charge of but, more importantly, in passing an energy policy that is so overneeded in this country, making sure that our future is, in fact, secure.

Mr. MARKEY. Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK. Mr. Speaker, I thank my friend from Massachusetts who has been such a leader on energy and environmental issues for so long in this Congress.

I am glad to note some points of agreement.

First of all, as the previous speaker made it clear, the important issue of energy policy is one where there has to be a strong Federal Government role. Sometimes there is rhetoric in this Chamber that assumes that the Federal Government is simply a problem. Indeed, Ronald Reagan in his first inaugural said, "The government is not the answer to our problems. The government is the problem." I am glad to join the gentleman from North Carolina in repudiating that simplistic and inaccurate misstatement. As the gentleman said, without a Federal Government investment, we cannot have a good energy policy. Obviously if you think the Federal Government is just a problem, you do not want it to go around investing, presumably spreading problems.

He is right. The free market has a role to play, but the government has an indispensable role. Those who would denigrate government and those who would think that you could somehow do away with it are reminded here, and I am glad to see that we have this agreement, this is a bill to expand the role of the Federal Government in dealing with our energy problem. I welcome that area of agreement. We may have disagreements about how to do it.

We have one other disagreement, though, and let me just say, there are some areas where I wish the gentleman from Louisiana had gone even further. He mentioned some of the unattractive regimes with whom we must deal to get oil. I would have added Saudi Arabia. Indeed, when I look at the list of things we find wrong with most of these countries that have been criticized, I find Saudi Arabia right up there. It seems to me we are a little in-

consistent. Things that we find indefensible in some regimes, they appear to be almost virtues when the Saudis do them. But I agree we should be across the board.

As to conservation, I wish we would go further. I wish the President of the United States had not backed off his predecessor's proposals regarding air conditioning. When we are talking about the need for energy at that peak period in the summer when air conditioning is such a drain, under the previous administration, the presidency of President Clinton, we had very good energy-saving proposals. The President has cut back, and here is the common theme. The President cut back because, well, we would have had to pay for that a little bit in air conditioning. The gentleman from North Carolina said, why are we objecting? We are giving a tax cut here and a tax break here. There a tax break, here a tax break, everywhere a tax break.

I am for many of those; not for all of them. The problem is the attitude that says to the American people, here are some freebies. The one word that people never mention is "sacrifice." We are not talking about going around in sackcloth and ashes, whatever those look like. I do not know myself, but I have heard that often enough. What we are saying, however, is you cannot have it all. You cannot have more spending on these programs and more tax cuts for those programs, and then more tax cuts in general, and then still make everything work. There is a failure here to tell people the truth.

We vote here, but not under oath. Maybe we ought to vote under oath sometimes and not just testify under oath. Everybody is going to vote for this, they tell us, but I do not think it is going to be carried out. It has a particular relevance to Social Security and Medicare. It is not the case that money spent here will in and of itself reduce Social Security benefits.

□ 1645

That is not the argument. It is not the case that it will reduce in and of itself the money in Medicare. But here is what is happening. People make projections, and they look at the cost of Medicare and Social Security as currently structured 20 years from now and they say we will not have enough money to pay for it.

But what they then do by increasing spending and reducing taxes is to exacerbate that very problem. This is a self-created problem. We say there will not be enough money at the Federal level to meet the commitments of Social Security and Medicare. So how do we respond to that? Let us reduce the revenues that would otherwise be available for it.

That is why people are being frightened with the need to privatize Social Security, although we have heard less of that these days. We could all look forward, of course, to the average working person retiring and being told

he or she now has a private Social Security account and, of course, his or her friendly analyst would be glad to give that that person a wholly objective impression of what stocks to buy and which accounting firms had been involved in manipulation there.

But that is the problem here. What you do is you tell people you can have it all, we can have the standard of living we have already had, we can conserve, and we can cut taxes, and we can continue everything else, except when we get to Medicare and Social Security, people are going to be told we have to cut back.

One of the previous speakers mentioned the prescription drug program. The prescription drug program that was passed 2 years ago was inadequate. It did not give middle income older Americans a fair deal, and neither will the one that will be coming forward. Indeed, it has been held up because the first impulse on the majority side was to cut Medicare to pay for it. Well, the Members were not ready to vote for that now, so we are going to get a still inadequate prescription drug program.

But the consequence of this bill and every other bill, and we are not objecting at this point to doing some of these things, we are objecting to pretending you can do them with no choices being made, and that is probably even a better word than "sacrifice."

What the majority wants to do is simply avoid choices, to tell everybody they can have everything. What this will result in is, on the one hand, people will spend and cut taxes and raise the debt limit and increase the deficit and reduce the revenues that are coming into the Federal Government and turn a surplus into deficit, and then they will say in an entirely other context, hoping nobody remembers, oh, and by the way, we are going to run out of money, and, therefore, we have to reduce Social Security benefits. Therefore, we have to restructure Medicare. Therefore, we have to cut back. Therefore, we cannot afford an adequate prescription drug benefit program.

I am pleased that my friend from Massachusetts has offered this. I do note one other thing that I meant to mention. I did hear the chairman of the subcommittee who began the debate say, "Why are we so upset? This is, after all, not an appropriations bill, it is just an authorization bill. That is, this simply says we can spend the money. It does not spend the money."

Note the apparent assumption that just because we say something does not mean we mean it. When you say do not worry, this is just an authorization bill calling for the expenditure of these billions, but it does not actually spend them, I am reminded of the couplet from Tom Lera that I cannot quite remember, but it did involve Wernher Von Braun, the former German rocket scientist who became a part of the American science movement, and I remember the rhyme which was basically

he was in this song disclaiming responsibility for the damage his creations had done in England, because, the words went, in effect, I am not responsible. I am only in charge of when they went up. I am not responsible for where they came down, said Wernher Von Braun.

Well, you are responsible when you authorize and write into law for the expenditures that come. So what the gentleman from Massachusetts said is absolutely accurate: Do not pretend that we can continue to cut taxes, incur deficits, spend in other areas, and not have that have a negative impact on our ability to continue to fund Social Security and Medicare. So I am glad that people are going to vote with us. I just wish they meant it.

Mr. TAUZIN. Mr. Speaker, I am honored to yield 4 minutes to the gentleman from Iowa (Mr. NUSSLE), the distinguished chairman of the House Committee on the Budget.

Mr. NUSSLE. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, what is probably most humorous about the last statement on the floor is that the Democrats do not want to take credit when it is going up or when it is coming down. In fact, this year the Democrats presented no plan, no budget, no ideas, no answers, no solutions, nothing. Not on energy, not on Medicare, not on agriculture, not on Social Security, not on anything that is addressing the needs of this Nation. Not on homeland security, not on defense, not on intelligence. None of those things were presented in a budget this year.

Let us just review the bidding of how we got here. Last year, not this year, last year the Republicans, together with the President, introduced a budget that said energy needs to be a priority. When you are 60 percent dependent on foreign fossil fuels for the energy of your nation, you have got a problem.

People come to my town meetings and they wonder sometimes a little bit about why we are entangled in the Middle East. Wake up, America. There is your reason. We have not had a long-term energy strategy. We have allowed it to deplete over time. The last 8 years have certainly been no friend to energy. And so, yes, of course, we find ourselves with that as a necessary priority. It has impacted our economy, it has impacted the creation of jobs. So last year we put into the budget to have an energy strategy, and last year in August we passed this bill in order to address it within the, fit within budget, fit within surpluses as far as the eye could see, and we managed the problem.

Now today Democrats are running to the floor saying, "My God, what happened? Where is the surplus? Where did it go? Why are we in deficits?"

Well, there is a little incident that occurred September 11, you may have remembered that, I realize you discount it now, but pretty significant, in

which in a bipartisan way, thankfully, Republicans and Democrats reached into that surplus, and they took out money for the emergency, they took out money for homeland security, we took out money to fund the war, and we took out money to stimulate an economy that was already in doldrums, that went into the doldrums even further as a result of that attack, and we did that in a bipartisan way. And now, 7 months later, you wander to the floor and say where is the surplus? We spent it, folks. We spent it, appropriately so, on the needs of this country.

So we had an energy bill that fit within the budget, and we appropriately spent the surplus and did whatever it took in order to address what happened in September.

Now you wander to the floor and say where is the surplus? Why are we in deficit? Well, addressing that deficit, we passed yet another budget plan this year and we said we can get back out of deficits if we control spending. We can have an energy plan, we can address the needs of homeland security, we can win the war, we can stimulate the economy. Yes, we will be in deficit, but it will be periodic and we are able to get back out of it if we can control spending.

So the gentleman from Massachusetts comes to the floor here and he says, where are the choices? Where is the sacrifice?

We have a plan that shows you where the choices are. Where is your plan? You do not have one. The very distinguished gentleman from Texas presented a plan. His plan was our plan, with a trigger. We do not agree with the trigger. We will agree to disagree.

But the interesting thing is the only plan you presented was our plan. The Senate, excuse me, the other body, cannot even pass a budget. And you wander in here and you say where are the choices?

Mr. Speaker, wake up. We are going to accept this motion to instruct conferees. But how did we get here? Remember back to what happened in September. Do not demagogue Social Security. Obviously for political purposes you can go ahead and do that, but we need this energy strategy to get our economy going, to become less dependent and less entangled in the Middle East. It fits within the budget. It responsibly allows us to win the war and get the economy going. We need to pass this bill and get it through conference.

Mr. MARKEY. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. STENHOLM).

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

I appreciate my friend, the chairman of the Committee on the Budget, for acknowledging at the last part of his comments that there was an attempt to offer a second amendment or budget this year, but we were denied.

The gentleman is entirely correct; it was your budget on spending, but it

was not your budget on borrowing money from the Social Security trust fund. We wanted a trigger. We wanted to avoid discussions like we are having today.

I also want to remind my chairman, the chairman of the Committee on the Budget, that we did present, the Democratic party, did present an alternative budget last year, the Blue Dog Democrats led and were followed by the overwhelming majority of Democrats on this side, that said we should not allocate all of the \$5.6 trillion projected surplus into spending and tax bills because they might not happen and there might be an emergency. We lost. We were in the minority.

I am used to losing when I am in the minority. What we are not used to doing is having the majority win and not assume the responsibility for your actions. The debt ceiling is going to have to be increased, and yet you want to duck that.

But the gentleman is absolutely correct, and I appreciate his kindness and his remarks.

Mr. TAUZIN. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Texas (Mr. BARTON), the chairman of the Subcommittee on Energy and Air Quality of the Committee on Energy and Commerce.

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

Mr. BARTON of Texas. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I want to point out the obvious before I get into a little of the substance. We are technically debating a motion to instruct conferees, and we are going to accept it. Some are trying to pick a fight, and the Republicans are in a good mood today. We do not want to fight. We want to go to conference and work on a bipartisan basis for an energy policy.

The Committee on Energy and Commerce, the distinguished gentleman from Louisiana is the distinguished chairman of it, passed this bill 50 to 5, with the good help of the gentleman from Michigan (Mr. DINGELL) and the gentleman from Virginia (Mr. BUCHER) and others. My subcommittee passed it 29 to 1. We are the "happy face" committee. We want to go to conference with the other body and work in a bipartisan basis.

So we are very willing to say we do not want an energy policy that increases the national deficit. Let us think about that a little bit. This country for over 150 years has had an energy policy that is based on private markets, where we allocate capital through the free enterprise system to create energy sources at the lowest possible cost possible. Because of that, we have the world's greatest economy.

Now, if we were really having a debate today, I would posit the question, if you have an energy policy that is balanced and tries to have a production component and an environmental component and a consumption component

that results in lower prices, is that going to increase or decrease the national deficit? Or if you have an energy policy that tries to be anti-energy that results in higher energy prices, is that going to add to or subtract from the deficit?

I would say an energy policy that is balanced and that has the net result of a balanced approach, that has lower energy prices, is going to result in either lower deficits or, probably, surpluses.

To put this in personal terms, if you go to the gas pump and pay \$1.25 a gallon, or if you go and pay \$2.25 a gallon, which helps your economy the most? Obviously, if you only pay \$1.25.

If you get your electricity bill and you pay 7 cents a kilowatt, is that better than getting an electricity bill that you pay 17 cents a kilowatt? Obviously, if you pay less, you have more money to do other things for your family.

Well, the energy bill before us actually is a balanced bipartisan approach to try to create an energy policy for the 21st century that results in moderately priced energy, in large quantities, so we can continue to have the kind of free market economy that we have had.

Now, let us look at some of the specifics in the bill. Let us see whether we think these are good things or bad things. These are in the bill. These are not debating points, they are in the bill.

We require that Federal buildings reduce their energy consumption by 35 percent. We require that we put more money into the Low Income Heating and Cooling Program, the LIHEAP program. That was an amendment adopted in my subcommittee that was offered by the gentlewoman from California (Mrs. BONO).

We have increased funding for the DOE weatherization program. We have a requirement that the gentleman from Louisiana (Mr. TAUZIN) and the gentleman from Michigan (Mr. DINGELL) worked out on a bipartisan basis that our trucks and cars need to reduce the amount of gasoline that they consume by 5 billion gallons over 5 years.

We have increased research grants for alternative fuels like hydrogen and things of that sort. We have a very good program for advanced clean coal technology. We have increased funding requests for fusion energy, hydrogen energy, bioenergy, renewable energy and solar energy. We have a program to try to do some research for ultra-deep water, oil and gas drilling in the Gulf of Mexico, which I think is a good thing.

□ 1700

I could go on and on. But the bottom line is, this is a balanced bill, it is a bipartisan bill; it is a comprehensive bill. We need to accept this motion to instruct, go to conference, and work with the other body to bring back a conference report that results in lower energy prices for the American people for the next 20, 30, 40, 50 years. And with

the leadership of the gentleman from Louisiana (Mr. TAUZIN), who is going to chair the conference, I am very confident that we are going to do that.

Mr. MARKEY. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, I would just add that this bill was considered in at least two committees; and in the Committee on Ways and Means, there was anything but a bipartisan, balanced bill. Indeed, what we did have was a letter from the gentleman from Iowa (Mr. NUSSLE) assuring our committee that this bill could be passed without taking any money from Social Security and Medicare; and as indicated by his remarks on the floor this afternoon, it is pretty clear that has changed completely.

Indeed, much has changed since September 11. This bill was passed before them, before the collapse of Enron, and before the Bush budget sprang a leak of red ink that began with a trickle and has now become a flood. Many things have changed, but one thing that has not is the commitment of some here to a bill that is not so much an energy policy as a collection of unjustified tax breaks, loopholes, and special provisions to aid traditional energy industries.

I like the idea of balance in an energy bill, but what we have is some sweet words about the environment, a little sugar coating for new environmental technologies, and most all of the tax benefits going to the same old polluting industries.

For the gentleman from Louisiana (Mr. TAUZIN) to suggest that this has something to do with taking a million barrels of oil a day from Iraq, I think, is really misleading.

If this bill passes in today's form, it would not reduce that amount by one barrel; indeed, I would say not one pint. What this bill does is to give more tax breaks to the companies that are bringing in the million barrels of oil a day from Iraq. It does not change or limit their ability to do that.

And the suggestion that we would replace that oil by exploiting the Alaskan National Wildlife Refuge (ANWR) would be a serious mistake that would jeopardize an irreplaceable environment for little real energy benefit.

Mr. TAUZIN. Mr. Speaker, I yield 30 seconds to the gentleman from Iowa (Mr. NUSSLE).

Mr. NUSSLE. Mr. Speaker, I just have to report to the Congress what I just got. I just found out that the next motion to instruct, which is going to be on the supplemental offered by the Democrats, is going to be to accept the higher spending level between the House and the Senate.

Mr. TAUZIN. Come on.

Mr. NUSSLE. Now, where is that money going to come from, I ask my colleagues. Not \$27 billion; they want the other body's version of \$31 billion. Where is that coming from? Is it coming from Social Security? Why are you not down here demagoguing that?

Mr. FRANK. Mr. Speaker, will the gentleman yield? I will answer him. Will the gentleman yield for an answer.

The SPEAKER pro tempore (Mr. LINDER). The gentleman will suspend.

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

Mr. NUSSLE. I do not have any time.

Mr. FRANK. Or any knowledge of the rules either, apparently.

The SPEAKER pro tempore. Who yields time?

Mr. MARKEY. Mr. Speaker, I yield 30 seconds to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK. Mr. Speaker, I would just say to the gentleman from Iowa, because he wanted to know where the money could come from, I had several places. I am personally prepared to say that incomes over \$300,000 do not need a tax reduction which is scheduled to go into effect as urgently as we need energy and security. So to the extent that we have outstanding tax reductions that have not gone into effect for incomes over \$300,000, reducing the rate on that, there are tens of billions to be gained by that; that would be one place. And personally, I would look at some of the money in the agriculture bill also.

Mr. MARKEY. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman for yielding me this time.

For a minute I thought the chairman from Louisiana was calling for church by saying "Come on", but let me hope that he can do the same for me. We are familiar with that terminology, "come on," but let me explain to the American people my support for this particular motion to instruct. I am delighted that my good friends, including the gentleman from Texas, is willing to accept it. But let me put a face on the value of the motion of the gentleman from Massachusetts.

Last year at this time, or last year in the summer, we were vigorously discussing the energy bill. At that time we had a \$5.6 trillion in surplus. We now are a year later and the tragedy of September 11 has occurred, and we are now at a mere \$400 billion. We do not have a prescription drug benefit.

The chairman knows that I come from oil country and clearly have worked collaboratively, and I thank him for the amendments that were passed, the \$5 million on bioengineering and the one dealing with assessing the amount of resources in the Gulf. We come from that area. So this is not a condemnation as much as it is a reality check on facing the fact that we have no money. This is an important amendment.

Mr. Speaker, might I also say, coming from the community where Enron has collapsed and we have people who are unemployed and who are still

struggling, I would hope that as this bill goes to conference that some conversation can be raised on the issues dealings with the Enron collapse and how it has impacted the energy industry and, in particular, how we have been able to deal with the employees, the ex-Enron employees who found themselves standing in the back of the line with no money, no resources in a bankrupt company.

So what we are suggesting is that this is an important motion to instruct, because we do not have the money we had last year. I hope this motion will be accepted, but I also hope we recognize the concerns we have, Mr. Speaker, and I hope together we can “come on” with this message and face the fact that we need not go into Social Security and Medicare.

Mr. TAUZIN. Mr. Speaker, I yield myself the balance of the time.

Let me say again to the gentleman from Massachusetts (Mr. MARKEY) we will certainly accept his motion to instruct and we will ask Members to vote for it. More importantly, I will ask the gentleman and the other members of the conference committee in the House to join with us in a cooperative spirit to make sure we finish the job that we started here on August 1 in this House, and that we complete a good package for the President to sign before we leave here.

I want to correct the record. It was not just two committees which produced this bill. It was the Committee on Ways and Means, the Committee on Energy and Commerce, the Committee on Science, the Committee on Financial Services, and the Committee on Natural Resources. This was a collaborative effort of not just Democrats and Republicans, but of many committees of this House; and this represented the best of this House's ability to come together and do something good for this country in a time of need. Little did we know on August 1 just how much we would need this bill, but we know today.

This is not about the surpluses and the deficit issues that the country faces; we will get into those great debates when we get to them, and there will be time for that. This is truly about whether we can now close this deal with the Senate, the other body, to make sure that we pass an energy bill that really protects this country into the years ahead with predictable, affordable sources of energy to keep this economy strong and to keep our Nation secure so that we do not have to depend upon people we cannot depend upon. That is going to be a good debate with the other body, but it is a debate worth winning.

Mr. Speaker, I thank my colleagues from both sides of the aisle who joined with us in an overwhelming vote of support for H.R. 4 when it left the House, and I ask them to join us in another big vote when we return from the conference committee with a successful product.

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

Mr. MARKEY. Mr. Speaker, I yield myself the balance of the time.

Mr. Speaker, the gentleman from Texas (Mr. STENHOLM) and I and the gentleman from Massachusetts (Mr. FRANK), the gentlewoman from Texas (Ms. JACKSON-LEE), the gentleman from West Virginia (Mr. RAHALL), the gentleman from Texas (Mr. DOGGETT), all of us want an energy bill. All of us know that we need a new energy plan for our country. That is not what this debate is over. This debate is over who is going to pay for the energy bill.

Now, last summer, August 1, we raised this issue. The Republicans contended that they could vote for a \$1.7 trillion tax cut, and the President said, do not worry, there is plenty of money left over for Social Security, plenty of money left over for Medicare. And the Republicans on the House floor said, what is your problem? There is a surplus. There is plenty of money. Let us pass this energy bill now. Now, we hear the chairman of the Committee on the Budget out here on the floor saying, the surplus is gone, all gone. Now, the Democrats said that last August 1, but it is kind of like the dog ate my homework. Al Qaeda ate the surplus. Now, we were saying this on August 1. It is gone.

Now, what are we told? Do not worry. Who cares if we have deficits? Who cares? Grandma cares. Grandpa cares. Because there is only one other place to go: the Medicare and Social Security trust funds.

What this energy bill does is set up an oil rig on top of the Social Security and Medicare trust funds, and it begins to drill into those trust funds. That is why they care, because grandma and grandpa were told last summer, do not worry; there is plenty of money. Instead, a pipeline is being constructed into their pockets. They are being tipped upside down and the money from their trust funds is going to be shaken out onto this House floor and transferred over to the oil, to the gas, to the nuclear, to the coal industries.

Now, we can all debate on whether or not they deserve subsidies, but I think we should all agree, it should not come out of the Medicare and Social Security trust funds for the greatest generation. That is not an energy plan that comports with the crisis that we are in. It is patriotic to fight al Qaeda. It is patriotic to fight terrorists. It is not patriotic to take the money out of the Social Security and Medicare trust funds. We must find that money from some other place in our country, and the majority and the President have a responsibility to promote that plan. They have yet to do so.

Vote for the Markey-Stenholm resolution rejecting the plundering of the Medicare and Social Security trust funds.

The SPEAKER pro tempore (Mr. ISAKSON). Without objection, the previous question is ordered on the motion.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Massachusetts (Mr. MARKEY).

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

Mr. FRANK. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 8 of rule XX, this will be a 15-minute vote on the motion to instruct, followed by a 5-minute vote on the motion to instruct offered by the gentleman from Wisconsin (Mr. OBEY). After these votes, the Chair will appoint conferees on both sides.

The vote was taken by electronic device, and there were—yeas 412, nays 1, answered “present” 2, not voting 19, as follows:

[Roll No. 223]

YEAS—412

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

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

NAYS—1

Sabo

ANSWERED "PRESENT"—2

McCrary Thomas

NOT VOTING—19

Blagojevich	Houghton	Pelosi
Bono	Hunter	Peterson (MN)
Clayton	Lynch	Quinn
Combest	Maloney (NY)	Smith (TX)
Conyers	Menendez	Trafficant
Goss	Owens	
Hall (OH)	Payne	

□ 1736

Messrs. NORWOOD, POMBO, and FOLEY and Mr. PRICE of North Carolina changed their vote from "nay" to "yea."

Mr. THOMAS changed his vote from "yea" to "present."

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTION TO INSTRUCT CONFEREES ON H.R. 4775, 2002 SUPPLEMENTAL APPROPRIATIONS ACT FOR FURTHER RECOVERY FROM AND RESPONSE TO TERRORIST ATTACKS ON THE UNITED STATES

The SPEAKER pro tempore (Mr. ISAKSON). The pending business is the question of agreeing to the motion to instruct on H.R. 4775 on which the yeas and nays were ordered.

The Clerk will designate the motion. The Clerk designated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Wisconsin (Mr. OBEY).

This will be a 5-minute vote. The vote was taken by electronic device, and there were—yeas 181, nays 235, not voting 18, as follows:

[Roll No. 224]

YEAS—181

Abercrombie	McDermott
Ackerman	McGovern
Allen	McIntyre
Andrews	McKinney
Baca	McNulty
Baldacci	Meehan
Baldwin	Meek (FL)
Barcia	Meeks (NY)
Barrett	Millender-
Becerra	McDonald
Bentsen	Hastings (FL)
Berkley	Hilliard
Berman	Hinche
Berry	Hoefel
Bishop	Holt
Blumenauer	Honda
Bonior	Hooley
Borski	Horn
Boswell	Hoyer
Boucher	Insee
Boyd	Israel
Brady (PA)	Jackson (IL)
Brown (FL)	Jackson-Lee
Brown (OH)	(TX)
Capps	Jefferson
Capuano	Johnson, E. B.
Cardin	Kaptur
Cardin (IN)	Kennedy (RI)
Cardin (OK)	Kildee
Clay	Kilpatrick
Clement	Kind (WI)
Clyburn	Klecza
Condit	Kucinich
Conyers	LaFalce
Costello	Lampson
Coyne	Langevin
Crowley	Lantos
Cummings	Larsen (WA)
Davis (CA)	Larson (CT)
Davis (FL)	Leach
Davis (IL)	Lee
DeFazio	Levin
DeGette	Lewis (GA)
Delahunt	Lipinski
DeLauro	Lofgren
Deutsch	Lowey
Dicks	Lucas (KY)
Dingell	Luther
Doyle	Maloney (CT)
Edwards	Markey
Engel	Mascara
Eshoo	Matheson
Etheridge	Matsui
Evans	McCarthy (MO)
Farr	McCarthy (NY)
Fattah	McColum

Thompson (MS)
Thurman
Tierney
Towns
Udall (CO)

Velazquez
Waters
Watson (CA)
Watt (NC)
Waxman

Weiner
Wexler
Woolsey
Wu
Wynn

NAYS—235

Aderholt	Graves	Phelps
Akin	Green (WI)	Pickering
Armey	Greenwood	Pitts
Bachus	Grucci	Platts
Baird	Gutknecht	Pombo
Baker	Hall (TX)	Portman
Ballenger	Hansen	Pryce (OH)
Barr	Hart	Putnam
Bartlett	Hastings (WA)	Radanovich
Barton	Hayes	Rahall
Bass	Hayworth	Ramstad
Bereuter	Hefley	Regula
Biggart	Herger	Rehberg
Bilirakis	Hill	Reynolds
Blunt	Hilleary	Riley
Boehler	Hinojosa	Rogers (KY)
Boehner	Hobson	Rogers (MI)
Bonilla	Hoekstra	Rohrabacher
Boozman	Holden	Ros-Lehtinen
Brady (TX)	Hostettler	Roukema
Brown (SC)	Hulshof	Royce
Bryant	Hunter	Ryan (WI)
Burr	Hyde	Ryun (KS)
Burton	Isakson	Saxton
Buyer	Issa	Schaffer
Callahan	Istook	Schroek
Calvert	Jenkins	Sensenbrenner
Camp	John	Sessions
Cannon	Johnson (CT)	Shadegg
Cantor	Johnson (IL)	Shaw
Capito	Johnson, Sam	Shays
Castle	Jones (NC)	Sherwood
Chabot	Kanjorski	Shimkus
Chambliss	Keller	Shuster
Coble	Kelly	Simmons
Collins	Kennedy (MN)	Simpson
Cooksey	Kerns	Skeen
Cox	King (NY)	Smith (MI)
Cramer	Kingston	Smith (NJ)
Crane	Kirk	Souder
Crenshaw	Knollenberg	Stearns
Cubin	Kolbe	Stenholm
Culberson	LaHood	Stump
Cunningham	Latham	Sullivan
Davis, Jo Ann	LaTourette	Sununu
Davis, Tom	Lewis (CA)	Sweeney
Deal	Lewis (KY)	Tancredo
DeLay	Linder	Tanner
DeMint	LoBiondo	Tauzin
Diaz-Balart	Lucas (OK)	Taylor (NC)
Doggett	Manzullo	Terry
Dooley	McCrary	Thomas
Doolittle	McHugh	Thornberry
Dreier	McInnis	Thune
Duncan	McKeon	Tiahrt
Dunn	Mica	Tiberi
Ehlers	Miller, Dan	Toomey
Ehrlich	Miller, Gary	Turner
Emerson	Miller, Jeff	Udall (NM)
English	Mollohan	Upton
Everett	Moore	Visclosky
Ferguson	Moran (KS)	Vitter
Flake	Morella	Walden
Fletcher	Murtha	Walsh
Foley	Myrick	Wamp
Forbes	Nethercutt	Watkins (OK)
Fossella	Ney	Watts (OK)
Frelinghuysen	Northup	Weldon (FL)
Gallagher	Norwood	Weldon (PA)
Ganske	Nussle	Weller
Gekas	Ortiz	Whitfield
Gibbons	Osborne	Wicker
Gilchrest	Owens	Wilson (NM)
Gillmor	Otter	Wilson (SC)
Gilman	Oxley	Wolf
Goode	Paul	Young (AK)
Goodlatte	Pence	Young (FL)
Graham	Peterson (PA)	
Granger	Petri	

NOT VOTING—18

Blagojevich	Houghton	Payne
Bono	Jones (OH)	Pelosi
Clayton	Lynch	Peterson (MN)
Combest	Maloney (NY)	Quinn
Goss	Menendez	Smith (TX)
Hall (OH)	Owens	Trafficant

□ 1749

Ms. HART and Mr. RAHALL changed their vote from "yea" to "nay."

Mr. ROSS changed his vote from "nay" to "yea."

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GOSS. Mr. Speaker, this afternoon I had to depart early for a previously scheduled meeting at the White House. As a result, I was not able to be present for rollcall votes 223 and 224. Had I been present, I would have voted "yea" on rollcall vote 223 and "nay" on rollcall vote 224. I request that this statement appear at the appropriate place in the RECORD.

The SPEAKER pro tempore (Mr. ISAKSON). Without objection, the Chair appoints the following conferees: Messrs. YOUNG of Florida, REGULA, LEWIS of California, ROGERS of Kentucky, SKEEN, WOLF, KOLBE, CALLAHAN, WALSH, TAYLOR of North Carolina, HOBSON, ISTOOK, BONILLA, KNOLLENBERG, OBEY, MURTHA, DICKS, SABO, HOYER, MOLLOHAN, Ms. KAPTUR, Mr. VISCLOSKEY, Mrs. LOWEY, Mr. SERRANO, and Mr. OLVER.

There was no objection.

APPOINTMENT OF CONFEREES ON
H.R. 4, SECURING AMERICA'S FUTURE ENERGY ACT OF 2001

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees:

From the Committee on Energy and Commerce, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Messrs. TAUZIN, BILIRAKIS, BARTON of Texas, UPTON, STEARNS, GILLMOR, BURR of North Carolina, DINGELL, WAXMAN, MARKEY, BOUCHER, GORDON and RUSH.

From the Committee on Agriculture, for consideration of section 401 of the House bill and sections 265, 301, 604, 941-948, 950, 1103, 1221, 1311-1313 and 2008 of the Senate amendment, and modifications committed to conference: Messrs. COMBEST, LUCAS of Oklahoma and STENHOLM.

From the Committee on Armed Services, for consideration of sections 401 and 6305 of the House bill and sections 301, 501-507, 509, 513, 809, 821, 914, 920, 1401, 1407-1409, 1411, 1801, and 1803 of the Senate amendment, and modifications committed to conference: Messrs. STUMP, WELDON of Pennsylvania and SKELTON.

From the Committee on the Budget, for consideration of section 1013 of the Senate amendment, and modifications committed to conference: Messrs. NUSSLE, GUTKNECHT and MOORE.

From the Committee on Education and the Workforce, for consideration of section 134 of the House bill and sections 715, 774, 901, 903, 1505 and 1507 of the Senate amendment, and modifications committed to conference: Messrs. McKEON, NORWOOD, and GEORGE MILLER of California.

From the Committee on Financial Services, for consideration of Division D of the House bill and sections 931-940 and 950 of the Senate amendment, and modifications committed to conference: Mr. OXLEY, Mrs. ROUKEMA and Mr. LAFALCE.

From the Committee on the Judiciary, for consideration of sections 206, 209, 253, 531-532, 708, 767, 783 and 1109 of the Senate amendment, and modifications committed to conference: Messrs. SENSENBRENNER, SMITH of Texas and CONYERS.

From the Committee on Resources, for consideration of sections 401, 2441-2451, 6001-6234, and 6301-6801 of the House bill and sections 201, 265, 272, 301, 401-407, 602-606, 609, 612, 705, 707, 712, 721, 1234, 1351-1352, 1704, and 1811 of the Senate amendment, and modifications committed to conference: Mr. HANSEN, Mrs. CUBIN and Mr. RAHALL.

Provided that Mr. GEORGE MILLER of California is appointed in lieu of Mr. RAHALL for consideration of sections 6501-6512 of the House bill, and modifications committed to conference.

From the Committee on Science, for consideration of sections 125, 152, 305-306, 801, Division B, Division E, and section 6512 of the House bill and sections 501-507, 509, 513-516, 770-772, 807-809, 814-816, 824, 832, 1001-1022, title XI, title XII, title XIII, title XIV, section 1502, 1504-1505, title XVI, and sections 1801-1805 of the Senate amendment, and modifications committed to conference: Messrs. BOEHLERT, BARTLETT of Maryland and HALL of Texas.

Provided that Mr. COSTELLO is appointed in lieu of Mr. HALL of Texas for consideration of Division E of the House bill, and modifications committed to conference.

Provided that Ms. WOOLSEY is appointed in lieu of Mr. HALL of Texas for consideration of sections 2001-2178 and 2201-2261 of Division B of the House bill, and modifications committed to conference.

From the Committee on Transportation and Infrastructure, for consideration of sections 121-126, 151, 152, 401, 701, 2101-2105, 2141-2144, 6104, 6507, and 6509 of the House bill and sections 102, 201, 205, 301, 701-783, 812, 814, 816, 823, 911-916, 918-920, 949, 1214, 1261-1262, and 1351-1352 of the Senate amendment, and modifications committed to conference: Messrs. YOUNG of Alaska, PETRI and OBERSTAR.

Provided that Mr. COSTELLO is appointed in lieu of Mr. OBERSTAR for consideration of sections 121-126 of the House bill and sections 911-916 and 918-919 of the Senate amendment, and modifications committed to conference.

Provided that Mr. BORSKI is appointed in lieu of Mr. OBERSTAR, for consideration of sections 151, 2101-2105, and 2141-2144 of the House bill and sections 812, 814 and 816 of the Senate amendment, and modifications committed to conference.

Provided that Mr. DEFazio is appointed in lieu of Mr. OBERSTAR for

consideration of section 401 of the House bill and sections 201, 205, 301, 1262 and 1351-1352 of the Senate amendment, and modifications committed to conference.

From the Committee on Ways and Means for consideration of Division C of the House bill and Division H and I of the Senate amendment, and modifications committed to conference: Messrs. THOMAS, MCCRERY and RANGEL.

For consideration of the House bill and Senate amendment, and modifications committed to conference: Mr. DELAY.

There was no objection.

PROPOSING A TAX LIMITATION
AMENDMENT TO THE CONSTITUTION
OF THE UNITED STATES

Mr. SESSIONS. Mr. Speaker, by the direction of the Committee on Rules, I call up House Resolution 439 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 439

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 96) proposing a tax limitation amendment to the Constitution of the United States. The joint resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the joint resolution and any amendment thereto to final passage without intervening motion except: (1) two hours of debate equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary; (2) an amendment in the nature of a substitute printed in the Congressional Record pursuant to clause 8 of rule XVIII, if offered by the Minority Leader or his designee, which shall be considered as read and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Texas (Mr. SESSIONS) is recognized for 1 hour.

Mr. SESSIONS. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. FROST), pending which I yield myself such time as I may consume. During consideration of this resolution, all time is yielded for purposes of debate only.

Mr. Speaker, House Resolution 439 provides for the consideration of H.J. Res. 96, proposing an amendment to the Constitution of the United States with respect to tax limitation.

The rule provides for 2 hours of debate in the House, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule provides for one amendment in the nature of a substitute printed in the CONGRESSIONAL RECORD, if offered by the minority leader or his designee, which shall be considered as read and shall be separately debatable for 1 hour, equally divided and controlled by the proponent and opponent.

□ 1800

Finally, the rule provides for one motion to recommit with or without instructions.

Mr. Speaker, today the average American pays more in taxes than for food, clothing, shelter, or transportation combined. For too long, the tax burden imposed by the government has been going up, not down.

The Tax Limitation Amendment starts from this very simple premise: it should be harder, not easier for the government to raise taxes. Raising taxes should be an absolute last resort, not an easy, quick fix for excessive government spending.

I have observed with great interest the spirited debate surrounding our efforts to make portions of our President's tax cuts permanent. Last week, the House passed a bill that would permanently repeal the death tax. In the same manner, the House will later this week consider a bill that makes permanent relief from the marriage penalty tax.

Throughout these debates, it is apparent that there are those who would support repealing parts, if not all, of this historic tax bill. These individuals would prefer that married couples be penalized for entering into holy matrimony. They feel that the Grim Reaper and the tax collector should visit American families and farmers on the same day. They believe that the Federal Government makes better decisions than families about how best to spend their hard-earned money.

This line of reasoning is inconsistent with the fact that people all across this Nation overwhelmingly support tax reduction. I only wish that both bodies of Congress would reflect the sentiment clearly expressed by the American people. The people of this great Nation will not be fooled by those who would support a tax cut during an election season, only to work to repeal it the very next session of Congress.

Many Members have stood on this floor of this distinguished House extolling the virtues of lower taxation. Today they will have the opportunity to show their constituents exactly where they stand.

The annual floor consideration of the Tax Limitation Amendment gives us an opportunity to take a stand on the side of the American taxpayer. By enacting the Tax Limitation Amendment, we protect the taxpayer and pledge that we as a Congress will focus inward on cutting waste, fraud and abuse instead of immediately raiding the pockets of American taxpayers.

By requiring a supermajority to raise taxes, an incentive for government agencies would be created to eliminate waste and create efficiency, rather than simply turning to more deficit spending or increasing taxes.

Mr. Speaker, this legislation does recognize and make allowances for times of extenuating circumstances such as during a time of war, a national emergency, or when taxes may need to be raised.

The Tax Limitation Amendment would allow Congress to raise taxes in those circumstances; but in the meantime, it would prevent the intrusive and penalizing tax increases that have been enacted with recklessness to fund government expansion for the last few decades.

It is time the Federal Government joined the States and listened to the voices of Americans: it should be harder to raise taxes. Had this amendment been adopted sooner, the four largest tax increases since 1980, which occurred in 1982, 1983, 1990, and 1993, all would have failed. The tax increase in 1993 was the largest tax increase in American history, and it passed by just one vote. These tax increases today from 1993 total \$666 billion, taken from the American taxpayer.

The bottom line of this debate, Mr. Speaker, and let us make no mistake about it. Those Members who support this amendment are here to support the hard-working taxpayers of America. Those Members who are opposed to it are here to defend the tax collectors of America. To me, it is really just that simple.

The Tax Limitation Amendment also allows for a simple majority vote to eliminate tax loopholes. The de minimis exemption would allow nearly all loopholes to be closed without the supermajority requirement.

Mr. Speaker, we will also hear that the government will be unable to function if a supermajority is required. We all hear this as Members, but I encourage Members to look at the States. Thirteen States have some sort of supermajority limitation in effect.

The millions of Americans living in these States have enjoyed slower growth in taxes, slower growth in government spending, faster growth in economies, and lower unemployment rates.

Today we can take one step closer to retaining liberty and ensuring future generations the freedom our Founding Fathers intended America to enjoy. This debate is about requiring a two-thirds vote to raise taxes, and it boils down to a debate about liberty and freedom for the American people.

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

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

Mr. Speaker, this is the seventh time in 7 years that the House has considered this same constitutional amendment. We appear to have some slower learners on the other side of the aisle. This is an amendment that would require a two-thirds majority to pass any provision that raises revenue for the government. The House has rejected it six times before, and I hope today will mark its seventh consecutive failure.

Before we get into a debate Members have heard before, I want to begin by putting it in context. Late last week the President finally agreed to make homeland security a Cabinet-level priority, something Democrats have been

pushing for months, and called on Congress to get to work creating an entirely new structure. It is a huge job, one that raises a lot of questions and will take a lot of work.

Meanwhile, prescription drug prices are still sky high nearly 2 years after many Republicans got elected promising to do something about it; and still there is no credible Republican plan to help senior citizens who cannot afford their pharmaceutical bills. There is no question that the House has a tremendous amount of important work left to do this year, including all 13 appropriations bills, none of which has been considered yet.

Instead of addressing these and other important issues this week, Republican leaders are once again wasting the House's time on a gimmick they call the Tax Limitation Constitutional Amendment. We know it is a waste of time because, as I mentioned before, it has failed each of the previous six times the Republicans brought it to the floor: in 1996, in 1997, in 1998, in 1999, in 2000, and in 2001. And we know it is irresponsible because of what it does.

For instance, this amendment would make it nearly impossible to close any of the countless loopholes that shameless tax dodgers use to avoid paying their fair share. For example, right now the gentleman from Massachusetts (Mr. NEAL) and the gentleman from Connecticut (Mr. MALONEY) are trying to close the loophole that allows big corporations to flee overseas to avoid their tax obligations. This amendment would make it even harder to stop these tax evaders, which is probably what Republican leaders want anyway. After all, they have repeatedly blocked the Neal-Maloney bill in the Committee on Rules.

If that were not bad enough, this amendment would do serious harm to America's democratic system. The Founding Fathers designed our government around the principle of majority rule. Writing in "The Federalist Papers," James Madison wisely argued against supermajorities like the one Republicans are advocating today, stating that, "The fundamental principle of free government would be reversed. It would be no longer the majority that would rule: the power would be transferred to the minority."

Make no mistake, this is exactly what this constitutional amendment would do. It would allow a relatively small minority, one-third plus one, to stop widely supported, meaningful legislation.

Mr. Speaker, right now we are in a global war to protect the American way of life, and Republican leaders are trying to undermine our democratic system of majority rule here in the House of Representatives. I urge my colleagues to defeat this misguided constitutional amendment and preserve majority rule in the United States of America and allow the House to get on with the real business before it.

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

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

Mr. Speaker, there has been a lot said about how we are doing this for the seventh time. I understand that the gentleman from Texas is simply opposed to the concept of making it more difficult to raise taxes. That is what this is all about. The gentleman has stated his point very clearly. I would also like to point out that it was conservatives and Republicans in this House who made sure that the idea of a balanced budget was talked about for many, many, many years, and tried many different ways. We did not grow weary. We knew it was the right thing to do; and despite the onslaught of Members voting against it, we kept going. I am sure we did it more than seven times, but the American people understood what it meant.

I did not know this until today, Mr. Speaker, but the 27th amendment to the Constitution was proposed on September 25, 1789. It was declared to have been ratified by the legislatures of 39 of 50 States dated May 18, 1992. What was this? This was known as the Madison amendment. This was the Madison amendment to the Constitution, which I think made sense, and I am sure it took a long time, as we have heard. And what that was all about was to say Members of Congress could not get a pay raise during the term in which they are serving. They have to wait another term.

Our Constitution is a wonderful document, but occasionally we run into some things that need to be perfected. We are about a perfecting amendment today, and I am proud of what we are doing.

Mr. Speaker, I yield 4 minutes to the gentleman from Indiana (Mr. PENCE), a member of the Committee on the Judiciary.

Mr. PENCE. Mr. Speaker, I thank the gentleman for his outstanding leadership on the Tax Limitation Amendment.

Mr. Speaker, I am new to this institution; but with regard to the notion that taxes are not yet high enough, it is going to be ever my ambition, whether I serve here for 5 more years, 5 more days, or 5 more decades, to always be a slow learner on that issue.

The truth is that the people of Indiana that I represent overwhelmingly believe two things: taxes are too high, and government spends too much. I believe that the argument for the Tax Limitation Constitutional Amendment is drawn from the remarks of the gentleman from Texas (Mr. FROST). He alluded to two issues that Congress will take up this year, one of which is already accounted for in the budget that we adopted, a prescription drug benefit for which there is a Republican plan that will be brought to this floor this month. But also the gentleman alluded to the President's call for the establishment of the first Cabinet agency

since the 1970s, the Department of Homeland Security. The day it opens, it will be the third largest Cabinet agency in the executive branch, \$39 billion as the President has outlined it.

Now, there are those of us on this side of the aisle who see the President as calling for us to reorganize the government. But one can infer from the implications of the gentleman from Texas (Mr. FROST) that there may well be an intention to grow government in the wake of this national emergency, as has been the practice that history teaches in the wake of many crises in our Nation.

It is precisely at a time like this when America is reeling from a national emergency and preparing to grow the executive branch, when this Congress is preparing to respond to the needs of hurting seniors, that there needs to be a break on the system, Mr. Speaker. A break on the system that says that we demand what the American people demand, and that is that we go to our pocketbooks first, that we tighten our belts in this institution before we go to the American people. Tax increases must be a last resort, and a supermajority is designed to make it be just that.

□ 1815

Does that, as the gentleman suggests, undermine our democratic system? If that is the case, then our rules for a supermajority about amending the Constitution apparently undermines our democratic system. Or the requirement of a supermajority to impeach a President undermines our system. Or ratifying international treaties by a supermajority. The practice is a part of our democratic system and it is a much needful part as these days of emergency beckon us perhaps to an era of larger government beyond what our children could possibly imagine.

States that have passed tax limitation amendments, those laboratories of democracy, Mr. Speaker, they ought to be teachers to us today. The States that have passed amendments like the TLA have shown greater economic growth, better job creation and have raised taxes less than half the time than States without tax limitation amendments. Chief Justice John Marshall said in the landmark *McCulloch v. Maryland* Supreme Court case, "The power to tax involves the power to destroy."

The American people believe in their hearts, an overwhelming majority, in that simple principle, if you owe taxes, pay taxes, but they only want this Congress to ask them to pay more taxes as an absolute last resort. That is a last resort accommodated by the tax limitation constitutional amendment.

Mr. FROST. Mr. Speaker, I yield myself 1 minute. Mr. Speaker, it is hard to understand why the Members on the other side of the aisle are so antagonistic to democracy. There is not a single matter that comes before this House of Representatives on a regular

basis that requires a supermajority. Everything is done by majority vote in the House of Representatives. True, in the United States Senate there are some limited chances to use a supermajority. Ratification of treaties, a very limited exception. But everything that comes before the people's House requires a majority, not a supermajority.

Why do they fear the will of the majority? It is very difficult to understand. Once again, I would point out this has been defeated six times. They are very slow learners, indeed.

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

Mr. DOGGETT. Mr. Speaker, I thank the gentleman for yielding me this time. If you think that our current Tax Code is just right, that it is fair, that it is equitable to everyone, including the most powerful corporations in this country, that all are being treated fairly and are paying their fair share, and that there are not any lobbyists here in Washington that manage to get special loopholes written into the Tax Code so that they can shift the cost of our national security to you instead of paying their fair share, then the proposal that is up tonight is just right for you. The purpose of this proposal is not tax relief, but to freeze, with constitutional protection, all of the various loopholes and preferences and backdoor arrangements that plague our tax system. The provisions that make our Tax Code more complex and more inequitable so that some are not paying their fair share and those folks that are out there working hard for a living, working with small businesses and farms and ranches around this country, they are having sometimes to pay more than their fair share to make up for those who escape through the loopholes.

And so what do we have here? We have a provision that if we attempt to close one of those loopholes, that it will take not a majority, it will take two-thirds of this House. If we could easily get a majority to clean up all the special interest provisions in this Tax Code, it would have been done a long time ago. But Republicans are not satisfied to have a mere majority required. They insist on requiring two-thirds of this body having the courage to stand up to the special interests that riddle our Tax Code with all these special preferences. That will never happen.

So many of our Republican colleagues are a little like Will Rogers: they have never met a tax loophole that they did not like. And so what we really have is a measure here that ought to be called the "tax loophole preservation" amendment, because that is exactly what it is.

My good friend from Texas (Mr. SESSIONS) says, not to worry, we have a "de minimis" provision in this amendment that will permit repeal of tax loopholes and preferences. But the "de minimis" provision is one of the most

defective features of this entirely defective amendment. No one knows what "de minimis" really means. The tax loophole problem, the abusive corporate tax shelter problem, is not minor, not de minimis. Some have estimated the cost is as much as \$10 billion a year. I think that is pretty significant.

The gentleman from Massachusetts (Mr. NEAL) will speak shortly. Some of us share his concern with Stanley Works or, as one of my friends in Austin says, they really ought to be called Stanley Flees. That corporation and others, we have gotten to a point with abusive tax shelters that is so bad that they have the audacity to flee this country, get a mailbox in someplace like Bermuda, misuse our tax treaties and set up a new Bermuda Triangle out to the Barbados. Refusing to pay their fair share of taxes, they shift burden to people in this country that are willing to make a sacrifice after September 11, that feel we have some responsibility to work together as a country and pay our fair share. We will be freezing into law those special provisions if this amendment were adopted.

And, of course, there is the fiscal responsibility concern. That is why a group like the bipartisan, nonpartisan Concord Coalition has come out so strongly today against this proposal, noting that it "defies all notions of fiscal responsibility." This is a group that has worked so hard to get us a balanced budget and now sees balances so quickly eluding us in a sea of red ink. This amendment would only make our budget situation worse.

Everyone who wants to see our tax system improved, who wants to see more equity and fewer accountants necessary to file a tax return on April 15, less complexity and more simplicity in our system, all of us who want real change, need to vote against this amendment.

Mr. SESSIONS. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. SENSENBRENNER), the chairman of the Committee on the Judiciary.

Mr. SENSENBRENNER. Mr. Speaker, once again the gentleman from Texas (Mr. DOGGETT) is wrong. Had he read the amendment that is being proposed, revenue-neutral legislation which raise taxes here and lower taxes there in an equal amount do not require a two-thirds vote. They can be passed by a majority vote. So if the gentleman from Texas wanted to close all of these loopholes that he was talking about, maybe including some that benefit the oil industry, then perhaps enough money could be raised to repeal the marriage tax penalty or to provide further relief on the death tax to small business owners and farmers. As long as he wants to give a tax break for the money that he raises on closing the loopholes, then it is a majority. But if he wants to stick the American public with a tax increase and not give a tax break, then it requires a two-thirds vote.

So all I am saying is that if the gentleman from Texas really wants to be generous with the taxpayers because of his very sincere opposition to loopholes, tell us where you would lower taxes and then you would get a majority vote.

Mr. FROST. Mr. Speaker, I yield myself 30 seconds. I have been sitting over here trying to figure out why are these people so antagonistic to majority rule and it finally occurred to me. They are worried that they are not going to be in the majority after this election and they are going to be in the minority, and so they want minorities to be able to have a veto power over the will of the majority. It is very interesting.

Mr. Speaker, I yield 5 minutes to the gentleman from Tennessee (Mr. TANNER).

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

Mr. TANNER. Mr. Speaker, I went before the Committee on Rules last night and asked that rather than consider a constitutional amendment, which I do not favor normally, to restrict the raising of revenue, I thought it would be much better and more honest and forthright if we changed restricting the ability of the Congress to raise revenue to restrict it from borrowing money.

We owe \$6 trillion collectively, every man, woman and child in this country, and we see that today as was the case yesterday, we continue to see the amount of borrowing go up. The problem is excessive spending and unbalanced budgets because Congress in the past has not had the will to either cut services to come in line with the existing revenue or to raise revenue to pay for the services that they deem to be in the public interest at that particular time.

The most insidious tax increase in the world is for us to continue to borrow money, because that requires us to pay interest. I hope every young person is listening to this, because what we are doing is saddling your generation with debt that we are unwilling to raise the money to pay for the services that we think we require today. That is what is going on. It has been going on, and this will do nothing to stop that. In fact, this will make it worse. Because if we have to do some things that were unforeseen last year when some of us voted for the tax bill when we did not know about 9/11 and if we have to do some things to spend money to protect the citizens of this country, the passage of this will restrict that ability to do so, number one. And, number two, what we are really doing is engaging in the politics of shifting responsibility, not accepting it. We are shifting to the Constitution something that it was not intended to do. But beyond that, I just feel so strongly that what we are doing is so wrong to the next generation by continuing to borrow money because we do not have the willpower to raise the money to pay for

what we need today that we are enjoying the benefits of.

One could argue from now until kingdom come. The gentleman from Texas (Mr. STENHOLM) was the father of the balanced budget amendment. He worked on it for 14 years, I guess, before we got it up, and it was good and we passed it. Unfortunately, we have not been able to live up to it, but it is not because we are unwilling to do so, in many instances. It is because it is tough. It is tough to raise the money to spend \$1 billion a copy on a cruise missile, to build the aircraft carriers we need, to do the things we need in this country. That is not easy to do. But it is our responsibility to do it. Instead, we shift it to the next generation by saying, well, no, we are not going to raise taxes. As the gentleman said, we are not going to stick it to the American public today, to us. We are going to stick it to the kids. Kids are people, too, and the people that are going to pay the bills for what we have been doing are not here. They do not have a voice.

It is hard to raise taxes. Nobody comes here saying, "I want to raise taxes. Send me to Washington." It is easy to say, I want to cut taxes. But yet I want to build the strongest military in the history of the world. But we are not going to ask you to pay anything for it. We are going to borrow the money and send it to the next generation.

The President sent us a budget down here that does not balance without using Social Security money for 10 years, for the next decade, and nobody has raised a voice to say, look, we owe \$6 trillion. We are paying \$1 billion a day in interest. You talk about taxes. If you want to make sure that all of us are overtaxed the rest of our lives, continue to borrow money and continue to pay \$1 billion a day in interest and leave that to your children to pay. Just like we say we do not want to leave them a country where the air is so bad one has to wear a mask to ride a bicycle, and the water is so foul that fish cannot live in it and kids cannot swim in it, I do not want to leave them a country that is so burdened with debt that they are going to be paying over \$1 billion a day in interest on the consumption we had while we were in charge and either would not pay for or did not have the fortitude to cut the programs that we did not think were necessary.

This is an ill-conceived constitutional amendment. If you are really serious about a constitutional amendment, put one in that says it takes a supermajority to borrow money. Then we will get down to the brass tacks of why we are here.

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

I appreciate the gentleman from Tennessee and his comments. You raise taxes, you increase spending. We know there are two sides to this equation. What the gentleman talked about that

he offered in the Committee on Rules last night was to balance the budget and not borrow any more money. But we have also got to make it more difficult to raise taxes. The fact of the matter is the last tax increase we had in 1993 that was retroactive, that reached back, the bottom line is they increased taxes to pay for more spending. That is what they did with it. They spent the money that they taxed on the American people. That is what the party did, and that is why we believe it ought to be more difficult to do that.

Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BARTON) who is really the father of this fabulous tax limitation amendment, a gentleman who carried not only the ideas but also the legislation, a fabulous friend of Texas and a fabulous friend of the taxpayer.

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks and include extraneous material.)

□ 1830

Mr. BARTON of Texas. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, it is ironic that my good friend the gentleman from Texas (Mr. FROST) from the 24th District was talking about being afraid of the majority. This bill has passed with majorities every time it has come to the floor. My guess is later this evening when we vote on it, we are going to get over 200 Republicans to vote for it and somewhere between 30 and 40 Democrats. I wish we could get 90 Democrats and actually get the two-thirds vote, but because the Constitution says you have to have a supermajority to pass a tax increase, we have not been able to reach that hurdle.

I am okay with requiring a two-thirds vote to pass a constitutional amendment, because you need consensus in the country. As long as two-thirds of the House Democrats oppose this, it is not going to pass, even if we get 80 or 90 percent of the House Republicans. So the Constitution says to do important things you have got to show that you have got a super-consensus.

I also think that it is ironic that in the other body, which is controlled by the Democrats right now, it takes a supermajority to bring a bill to the floor. My good friend from the Committee on Rules knows this. If 41 Senators do not want a bill to come to the floor in the other body, it will not come to the floor. It takes a supermajority in the other body to invoke cloture. I think it should take a supermajority to raise taxes on the American people.

The Constitution as it was originally adopted had an absolute prohibition against income taxes, an absolute prohibition. In 1913 the Supreme Court said income taxes are constitutional. In 1914 President Woodrow Wilson

passed a temporary income tax bill. The tax burden on the average taxpayer has gone up 4,000 percent since 1914; 4,000 percent.

Those of us that support this amendment say it is now about time to give the taxpayers a break, to require a supermajority two-thirds vote to raise taxes.

Mr. Speaker, the Tax Limitation Amendment has 150 cosponsors and is supported by over three dozen pro-taxpayer, pro-growth, and small business organizations.

I am proud to be an original cosponsor of H.J. Res. 96, the Tax Limitation Amendment, which would require a two-thirds supermajority requirement for net tax increases. I have long been a firm proponent of tax limitation since my arrival in Congress in 1985. The American Taxpayers deserve the right to know that Members of congress will not spend their money needlessly or without a strong consensus. One vote is simply not enough.

I strongly believe it must be more difficult for Congress to raise taxes. That is the primary purpose behind this amendment. In fact, taxes are higher now than they have ever been and federal revenues are growing at an alarming rate. Individual income taxes are higher now than ever before. By raising the bar on tax increases, we place the focus where it should be—on cutting wasteful spending.

There has long been in our political system a bias toward raising taxes. Spending benefits are targeted at specific groups. These special interests successfully lobby Congress and the President for more spending. Taxes, on the other hand, are spread among millions of people. Taxpayers usually cannot come together as effectively as a special interest group with a specific appropriation to defend. As Congress seeks fiscal responsibility and spending remains high, the built-in pressure forces Congress towards more taxes. The supermajority provision balances this pressure.

The Tax Limitation Amendment will provide flexibility to Members who want to honestly adjust the tax code without raising taxes. The language of the Amendment subjects net tax increases to the supermajority requirement. Any bill that would increase some taxes, but also reduce others by a larger amount, could still pass with a simple majority. Also, any fundamental tax reform which would have the overall effect of lower taxes could still pass with a simple majority. The Tax Limitation Amendment will keep the current tax code from getting much worse and will lock into place any new system which may replace it.

The amendment does not require a two-thirds vote for every tax increase in any bill. Individual provisions of bills which increase internal revenues are not along subject to the two-thirds requirements. Any entire bill which overall would increase the internal revenues beyond the de minimis amount is subject to the two-thirds requirement. As a result, Congress could pass by a simple majority a bill which does have provisions increasing the internal revenue, yet on the whole does not have an increase beyond the de minimis amount.

The Tax Limitation Amendment is intended to make major tax increases more difficult. It is not intended to stop all tax legislation. Most legislation making corrections or small changes to the tax code are structured to be slightly revenue positive, at least in some

years, because it is very difficult to make a bill be exactly revenue neutral in all the relevant time periods. Since bills which are a net revenue loss are subject to complicated budget process rules, the Tax Limitation Amendment allows these and other small increases to pass with a simple majority.

Opponents of the Tax Limitation Amendment argue that we are trying to protect tax loopholes; however, the truth is that the de minimis exemption would allow nearly all loopholes to be closed without the super majority requirement. Most loophole closing would not produce enough revenue to surpass the "de minimis" test, and, therefore, could be passed with the current simple majority. Only the combining of several major loopholes would exceed the "de minimis" amount and require the two-thirds vote.

Experience in the states proves tax limitation works. The millions of Americans living in states who have tax limitation in their state constitutions know they are better off. These people have slower growth in taxes, slower growth in spending, faster growing economics, and more shrinking unemployment rate.

Taxpayers would enjoy the same type of benefits and protection on their Federal returns if the Tax Limitation Amendment is adopted on a national scale. With supermajority requirements for tax increases, American taxpayers would see fewer and smaller growth in taxes and spending, and a stronger economy and employment base.

In fact, the American taxpayers would be taxed billions of dollars less if tax limitation had been in effect during the last five major tax increases. Four of those five bills passed with less than a two-thirds supermajority. The 1993 tax increase, the largest in history, passed by one vote. In order to achieve a supermajority, that tax increase would have had to be much lower to even have a chance of passing.

Any tax increase that passes with a two-thirds vote in each chamber of Congress will have greater support among the American people than an increase that is passed by the slimmest of margins. Such a consensus should be required from both Congress and the American people before we start increasing tax bills again. That is why I am here—to make future tax increases more difficult.

April 15 has become known in this country not for the warm weather that usually accompanies it, but for the "Tax Man" who on this day reaches into the pockets of the American taxpayer to take too much of their hard earned money. Americans are frustrated with the size of their individual tax bills and the effect that the collective tax burden has on the economy, their businesses, and their lives. The American people want to know that Congress is trying to help them. Making future tax increases more difficult is the perfect response. It is time to stand up for the American Taxpayer. It is time to pass the Tax Limitation Amendment.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. NEAL).

(Mr. NEAL of Massachusetts asked and was given permission to revise and extend his remarks.)

Mr. NEAL of Massachusetts. Mr. Speaker, for the seventh time since Republicans assumed the helm of this institution, we are taking up a constitutional amendment on tax increases. If I

said it once, I have said it 10 times, or at least seven times; this is the wrong amendment. Why do we not channel our energies into simply balancing the budget? That is the responsible position to take. Do you know what? We could pass a balanced budget here without any difficulty whatsoever. The country would be better off.

Let us talk about the "gimmickry of the week" that we witness here time and again. Remember not long ago when we had a balanced budget amendment to the Constitution that they were all hollering about on the other side? Well, it strikes me as being odd that we were able to balance the budget without disturbing the Constitution.

Why we are back to deficit spending in large measure is because of the tax cut. That is why we are here today. The President has proposed \$48 billion more for defense. He is going to get much of what he wants. He has proposed \$38 billion for homeland security. He certainly is going to get much of what he wants. In this institution our response is, "Let us cut taxes, the estate tax. Let us move to an artificial gimmick on raising taxes in this institution."

Well, let us say very easily today that perhaps the Director of the Budget had it right. He now says, a presidential employee, by the way, that moving the government back into balance by 2005 "is very iffy. We know what the models that we have been using are telling us, but they are very obsolete."

What a difference a year makes, Mr. Speaker. It seems the much-touted \$1 trillion tax cut that was based on glowing predictions about endless government surpluses now apparently has vanished, while the House leadership and the President's Budget Director wobble on the burden of controlling spending.

I am going to suggest tonight a great opportunity: Have every Member who submits a request to the Committee on Appropriations publish the letter. Let us have the Committee on Appropriations publish the letters. Let us find out who asks for the most money in spending, put it in front of the public for an opportunity to examine it, and then let us have the debate about spending.

The same people that march to the well hollering about taxes all the time, they load up the requests of the appropriators. They are the ones that help to drive spending. They make the demands on the appropriators. Let us publish those letters, and not put the appropriators on the spot the way we do here time and again.

This type of amendment is not only futile, it is dangerous. If this amendment were to pass and get enacted, it would make legislation such as legislation I proposed on those companies that are running off to Bermuda much harder to pass. A Member said not long ago that the American people do not object to paying their taxes fairly. Why

is it they will not give us a vote here on those companies that are running off to Bermuda in this aura of patriotism that the American people are experiencing because they do not want to pay their share?

Will Rogers did say it right. He said this country has come to feel the same when Congress is in session as when a baby gets hold of a sledge hammer. Oppose this dangerous gimmick.

Mr. SESSIONS. Mr. Speaker, I yield 4 minutes to the gentleman from Michigan (Mr. SMITH).

Mr. SMITH of Michigan. Mr. Speaker, I thank the gentleman from Texas for yielding me time.

Mr. Speaker, I think the question is, when are taxes too high? We have a system in the United States that has made us successful, I think, based on the fact that those that work hard, that save, that learn, that try, that invest, end up better off than those that do not. So when, at what point, are taxes so high that it loses some of the free enterprise motivation that has made us so successful in this country?

We are now faced with a dilemma. How can any free nation survive when a majority of its citizens now dependent on government services for so much no longer have the incentive to restrain the growth in government and the growth in taxes? Today the majority of Americans can vote themselves more generous government benefits at little or no cost to themselves, and, as a result, they have little incentive to restrain the growth in taxes.

So I think the question one has to ask is, somehow we have to somehow, someplace, come to grips with, at what point do we lose that motivation that has made us great in the first place, and, with our redistribution of wealth, discourage the kind of effort of so many people that are trying to work a little harder and learn a little more and save a little more and invest a little more?

Listen to this: 50 percent of Americans now pay less than 4 percent of the total individual income taxes, while the top 5 percent pay most of the individual income taxes. At the same time, the folks who are paying the least for government are receiving the most benefits. Americans who receive nearly half of the Federal benefits pay only 1 percent of the income taxes. Many of those beneficiaries are poor, but an increasing amount are middle class and wealthier citizens.

So what is the restraint, when most of the population is going to benefit from higher taxes? It seems to me part of that restraint that we should consider to keep the motivation that has made us great in the first place is having a supermajority to increase taxes.

The gentleman from Texas earlier said, let us have a supermajority for increasing the debt limit. I agree on that, too. Let us not hoodwink the American people with increasing the debt so that we can spend more money.

It is not the tax cut that has resulted in this deficit spending. Let me give

you one example. In 1998, we said we promised a balanced budget in 2002 based on a prediction of revenues that have ended up this year, even with the tax cut, \$120 billion more than we projected in 1998. So our revenues are higher than we projected. We are still in deficit spending, and that is because we have dramatically increased spending, even over and above what the war on terrorism has cost us.

Let me just conclude by saying our founders created a system where taxes are the price for government benefits and services. The idea is that voters would restrain the growth and expansion of government because of the personal costs to themselves in taxes.

If we are going to keep the motivation that made our system great in this free enterprise system, then there has to be a super-effort on the part of this Congress and presidents of the United States to restrain the growth in borrowing and restrain the growth in taxes.

Mr. FROST. Mr. Speaker, I yield 5 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, with the greatest amount of humility and a desire to be genteel in this very gentle place, I would offer to say to you, Mr. Speaker, that I am disappointed and saddened that my colleagues and friends would cause us to engage in a frivolous discussion, almost a hoax on the American people.

This debate is irrelevant and unnecessary. Let me share with you the reason why. First of all, as many of my colleagues have already said, this amendment has been brought to the floor some six times and defeated. A constitutional amendment requires approval by two-thirds of both Houses and three-quarters of the State legislatures of the United States of America. In the very legislation that is written, it provides a waiver. The waiver acknowledges that when there is a declaration of war in effect, the Congress may waive this article.

Now, whether or not there has been a specific declaration of war, the President has repeatedly said this Nation is at war. Having just come back from Afghanistan, I can tell the Nation that we are spending \$1 billion a month fighting terrorism in Afghanistan. And yet my friends want to bring a frivolous amendment to the floor talking about a two-thirds amendment dealing with increase to the revenue.

Let me tell you what the Founding Fathers thought about that when they gathered some 200 years-plus ago, excited about a new Nation, excited about democracy, excited about a Constitution that would reflect a democracy. James Madison argued that under the supermajority requirement, the

fundamental principles of free government would be reversed. It would no longer be the majority that would rule. The power would be transferred to the minority.

That is what my friends are asking us, to in fact give a one-third minority the right to control the whims, the desires and the needs of the American people.

Just a year ago this Nation had \$5.6 trillion in surplus. Now, with an enormous, unnecessary tax cut, fostered and run through by the Republicans, we have almost zero. Out of that zero we must pay for the war against terrorism, we must provide protection to the people of the United States as it relates to homeland security. We must give our first responders the kind of dollars that are necessary to ensure the protection of the American people.

We were tragically, tragically hurt by the serious attack on the United States of September 11. New York in its tragedy and in its mourning looked to the Federal Government to provide the resources. I am sorry to say that I do not believe New York has even received the full \$40 million that we have promised them. People are still hurting and people still mourning, but yet we have this amendment that is ridiculous inasmuch as it has never passed and we are asking for this Congress to stand here and debate something that will not pass.

But, more importantly, it makes no sense. I wonder whether any of the appropriators are on this particular amendment? Why? Because they realize what they are facing behind their closed doors trying to fund the needs of the American people. They realize we have no prescription drug benefit, as I previously said. They realize we have the danger of going into Social Security and Medicare.

Mr. Speaker, let me tell you, in 1993, this Congress did a most courageous thing. It was my colleagues in the Democratic party that cast a vote that provided us with the most prosperous years we could have ever had; \$5.6 trillion in surplus, the ability for the economy to be generating jobs. Now, in my own community of Houston in the State of Texas, we have over 5-plus percentage of unemployment. We have people who are unemployed. That means that we need unemployment insurance. We have airlines who are teetering. We need transportation security resources. The borders need to be secured.

Mr. Speaker, why are we giving this hoax on the American people? And, most importantly, most importantly, if I can again refer you to the Founding Fathers. For those of us who cherish the Constitution and who understand the Bill of Rights, Mr. Speaker, this is, again, a hoax. Two-thirds, which then allows the American people to be diminished, if you will, by a one-third minority controlling the majority.

Let me say this, Mr. Speaker, as well. In this legislation, this proposed

amendment, there is some language that says that there is an exemption, a waiver; that if this increase to the Internal Revenue system or stream of money is *de minimis*, then it is okay.

□ 1845

Well, I know when we are sitting around as families around the kitchen table, there is a question about what is *de minimis*. What is *de minimis*? Will we be in a protractive, legal litigation in Federal courts trying to understand what is *de minimis* to protect Social Security, *de minimis* to protect the Medicare system, *de minimis* to fight the war in Afghanistan, *de minimis* to be able to secure our borders, *de minimis* to be able to pay our military personnel or our veterans?

Mr. Speaker, I wish I did not have to come to the floor and argue against the value of what we do in this place; but, Mr. Speaker, this is a hoax, it is frivolous; and I hope my colleagues will vote it down as they have six times before.

Mr. SESSIONS. Mr. Speaker, I yield myself such time as I may consume. The opportunity to be able to come to the well of this House and to speak is really a wonderful thing. It is an opportunity for people to express their views and visions, but we should remember that a majority of the Members have voted for this each of the six times that we voted on it, and today is another opportunity for us to seek that supermajority that it will require.

Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. FLAKE), a member of the Committee on the Judiciary.

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

Mr. Speaker, it has been said recently that this is a frivolous debate. Well, I would submit that there is no more important debate that we can debate here in the Congress. For those of us who believe in the principles of a limited government, economic freedom, individual responsibility, the question of how easy it should be to raise taxes is a very relevant debate to have every day that we have it.

Now, we have been told that the Founding Fathers would not approve this. Well, the Founding Fathers did not approve the Federal income tax. In fact, they expressly prohibited it. I would suggest that if the Founding Fathers were alive today and realized that 22 percent of the national income is now taken in taxes, they would applaud this move. They would applaud this move, because they realized that they believed in limited government, economic freedom, and individual responsibility.

If we look across the country today we see several States, nine in fact, that have such provisions. Arizona, the State that I come from, is one of them. Now, we recently had a huge deficit in Arizona and the States, unlike the Federal Government, are prohibited from

carrying debts. So in Arizona, the debate has been this year on how are we going to bring spending in line with revenue. That is a debate that we ought to have every year in the Federal Government, because we run deficits. We can do that here; we should not be able to. That is why we need a balanced budget amendment as well.

But until we have one, we ought to make it more difficult to raise taxes. In Arizona, it has forced a debate that is healthy. There they have decided we are going to cut spending in this area and this area. There have been a few gimmicks, yes; but in large measure, they have actually done what we ought to be doing here. We ought to cut frivolous spending and take it from there.

So I commend the authors of this legislation, I support the rule, and I commend my colleagues for bringing it forward.

Mr. FROST. Mr. Speaker, I yield 5 minutes to the gentleman from Mississippi (Mr. TAYLOR).

Mr. TAYLOR of Mississippi. Mr. Speaker, I believe I am a cosponsor of that resolution, and I am going to vote for it. But what I object to is the continued reference on this House floor, the continued effort on the part of some Members of this body to deceive the American public into thinking that we are balancing our budget. I do not care if a Democrat said it or a Republican said it, or I do not care if Adam's house cat said it. We are not.

The fact of the matter is that the President submitted a budget that was passed by a Republican majority in the House and the Senate last summer when the Republicans still controlled both bodies, as they did for 7 years. For 6 of those 7 years, we had deficit spending. As a matter of fact, I find it strange that we have to address the tax problem, because taxes have been addressed four times in the past 20 years when, for 41 of the past 42 years, Congress has run a deficit.

So I am going to say this very slowly. The President just submitted the first \$2 trillion budget. The Republican Congress passed it. The Republican Congress increased spending by 8 percent last year and decreased revenues by 16 percent. That equated to, and I am going to say this very slowly so that no one misses it, \$232 billion. This is the month of March. Actually, the number is, and I do not have it in front of me, but it is on my Web site, because I memorized it. The deficit has increased by \$363 billion. That is a thousand times a thousand times a thousand times 363 in the past 12 months. The debt is now over \$6 trillion. This was just March. It is now over \$6 trillion. Two weeks ago my Republican colleagues voted to raise the debt limit by \$750 billion; that is a thousand times a thousand times a thousand times 750. That is not balancing the budget.

Mr. Speaker, my point is, we are bringing the wrong constitutional amendment to the House floor. We

have had but one vote in the past 7 years on a balanced budget amendment to the Constitution. We sent it to the Senate. It failed by one vote. If we are really concerned about the future of our country, and if we have some guilt about sticking our kids with our bills, which is what we are doing; none of my colleagues would go buy a car, a \$40,000 Lexus and say, I have a 7-year-old, bill him when he grows up. None of my colleagues would go to the Realtor in their hometowns and say, I want the most expensive house in town and, by the way, I have a 4-year-old grandchild, stick them with the bill, plus interest. But it is precisely what you have been doing with this country; and, guys, I think you are missing the point.

My Republican colleagues have run the House for the past 7 years. The "they" you keep talking about that is raising spending is you. When you go to shave tomorrow morning, look in the mirror. You all did it.

I liked you all so much better when you said you were for a balanced budget amendment, and I like you so much less when you do not do it.

Pass a balanced budget amendment to the Constitution. We have found time to take care of nutrea eradication on the Eastern Shore of Maryland. We found time to take care of tigers and rhinoceroses. We have named every post office in the United States of America. We have found time for a debate for all sorts of things that really are not all that vital. But, Mr. Speaker, we cannot find time to bring a debate and have a vote on a balanced budget amendment to the Constitution in the almost 4 years you have been Speaker, because it gets in the way of your tax cuts.

Quit sticking my kids with your bills. Quit robbing the 1 trillion, 270 billion dollars that is already owed to the Social Security trust fund. I have memorized that one too. Quit robbing the \$228 billion that you have stolen from the Medicare trust fund. Quit robbing the over \$500 billion, a thousand times a thousand times a thousand times 500, that is owed to the Federal Employees Retirement System right now. There is not a penny in any of those accounts and, for God's sake, as you tell the troops how much you love them, quit stealing the \$167 billion, and I memorized that one too, that you owe to the military retirees' trust fund. There is not a penny in any one of those accounts.

All you are concerned about is taxes when you ought to be concerned about fulfilling the promises we made to each and every American, because each and every American falls into those categories. Quit stealing from them; pass a balanced budget amendment to the United States Constitution.

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

I appreciate that what the gentleman is talking about is very important; but part of this equation that was not talked about was every single time

that we have a new person that gets employed in this country, the Social Security trust fund shows a deficit, and every single time a person goes to work and draws a paycheck in this country, that shows as a deficit also. So by America working harder, with the old, antiquated Social Security system that we have, it all increases what is known as the debt of this country, because we do not save that money, we spend it. So what the gentleman has talked about is part of our own system which is creating the deficit, which is why we need to change it.

So whoever comes to work for the first time tomorrow and for whoever is drawing a paycheck today, simply by working, we are creating a debt, because it is a liability that this government has to pay for. But that should not imply that that is necessarily irresponsible. It is the system that we have. Yes, it is Republicans and some Democrats that have suggested that we change that too. But let us not suggest it is spent, it is a future liability. Being responsible and being irresponsible should have been something that I wish the gentleman had spent some time on also, because this debt that is being set before us is from people who work in this country.

Mr. Speaker, I yield 2 minutes to the gentleman from Houston, Texas (Mr. CULBERSON), a bright young gentleman.

Mr. CULBERSON. Mr. Speaker, I thank the gentleman for yielding me this time on this important debate that I am hopeful there are many people out there watching tonight. I am pleased to join with the gentleman from Mississippi (Mr. TAYLOR) and with my colleague, the gentleman from Texas (Mr. SESSIONS), in supporting this constitutional amendment which tracks the language that has been adopted in many State constitutions across the country. I am pleased to hear the gentleman from Mississippi (Mr. TAYLOR) say that he will support this amendment to the United States Constitution tonight, limiting the ability of the United States Congress to raise taxes, because it is all too easy to raise spending here.

I think it is important to remember what the gentleman from Arizona (Mr. FLAKE) said is occurring today in the State of Arizona. Because Arizona has a tax limitation amendment that requires a supermajority before taxes can be raised, the State of Arizona is going through precisely the debate that the gentleman from Mississippi (Mr. TAYLOR) so correctly points out that we ought to be engaged in here is how do we control spending. Arizona is first asking, what can we do as a legislature to control spending before we go to raise taxes, because Arizona has a two-thirds supermajority requirement before taxes can be raised.

Mississippi has a three-fifths supermajority requirement before they can raise taxes. The State of Arkansas has a three-fourths requirement. California requires a two-thirds supermajority;

Colorado, a two-thirds supermajority; Delaware, a three-fifths supermajority; Florida, a three-fifths supermajority. Louisiana, Missouri, Montana, Nevada, Oklahoma, Oregon, South Dakota, Washington, all of these States have supermajority requirements in their State constitutions to control tax increases because the power to tax is the power to destroy.

The founders, the authors of those State constitutions recognized that it is important to force the debate in those legislative bodies to focus on controlling spending first and to limit the ability of those legislatures to increase taxes.

This would be an extraordinarily healthy thing for the United States Congress to have this requirement in the U.S. Constitution to force us all to think carefully before we raise spending and, above all, to make it more difficult for us to take more money out of the American taxpayers' pockets.

Mr. Speaker, I am proud to join the gentleman from Texas (Mr. SESSIONS) in coauthoring this important legislation.

Mr. FROST. Mr. Speaker, I yield myself the remaining time.

This is not a complicated matter. Either one believes in majority rule, or one does not. This is the people's House; the majority rules. My friends on the other side somehow have gone astray and do not believe in the basic principle of democracy, of the majority rules. This constitutional amendment should be defeated for the seventh time.

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

□ 1900

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

Mr. Speaker, we have had a vigorous debate again today about an important issue. I simply believe it should be more difficult to raise taxes. I think that that will help America. I think most Americans understand what we are talking about. It is so easy to raise taxes today. That is why they have been raised in the past.

I am going to continue to bring this effort to the floor. I am going to keep talking about a balanced budget. We are going to keep talking about the things that will bring honor and dignity to the taxpayer of this country, and will solve our problems with the deficits. This is part of that overall debate.

I am proud of what we are going to do here today. This vote is on the rule. The rule is a fair rule. It is a rule that was passed yesterday in the Committee on Rules by a voice vote. I am going to ask all my colleagues to please vote for this rule. We will have a vigorous debate here in just a few minutes on that bill, but I would like to ask that we support the rule.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. SENSENBRENNER. Mr. Speaker, pursuant to House Resolution 439, I call up the joint resolution (H.J. Res. 96) proposing a tax limitation amendment to the Constitution of the United States, and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore (Mr. ISAKSON). Pursuant to House Resolution 439, the joint resolution is considered as read for amendment.

The text of H.J. Res. 96 is as follows:

H. J. RES. 96

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein). That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years after the date of its submission for ratification:

“ARTICLE—

“SECTION 1. Any bill, resolution, or other legislative measure changing the internal revenue laws shall require for final adoption in each House the concurrence of two-thirds of the Members of that House voting and present, unless that bill, resolution, or other legislative measure is determined at the time of adoption, in a reasonable manner prescribed by law, not to increase the internal revenue by more than a de minimis amount. For the purposes of determining any increase in the internal revenue under this section, there shall be excluded any increase resulting from the lowering of an effective rate of any tax. On any vote for which the concurrence of two-thirds is required under this article, the yeas and nays of the Members of either House shall be entered on the Journal of that House.

“SECTION 2. The Congress may waive the requirements of this article when a declaration of war is in effect. The Congress may also waive this article when the United States is engaged in military conflict which causes an imminent and serious threat to national security and is so declared by a joint resolution, adopted by a majority of the whole number of each House, which becomes law. Any increase in the internal revenue enacted under such a waiver shall be effective for not longer than two years.”

The SPEAKER pro tempore. The gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from New York (Mr. NADLER) each will control 1 hour of debate on the joint resolution.

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 House Joint Resolution 96 currently 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, there has been a vigorous debate on the rule. Most of the debate on the rule was on the merits of House Joint Resolution 96. It is a simple and straightforward proposal. It proposes to amend the United States Constitution to require a two-thirds vote for tax increases, and by requiring a two-thirds vote on tax increases, there would be a requirement that there be a consensus within the Congress, and hopefully within the American public, that taxes should go up.

I think that given the history of some of the tax debates that have occurred since I have been in Congress, that type of consensus is sadly needed. The American public has been asking Senators and Representatives, Republicans and Democrats, to be Americans first and partisans second, and to be both bipartisan and nonpartisan when approaching the problems facing the country.

All too often, we have very hot debates and very split votes with very narrow majorities, and the American public, I think, is probably as evenly politically divided today as at any time in the history of the country. The Republicans control this House by six votes, the Democrats control the other body by one vote. The 2000 Presidential election was the closest Presidential election in the history of the country.

I do not think that the voters, in dividing themselves so evenly, voted for gridlock and expected nothing to be done during the 2-year period in 2001 and 2002.

With a constitutional amendment to require a two-thirds vote to raise taxes, neither side will be able to use majority voting power, narrow as it may be, to one-up the other and to pass a tax increase. Maybe a constitutional provision that has the effect of forcing bipartisanship will bring about the bipartisanship in economic issues that has been so sorely lacking, as contrasted to the bipartisanship in facing the war on terrorism.

I can tell the Members, I do not think I would be standing here today presenting this constitutional amendment to the House of Representatives if it were not for the one-vote margin by which the then-majority Democratic party passed a big tax increase in 1993, 218 to 216 in the House and 51 to 50 in the other body, where then-Vice President Gore was called upon to break a tie. Because of the reaction of the American public against the majority using its voting power in the way that it did, it had a sea change in the 1994 elections and brought Republicans to majorities in both the House and Senate.

So I think that by requiring bipartisanship on tax policy, which is one of the two key elements of our Federal economic policy that Congress has control of, spending being the other, we are going to be able to perhaps force both parties to compromise, to seek consensus, and to seek support before going for a tax increase.

Now, I have looked at what this constitutional amendment would have done to tax increases over the last 22 years, had it been in effect. What I came up with is kind of surprising. The opponents of this constitutional amendment repeatedly state that it will be impossible to ever pass a tax increase, nohow, no way, if a two-thirds vote was required in the Senate and in the House of Representatives.

Since 1980, there have been 16 tax increases enacted into law by the Congress of the United States. Surprisingly, 10 of those tax increases passed both Houses by two-thirds majorities, if we look at the vote on the conference report, which is the final version of the tax bill.

That included the 1980 reconciliation act; the 1980 crude oil windfall profits tax; the \$50 billion Social Security tax increase, which was necessary to restore solvency to the Social Security trust fund in 1983; the 1986 reconciliation act; the 1986 tax reform act, which increased taxes in 3 of the 5 following years and decreased them in the other 2; the 1988 Miscellaneous Revenue Act; the 1989 reconciliation act; the 1992 energy policy tax act; the 1996 Small Business Job Protection Act; and the 1998 Internal Revenue Service restructuring act.

All of those were tax increase bills, I would submit, of more than a de minimis amount, because the smallest of these raised taxes by \$1 billion, which I think very few people would argue being de minimis.

The tax increases which were enacted that failed of a two-thirds vote in the House were the 1982 Tax Equity and Fairness Responsibility Act, or TEFRA; the 1984 deficit reduction act; the 1985 reconciliation act; the 1987 reconciliation act; the 1990 reconciliation act; and the 1993 reconciliation act, which was the big tax increase that I referred to earlier on.

So people who really want bipartisanship being forced upon the Congress on tax policy should vote in favor of this, because it will mean, the way the voters are presently divided, that neither political party will have the votes to be able to pass a tax increase on the American people solely with their own votes. They will have to reach out and compromise with the other party, and then sell this issue to the American public.

That is why I am in favor of this constitutional amendment.

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

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

Before I begin my statement on the constitutional amendment, I just have one factual correction for the distinguished chairman. The 2000 election was not the closest race in American history. In 1960, John Kennedy beat Richard Nixon by 118,000 votes. In 2000, Al Gore got 556,000 votes more than George Bush. It was, in fact, close in the Electoral College.

Mr. Speaker, I rise in opposition to this proposed constitutional amendment for the seventh time in as many years. As the ranking Democrat member of the Subcommittee on the Constitution of the Committee on the Judiciary, I would urge my colleagues not to treat the Constitution as if it were some derelict warehouse on which people could plaster their political posters.

The Constitution is the fundamental document of our Nation which sets the rules of government to protect our democracy and the rights of individuals. Yet, week after week, year after year, we come to the floor of the House to consider proposed constitutional amendments that are in fact little more than glorified press releases.

This constitutional graffiti has become so commonplace, so much part of the ritual of this House, so much of the way we all mark the passing of the seasons, that it has become something of an inside joke among the people who work here and the people who report on our work.

This is the seventh time since 1995 that the House has been subjected to this supermajority proposal. We will waste a couple of hours debating this before it is voted down yet again. We have also considered amendments concerning the nonexistent epidemic of flag-burning, victims' rights, and anything else that Republican pollsters think might play well in the 30-second campaign ads.

The core flaw of this amendment is that it requires a two-thirds vote of both houses of Congress to raise taxes. This is profoundly anti-democratic in that it enables a one-third minority to overrule almost two-thirds.

That includes any tax reform measure that would eliminate special interest loopholes, such as the loophole that allows American industries to incorporate in Bermuda and avoid paying taxes in the United States, or any of a number of multi-million dollar favorites that fill the thousands of pages in the Internal Revenue Code.

If this amendment were to be adopted, a small minority could block the elimination of these outrageous and unfair tax loopholes, but a simple majority could put new loopholes into law. In fact, it would be a one-way ratchet. A majority elected by the American people could establish new tax loopholes for large corporations, or for anyone else. And if the American people, as is the process in our democracy, became very angry at this and threw out the rascals and elected a different majority to Congress next year, they could not change it because they would need a two-thirds majority to change what a simple majority did the year before. It is a one-way ratchet. That is an absurd constitutional anomaly.

The gentleman spoke of making it necessary to have a two-thirds, a bipartisan consensus, to change tax policy. That is not what this amendment does.

It requires a two-thirds consensus, a bipartisan consensus, to change taxes in one direction, but a simple majority in the other.

So a majority in Congress one year can reduce taxes, can get elected on a slogan of let us reduce taxes by \$100 billion, and then it turns out that what they did reduces taxes by \$1 trillion. Then the American people think it is more important not to clobber Social Security so they elect a different majority next year and say, restore the taxes up to the \$100 billion they said they were going to cut. But no, that means a two-thirds majority.

If Members want the Tax Code to become even more unfair, even more slanted towards the special interests, even more complex than it now is, then this amendment is the best chance to do so. This amendment would tie Congress' hands in economic emergencies unrelated to war, and it would tie Congress' ability to protect Social Security or Medicare, to respond to financial crises, or to the next fiscally irresponsible President. That makes no sense.

Now, is there any special reason we need this constitutional amendment? The courage shown by the first President Bush and by President Clinton eliminated what many had considered permanent deficits. This was accomplished by cuts in spending and targeted tax increases. Many of my Republican colleagues blamed President Bush and demanded the head of his OMB director. Many of those same colleagues denounced and opposed President Clinton's budgets.

Well, the discipline imposed by the majority in Congress and President Bush I and President Clinton, worked, and we got rid of huge budget deficits and we finally got budget surpluses to show for it. We were able to start paying down the national debt.

What has happened since then? In little more than a year, the current President Bush and his supporters in Congress have managed to undo the work, the hard work, of more than a decade. We are running deficits, an over \$230 billion deficit this year into the foreseeable future, and will continue to do so even without such needed reforms, which will cost money, such as a prescription drug benefit under Medicare, which most people here claim to support.

We will continue to raid the Social Security and Medicare trust funds. That is not because of a flaw in the Constitution, it is because of a failure of leadership, and a failure, a lack of courage to make tough decisions. This sort of fiscal crack-up is what happens when Members of Congress try to promise the American people something for nothing.

□ 1915

The first President Bush in 1980 called candidate Reagan's promise to slash taxes, increase spending, and balance the budget all at the same time

voodoo economics. That was a slander against voodoo. Now instead of sound fiscal policies, we get this constitutional amendment, again designed to take our attention away from what is going on. The American people do not need symbolic politics. They need real leadership.

Supermajorities, Mr. Speaker, are anathema to the democratic system of government. That is why the Framers of the Constitution limited them to a very few areas, such as the impeachment of an elected President or amending the Constitution, the fundamental document of our government, itself.

And let me add one thing. We today have a given philosophy or most people have a given philosophy: it is good to reduce tax; it is bad to increase them. Maybe the majority of opinion of the American people agree with that. Maybe not. That is what elections are about. But even assuming that most people think that today, maybe our grandchildren 50 years hence will not think that. Maybe 50 years hence our grandchildren will think, or the majority will, that it is a good idea to increase taxes in order to pay them for Social Security or for whatever will seem necessary for them at that time.

Who are we today to tie their hands and say that our grandchildren and our children, that a minority shall rule in their day? Who are we to say because we have a particular opinion on an issue that 50 years from now our grandchildren shall be bound by our opinion on that issue, that if they want to increase taxes in 50 years to pay for what they think is more important than a lower tax rate, we will tell them no, you need a two-thirds vote, one-third can block it? That is saying that we are writing a particular opinion about a particular issue into the Constitution, and we should never do that. The Constitution is a guide to process. It distributes power to different agencies of the government. It reserves the right of people against government to free speech and so forth. It does not enact particular ideas, particular economic doctrines, or it should not at any rate.

Just how small a minority could hold this Nation hostage under this amendment? A group of Senators representing one-tenth of the population of the United States, those from the smaller States, could block any effort to raise revenues, to reform the Tax Code, to improve law enforcement, to exercise fiscal discipline, to balance the budget or do anything else that the remaining 90 percent of the Nation believes is absolutely necessary. Is this what the Members of this House really want?

In Federalist Number 58, James Madison, perhaps the Father of our Constitution, argues as follows. He said:

It has been said that more than a majority ought to have been required . . . in particular cases, if not in all . . . for a decision. That some advantages might have resulted

from such a precaution cannot be denied. It might have been an additional shield to some particular interests, and other obstacle generally to hasty and partial measures. But these considerations are outweighed by the inconveniences in the opposite scale. In all cases where justice or the general good might require new laws to be passed, or active measures to be pursued, the fundamental principle of free government would be reversed. It would be no longer the majority that would rule: this power would be transferred to the minority. Were the defensive privilege limited to particular cases, an interested minority might take advantage of it to screen themselves from equitable sacrifices to the general weal, or, in particular emergencies, to extort unreasonable indulgences.

And that of course is exactly what this amendment would do. It would say that in time of economic crisis or of real necessity where the majority felt it necessary to increase taxes to pay for whatever it was they thought it necessary to pay for, a minority, a one-third minority, could say no or could say okay, but only if you change the abortion laws in one way or another. The one-third minority would be able to blackmail the majority of the Nation.

We are now in a time of crisis, and the very real possibility that, as we seek to meet the challenges of the future, economic as well as military, a determined minority may be able to blackmail the Nation, is truly terrifying.

This debate is not about a particular tax rate. It is, as Madison rightly pointed out, about the very fabric of our democracy. We should not be considering this nonsense. We just did it last year. I know there is nothing I can do to dissuade the majority.

I thank my colleagues for their indulgence. Thank goodness like April 15, this preposterous notion comes up only once a year.

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

Mr. NADLER. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. Mr. Speaker, I appreciate the gentleman yielding. If I have been listening to you and hearing you correctly, do you believe that the debate on this constitutional amendment tonight is a waste of time?

Mr. NADLER. Yes, essentially I do. I do believe it is a waste of time and that it is a ridiculous proposal. We have rejected it six times in 6 years. We are going to reject it again. The gentleman knows that, and we ought to be debating the appropriations bills. We ought to be debating the reorganization of our homeland security. We ought to be debating a prescription drug bill for Medicare. We ought to be debating Social Security. We do not have time for all that, we are told. We have time for this.

Mr. SENSENBRENNER. Mr. Speaker, will the gentleman yield further?

Mr. NADLER. Yes, I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. Let me propose a deal for the gentleman. Since we

should be debating something else, if the gentleman will yield back the balance of his time, I will yield back the balance of mine and we can vote right away on this.

Mr. NADLER. Reclaiming my time, if we had scheduled something else for this time now instead of just going home for dinner, I would be happy to do that. But since the leadership of the House has decided this is more important than anything else and nothing else is available, that would not serve.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio (Mr. CHABOT) since the gentleman from New York (Mr. NADLER) wants us to debate this waste-of-time constitutional amendment further.

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

Contrary to the statement of the gentleman from New York (Mr. NADLER) that this is some kind of inside joke, what this actually does is it reveals clearly those of us in this House who are seriously committed to reducing the tax burden on the American people and making it tough to raise that tax burden in the future. Those folks who believe that will vote "yes." It separates them from the folks that really do not care how high taxes are or how high they might go in the future. They will vote "no."

The amount of money taken out of the pockets of working Americans in the form of taxes is simply too high. This House has made significant efforts this year and in previous years to reduce the tax burden on the American people. We have done that in cooperation with the President. We have been successful in passing some of those pieces of legislation into law. It is also important that we protect hard-working American families from a future of excessive taxation.

Let us face it. Taxes are just too high in this country. By making it more difficult to raise taxes, H.J. Res. 96, the debate that we will hear this evening, it will do just that. H.J. Res. 96 would impose fiscal discipline and constrain the growth of Federal Government by requiring a two-thirds vote for any bill that increases the internal revenue by more than just a de minimis amount. The amendment would exclude any increase from the lowering of an effective rate of any tax. Congress may enforce and implement the amendment through legislation as authorized by law. In addition, if the United States needs to increase revenues to wage the war on international terrorism or engage in military conflicts abroad, the amendment provides that the supermajority requirement could be waived if the Congress declared war or adopted a joint resolution to engage in military conflict which caused an "imminent and serious threat to national security."

Supermajority voting is not a radical idea. There are 10 instances in which

the Constitution already requires a supermajority vote. For example, conviction by the Senate following an impeachment; overriding a Presidential veto; consent to a treaty; and amending the Constitution require more than a simple majority, and there are others. Moreover, Mr. Speaker, 14 States currently have tax limitation provisions for all, most, or some tax increases. Out of those, 12 States require a supermajority for any tax increase.

This amendment will help to stem the tax-and-spend policies that too often rule this place, that rule Washington. American working men and women now have to toil from January to late April just to satisfy their tax obligation. Only after Big Government's insatiable appetite for taxes is satisfied, can American families begin to look out for their own needs.

In the 1950s, the Federal Government took about 5 percent of the average American family's money, and that was after fighting World War II and the Korean War. Since then, that figure has increased by five times. It has up to about 25 percent of the American families' money going just to pay their Federal income taxes. If you add State and local taxes on top of that, it is even higher.

Today, the Federal Government takes about a quarter of what we earn, and I am not sure anyone here would even suggest that government has become 500 percent more productive and efficient. Add that to the tax burden imposed by States and localities, and working families face an even larger tax bill.

The tax limitation amendment would greatly help American families who are already struggling to pay mounting tax bills. It would also require Congress to focus on options besides raising taxes to manage the Federal budget, helping to impose fiscal discipline, something we need in this place, and to constrain the growth of government, something we talk about a lot but far too often do not do.

Mr. Speaker, let us do right by working American families by supporting this legislation.

Mr. NADLER. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. CONYERS), the distinguished ranking minority member of the Committee on the Judiciary.

Mr. CONYERS. Mr. Speaker, I thank the ranking member of the subcommittee, and I am interested that everybody is now ready to turn this debate in and just have a vote; but yet it was scheduled late in the hour of today, and now we are anxious to get out of here. Let us leave.

Well, I just left the White House where there was a meeting with Members of both bodies about a homeland defense department. We have not figured out what the budget is going to be or where the money is coming from, and I am glad to note that our chairman of the Committee on the Judiciary, the gentleman from Wisconsin

(Mr. SENSENBRENNER), was at that meeting. And we are going to have to produce a lot of money from somewhere. It is not in the budget right now.

Could I ask, if we have this law in effect, if this constitutional amendment was prevailing, would we be able to raise that additional money? I think not. And so I would just like to remind us that we are in a serious, different situation.

When the previous President, Bill Clinton, left the White House, we had a \$280 billion surplus. We now have a deficit of how much? \$100 billion roughly. And now we are arguing the same kind of arguments. Let us make it bad.

My dear friend, the gentleman from Ohio (Mr. CHABOT), says we need to reduce taxes. Taxes are too high. Well, I have got an idea. Why do you not introduce some legislation to lower taxes? Why do you need a constitutional amendment to restrain yourself?

I remind you that since our former colleague Newt Gingrich's activities of 1994 have taken over, the Republican Party has controlled the House, and most times, the Senate. So what is wrong with passing bills to reduce taxes?

Now, I would like to turn to the other concern that in we are in a deficit situation. If Social Security is being jeopardized, do we really want to make it harder to account for how we are going to make up for these funds? I am not so sure if you really do. And if everybody keeps that in mind, we will be a lot better off in terms of how this budget thing is going to play out. We have got big bills coming along, and we are going to need money. And so to argue the same arguments that were heard in other Congresses when this same constitutional amendment was brought forward may not be consistent with what we are faced with at the present time.

Now, there is another reason that we may want to be careful about giving a minority one-third the right to determine the tax structure for an overwhelming majority, two-thirds.

□ 1930

That would be that there are a number of corporate tax provisions that are in the tax laws that would not be able to come up. My colleagues would not want that to happen, would they? We want to be able to go in and take out, for example, the tax benefits that come from setting up a company offshore and then reaping the benefit of little or no taxes and other corporate tax provisions that are being re-examined as we speak in the Congress now.

In fact, under this amendment, were it to pass, it would take more votes to close a tax loophole that might have been engineered by a powerful interest group than it would to cut Social Security, Medicare and education programs.

So I think this is not good economic policy, and for those reasons and some more that I would like to go into at a

later point, I would urge everyone consider this measure very carefully as we move toward a vote tonight, and I thank my colleague from New York for yielding me the time.

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Texas (Mr. HALL).

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

Mr. HALL of Texas. Mr. Speaker, I rise today in support of H.J. Res. 96, a tax limitation constitutional amendment. I have been a supporter of this amendment from the very first day I headed up here, and I will continue to support it as long as it takes to provide some constitutional protection against tax increases for hardworking Americans.

The tax increases that have been enacted since I have been in Congress have passed by a very narrow margin, sometimes by a single vote. It is my recollection that the Tax Reform Act of 1986 passed, I believe, by one vote. It was probably the worst Act this Congress ever passed. It was supported by President Reagan and it was supported by Rostenkowski. One of them knew what was in it, and I guarantee my colleagues it was not President Reagan.

Let me just tell my colleagues that legislation that hits everybody's pocketbooks ought to require more than a simple majority for a vote for passage. A two-thirds supermajority vote requirement would offer that protection that taxpayers need.

Let me tell my colleagues the biggest task in, of course, this legislation should not be whether Democrats or Republicans are for it, whether liberals or conservatives support it, but what most Americans want and how many Americans support this. If my colleagues would go home to their district and ask the first 10 constituents that they meet and just ask them the simple question whether they think it ought to be harder for us to raise taxes, I feel certain that all 10 of them would say yes. I have done that test and from in front of post offices on tax days and days that we were given runs with this bill in the years of the past, and I have never gotten a no from any of them. A simple question, does anyone think it ought to be harder to raise taxes. Every doggone one of them says yes.

Most Americans feel it is far too easy to raise taxes, and I think this amendment would let them know we understand their concerns and are willing to address them.

The economic climate today is not what it was last year when Congress worked with President Bush to enact some much-needed and deserved tax relief for our citizens. As a result, it is critical that we make a statement now that we are committed to controlling government spending rather than raising taxes in order to maintain a Federal balanced budget. It would be easy to balance the budget by simply raising

the taxes; so it ought to be hard to do that.

We ought to balance the budget by cutting expenses, and any serious economic situation that might be, that might call for increased taxes would have to be addressed with the cooperation and understanding of all Americans and with more than a simple majority vote.

This legislation would ensure that such dialogue would take place. I urge my colleagues on both sides of the aisle to support this commonsense measure.

Mr. NADLER. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT. Mr. Speaker, it is kind of hard to take this resolution seriously. We have heard references to a balanced budget. This resolution has nothing to do with a balanced budget. Balanced means that one's spending does not exceed their revenues, but as we read the resolution, there is no limitation on spending. There is no limitation on size of government. Spending can be increased with a simple majority. Paying for the spending takes a two-thirds vote.

New programs can be enacted with a simple majority. Increase the size of government with a simple majority, but two-thirds vote in each House will be required to pay for that new spending or we just run up a deficit.

We have heard reference that the States have a simple majority to raise taxes, but those States balance their budgets as a matter of law. So if they cannot raise the taxes, they cannot do the spending. In this House, however, we can increase the spending whether we increase the taxes or not. We can run up a deficit and just leave it to the next generation to pay for it.

Further, Mr. Speaker, if we look at the resolution, we see what it does to corporate loopholes. To eliminate the corporate loophole that allows some corporations to move offshore and save taxes, that would require a two-thirds vote.

Finally, Mr. Speaker, this is a dubious effect, anyway, because the provisions can be waived with a simple majority any time the United States is "engaged in a military conflict which causes an imminent and serious threat to national security." Mr. Speaker, that has been the case almost continuously for the last 50 years, and it is not just for the conflict that we could raise taxes. It is during the conflict. So we would waive this provision and pass legislation, whether it has anything to do with terrorism or not.

Mr. Speaker, this resolution is a recipe for fiscal disaster. Increased spending with a simple majority, paying for that spending requires a two-thirds vote and a two-thirds vote to close corporate loopholes. For the sake of fiscal sanity, this resolution should be defeated.

Mr. NADLER. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Speaker, I had not intended to speak this evening. I am not an attorney, one of the few in the House who I guess is not, but I decided to come and speak on certain practical aspects of this farcical legislation which we are voting on again this evening.

I heard a gentleman from the Republican side say this is about working families. Come on, let us not kid people in America. This is not about working families. This is about the super wealthy and the unpatriotic corporations who want to set up new tax dodges to move their profits offshore. For years they have been moving their foreign earned profits offshore to Bermuda and that has been accepted. Unfortunately, the Clinton administration left that loophole open and the Bush administration has tried to widen it.

Now they have got a new dodge. They strip their corporation and move the assets and profits to a tax treaty country, Luxembourg being one, but Luxembourg might require that they pay some taxes. God forbid they should pay any taxes. So then they also do the Bermuda trick so it has become now the new Bermuda Triangle.

This debate is too strange. It reminds me a lot of the Bermuda Triangle, but this is a new tax dodge being pushed by the same folks who brought us Enron, those same wonderful, ethical accounting companies, and now they have set up Stanley Works and other American corporations who are based in the United States of America, sell most of their product in the United States of America, have traditionally produced goods in the United States of America, of course now they are all going to China to produce their product. Some are still employing people here and it will say that they will pay taxes on their profits nowhere. That is the new Bermuda Triangle trick.

So, under this legislation, which is, of course, for working families, yeah, wink, wink, nod, nod, Stanley Works and other unpatriotic corporations and other unpatriotic multi-millionaires and billionaires would move all of their profits offshore, pay no taxes in the United States of America, still enjoying the defense and the blood of our young men and women in the military, still enjoying all the privileges of living in the greatest country on earth but paying nothing to support it, and guess what it would take to change that? A two-thirds vote of the United States House of Representatives. We cannot even get a simple majority vote to stop the unpatriotic corporations and these people from moving their profits offshore, and imagine what it would take to get a two-thirds vote.

It is pretty easy these days to buy half the House of Representatives. All they would have to do in the future would be cheaper, just buy a third of the House, and they could block any changes to close these loopholes. This is absolutely outrageous. At a time

when America is engaged in a fight to defend our citizens against deadly threats from abroad and even perhaps within our own Nation, the wealthiest of the wealthy would pay nothing toward that fight, and under this legislation, it would be impossible to ever require that they pay some semblance of a fair share. This is absolutely outrageous. My colleagues should be ashamed of what they are trying to do.

Mr. NADLER. Mr. Speaker, I yield myself 30 seconds.

I simply want to point out that there have been no hearings on this resolution this year, no committee hearings, no committee markup. This came straight to the floor from I am not sure where, and this is a very cavalier way to treat amending the Constitution.

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

Mr. CONYERS. Mr. Speaker, I thank my friend from New York for yielding me the time.

It is bad enough we did not have hearings in committee. It is bad enough the bill is brought on the floor at this late hour, and now nobody wants to debate it. It has never passed. We have never had it in the Senate. This bill has never come up in the Senate, and now we want to rush to a vote. This is, I think, a serious disregard of a constitutional amendment.

Why did we bring it up? Is there somebody in the country, somebody's constituents that are urging that we have a constitutional amendment in which the majority rule would be taken away? I have not heard it. It has never passed the House ever, and yet it is being brought up now.

I think it is a little bit inappropriate, and I think our leadership should take a little bit more care about keeping Members late and then wondering why we should not even have a full debate on the matter. I feel very strongly that there should be a majority rule in terms of these kinds of questions. The supermajority should be rarely used, and it is my hope that as we have gradually begun to accumulate negative votes on this proposal, that we will get even more people voting against it tonight.

For a number of reasons, in addition to the ones that have already been discussed, I think that making it difficult to close loopholes is not a good way to proceed. This could create a lot of problems for us in a number of ways, and I am disappointed that we are proceeding in a very rushed manner.

We voted on this bill in April of 1996. We voted on this bill in April of 1997. We voted on this bill in April of 1998. We voted on this bill in April of 1999. We voted on this bill in April of 2000. We voted on this bill in 2001. Now we have it again with us today. What is the point? I think that this is a procedure that I have to have made very clear, that this is not the way that we should proceed on constitutional amendments.

I thank the gentleman from New York for allowing me this amount of time.

□ 1945

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

Mr. Speaker, this amendment, if passed, would contravene the fundamental principle of American democracy which is that majority rules. The gentleman from Ohio pointed out earlier that the principle supermajorities, meaning a minority can block something, is not a radical proposal. It may not be, but it is a fundamentally undemocratic proposal.

Mr. STARK. Mr. Speaker, I rise today in opposition to this ridiculous, misdirected constitutional amendment to require a two-thirds super majority vote for raising taxes.

The House Republican majority won't address the issues the American people want us to address because they just don't care or they simply can't get their act together. They won't give seniors a prescription drug benefit, their appropriations bills aren't ready to go, and they've about run out of taxes to cut. So instead they bring bills like this one to the floor in order to kill time and look like they're working.

I'm amused to see this constitutional amendment on the floor again this year. And my emphasis is on the word again. We have voted on this constitutional amendment seven items in the past seven years. Seven times, Mr. Speaker! And in each of the past seven years, the amendment has failed by large margins. Why has it failed? Because it's irresponsible and everybody knows it.

Requiring a two-thirds majority for Congress to increase taxes just doesn't make sense. For starters, it would risk the long-term solvency of Medicare and Social Security. It would also short-circuit our ability to produce balanced budgets and pay down the debt. Finally, it would undermine our efforts to enhance homeland security.

The Republicans' haughty talk about fiscal discipline is truly laughable. These Republicans who claim to be fiscally responsible are the same people who squandered our history-making surplus on a 1.3 trillion dollar tax cut. That tax cut, coupled with needed funding for the fight against terrorism, has plunged our nation into debt. And now they want to tie our hands with an ill-conceived constitutional amendment?

If the truth be known, the Republicans don't even need this amendment to make such a change. If they really want to require a two-thirds majority vote on raising taxes, they need only change the rules of the House. But that wouldn't be as flashy as a constitutional amendment. And it probably wouldn't fill up as much time, either.

What this House really needs is leadership. We need leaders who will respond to the needs of the American people, not puppets who do the bidding of giddy, right-wing conservatives. Leadership is what we need, but we clearly won't get it with this Republican majority. So let's go on with the charade, debate this dumb amendment, and vote it down as usual. No reason to get too excited about it; I'm sure it'll be back again next year.

Mr. BEREUTER. Mr. Speaker, this Member rises in principled and strong opposition to

H.J. Res. 96, the so-called "tax limitation amendment." Certainly it would be more politically expedient to simply go along and vote in support of a constitutional amendment requiring two-thirds approval by Congress for any tax increase. However, as a matter of principle and conscience, this Member cannot do that.

As this Member stated when a similar amendment was considered by the House in the past, there must be a very great burden of proof to deviate from the basic principle of our democracy—the principle of majority rule. Unfortunately, this Member does not believe the proposed amendment to the U.S. Constitution meets that standard.

This Member has too much respect for the Constitution, majority rule, and for deficit reduction to vote for this transparently political maneuver. A better answer is to elect more people who make the maximum effort to vote against tax increase and, where appropriate, vote for tax cuts. That's real tax relief, not phony gamesmanship. This Member would ask that the attached two editorials, from the Omaha World Herald, and the Washington Post, be included with this statement in the CONGRESSIONAL RECORD. These editorials support this Member's position on the same legislation which was introduced in the previous 104th Congress. The Washington Post editorial noted that this amendment is likely "to add to future deficits while disturbing the balance of powers and undercutting the democratic process by enshrining minority rule."

While this Member could not support this bill (H.J. Res. 96), there should be no question of his continued and enthusiastic support for a balanced budget and a constitutional amendment requiring it. Tax increase should not routinely be employed to achieve a balanced budget. That is why this Member supported the inclusion of a provision in the House Rules requiring a three-fifths majority vote to pass a tax increase during the previous 105th and the 104th Congresses and would do so again. This supermajority requirement was adopted on January 7, 1997. However, to go beyond such a rule change and amend the Constitution as proposed in the so-called Tax Limitation Amendment, is, in this Member's opinion, an unreasonable and dangerous action. A change in house rules, of course, is not the permanent straight-jacket that a constitutional change would be.

In conclusion, this Member will vote against H.J. Res. 96, the so-called "tax limitation amendment," as he has done in the past when this same legislation was debated on the House Floor.

[From the Omaha World Herald, Apr. 17, 1996]

GRANDSTANDING IN LIEU OF LEADERSHIP

The Republican push to make passage of tax increases more difficult was a shameless bit of election-year grandstanding.

GOP House members proposed adding to the Constitution an amendment requiring two-thirds majorities in the House and Senate in order to raise tax rates. An exception was built in for military emergencies.

In theory, the plan was to get the amendment through Congress with the required two-thirds majorities and then send it to the states. The amendment would be enacted if three-fourths of the state legislatures ratified it within seven years.

Supporters acknowledged that the measure was not likely to pass. But the vote—purposely scheduled for April 15, tax day—allowed them to classify congressmen as wimps or zealots on keeping tax rates down.

The amendment deserved to fail. It promoted a "save us from ourselves" gimmick as a replacement for leadership. It also would have allowed a majority of both houses to be overruled by one-third of the members, plus one, of either house. The Founders reserved such a supermajority requirement for rare instances, such as impeaching the president, overriding vetoes and ratifying treaties. But the raising of tax rates is a policy decision that should continue to be handled the way things ordinarily are in a representative democracy—that is, by majority rule.

This is not to say that raising tax rates should be easy. Indeed, when the House last year wrote a supermajority requirement into its rules, a World-Herald editorial acknowledged that there is room for reasonable disagreement on the question. We expressed the hope that the rule would lead to greater deliberation if a rate increase were proposed.

But changes in the Constitution shouldn't be necessary to get control of tax rates and spending levels. What is needed is more leadership from Congress and, in the current situation particularly, the White House. The job should be done by the people whom the voters have entrusted with making the tough calls on a bill-by-bill, program-by-program basis.

[From the Washington Post, Apr. 20, 1998]

... AND A TERRIBLE AMENDMENT

The House this week is scheduled to observe Tax Day a few days late by taking up a constitutional amendment requiring two-thirds votes of both houses to pass any bill raising federal revenue. It's bad idea that has been defeated before and deserves to be again. Supporters say it will lock in place what they regard as responsible fiscal policy. In fact, it would have the opposite result. Its likely effect would be to add to future deficits while disturbing the balance of powers and undercutting the democratic process by enshrining minority rule.

The country is about to enter an era of tight budgets. The prospect of a temporary surplus is in that sense particularly misleading. The cause will be demographic. The retirement of the baby boomers, beginning in fewer than 10 years, will both detract from revenues and add to costs. There will have to be benefit cuts, but there is no responsible way to deal with the problem just by cuts. Neither party would vote for such devastation, nor should it. Revenue increases also will be necessary; even then the country may have to shoulder additional debt.

This amendment would let one-third plus one of either house hold the country hostage in such circumstances. Who knows what the price of acquiescence in a revenue bill might be? It is not at all clear it would be the increased austerity the sponsors seek. An additional benefit here, a change in unrelated social policy there—those are the traditional coins for extracting extra votes. Does anyone seriously think that tradition will change?

The amendment would create a lopsided condition is still another respect. Taxes, against which it seeks to protect, are paid disproportionately by the better off. Benefits, which it would not protect, but put at greater risk, go largely to people when they are in need. The society is healthier because of these relatively modest shifts of income; the amendment would militate against them. It's a clumsy and unnecessary step in any number of wrong directions, and the House should vote it down.

Mr. BLUMENAUER. Mr. Speaker, for the second time in this 107th Congress, Republican leadership is bringing before the House this measure to amend the Constitution to re-

quire a super-majority vote to adopt tax increases. I continue to oppose this measure, which would simply provide greater obstacles for the Federal government to properly react to economic conditions. This amendment is fundamentally inconsistent with majority rule and would make it more difficult to react to the potential need to close corporate tax loopholes or to protect Social Security of Medicare.

This Congress needs to face current fiscal realities that have led to growing deficits. The President's tax cuts are compromising the government's ability to ensure security, fund domestic priorities, and honor our commitments to Social Security and Medicare, without burdening future generations with enormous debts. It is time for Congress to deal with the tax code and budget responsibly—not use the Constitution as a political prop.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise to oppose H.J. Res. 96, Tax Limitation Constitutional Amendment. There are three key points that are relevant to this constitutional amendment.

This Constitutional Amendment states that any bill changing the internal revenue laws will require approval by two-thirds of the Members of both the House and Senate.

A constitutional amendment must pass both houses of Congress by a 2/3 vote before it is passed onto the states for ratification.

Adoption of the 16th amendment in 1913 first allowed direct taxation of the American people by the federal government.

The underlying legislation of H.J. Res. 96, is an attempt to help the most well to do Americans through a constitutional amendment that limits the ability of Congress to raise taxes and cut deficits. It is no secret that this legislation is designed to disproportionately help the richest people in this country.

H.J. Res. 96 could make it difficult to maintain a balanced budget or to develop a responsible plan to restore Medicare or Social Security to long-term solvency. H.J. Res. 96 is a resolution proposing an amendment to the Constitution of the United States of America with respect to tax limitations, that would require any bill, resolution, or other legislative measure changing the internal revenue laws require for final adoption in each House the concurrence of two-thirds of the Members of that House voting and present, unless the bill is determined at the time of adoption, in a reasonable manner prescribed by law, not to increase the internal revenue by more than a de minimis amount.

By requiring a two-thirds supermajority to adopt certain legislation, H.J. Res. 96 diminishes the vote of every Member of the House and Senate, denying the seminal concept of "one person one vote". This fundamental democratic principle ensures that a small minority may not prevent passage of important legislation. This legislation presents a real danger to future balanced budgets and Medicare and Social Security.

Under H.J. Res. 96, it would be incredibly difficult obtaining the requisite two-thirds supermajority required to pass important, fiscally responsible deficit-reducing packages. And at a time in our history when the Baby Boomers are now retiring, H.J. Res. 96 could make it more difficult to increase Medicare premiums for those most able to pay their fair share of the bill, and could make it difficult balancing both Medicare and Social Security payroll taxes in the long term.

H.J. Res. 96 would make it nearly impossible to plug tax loopholes and eliminate corporate tax welfare, or even to increase tax enforcement against foreign corporations. H.J. Res. 96 would also make it nearly impossible to balance the budget, or develop a responsible plan to restore Medicare or Social Security to long-term financial solvency.

I am deeply troubled by the concept of divesting a Member of the full import of his or her vote. As Professor Samuel Thompson, one of this Nation's leading tax law authorities, observed at a 1997 House Judiciary Subcommittee hearing on the same proposal: "the core problem with this proposed Constitutional amendment is that it would give special interest groups the upper hand in the tax legislative process."

By requiring a supermajority to do something as basic as getting the money to run government, H.J. Res. 96 diminishes the power of a member's vote. It is a diminution. It is a disparagement. It is inappropriate, and the fact that this particular amendment has failed seven times in a row suggests that Congress knows it.

H.J. Res. 96 will also make it nearly impossible to eliminate tax loopholes, thereby locking in the current tax system at the time of ratification. The core problem with this proposed constitutional amendment is that it would give special interest groups the upper hand in the tax legislative process. Once a group of taxpayers receives either a planned or unplanned tax benefit with a simple majority vote of both Houses of Congress, the group will then be able to preserve the tax benefit with just a 34 percent vote of one House of Congress.

In addition, H.J. Res. 96 would make it inordinately difficult to make foreign corporations pay their fair share of taxes on income earned in this country. Congress would even be limited from changing the law to increase penalties against foreign multinationals that avoid U.S. taxes by claiming that profits earned in the U.S. were realized in offshore tax havens. Estimates of the costs of such tax dodges are also significant. An Internal Revenue Service Study estimated that foreign corporations cheated on their tax returns to the tune of \$30 billion per year.

Another definitional problem arises from the fact that it is unclear how and when the so-called "de minimis" increase is to be measured, particularly in the context of a roughly \$2 trillion annual budget. What if a bill resulted in increased revenues in years 1 and 2, but lower revenues thereafter? It is also unclear when the revenue impact is to be assessed, based off estimates prior to the bill's effective date, or subsequent determinations calculated many years out. Further, if a tax bill was retroactively found to be unconstitutional, the tax refund issues could present insurmountable logistical and budget problems.

I hope that my colleagues take seriously the path H.J. Res. 96 would lead us down were it to be adopted as is, therefore, I urge my colleagues to oppose H.J. Res. 96.

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

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

The SPEAKER pro tempore (Mr. ISAKSON). All time having been yielded, under House Resolution 439, an amendment in the nature of a substitute, if

printed in the CONGRESSIONAL RECORD and if offered by the minority leader or his designee, would be in order at this point. The Chair is aware of no qualifying amendment.

Pursuant to House Resolution 439, the previous question is ordered.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have not voted in the affirmative.

Mr. CHABOT. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 227, nays 178, not voting 29, as follows:

[Roll No. 225]

YEAS—227

Aderholt	Ehlers	Kennedy (MN)
Akin	Ehrlich	Kerns
Andrews	Emerson	King (NY)
Armey	English	Kingston
Bachus	Etheridge	Kirk
Baker	Everett	Knollenberg
Ballenger	Ferguson	Kolbe
Barcia	Flake	LaHood
Barr	Fletcher	Latham
Bartlett	Foley	LaTourette
Barton	Forbes	Leach
Bass	Fossella	Lewis (CA)
Berkley	Frelinghuysen	Lewis (KY)
Berry	Gallely	Linder
Biggert	Ganske	LoBiondo
Bilirakis	Gekas	Lucas (KY)
Bishop	Gibbons	Lucas (OK)
Blunt	Gilchrest	Maloney (CT)
Boehner	Giulman	Manzullo
Boonilla	Goode	McCarthy (NY)
Boozman	Goodlatte	McCollum
Boswell	Gordon	McCrery
Brady (TX)	Goss	McHugh
Brown (SC)	Graham	McInnis
Bryant	Granger	McIntyre
Burr	Graves	McKeon
Buyer	Green (WI)	Mica
Callahan	Greenwood	Miller, Dan
Calvert	Grucci	Miller, Gary
Camp	Gutknecht	Miller, Jeff
Cannon	Hall (TX)	Moran (KS)
Cantor	Hansen	Myrick
Capito	Harman	Nethercutt
Castle	Hart	Ney
Chabot	Hastings (WA)	Northup
Coble	Hayes	Norwood
Collins	Hayworth	Nussle
Condit	Hefley	Osborne
Cooksey	Herger	Ose
Cox	Hilleary	Otter
Cramer	Hobson	Oxley
Crane	Hoekstra	Pallone
Crenshaw	Horn	Paul
Cubin	Hulshof	Pence
Culberson	Hunter	Petri
Cunningham	Isakson	Phelps
Davis, Jo Ann	Issa	Pickering
Davis, Tom	Istook	Pitts
Deal	Jenkins	Platts
DeMint	Johnson (IL)	Pombo
Diaz-Balart	Johnson, Sam	Portman
Doolittle	Jones (NC)	Pryce (OH)
Duncan	Keller	Putnam
Dunn	Kelly	Radanovich

Ramstad	Shays	Thune
Regula	Sherwood	Tiahrt
Rehberg	Shimkus	Tiberi
Reynolds	Shows	Toomey
Riley	Shuster	Upton
Roemer	Simmons	Vitter
Rogers (KY)	Simpson	Walden
Rogers (MI)	Skeen	Walsh
Rohrabacher	Smith (MI)	Wamp
Ros-Lehtinen	Smith (NJ)	Watkins (OK)
Ross	Souder	Watts (OK)
Royce	Stearns	Weldon (FL)
Ryan (WI)	Stump	Weldon (PA)
Ryun (KS)	Sullivan	Weller
Sanchez	Sununu	Whitfield
Sandlin	Sweeney	Wicker
Saxton	Tancredo	Wilson (NM)
Schaffer	Tauzin	Wilson (SC)
Schrock	Taylor (MS)	Wolf
Sensenbrenner	Taylor (NC)	Young (AK)
Sessions	Terry	Young (FL)
Shadegg	Thornberry	

NAYS—178

Abercrombie	Hill	Morella
Ackerman	Hilliard	Murtha
Allen	Hinchee	Nadler
Baca	Hinojosa	Napolitano
Baird	Hoefel	Neal
Baldacci	Holden	Oberstar
Baldwin	Holt	Obey
Barrett	Hoolley	Olver
Becerra	Hostettler	Ortiz
Bentsen	Hoyer	Pascarell
Bereuter	Hyde	Pastor
Blumenauer	Inslee	Pelosi
Boehler	Israel	Pomeroy
Bonior	Jackson (IL)	Price (NC)
Borski	Jackson-Lee	Rahall
Boucher	(TX)	Rangel
Boyd	Jefferson	Rivers
Brady (PA)	John	Rodriguez
Brown (FL)	Johnson (CT)	Rothman
Brown (OH)	Johnson, E. B.	Roukema
Capps	Kanjorski	Roybal-Allard
Capuano	Kaptur	Rush
Carson (IN)	Kennedy (RI)	Sabo
Carson (OK)	Kildee	Sanders
Clay	Kilpatrick	Sawyer
Clement	Kind (WI)	Schakowsky
Clyburn	Kleczka	Schiff
Conyers	Kucinich	Scott
Costello	LaFalce	Serrano
Coyne	Lampson	Shaw
Crowley	Langevin	Sherman
Cummings	Lantos	Skelton
Davis (CA)	Larsen (WA)	Slaughter
Davis (FL)	Larson (CT)	Smith (WA)
Davis (IL)	Lee	Snyder
DeFazio	Levin	Spratt
DeGette	Lewis (GA)	Stark
Delahunt	Lipinski	Stenholm
DeLauro	Lofgren	Strickland
Deutsch	Lowe	Stupak
Dingell	Luther	Tanner
Doggett	Markey	Tauscher
Dooley	Mascara	Thomas
Doyle	Matheson	Thompson (CA)
Dreier	Matsui	Thompson (MS)
Edwards	McCarthy (MO)	Thurman
Engel	McDermott	Tierney
Eshoo	McGovern	Towns
Evans	McKinney	Turner
Farr	McNulty	Udall (CO)
Fattah	Meehan	Udall (NM)
Filner	Meek (FL)	Velazquez
Frank	Meeks (NY)	Visclosky
Frost	Millender-	Waters
Gephardt	McDonald	Watt (NC)
Gillmor	Miller, George	Weiner
Gonzalez	Mink	Woolsey
Green (TX)	Mollohan	Wu
Gutierrez	Moore	Wynn
Hastings (FL)	Moran (VA)	

NOT VOTING—29

Berman	Ford	Peterson (MN)
Blagojevich	Hall (OH)	Peterson (PA)
Bono	Honda	Quinn
Burton	Houghton	Reyes
Cardin	Jones (OH)	Smith (TX)
Chambliss	Lynch	Traficant
Clayton	Maloney (NY)	Watson (CA)
Combest	Menendez	Waxman
DeLay	Owens	Wexler
Dicks	Payne	

□ 2010

Messrs. McNULTY, HILL, WYNN, LARSON of Connecticut, and Mrs. ROUKEMA changed their vote from "yea" to "nay."

So, two-thirds not having voted in favor thereof, the joint resolution was not passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. CHAMBLISS. Mr. Speaker, on rollcall No. 225 I was inadvertently detained. Had I been present, I would have voted "yea."

Mr. PETERSON of Pennsylvania. Mr. Speaker, on rollcall No. 225 I was unavoidably detained. Had I been present, I would have voted "yea."

Mr. HONDA. Mr. Speaker, on rollcall No. 225, H.R. Res. 96—Constitutional Amendment Requiring a super majority vote to increase taxes, had I been present, I would have voted "nay."

Mr. FORD. Mr. Speaker, on rollcall No. 225, H.R. Res. 96—Proposing a tax limitation amendment to the constitution of the United States, had I been present, I would have voted "nay."

SUPPORTING RESPONSIBLE FATHERHOOD

Mr. OSBORNE. Mr. Speaker, I ask unanimous consent that the Committee on Education and the Workforce be discharged from further consideration of the resolution (H. Res. 442) supporting responsible fatherhood and encouraging greater involvement of fathers in the lives of their children, especially on Father's Day, and ask for its immediate consideration.

The Clerk read the title of the resolution.

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

Ms. CARSON of Indiana. Mr. Speaker, reserving the right to object, and I do not intend to object, I yield to the gentleman from Nebraska to explain the resolution.

Mr. OSBORNE. I thank the gentleman for yielding.

Mr. Speaker, as we approach the upcoming celebration of Father's Day this Sunday, June 16, I am pleased to have this opportunity to speak on behalf of this resolution before us on the importance of fatherhood in this country. H.R. 442, introduced by the gentleman from Oklahoma (Mr. SULLIVAN), urges all Americans to support responsible fatherhood and to encourage greater involvement of fathers in the lives of their children, especially on Father's Day.

Over 36 years in my last profession, I worked with a great many young men who were fatherless. I saw directly the results of that fatherlessness, because if your dad does not care enough to stick around sometimes, even to see what you look like, there is a void in your life and sometimes you try to fill

that void with all the wrong things. The number of children living in households without fathers has tripled over the last 40 years from just over 5 million in 1960 to almost 18 million today, which represents an increase of 350 percent. According to the National Fatherhood Initiative, 24 million children live without their biological fathers at the present time. Nearly one-half of our children will live at least part of their childhood without a father.

The problems associated with fatherlessness are far-reaching. The National Fatherhood Initiative cites numerous studies as it relates the following: a child living in a fatherless home is five times more likely to live in poverty than one who lives in a home with a father.

□ 2015

There is a much higher incidence of teenage pregnancy, suicide rates are much higher, they are two to three times more likely to commit a crime, much more likely to drop out of school, much more likely to get involved with drugs and alcohol, and I think, most importantly, and something that a lot of people miss, a fatherless daughter suffers just as much or more than a fatherless young man. It would appear that daughters are much more likely to be abused or assaulted if they do not have a father. A father acts as a protector for his daughter.

We need fathers to be active in their children's lives to instill values and act as role models. Fathers have a unique role to play in their children's lives to provide affirmation, affection and advice.

We have had a lot of conversation over the last several months about heroes. We hear the term quite often. I would like to point out another aspect, which I think has to do with persons being a hero.

Sometimes it is a person that gets up every morning and goes to work. It is a person who honors their marriage vows. It is a person who honors his commitment to his children. So, sometimes heroism is not something that is done in a moment of great danger, but it is something that is acted out on the stage of life over a long period of time.

We also would like to mention an anecdote here, which I think is accurate. This was kind of interesting. There was a chaplain who worked in a prison for men, and on Mother's Day the chaplain was asked by one of the inmates to get a card for Mother's Day. A greeting card company offered to provide several boxes of cards. So the word got around and nearly all of the inmates picked up a card and sent it to their mother on Mother's Day.

So they thought they would repeat the process on Father's Day. Father's Day came, they had a box of cards, and, strangely enough, according to this story, not one single inmate picked up a card to send to his father. The point was that probably in almost every case the father was absent, the father had abrogated his responsibility.

So I think on this particular occasion, when we look at our Nation, when we look at our Nation's future, if I could really ask for one thing, if I had one wish that could be granted, it would be that our fathers would fulfill their responsibility, that our fathers would be honored truly on Father's Day, because almost all of the social ills that we are looking at in our country today and all of the difficult things our young people are looking at really go back to the fact that our families are not intact, and particularly our fathers are not doing their job.

Mr. Speaker, I appreciate this opportunity.

Ms. CARSON of Indiana. Mr. Speaker, continuing my reservation of objection, let me say that, as you know, I introduced in the first session of this Congress H.R. 1300, the Responsible Fatherhood Act of 2001. It was legislation that sought to prescribe parameters for block grants to States and territories to implement at their option media campaigns promoting responsible fatherhood. It would have required the Secretary of Health and Human Services to contract with a nonprofit fatherhood promotion organization to develop and distribute media campaign literature that addressed the issue of responsible fatherhood to States, local governments, public agencies and private entities.

Although I have only been a Member of Congress going into my sixth year, annually I have sponsored a workshop for the Congressional Black Caucus weekend dealing with fatherhood and responsible fatherhood and responsible partnerships. My legislation would have developed a national clearinghouse to assist States in community efforts to promote and support responsible fatherhood by disseminating information under this media campaign.

I introduced also in the first session of the 107th Congress House Resolution 167, a resolution in support of fatherhood and in celebration of Father's Day.

This evening I am here, Mr. Speaker, to support H. Res. 442, which was authored by the gentleman from Oklahoma (Mr. SULLIVAN), on which my staff and his staff worked together to try to figure out how we could best solidify the two measures for the benefit of advancing legislation dealing with fatherhood and responsible fatherhood legislation.

I want to commend all of the responsible fathers who have worked laboriously to raise their children, along with their children's mothers, and who have provided college educations and lifetime opportunities for their children.

There are certainly countless numbers of men who have been engaged in responsible fatherhood and who have been an integral part of the well-being and growing up of their children, and now are involved in the lives of their grandchildren. I think they stand as beacons, as role models in terms of

what this country could in fact do for families if more fathers were responsible and accountable for their children.

My legislation that I offered in no way intended to insult the kind of participation that fathers have with their children. I recognize that there are situations, Mr. Speaker, where the father is unable to be at home in the same household with their children as their children grow up, but under my legislation we intend to try to connect children with their fathers in a very responsible way so that children can enjoy the benefits of having their fathers involved in their lives.

Approximately 50 percent of all children born in the United States spend at least half of their childhood in families without father figures. Three out of four adolescents in the United States report that they did not have adults in their lives that served as positive role models.

Children who are apart from their biological fathers are, in comparison to other children, five times more likely to live in poverty, more likely to bring weapons and drugs into the classroom, to commit other crimes, to drop out of school, to commit suicide, to abuse alcohol or drugs. Girls are inclined sometimes to become pregnant as teenagers.

The Federal Government spends billions of dollars to address social ills, and very little to promote responsible fatherhood. Child support is an important means by which a parent can take financial responsibility for a child, and emotional support is an important means by which a parent can take social responsibility for a child. It is important for the United States Congress as a body to promote responsible fatherhood and to encourage loving and healthy relationships between parents and their children in order to increase the chance that children will have two caring parents in their lives to help them grow up healthy, secure, responsible and accountable.

That is why I believe it is imperative, Mr. Speaker, that we do all that we can to ensure that every human being who is growing up to adulthood have access to two responsible parents in their lives and to ensure that fathers are not inhibited or prohibited through some archaic system from having active involvement in the well-being of their children.

Mr. Speaker, happy Father's Day again.

Mr. Speaker, continuing my reservation of objection, I yield to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Speaker, I simply want to add my voice to that of the gentleman and the gentlewoman in terms of raising the issue, as well as bringing to our attention the importance of fatherhood, especially as we approach Father's Day.

It just happens that in my Congressional district come Saturday we have a full day of activity that is designed to do nothing but promote responsible

fatherhood, beginning early in the morning and going all day. It is a wonderful activity. Many of the individuals we find are looking for ways to reconnect with families, to reestablish relationships with their children. They simply need a little facilitation and a little bit of help.

I think this kind of discussion, this kind of initiative, and this kind of action will go a long ways toward that.

Ms. CARSON of Indiana. Mr. Speaker, I thank the gentleman from Illinois for his comments.

Continuing my reservation of objection, I yield to the gentleman from Oklahoma (Mr. SULLIVAN), and I thank the gentleman for his partnership in this effort.

Mr. SULLIVAN. Mr. Speaker, I thank the gentlewoman for hers as well.

Mr. Speaker, I would like to thank the gentleman from Nebraska (Mr. OSBORNE). I liked what he had to say.

Mr. Speaker, I rise today to offer H. Res. 442, to honor fathers on Father's Day and commend them for enhancing the lives of their children.

Fathers play a critical role in the development of our youth. In addition to traditionally being the head of the household, these men must serve as both spiritual leaders and protectors of their families. Millions of men throughout this country effectively execute these duties each day. Their children, in return, learn to be confident and productive citizens.

Our active fathers rarely get the recognition they deserve. Many understand that they must not only raise a child physically, but must also meet the emotional needs of their kids. Above all, dads must instill a sense of morality and spirituality in the hearts of their children.

Every child deserves the love and attention of their father. This is a simple fact. But we know that simple is not always synonymous with easy. In the chaotic and increasingly busy world, it is important to understand and, more important, to demonstrate that children are their fathers' number one priority. My children, Tommy, Meredith and Sidney, are my number one priority.

The children of today are the promise of tomorrow. With that in mind, the role of our fathers must be to continue to raise a Nation of leaders. We must teach our children to have a sense of optimism about the future and what lies ahead. Their generation will be better than ours. It will build on our wisdom to produce a bright and prosperous world.

Mr. Speaker, tonight I ask my colleagues to join me as we renew our commitment to being good parents. I especially call upon fathers throughout the country to instill those values that will change the lives of children.

I urge my colleagues to join me in supporting this important piece of legislation.

Ms. CARSON of Indiana. Mr. Speaker, continuing my reservation of objec-

tion, I yield to the gentleman from Maryland (Mr. HOYER) for comments he may have in support of this effort.

Mr. HOYER. Mr. Speaker, I want to thank the gentleman from Oklahoma and the gentlewoman from Indiana for cosponsoring this resolution which expresses, I think, profound thoughts. We do not often express profound thoughts on the floor of this House.

Sunday will be Father's Day, and I will be blessed on Sunday. On Sunday two of my daughters, two of my granddaughters, and one of my grandsons will be at my house, and we are going to have a wonderful time. They are coming on Saturday. They will spend the night there. We will have a good time Saturday night and have dinner together.

My oldest daughter, who lives in Illinois, will not be there, but we will talk on Sunday. She will call and she will say, "Dad, I love you, and I wish you a happy Father's Day," and nothing better will happen to me that day or any day. We lost Mom 5 years ago. Mother's Day was a special day at our house as well.

This resolution, as I say, articulates profound thoughts. As I was in the cloakroom, I heard the gentleman from Nebraska (Mr. OSBORNE) speaking. TOM OSBORNE is a special person in this body. Few of us, perhaps maybe none, have had the opportunity to be a father figure, not necessarily a biological father, obviously, but a father figure, someone to whom young men looked for guidance, for discipline, for direction, and for a sense of responsibility.

TOM OSBORNE, as all of us know, is one of the great football coaches in the history of America. So it was appropriate that he spoke and leads the effort on this resolution, because I know an awful lot of young men who perhaps did not have a dad at home, or did not have a dad that cared as much about them as we would have hoped he would have, looked to TOM OSBORNE for the growing of character that a father ought to give a son or a daughter.

□ 2030

So I congratulate the gentleman from Nebraska (Mr. OSBORNE) for the literally scores, hundreds, of young men, whose lives you have made a difference in.

Mr. Speaker, on page 2 of this resolution it says something very important: "Whereas, the promotion of responsible fatherhood should not, 1, denigrate the standing and parenting efforts of single mothers whose efforts are heroic."

That is so true. I know the gentlewoman from Indiana knows that to be the case. Young women, middle-aged women whose partners, in producing the greatest blessing of life, a child, do not participate in the raising of that child. This resolution says that not only is that good for the fathers, but it is absolutely critical for the children. Study after study shows us that there is nothing better for a child in the world than a stable family, than two

parents caring for that child and giving that child direction.

It goes on to say that “this does not in any way lessen the protection of children from abusive parents.” What a tragedy, that God gives to some a child, and they abuse that child and abuse that gift. “Or cause women to remain in or enter into abusive relationships.” Some of us know about that, and it is appropriate that we say that, that certainly a two-parent family that creates an abusive relationship is not a relationship in which children ought to be raised. It is a serious problem confronting our society; and as we consider this resolution, we look to the “responsible” in the reference to “fatherhood,” responsible towards the child and responsible towards the mom.

Lastly, it says that “we do not want to compromise the health and safety of a custodial parent.”

I rise in support of this resolution because of its importance. We can appropriate all the money we want; we can have all the programs we want; we can have Head Start, we can have Chapter 1; we can have the CHIP program for child health; we can do all of those things, and nothing, nothing, nothing will be important, as important as two parents caring for that child they brought into this world.

I doubt, and I hope there is not a parent in this body or in this country that can hear the ballad that is so poignant, so compelling, the “Cats in the Cradle.” Those of my colleagues who remember the “Cats in the Cradle” song about the young man, the young man who asked dad to go out and play ball, the young man who asked dad to read the book, the young man who asked dad to spend a little bit of time with him. Dad is too busy. Dad is probably like some of us. He thinks things are too important, and he will be with his son a little later. And of course as that song continues, as my colleagues will recall, the dad gets older, the son gets older, and the dad says to the son, son, let us spend some time together. Of course by that time the son, like his dad when he was his age, has become preoccupied.

For those of us who have lived for some period of time who were very active when our children were young, who thought our lives were very important then, we perhaps look back and lament that we did not spend the time with our children that we should have. It is important not only that all of us urge fathers to be responsible, urge them to be engaged, but as well to urge ourselves to be the best possible parents we can, for nothing, nothing can be more positive for this country than that.

Mr. Speaker, I stand here tonight in support of House Resolution 442 which calls upon fathers around the country to use this Father's Day to reconnect and rededicate themselves to their children's lives.

This coming Sunday, June 16th, 2002, millions of Americans will celebrate Father's Day.

As a nation we set aside this day to recognize the tremendous impact that fathers have

on the lives of children, as well as the stability of families.

As the father of three lovely and intelligent women, I know first hand the remarkable challenge, work and dedication it requires to be a good father.

It is through fatherhood that I live my most valued, joyful and reward moments.

On Father's Day, I would like to commend those who have fulfilled their responsibility as a father by providing materially for their families, as well as playing vital roles in the lives of their children, such as nurturer, moral instructor and mentor.

However, it is important for our society to take note that many children will face a void on Father's Day because they have no one with which to celebrate the occasion.

Today, an estimated 17 million children are living in households without a father. This makes the United States the world leader in fatherless families.

Children, on average, achieve more when they have involved, responsible, and committed fathers. A study released in May 2001, by the U.S. Department of Education, clearly shows how a father's active involvement in their child's education is particularly important for academic achievement, as measured by receiving mostly A grades and not having to repeat a grade.

In fact, research shows that children with absentee fathers are twice as likely to drop out of school, to commit a crime and to abuse alcohol and drugs. And, they have a five times greater chance of living in poverty and are more likely to become pregnant as a teenager.

The social implications of this reality are staggering. Action is needed to stop these vicious cycles of poverty and teen pregnancy.

I believe it is important to reinforce the values that all Americans share: hard work, self-discipline, and personal and family responsibility.

I support meaningful legislation that will help make both parents responsible for taking care of their children, such as improvements to the interstate enforcement of child support, as well as media awareness campaigns to promote responsible fatherhood skills.

It is important for society to send a clear and strong message to parents—especially teenage parents—that they must be responsible for their children—and I will continue to support and promote such initiatives.

It is my great pleasure to stand here tonight with my colleagues to reinforce the importance of responsible parenting and to commend fathers who have had a positive and lasting influence on the lives of their children.

Ms. CARSON of Indiana. Mr. Speaker, continuing under my reservation of objection, let me thank the gentleman very much for those very vital points that the gentleman inserted into this dialogue. It forces us to rethink our position in terms of the configuration of the family when we reflect on 9/11, as responsible fathers went to work to ensure that their families had economic well-being, only to be interrupted in terms of their life and being unable to go back.

So when we talk about fatherhood and partnerships and responsible fatherhood, we do consider that there are circumstances beyond the control of the biological father which would pro-

pel us into action to ensure that children do, in fact, have a connection with a responsible fatherhood figure, if you will, in their lives.

Mr. Speaker, under my reservation of objection, I yield to the gentleman from Oklahoma (Mr. WATKINS).

Mr. WATKINS of Oklahoma. Mr. Speaker, I thank the gentlewoman for yielding me this time, and I appreciate her allotting me the time to say a few words on this, I think, very important issue. I want to say a special thanks to the gentleman from Oklahoma (Mr. SULLIVAN) and also to the gentleman from Nebraska (Mr. OSBORNE), who has been a tremendous role model and friend, who understands the need to have a role model and, truly, the gentleman from Nebraska has been a role model for many young men.

I, like many others, have lived trying to make sure, trying to be the kind of father that my children would like. I was raised in a broken home, and there were lots of nights I went to bed thinking about, hoping and praying that God would let me be a father one of these days and maybe I could be a father to my children and also my grandchildren, because I do know the meaning. My mother raised me outside of a small farming community of less than 200 population, and I always look back and think how my mom, as a single parent, how she did it. We all worked. We all worked three part-time jobs and we were able to make it. But that small town was like a father, so to speak. It just consumes itself in trying to make sure that we as young people followed certain standards and values, et cetera; and I am just thankful to have been raised in that small community.

But I would like for my colleagues to know that I lay awake at night and I wonder how in the world do we save the inner city kids? How do we save those kids who many of them do not know who their father is? Sometimes they do not know either parent, and they find there is no role model. I know the gentleman from Nebraska (Mr. OSBORNE) and I have talked about role models. I think each and every one of us in life is a role model in one way or the other, one way or the other. I think it behooves us to try to get that message across, that we are responsible to try to help raise the children in some way so that they can be responsible and so that they can enter their fatherhood somewhere along the way.

As the gentleman from Maryland was talking about, statistics prove it out. I know I have been on the selection team of the top 10 students at Oklahoma State University for about 15 years; and over that period of time, it has been amazing to me to see the outstanding students, and most of them had both parents. Let me say this to any young person who may come from a broken home, a divorced home, you can use it as an excuse, or you can use it as a building stone, a stepping stone. Because it is easy for us to say, well,

because I did not have a parent is the reason why I did not do this or maybe I turned out bad.

I am so thankful that the good Lord blessed me along the way. I stand in support of H. Res. 442, because I think we cannot do too much in trying to reach a lot of people and trying to make sure we provide for them that opportunity to be a father and be a role model as a father.

So I thank the gentlewoman from Indiana (Ms. CARSON) and the gentleman from Oklahoma (Mr. SULLIVAN) and especially my friend, the gentleman from Nebraska (Mr. OSBORNE), who I am just thankful that he will be coming to Oklahoma to be the presenter for my entry into the Oklahoma Hall of Fame; and I really and sincerely mean that, because as I have told my friend, as the Nebraska coach, we owe him a whole lot. I really want him to come because I want the people of Oklahoma to know the gentleman from Nebraska (Mr. OSBORNE) whom I have grown to love and respect as a fellow human being. But to the gentleman from Nebraska, we thank him so much for being part of our family here. I want to thank the gentleman from Oklahoma (Mr. SULLIVAN) and look forward to having him in Oklahoma. I thank the gentleman for what he has meant to the delegation in bringing this to our attention.

As I go through life, and as some here know, I am going home after this year, and people ask me what I am going to do, and I say I am going home to try to be the best father I can be, to be a papa, and to make memories.

Ms. CARSON of Indiana. Mr. Speaker, continuing my reservation of objection, I thank the gentleman from Oklahoma (Mr. WATKINS).

I too want to add accolades to the gentleman from Nebraska (Mr. OSBORNE) and certainly for the kind words from the gentleman from Oklahoma (Mr. WATKINS) and also to the gentleman from Maryland (Mr. HOYER) and the gentleman from Illinois (Mr. DAVIS).

As we continue this dialogue in terms of these measures that are before us, I think that the gentleman from Oklahoma (Mr. WATKINS) brought up a very valuable point, and I want to insert a very invaluable point, I believe. All children in the inner city are not the stereotypical kind that one would believe. I myself came from an urban area and was born to a teen-age single mother, and the gentleman from Oklahoma (Mr. WATKINS) made a good point that people can make choices about what it is that they want to be, and it is kind of difficult for us to muscle ourselves through life being branded as bastards, illegitimate, and coming from inner city areas. When you look back at some of the national episodes that occurred perpetuated by children that came from two-parent families, I think we have to stress the importance of building on the morals of an individual rather than classifying an individual by environment or by neighbor-

hood or by all of these other systemic kinds of situations.

Continuing to reserve my right to object, I yield to the gentleman from Indiana (Mr. PENCE), whose oratory is almost as good as mine, but it is a joy to have him in the delegation. I was just with him the other night at a dinner. He would not want anybody to know that, but I have to tell that, and I do have a lot of appreciation for the good work that my colleague, the gentleman from Indiana (Mr. PENCE), does; and it is a pleasure to yield to him.

Mr. PENCE. Mr. Speaker, I thank the gentleman for yielding and for those kind words and, more to the point, for her original sponsorship of this important resolution tonight and to its author, one of the newest Members of this institution, the gentleman from Oklahoma (Mr. SULLIVAN), who has already begun to make a tremendous impression on all of his colleagues on issues important to the family. And to the gentleman from Nebraska (Mr. OSBORNE), my thanks to him for his leadership on this issue as well.

My father was Ed Pence, who raised a family of four boys and two girls that were the passion of his life until he passed away in 1988 at the young age of 58, leaving all of us to this day heartbroken. And let me say that my father was tough as a father with a drill instructor background. He was at times completely unfair. His punishments were unjustifiable and without appeal, but my father was there, and that privilege for me is one of the greatest evidences of God's grace in my life. And my father's presence in my life and the lives of my brothers and sisters I have tried to emulate and replicate in the lives of Michael and Charlotte and Audrey who sit at our home at this hour watching this important conversation. It is one of the sublime privileges of my life to be their daddy and to try to live up to the high standards of my father. But it was a standard that was set simply by the idea that we really celebrate tonight in the gentleman from Oklahoma's resolution, and that is it is about being there for dads.

Sometimes I wonder in my heart if in the sitcom culture that we have invented today we have not raised the bar too high for fathers, creating some standard where if dad is not there at the end of the day at school talking through every single problem conversation that their child had that somehow that father is not living up to the modern standard of a touchy-feely dad.

□ 2045

Today in this resolution we simply call on fathers to reconnect; to be promise-keepers, to live out the commitment that is not just biological but begins there and remains spiritual and relational through their lives.

Fatherlessness, as the gentleman from Nebraska said, is an epidemic in America. Forty percent of children who live in fatherless households in the

United States have not seen their fathers in a year. Fifty percent of such children have never visited their father's homes. Nearly four out of 10 children born in America today are born in homes where their father will never live. It breaks my heart.

But I think that the leadership that the gentlewoman from Indiana (Ms. CARSON) is providing on this issue tonight is even more important, because if fatherlessness is an epidemic in America as a whole, it breaks my heart to say that in the last 25 years, fatherlessness has become a crisis in black America; that, for whatever reasons, whether they are a consequence of social welfare policies or trends or urbanization, black America, and particularly black American young men, have been growing up increasingly in a generation without their fathers at home. Six out of 10 black Americans today will be born and raised in a home where their fathers are not present, and it breaks my heart.

When we look at the statistics of what happens when dad is not around, children are five times more likely to end their lives in poverty, multiple times to become involved in crime and drugs and premarital sex and gang violence.

We must today come together, Christians and Jews, people of every race and every creed and every background and every party in this country, and declare war on fatherlessness, because it is, as the gentleman from Maryland (Mr. HOYER) said with great passion and eloquence a moment ago, it is something about which the survival of our Nation is tied up.

With this I close. The Bible talks of a time of renewal in the world, when the hearts of the fathers would be turned back to their children. It seems to me that the resolution offered tonight by the gentleman from Oklahoma (Mr. SULLIVAN), by the gentlewoman from Indiana (Ms. CARSON), and the gentleman from Nebraska (Mr. OSBORNE), is all about doing just that, in whatever small way we can in this institution to do our part to turn the hearts of the fathers of America back to their children; to sear their consciences as this Father's Day approaches, and maybe even begin the process in this place of turning Father's Day not into a day where you get a new pair of slippers, a new subscription to Sports Illustrated, some new homemade chiseled gifts and nailed boards, but maybe it is a day when fathers do not receive but they decide to give.

Those of us who have the privilege to call ourselves fathers or to be called daddy by somebody special in the world will recognize this holiday as a day when we can renew, as the gentleman from Oklahoma (Mr. SULLIVAN) suggests, renew and reconnect and rededicate ourselves to our children's lives.

Again, I commend the gentlewoman from Indiana for her passion, her leadership, her testimony, and the gentleman from Oklahoma (Mr. SULLIVAN).

Ms. CARSON of Indiana. Continuing to reserve my right to object, Mr. Speaker, I thank the gentleman from Indiana very much for his input, and I yield to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the distinguished gentlewoman from Indiana for her early and constant leadership on this issue, and the gentleman from Oklahoma (Mr. SULLIVAN) for his leadership on this issue.

Two reasons, or more than two reasons, I rise to support this resolution: First of all, to pay tribute to America's fathers, many of whom are serving in the front lines of our war against terrorism, many of whom will not be with their children on Father's Day because of that.

I also would like to acknowledge my father, my late father, Ezra C. Jackson, who certainly represented a major force in my life; and then to pay tribute to my husband, Dr. Elwyn C. Lee, who plays a major role, not only in his children's lives, but that of his community.

That is why this resolution is so vital, because it emphasizes the importance and the very vitality of a man's love for his children. It indicates that that steady hand is needed, and the resolution calls for action. It literally asks fathers, wherever they may be, whether they are united with their families or they are not, it asks fathers to make an effort to be united with their children on Father's Day, and for the children to make an effort to be united with their fathers.

It is well known that this resolution also says that 40 percent of children who live in fatherless households in the United States have not seen their fathers in at least 1 year, and 50 percent of such children have never visited their father's homes.

As chair of the Congressional Children's Caucus, I see the poverty of children. When I see that, I am not only talking about the physical poverty, the financial poverty, but also the spiritual and social poverty of children; that when children do not have the steady hand of the dad, we can see the difference; that firm hand, that hand that either plays the local sports, that sits on the front row of that school ceremony, that visits that teacher, that waves you off to school.

There is something about the bonding between father and child, girl or boy, and I am gratified that this House would rise today on the eve of Father's Day to be able to acknowledge the importance of Father's Day.

I am affiliated with an effort called the U.S. Dream Academy. Senator ORRIN HATCH and the gentlewoman from Maryland (Mrs. MORELLA), Senator HILLARY CLINTON, Senator CORZINE, and many others have offered their support for this operation sponsored by Wintley Phipps. The idea of it is to work with children of incarcerated parents, those parents that are in prison.

What they have determined is that a child whose parent is in prison, and in particular, in many instances, it is the male parent, that child is doomed to the cycle of incarceration or imprisonment. The father, again, not in their lives. In many instances, this effort is to boost the child's self-esteem, but also to find ways to ensure that if there can be a relationship, even with that incarcerated parent, and there can be a support system on the outside that bolsters that child's ability to achieve, it is an important program.

This resolution applauds such efforts to create the opportunity for parent and child to be together, and that is for children to be with their parents. It promotes responsible fatherhood, so that fatherhood or the idea of being a father would not denigrate the standing or parenting efforts of single mothers whose efforts are heroic.

We are not trying to condemn or to criticize those individuals who have to raise their children alone, but we are saying to the fathers, wherever they are, they can make a holistic family by coming to those children and raising themselves up as a person to be admired, respected, and someone who wants to nurture and love their children.

We believe, of course, that putting fathers in the lives of children does not condone being abusive. We know there are circumstances where we must separate the children from the family; and, as well, we do not want to keep children or families, rather, or women in abusive relationships. That is not the intent of this resolution. Nor do we want to compromise the health or the safety of a custodial parent. Many times there are restraining orders.

To put all of that aside, we are not attempting to change situations where there is any jeopardy, but what we are saying is that in this Father's Day, this third Sunday in June, we want to make sure that children and fathers have an opportunity to come together.

So we urge in this resolution an understanding, we urge in this resolution love, we urge in this resolution bonding and friendship. I might simply say that we as a Nation understood the principles of motherhood and fatherhood; we have Mother's Day, we have Father's Day. We understand the toiling and the hard work.

We made efforts to ensure that when we built towns to the West, when we said, go west, young man and young woman, we would put together towns around families. The first thing that would be built would be the little schoolhouse.

We even know that the tragedy of slavery unfortunately undermined family systems. There was a great impact on that. We have to continue to mend that psychological crack, if you will. In all of that, we have come full circle to understand the value of fatherhood.

So, Mr. Speaker, I am very honored to join the leaders of this resolution. Again, I want to add my accolades to

the gentlewoman from Indiana (Ms. CARSON), because she has been preaching this unity, this message about fatherhood, for many, many years. I am just delighted that she has brought this message to the United States Congress to be able to not only honor our fathers, to pay tribute to them, but also to challenge them to find their children, wherever they might be, and bring them close to them, and they will find great reward in the idea of fatherhood, both for themselves and for their children.

Ms. CARSON of Indiana. Continuing to reserve my right to object, Mr. Speaker, certainly I would like to do a premature congratulations to Alex Nock, who has worked very hard with the staff, and who in October will become a father. So I want to be the first one to tell him congratulations, and certainly to Ms. Nock. We look forward to this explosion of the population, and for him to move into the role that he has so aptly described in this resolution, along with the gentleman from Oklahoma (Mr. SULLIVAN).

Continuing to reserve my right to object, Mr. Speaker, I yield to the gentleman from Minnesota (Mr. KENNEDY).

Mr. KENNEDY of Minnesota. Mr. Speaker, I thank the gentlewoman from Indiana for yielding to me, and I thank and commend the gentleman from Oklahoma (Mr. SULLIVAN) for bringing this, along with the gentlewoman from Indiana, to our attention and to the floor. I would recognize also the gentleman from Nebraska (Mr. OSBORNE) for his leadership on this very important issue.

Mr. Speaker, we have many titles, many things we are called over the course of our lives. During school we have a lot of nicknames, and during my time in business I had a lot of fancy titles, and today we are called Congressmen or Congresswomen. But there is nothing more important than to be called "dad." It is the most important title that I have.

I have had the opportunity to invest in many things that are valuable to me, whether it be my home, buying a car every now and then, or other things. But as my father would always say, my assets sit around the table, and they are the most important, most valuable things that we have.

We have many jobs. I have had many jobs in my life during my 20-year career in business, and I have an important job here serving the people in the Second District of Minnesota.

But there is no more important job that I have, no more important job that any father has, than in being a father to their children. That is really what this resolution talks about, is the importance of that, and the need to really reach out and honor that, thank those that do a good job, and encourage those fathers out there to take a more active role in their lives.

I have had the example in my life, as many have, and unfortunately, some have not, of having a great father to

guide me in this path. I can fondly remember the nights when he would tuck me in at night and come over to my bed and say my prayers.

Every night when I am home, which in our role is not often enough, but I always try to take time at the end of the night to go to each child's bedroom, and I am very blessed to have four children, along with my wife, Debbie, and spend time with them talking about their day, saying our prayers, giving them the sign of the cross on their forehead to keep them safe through the night and keep them strong in their faith, and help them grow in their lives.

□ 2100

But there are 24 million kids that do not have a father to come and talk to them at night or during the day or anytime. And it is those that we really our hearts go out to them and we should do everything we can to support them in our own way in role models. But the best thing that could happen for them is if their father was more involved. And that is what we are trying to do today, to encourage current fathers and future fathers to play a very important role in their children's lives.

As we celebrate Father's Day, we want to encourage them to remember, all fathers to remember that they have a role not just in bringing your child to life, but in teaching them, teaching them and working with them in their school work, working with them in terms of imparting your faith with them, working with them in helping them learn how to play sports, how to deal with some of the tough issues they face in life and dealing with young kids in their challenges that are giving them a hard time and sharing their stories as the struggles you went through.

So I would just commend and thank all fathers who are doing that today and commend them to redouble their efforts. I would encourage fathers that maybe have not really focused on that as much to really make a resolution this Father's Day to do that more. And I would also speak to the young men of the world that are not yet fathers to say, listen, if you are going to do that, you ought to take that act responsibly and you ought to have a commitment to those children that you bring into this world to bring them up as someone that you would be as happy to say that this is someone I have invested a lot of my life in and I am very pleased how they turned out.

So thanks to the fathers. Thanks again to the gentlewoman from Indiana (Ms. CARSON). Thanks to the gentleman from Oklahoma (Mr. SULLIVAN) for bringing this forward, as well as to the gentleman from Nebraska (Mr. OSBORNE).

Ms. CARSON of Indiana. Mr. Speaker, further reserving the right to object, I thank the gentleman from Minnesota (Mr. KENNEDY). Let me say before I release my right to object, to the

coach, the gentleman from Nebraska (Mr. OSBORNE), in particular, because I know what an impact coaches have on the lives of young men, and even though I do not know the gentleman personally, I have observed him, and just his style suggests that he has touched many lives of young people who have been guided in a very positive way.

In Indiana we have Coach Dungy, who is head of the coaches, who is an incredible father himself to his biological children. But he has reached out and embraced other children who did not have the benefit of having the love of a father that he gives to his children. We have Mike Davis, an incredible coach at Indiana University, who has reached out and embraced other children who did not have the benefit of a personal father in their own life.

We have Emil, who just left to coach and went to the Oakland Raiders, who has created an incredible program for the benefit of children, particularly young men who did not have fathers. We have Tim Harris, who is a millionaire, African American, all of the men I have mentioned, African American men who are reaching out doing what they can do for the benefit of young men who are not so fortunate to have a father in their home. But to coaches in particular, they do have a very special segment in the lives of kids.

Mr. Speaker, I just wanted to tell the gentleman how much I appreciate him and the many numerous lives that he has touched along the way in his profession.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the resolution, as follows:

H. RES. 442

Whereas 40 percent of children who live in fatherless households in the United States have not seen their fathers in at least 1 year, and 50 percent of such children have never visited their fathers' homes;

Whereas approximately 50 percent of all children born in the United States spend at least half of their childhood in families without father figures;

Whereas 3 out of 4 adolescents in the United States report that they do not have adults in their lives that serve as positive role models;

Whereas children who are apart from their biological fathers are, in comparison to other children, 5 times more likely to live in poverty, and more likely to bring weapons and drugs into the classroom, commit other crimes, drop out of school, commit suicide, abuse alcohol or drugs, and become pregnant as teenagers;

Whereas the Federal Government spends billions of dollars to address these social ills and very little to promote responsible fatherhood;

Whereas the promotion of responsible fatherhood should not—

(1) denigrate the standing or parenting efforts of single mothers, whose efforts are heroic;

(2) lessen the protection of children from abusive parents;

(3) cause women to remain in, or enter into, abusive relationships; or

(4) compromise the health or safety of a custodial parent;

Whereas children with fathers at home tend to do better in school, to be less prone to depression, and to have more successful relationships;

Whereas boys and girls alike demonstrate greater self-control and ability to take initiative when fathers are actively involved in their upbringing;

Whereas promoting responsible fatherhood can help increase the chances that children will grow up with two caring parents;

Whereas a broad array of America's leading family and child-development experts agree that it is in the best interests of children, and the Nation as a whole, to encourage more two-parent, father-involved families;

Whereas in a study of fathers' interaction with their children in intact two-parent families, nearly 90 percent of the fathers surveyed said that being a father is the most fulfilling role a man can have;

Whereas according to a 1996 Gallup poll, 90.3 percent of Americans agree that fathers make a unique contribution to their children's lives;

Whereas married fathers are more likely to have a close, enduring relationship with their children than unmarried fathers;

Whereas the promotion of responsible fatherhood is a bipartisan issue; and

Whereas Father's Day is the third Sunday in June: Now, therefore, be it

Resolved, That the House of Representatives—

(1) urges men to understand the level of responsibility fathering a child requires, especially in the encouragement of the academic, moral, and spiritual development of children;

(2) recognizes the need to encourage active involvement of fathers in the rearing and development of their children;

(3) encourages each father to devote time, energy, and resources to his children, recognizing that children need not only material support, but even more importantly, a secure and nurturing family environment;

(4) commends the millions of fathers who serve as wonderful, caring parents for their children, while also recognizing that there are children who will have no one with whom to celebrate on Father's Day;

(5) urges mothers to encourage fathers to play an active role in child-rearing;

(6) calls on fathers across the Nation to use Father's Day to reconnect and rededicate themselves to their children's lives, to spend Father's Day with their children, and to express their love and support for their children; and

(7) urges American institutions, and government entities at every level, to promote public policies that encourage and support the efforts of, and remove barriers to, responsible fatherhood.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. OSBORNE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Res. 442.

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

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

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

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

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

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

INITIAL SCOPE AND SUPPLEMENTAL RULES FOR THE JOINT INQUIRY BEING CONDUCTED BY THE HOUSE PERMANENT SELECT COMMITTEE ON INTELLIGENCE AND THE SENATE SELECT COMMITTEE ON INTELLIGENCE

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

Mr. GOSS. Mr. Speaker, I ask that the initial scope and the supplemental rules for the Joint Inquiry being conducted by the House Permanent Select Committee on Intelligence and the Senate Select Committee on Intelligence be published in the CONGRESSIONAL RECORD. Both the Joint Inquiry's initial scope and its supplemental procedural rules were adopted by the full membership of HPSCI and SSCI.

PREAMBLE

To reduce the risk of future terrorist attacks; to honor the memories of the victims of the September 11 terrorist attacks by conducting a thorough search for facts to answer the many questions that their families and many Americans have raised; and to lay a basis for assessing the accountability of institutions and officials of government:

THE SENATE SELECT COMMITTEE ON INTELLIGENCE

AND

HOUSE PERMANENT SELECT COMMITTEE ON INTELLIGENCE

ADOPT THIS

INITIAL SCOPE OF JOINT INQUIRY

Pursuant to section 5(a)(1) of Senate Resolution 400, 94th Congress, Rule 6 of the Rules of Procedure of the Senate Select Committee on Intelligence, Rule XI(1)(b) of the Rules of the House of Representatives, and Rule 9 of the Rules of Procedure of the House Permanent Select Committee on Intelligence, the two Committees have authorized an investigation, to be conducted as a Joint Inquiry, into the Intelligence Community's activities before and after the September 11, 2001 terrorist attacks on the United States. The Committees have undertaken this Joint Inquiry pursuant to their responsibility to oversee and make continuing studies of the intelligence activities and programs of the United States Government and all other authority vested in the Committees.

The purpose of this Joint Inquiry is—

(a) to conduct an investigation into, and study of, all matters that may have any tendency to reveal the full facts about—

(1) the evolution of the international terrorist threat to the United States, the response of the United States Government including that of the Intelligence Community to international terrorism, from the creation of the Director of Central Intelligence's Counterterrorist Center in 1986 to the present, and what the Intelligence Community had, has, or should have learned from all sources of information, including any terrorist attacks or attempted ones, about the international terrorist threat to the United States;

(2) what the Intelligence Community knew prior to September 11 about the scope and nature of any possible attacks against the United States or United States interests by international terrorists, including by any of the hijackers or their associates, and what was done with that information;

(3) what the Intelligence Community has learned since the events of September 11 about the persons associated with those events, and whether any of that information suggests actions that could or should have been taken to learn of, or prevent, those events;

(4) whether any information developed before or after September 11 indicates systemic problems that may have impeded the Intelligence Community from learning of or preventing the attacks in advance, or that, if remedied, could help the Community identify and prevent such attacks in the future;

(5) how and to what degree the elements of the Intelligence Community have interacted with each other, as well as other parts of federal, state, and local governments with respect to identifying, tracking, assessing, and coping with international terrorist threats; as well as biological, chemical, radiological, or nuclear threats, whatever their source (such as the Anthrax attack of 2001).

(6) the ways in which the Intelligence Community's responses to past intelligence problems and challenges, whether or not related to international terrorism, have affected its counterterrorism efforts; and

(7) any other information that would enable the Joint Inquiry, and the Committees in the performance of their continuing responsibilities, to make such recommendations, including recommendations for new or amended legislation and any administrative or structural changes, or other actions, as they determine to be necessary or desirable to improve the ability of the Intelligence Community to learn of, and prevent, future international terrorist attacks; and

(b) to fulfill the Constitutional oversight and informing functions of the Congress with regard to the matters examined in the Joint Inquiry.

HOUSE PERMANENT SELECT COMMITTEE ON INTELLIGENCE SUPPLEMENTAL JOINT INQUIRY RULES

In connection with the Joint Inquiry with the Senate Select Committee on Intelligence into the events of September 11, 2001, authorized by the House Permanent Select Committee on Intelligence ("HPSCI") pursuant to Rule XI(1)(b) of the Rules of the House of Representatives and Rule 9 of HPSCI's Rules of Procedure, and pursuant to Rule XI(2)(a) of the Rules of the House of Representatives, HPSCI adopts the following Joint Inquiry Rules to supplement HPSCI's Rules for purposes of the Joint Inquiry only:

JOINT INQUIRY RULE 1. JOINT PROCEEDINGS

1.1. HPSCI may conduct hearings jointly with the Senate Select Committee on Intelligence. All joint hearings shall be considered hearings of both Committees.

1.2. The Rules of Procedure of HPSCI and the Senate Select Committee on Intelligence

shall apply in all hearings and other proceedings of this Joint Inquiry, except where superseded by these Joint Inquiry Rules, provided that, at any joint hearing, if any rules of the two Committees are inconsistent, the rules of that Committee whose Chairman or his designee is presiding shall apply.

1.3. For the purposes of the proceedings of this Joint Inquiry, all employees on the staff of either Committee working on the Joint Inquiry shall be considered to be acting on behalf of both Committees.

JOINT INQUIRY RULE 2. HEARINGS

2.1. All testimony at hearings shall be taken under oath or affirmation.

JOINT INQUIRY RULE 3. DEPOSITIONS

3.1. All testimony taken, and all documents, records, or other materials produced, at a deposition of the Senate Select Committee on Intelligence shall be considered part of the record of both Committees.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

HONORING MARTIN AND GRACIA BURNHAM

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

Mr. TIAHRT. Mr. Speaker, I humbly stand before you today to honor Martin and Gracia Burnham, who are pictured here in a photograph from over a year ago.

Today is the day I had been looking forward to for over a year, a day when I could finally tell you that Martin and Gracia Burnham are no longer being held hostage by Muslim terrorists, but it is bittersweet.

The Burnhams' captivity by Muslim terrorists in the Philippines is finally over at 377 days and on Monday, Gracia arrived home in Kansas and was joyfully reunited with her three children, Jeff, Mindy and Zach. But I am deeply saddened to tell you that Martin will not be returning to Kansas. Martin was mortally wounded in rescue and has gone on to be with our Lord and Savior, Jesus Christ.

Martin was born in Wichita, Kansas, on September 19, 1959, the eldest son of Paul and Oreta Burnham, who served as missionaries and now reside in Rose Hill, Kansas, just outside of Wichita. Gracia is daughter of Reverend Norvni and Betty Jo Jones of Arkansas. Martin and Gracia met at Calvary Bible College in 1982 and were married in 1983. In 1986 they went to the Philippines where they have been and since have served as missionaries with the New Tribes Mission.

Martin and Gracia's three children, Jeff, 15; Mindy, 12; and Zach, 11, were all born in the Philippines. During their years of service, Martin was chief pilot for New Tribes Mission. He flew supplies to missionaries in remote locations, and Gracia assisted in a variety of roles supporting New Tribes Mission aviation program. Martin has been

commended as a skillful pilot but is known more for his friendliness and strong faith.

Gracia is appropriately named, and I have heard stories from her loved ones over the past few years and found them to be true when I had a chance to meet her on this Monday. I was in complete awe of her boundless spirit and vivaciousness. It was her grace and peace, however, that truly amazed me. I could feel the presence of God within her. It is no wonder that Martin and Gracia have touched so many hearts or that so many people across the world have been involved in efforts to free them.

Martin and Gracia were captured last May while on vacation to celebrate their 18th wedding anniversary. They were taken hostage and held for ransom because they were Americans. But Martin and Gracia's ministry did not end with their capture by terrorists. During the past year, they never lost their faith or joy of life despite their frail condition and the terror they endured.

Fellow captives who were freed earlier spoke of their love and strength. Martin and Gracia comforted their fellow hostages, shared their food and supplies, and helped raise their spirits through singing, telling stories and even reciting recipes.

Gracia became a mother figure to her fellow hostages, and Martin always graciously offered to carry things for both terrorists and other hostages. Martin and Gracia praised God and thanked Him for each day. Martin even reached out to the terrorists and tried to show them the ways of Christ. He constantly prayed for them.

On June 7 before Martin's death, he and Gracia prayed together and thanked God for his faithfulness and lay down for a nap. Martin stated, "We might not leave this jungle alive but at least we can leave this world serving the Lord with gladness." He left the world serving the Lord with gladness and Gracia continues to do so.

I also want to honor Martin's parents, Paul and Oreta Burnham. For the past year they have taken care of Jeff, Mindy, and Zach. They have worked tirelessly to do all they can to bring Martin and Gracia home. I have been impressed with their humbleness, their strength and their faith. The Burnham family has shown us the power of faith and love. As Rhonda Holman, editorial writer for the Wichita Eagle said, "Confronted by humanity at its most evil, they exemplified humanity at its best, responding not with fear and despair, but with unflinching hope. As they adjust to bittersweet events of Friday, may the Burnhams realize how deeply they have touched and inspired us with their strength."

Over the past year, many of us who never met Martin and Gracia came to know and love them. We often felt helpless. Our prayers were heard by the Burnhams as Gracia told us in her first statement to the world following her captivity, she said, "We want to thank

each and every one of you for every time you remembered us in prayer. We needed every single prayer you prayed for us during our ordeal in the jungle."

The outcome was not what I had hoped for or worked for or prayed for but I believe our prayers did make a difference. Please continue to pray for the Burnham family and their family and friends.

In closing let me share a couple of stanzas from a poem written by a friend of the Burnhams, Ted Miller. It is called the "Final Score." The poem goes, "We thought of you both every day, wondered what it was like, guns shooting, grenades going off, an all day jungle hike. It may be over in the jungle, but it will not all be left behind. May God pour out more grace on you and give you peace of mind.

"Martin said if he had to go, a martyr would be the way. Enjoy it Martin, we will join you soon, just one last thing to say. If bin Laden's bunch is keeping score, you may have killed my hero, but let me tell you the final score, Heaven one, terrorists zero."

Mr. Speaker, the poem in its entirety is as follows:

FINAL SCORE

We all know Martin and Gracia, even if we have never met.

They were on our radios, church prayer requests, on our TV sets.

I remember that famous video, in my mind it's still planted.

All Gracia wanted was privacy, things I take for granted.

We all could probably confess, we never seem content,

That little short video changed my life, you can not know what it meant.

All this was no accident, this last year fits Gods plan,

While we were in our comfort zone, The Burnhams hid and ran.

But Gracia let me tell you, through all the hunger and pain,

We have grown closer to the Lord as one, no one died in vain.

Your families have held the ropes for you, they always did their best,

They pleaded for prayers, pleaded for help, never seem to rest.

We always knew how to pray for the kids, constant specific updates,

The things they missed about mom and dad, Gracia your funny cakes.

All these things that seem so small, your kids did not let go,

What a testimony they have been, as time passed so slow.

We thought of you both everyday, wondered what it was like,

Guns shooting, grenades going off, an all day jungle hike.

It may be over in the jungle, but it will not all be left behind,

May God pour out more grace on you and give you peace of mind.

Thanks for the opportunity to pray for you, what a blessing that it was,

God is still on the throne, we are excited to see what he does.

I thought of Gracia and Martin, shot, wounded on the ground,

As Martin slipped off to be with God, I think he heard this sound.

Thousands of angels welcoming him home, then there is the SON,

Welcome home Martin Burnham, well done my child well done!!!

Martin said if he had to go, a martyr would be the way.

Enjoy it Martin, we will join you soon, just one last thing to say.

If Bin Laden's bunch is keeping score, you may have killed my hero,

But let me tell you the final score, Heaven one, Terrorists zero—Ted Miller

NATIONAL MEN'S HEALTH WEEK

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

Mr. DAVIS of Illinois. Mr. Speaker, I rise to call attention to this Nation's observance of National Men's Health Week which takes place this year from June 10 to June 16.

In May of 1994 Congress sent to the President a joint resolution establishing the week leading up to Father's Day each year as National Men's Health Week. It was signed by President Clinton on May 31, 1994, and became Public Law 103-264. The resolution requested our chief executive to issue a proclamation calling upon the people of the United States to observe this week with appropriate programs and activities.

As our sons and daughters across America scurry about this week to buy that special Father's Day gift and card, and as I wish my 90-year-old father and my 98-year-old uncle and my 88-year-old uncle and my 78-year-old uncle, I can think of no better way to honor our present and future generations of fathers than to learn more about the unique challenges men face and how we can help them preserve the precious gift of good health.

□ 2115

All of our citizens have benefited greatly from the strides made by medical science, but despite these advances, a review of our health statistics show that the health status of American men, and especially many of our ethnic minorities, lags far behind the rest of our citizens. The average life expectancy at birth for all men in the United States is 74.1 years, more than 5 years less than for women. The gap widens to almost 7 years when comparing the life expectancy of black males, which is 68.3 years, to white males which is 74.8 years.

I am especially concerned about the number one illness that contributes to the reduced life expectancy for men, heart disease. Despite the wealth of world class hospitals in Chicago, a study conducted by the Centers for Disease Control and Prevention in the year 2000 found that Illinois has the Nation's third highest rate of death from heart disease among African American men. According to the American Heart Association, all men have a greater risk of heart disease and heart attacks much earlier in life than women. Men must take this disease more seriously and understand that this killer can and should be prevented.

In addition to the disproportionately higher rates of heart disease and other

illnesses among African American men, census data has confirmed the tremendous growth of the Latino population in the United States. Hispanic men are also affected more than other groups by illnesses that can often be prevented or treated successfully if detected early. Hispanic Americans are almost twice as likely to have diabetes as non-Hispanic white Americans of similar age.

We can and must do more to educate all men about this disease. People with diabetes are also two to four times more likely to have heart disease and suffer from stroke. Advanced diabetes can cause blindness, kidney disease and severe nerve damage. The risk of getting diabetes, as well as many other illnesses, can be reduced by lifestyle changes such as maintaining a healthy weight, eating a healthy diet and exercising.

Another public health concern that can be reduced with proper health, education and screening is the rate of illness and death from HIV/AIDS. Approximately 35,000 people are living with HIV/AIDS in Illinois. More than three-quarters of those people are estimated to live in the Chicago area. Chicago ranks sixth in its number of living AIDS cases among the 100 largest U.S. Metropolitan Statistical Areas, and Illinois ranks seventh among all States in the United States. Communities of color are disproportionately affected by HIV/AIDS in Chicago and throughout Illinois. More than two-thirds of living AIDS cases and more than three-quarters of new cases occur among African Americans.

Directly related to this is data from the 1999 National Household Survey on Drug Abuse showing that Illinois ranks fifth in estimated numbers of people who recently used illicit drugs.

Heightened awareness of what men can do to protect themselves and their loved ones from AIDS, heart disease, preventable accidents, diabetes and other health risks is what National Men's Health Week is all about. Therefore, Mr. Speaker, I would urge all men throughout America and, quite frankly, throughout the world to pay more attention to our health so that not only can we maintain better health but so that we can continue to observe and have far more happy Father's Days with more fathers who are healthy, alive and well.

PRESCRIPTION DRUGS

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

Mr. GUTKNECHT. Mr. Speaker, I rise tonight to talk about an issue that we in Congress and most Americans are becoming painfully aware of, and that is, the differential between what we pay for prescription drugs in the United States and what people around the rest of the world pay for the exact

same drugs made in exactly the same plants, under the same FDA approval.

What I have here tonight is a chart which shows what I think are 15 of the most commonly prescribed drugs in the United States and a comparison which was done. These are not my numbers. These were done by the Life Extension Foundation, and they have been studying this issue for a number of years and probably have done a better job of assembling raw data about the differentials, and I would like to go through some of the numbers on these charts.

Let me talk about, for example, Glucophage. Glucophage is an amazing drug, and let me first of all say, I am not here tonight to beat up on the pharmaceutical industry. They have done some wonderful things. We are all living longer and better quality lives because of the research that they have done, but Glucophage is a very important drug for diabetes.

The average price for a 30-day supply of Glucophage in the United States is \$124.65. That exact same drug in Europe, again made under the same FDA approval, sells for \$22. That is six times as much for the same drug, and that is a very important drug for the millions of Americans who suffer from diabetes.

Let us take another drug that is very common, commonly prescribed particularly for older women, women who are beyond menopause. Let us take Premarin. It is actually a fairly simple drug to make. In the United States, a 30-day supply sells for \$55.42. That same drug in Europe sells for \$8.95, and we do go down the list and we see it repeats itself.

Let us take a very commonly prescribed drug, one that my 85-year-old father takes. It is Coumadin. It is a drug that is used as a blood thinner, and the interesting thing, when most people start on these, particularly seniors, they do not just take them for a week or a month. Most of them will be on those drugs for the rest of their lives. So we are talking about huge expenditures when people start down the path of having to take these drugs.

They are important drugs, but let us take Coumadin. The price in the United States for a 30-day supply, \$64.80 cents. That same drug in Switzerland sells for \$15.80 on average. What a difference.

We are going to have a big debate in the next several weeks about whether or not we should extend Medicare coverage and have a new prescription drug benefit, and I think clearly if we were reinventing Medicare today, as they did in 1965, we would include a Medicare benefit, but this is not so much shame on the pharmaceutical industry because they are doing what any company would do, and that is, they are maximizing profits. It is shame on the FDA for doing this to our seniors, and it is shame on us for letting it happen.

Let me show you another chart. One of the things that disturbs me is how much the price of prescription drugs has gone up. In the last year we have

numbers, the average Social Security recipient received a cost-of-living adjustment of 3½ percent. Prescription drugs went up 19 percent. We hear stories every day about these seniors who have to make difficult, painful choices that no American should have to make, and a big reason is because of the price.

What does this mean ultimately for the budget? I have a plan to make it easier for Americans to import through their pharmacist or by themselves these prescription drugs from other countries. My vision is that people would be able to go to their local pharmacy, and if they wanted the prescription filled today, they could literally pay the American price but the pharmacist would be able to say, listen, I can fill it today and the price for that Coumadin would be \$64.80, or I can have this prescription filled in Geneva, Switzerland, and the price will be \$16.80 and it will take three days and we will ship it FedEx and then the person will have it. I think many Americans would choose that option.

Let me talk about the numbers because this is a very big number. This is \$1,800,000,000,000. That is \$1.8 trillion. Even in Washington that is a huge number. What is \$1.8 trillion? That is what the Congressional Budget Office tells us that senior citizens, people 65 and older, will spend on prescription drugs over the next 10 years. I am convinced that if we open up markets, if we allow people to buy drugs from other countries we can save at least 35 percent. If we multiply that out, it is \$630 billion that we can save seniors. It is time to open up markets. It is time for Americans to pay their fair share of the cost of developing new drugs, but it is time to say that we will stop subsidizing the starving Swiss.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

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

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

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

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

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

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

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

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. SOLIS) is recognized for 5 minutes.

(Ms. SOLIS addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

PERMANENT MARRIAGE PENALTY RELIEF ACT

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

Mr. TERRY. Mr. Speaker, I claimed this time tonight because I wanted to talk to America about an important bill that we have on the floor tomorrow. It is H.R. 4019. It is called the Permanent Marriage Penalty Relief Act. I am proud that the 107th Congress on 22 occasions over the last year-and-a-half has passed 22 tax reduction measures.

I am not going to come before my colleagues tonight and say that all taxes are bad or not necessary, but I will come before my colleagues and say what I strongly disapprove of, and one of the reasons why I ran to be in this House and fight for American families is to free them from the burden of excessive taxes.

Also, though, because American families today are spending about 22 percent of their income, more than that, it is the greatest percentage of income going to Federal taxes since World War II. Our taxes have become excessive and burdensome, and because of that, we are forcing more and more married couples, more and more people into the workforce, to make ends meet, because those same families are paying more for taxes than they are for their housing and their food, the daily necessities of life, and I think that is wrong.

In that totality of taxes that I think are excessive and that we need to lighten the burden and trust people with their own money, sometimes there are individual type of taxes that are just plain wrong; just plain wrong.

Last week, we voted to permanently repeal the death tax. I thought that one individually was wrong. I am thankful that tomorrow that this body has the opportunity to give working families, mothers and fathers, permanent tax relief on the marriage penalty.

What is the marriage penalty? First of all, I am going to in a second intro-

duce the gentleman from Illinois (Mr. WELLER) from the Committee on Ways and Means, because he has dedicated his congressional life to this issue. As we near Father's Day, I will call him the father of marriage penalty relief, because he has been a pit bull and obsessive, thankfully on this issue, but what happens is in American families, as I mentioned earlier, we take so much of their tax monies, tax money away from them, and it forces them to make decisions like perhaps working longer hours or both parents working, when that may not be their choice. Because they both work in our tax structure, they, because they are married, will pay more in taxes than if they were single.

□ 2130

It is the marriage penalty. What is worse is it hits those families that earn from \$20,000 to \$70,000. It is not the wealthiest, who pay their share; but it hits the hard-working families where each earn between \$20,000 and \$70,000 the hardest. That is just fundamentally unfair. That is morally wrong, to tax marriage. The fact that they just walked down the aisle and said "I do," and now have to pay more in taxes is just fundamentally wrong. It hits the middle-class families the hardest. That is fundamentally wrong.

Mr. Speaker, I yield to the gentleman from Illinois (Mr. WELLER). Earlier I mentioned that the gentleman has exercised dogged determination in his career to right this wrong.

Mr. WELLER. Mr. Speaker, I thank the gentleman from Nebraska, who has been a real leader in bringing about tax relief. The gentleman and I share a common goal, and that is bringing about a recognition in government that taxes are too high, that working Americans work too long to pay their taxes, that we believe in the Republican majority that the American people can better spend their hard-earned income back home taking care of their families' needs than we can here in Washington.

And while the government needs some revenue to fund the activities of the Federal Government, we also need to recognize that families struggle, and we need to find ways to ease the burden on working families. That is why I was so proud just a year ago when the President signed into law the first major tax cut since Ronald Reagan was President. Prior to Ronald Reagan, it was John F. Kennedy, so it seems like every generation has a major tax cut. And now George W. Bush. But it was the commitment of the House Republican majority that drove this debate, even though we had essentially a hostile President in the White House under President Clinton, who did not share the view that taxes were too high. We continued to be persistent, and with the election of President Bush, we found an ally in our goal in bringing about across-the-board tax relief that benefits American taxpayers

and that addresses the issues of fairness in the Tax Code.

I would note that what we nicknamed the Bush tax cut benefits over 100 million American tax-paying households who have seen their taxes lowered as a result of the House Republican majority, and signed into law by President Bush.

Mr. Speaker, 3.9 million tax-paying households, low-income families, no longer pay Federal income taxes because the Bush tax cut was signed into law. Unfortunately, one thing we discovered, sometimes we find that Washington works in a strange way. It is interesting in Washington, we can raise taxes permanently like Bill Clinton and the Democrats did in 1993, we can increase spending permanently, but you will find rules somewhere in the Congress that make it hard to permanently cut taxes.

Unfortunately, there was a rule in the other body which prevented permanency to the Bush tax cut, permanency to the across-the-board rate reductions, permanency to the elimination of the death tax, permanency to our efforts to increase opportunities to put more into your IRA and 401(k) for retirement savings, for education savings accounts for your children's education, and also our efforts to eliminate the subject of tonight's Special Order, the marriage tax penalty.

I commend the gentleman from Nebraska and the majority of this House for sharing a view that many of us have argued over the last several years that the marriage tax penalty is essentially a fundamental issue of fairness. The most basic institution in our society is marriage. Around marriage we build our families. Unfortunately, under our Tax Code for almost two generations, we taxed marriage. I felt, as I know many of my colleagues did, that it was a legitimate argument to come to this floor and say is it right, is it fair that under our Tax Code, that we actually taxed married couples more in taxes, higher taxes, just because they were married. In fact, on average, 23 million married working couples on average were paying about \$1,400 in higher taxes last year than identical couples living together outside of marriage.

Essentially our Tax Code was saying the only way to avoid the marriage tax penalty was to get divorced or not get married in the first place. That is wrong. We believe the Tax Code should be marriage-neutral.

I am proud to say that several times this House Republican majority brought legislation to the floor and we passed out of the House of Representatives legislation supported by every House Republican, and I also want to note that up to 62 Democrats joined with us. We had bipartisan support for legislation which would permanently wipe out the marriage tax penalty.

Unfortunately, when we passed into law the Bush tax cut, it was a 10-year program which meant in the year 2010,

the marriage tax penalty relief would expire; and for a projected 45 million married working couples, they would see almost a \$42 billion tax increase because their taxes were going to be higher because the marriage tax penalty was going to be reimposed. Is that right? Is that fair? I think not.

Let me explain how the marriage tax penalty occurs. The marriage tax penalty occurs when a husband and wife get married. They are both in the workforce and file their taxes jointly. When they do that, their combined income usually pushes these married couples into a higher tax bracket. That produces the marriage tax penalty.

I have a couple here I would like to introduce to my colleagues in the House. Jose and Magdalene Castillo of Joliet, Illinois. They have two children, Eduardo and Carolina. They have a combined income of about \$82,000. They are a middle-class working couple in Joliet, Illinois. In their case, prior to the successful passage into law of the Marriage Tax Elimination Act this past year, the Castillo family suffered about \$1,125 in higher taxes just because they are married.

Now, the question before this House tomorrow, we are going to propose legislation to be voted on in the House tomorrow which will make permanent the elimination of the marriage tax penalty. Really, the question is for 45 million married working couples like Jose and Magdalene Castillo, do we want to reimpose the marriage tax penalty? I think not.

My hope is that over tomorrow's debate we will see an overwhelming bipartisan majority who will vote to make permanent the elimination of the marriage tax penalty, so the marriage tax penalty will be one of those things that we used to talk about that used to exist in the Tax Code because the Tax Code is complicated and we are working in this House to make the Tax Code simpler, and that means making the Tax Code more fair.

By eliminating the marriage tax penalty for Jose and Magdalene Castillo, we are not only making the Tax Code more fair, we are simplifying the Tax Code. My hope is tomorrow an overwhelming majority in the House will join with us, and the Senate will follow suit, and we will send to the President legislation which will make permanent elimination of the marriage tax penalty.

Mr. TERRY. Mr. Speaker, according to the 2000 census, in the gentleman's district it is 59,536 couples that are affected by our current Tax Code. In my district of Omaha, Nebraska, it is 58,000 couples that have to pay more in taxes. When your great couple from your district, Jose and Magdalene Castillo, got married and said "I do," I do not think it was to more taxes just because they went down the aisle together and did what we hoped that they would do and formed this bond, formed this family.

Mr. Speaker, we should not have a tax policy that is antifamily,

antimarrriage. We have heard stories on news programs throughout the years, older couples in particular, younger couples that refused to married, older couples that would get divorced because of the tax that they have to pay. If we are going to be a country that embraces family, embraces marriage, then we have to have a tax policy that walks the walk. I thank the gentleman for all the work he has done.

It has been mentioned that we passed marriage penalty relief in my two terms here. Just thankfully we have a President this time that agreed with it the last time around. Even in the first few months of the 107th Congress when this was a solo vote and the Senate had not taken it up yet, 282 Members, very bipartisan vote. It dropped a little bit when we had the Bush tax plan. We lost about 40 Members. In the Senate they could only get to 58.

The gentleman from Illinois (Mr. WELLER) mentioned this quirky rule that they have where it takes a supermajority of 60 votes to make reduction of revenue, i.e., a tax cut, they need 60 votes to make it permanent over there. We did the right thing and we negotiated a 10-year plan, a phase out of 10 years of a lot of these taxes. The marriage penalty is phased in much quicker to give these families relief.

Now we want to make sure we are doing the right thing for these families, these 45 million Americans, that it is made permanent, because in essence what we are going to say to these couples in the year 2011 is that you are going to have your taxes increased. You are going to raise taxes on over 3.9 million African American families out of that.

Mr. Speaker, does the gentleman from Illinois (Mr. WELLER) have any statistics, and my impression from some of what I have read, some of this tax actually hits minorities harder, and so I am just pleased that hard-working families will get some relief, and they deserve to have it made permanent.

Mr. WELLER. Mr. Speaker, if the gentleman would yield briefly, I would note in the legislation we passed out of the House of Representatives that was signed into law by President Bush, we helped an estimated 45 million married working couples in a number of ways. When you are a taxpayer, you are an itemizer, nonitemizer, if you are a low-income working family, part of the working poor, earned income tax credit, only out of that 20 million married couples received marriage tax relief through the Bush tax cut through the doubling of the standard deduction to twice that for single people. Those who do not itemize their taxes use the standard deduction.

And for the middle class, those in the 15 percent bracket who itemize their taxes, homeowners, those who give to their church, temple, mosque, they are homeowners and itemize their taxes, we widened the 15 percent bracket so they can earn twice as much in income

and stay within the 15 percent as a single person. There are 20 million when you take advantage of the 15 percent widening which are the itemizers. And 4 million poor families, low-income families, benefit from the marriage tax relief that we provided in adjusting the eligibility for the earned income credit. Four million working-poor families who struggle, and thanks to Ronald Reagan received the earned income credit.

□ 2145

They would lose that marriage tax relief, that opportunity to have a little extra income to take care of their family's needs, if this is allowed to expire. That is just one more reason why I believe we need to make it permanent, because we do not want to see a \$42 billion tax increase on 45 million married working couples who would be forced to pay higher taxes just because they are married. My hope is tomorrow when we debate making permanent the marriage tax relief that was part of the Bush tax cut, that an overwhelming majority of this House will vote in a bipartisan way to make permanent the elimination of the marriage tax penalty.

Mr. TERRY. Mr. Speaker, we have been joined by three of our good colleagues that have fought hard and feel strongly on this issue.

I yield to the gentleman from Minnesota (Mr. KENNEDY).

Mr. KENNEDY of Minnesota. I thank the gentleman from Nebraska for yielding. I also thank and congratulate the gentleman from Illinois (Mr. WELLER) for his great efforts on the marriage penalty.

There are few issues that I feel more strongly about, and one of my main goals coming here to Washington was to eliminate the marriage penalty. I am very pleased that at least over the course of the next 10 years that we have accomplished that. It is a major goal that we have achieved, but our work is not yet done. I do not understand why we tax marriage. We as a Congress, we as a government, we as a people should be working to strengthen marriage, to strengthen families. Families are the foundation really for the strength of our country. We should do all we can to bolster it. When we charge married couples an average of \$1,400 more just for being married, we are discouraging them from getting married. This makes no sense. They should not get that extra gift from Uncle Sam when they say "I do." Something that makes this very personal to me is when I think about my son or daughter coming to me in a few years, maybe after this 10-year period, so I have to get this permanent, and saying, "Dad, you've taught us well. You've taught us how to look at the numbers really well and we have noticed that it is going to cost us \$1,000, \$2,000, \$3,000 more to be married. So what we are going to do is we are just going to live together, but we are going

to put that \$1,000 or \$2,000 to good use and we'll do good things with it."

I do not want to have that conversation and no parent should have that conversation and no couple should struggle with those issues. We should be helping them to the greatest extent possible. We should be making this permanent. It is a shame that we were not able to make this permanent before. We were two Senators short, unfortunately, as the gentleman from Nebraska mentioned, and any of many States could have provided us those two Senators. We will not name any States in particular, but this is critical that we get it permanent. It is also bad budgeting. The budgeting after 10 years assumes that we are going to let the marriage penalty go back up. I know if the group that we have in this room and those that have worked so hard on the marriage penalty have anything to do with it, we are not going to let the marriage penalty tax be increased and brought back to life again in 10 years.

I strongly encourage all my colleagues to vote "yes" on tomorrow's resolution to back American families, to back marriage, to help the children that will come from that and to help the strength that comes from taking the bonds of holy matrimony.

I again thank the gentleman from Nebraska for having us here today and for his leadership as well as the leadership of the gentleman from Illinois.

Mr. TERRY. The gentleman from Minnesota (Mr. KENNEDY) has provided great leadership. The citizens of Minnesota should be pleased with his leadership on this issue. Probably the 59,000 affected couples in his district should thank him.

Mr. Speaker, I yield to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. I thank the gentleman for yielding. It is hard to speak with so many distinguished members of the Committee on Ways and Means here because you guys, we know, are the tax experts. But back in our little old briar patch, we know a thing or two about fairness. I do not think we even need to debate this, and the liberal Democrats would even admit that the marriage tax penalty is unfair because in essence you cannot carry your tax deduction with you. When you walk down the aisle, leave your deduction outside the church because you are fixing to lose it, as we would say.

The issue, I think, that is underlying this, and I think you have covered the substance of the bill pretty well, is just the fact that the liberals, particularly those on the other side of the Capitol, and this is a bicameral body, this legislative body. It is very similar to the Georgia legislature where we had a House and we had a Senate. This is a similar institution. When the House passed something, the Senate would pass something or the Senate would amend it. In this case we have got a body who hates tax reductions. Period. Fairness does not matter, all that matters is income, so they can go out and spend more money.

I always say that if I was walking down the street with two of the liberal Democrats from Washington and I had \$15 in my pocket and they did not have any, the two of them would vote on who was going to pay for lunch and it would end up being me, and in their view that is fair. They did not have any money and I had money, so they voted and I have to pay for lunch, and that is fair. We all laugh about that, but I will tell you this. Look at it this way. Say you had a thousand people walking down the street or a thousand people in the room, and of that thousand people, 999 did not have any money, but one person had a whole lot of money. And so the 999 voted and said, "You're going to be paying a little bit more, you're going to be paying extra, and you're going to be paying for all of us." They would say obviously that person who had money must have done something wrong, must have gotten real lucky, must have cut some corners short, and so of course it is fair. That is the view of so many Washington liberals of the tax dollars that our constituents back home make.

One of our colleagues today said, if you really want to know the truth of the matter, talk to somebody who has oil on his hands or dirt on his fingers and his sleeves rolled up in America and they can give you the view, and in about 3 seconds, the American workers back home would say the marriage tax penalty is unfair and ridiculous, get rid of it. And so the only question here tonight is, why are we not getting rid of it? It is because of this other body. The House has passed this over and over again.

The gentleman from Illinois (Mr. WELLER), as you pointed out earlier tonight, has practically made a career in this. I expect he has had a very spectacular career, made a great contribution to the governmental process, the debate process up here, but the reality is the folks on the other side of the Capitol love taxes and they block it every single time.

I know our good friend from Arizona is here just chomping to get at the bit.

Mr. TERRY. Mr. Speaker, the 62,397 married couples who have been hit by the marriage penalty in the gentleman from Georgia's district I am sure thank him for his leadership on this issue.

I want to bring into our discussion here the gentleman from Arizona (Mr. HAYWORTH) who, because of his leadership and vote tomorrow, the 52,429 married couples in his district will be trusted with more of their money.

I yield to the gentleman from Arizona.

Mr. HAYWORTH. I thank my colleague from Nebraska for yielding, my friends from Illinois and Georgia who join us here tonight, Mr. Speaker, and I stand in the well alongside my friend from Nebraska, traditionally at the podium given to our friends from the Democratic Party. I do so tonight to signal the fact that our vote tomorrow should be a vote that does not accen-

tuates party lines, that when people go and register for a marriage license, they do not declare a political party preference, they are not required to register as Democrats or Republicans or independents or libertarians or vegetarians, they go and apply for a marriage license.

Tomorrow, Mr. Speaker, it is my fervent hope that we will see a bipartisan vote to restore rationality and common sense to the peculiar situation we find because of a quirk in the rules where we have failed to make this marriage tax relief permanent.

Mr. KINGSTON. If my friend would yield, I just want to say that quirk is, of course, there on purpose by the liberals who like to collect tax dollars and so I just wanted to emphasize a point that the gentleman has made several times in the past.

Mr. HAYWORTH. I thank my friend for making the point. I would appeal to all who come here, when you talk about tax fairness, there is nothing fair about penalizing people for getting married. I think back almost a decade and a half ago now to the news that I took my mom, when Miss Mary and I decided to get married, she said, "Oh, honey, I'm so excited for you. After all, two can live as cheaply as one." My mom is a wise woman, but she is not a certified public accountant and she was not dealing with the Tax Code, because we have seen in so many cases for so long when couples would stand at the altar and say "I do," they were unwittingly saying "I do" to higher taxes. And now with a commonsense reform that we have embraced on a bipartisan basis in this body, others on this Hill with a clever rule differentiation seek to take it away, we simply go on record tomorrow reaffirming that the Tax Code should have real fairness, that there should not be a penalty for marriage.

Indeed, confronting the challenges we confront in a society, knowing how beneficial it is to have healthy, happy households where men and women in a loving relationship of marriage bring up their children, there is no reason to penalize people who work hard and play by the rules.

And so tonight we come here to reaffirm our belief that we should rescind the marriage penalty permanently and tomorrow this House has a chance to go on record saying "I do" to lower taxes, taking away this barrier of discrimination that has affected the institution of marriage and taking another step for true tax fairness.

Mr. Speaker, tomorrow again we will hear the tired old arguments of class warfare. Let me simply reaffirm what we have found through the years when we reduce the tax burden, whether it is on businesses or on families or on individuals. When the tax bite is reduced and money is put to work in terms of saving and investment and spending for

those items that families need, something very interesting happens. Revenues to the Federal Government actually increase. So I come to this particular position in the well tonight symbolizing the fact that we appeal to our friends on the left, not as a Republican versus a Department issue, but as an American commonsense point of view, to permanently rescind this penalty, to make good on the efforts my friend from Illinois has championed for so long, to recognize the commonsense value that there is no need to attach an economic stigma to the institution of marriage. And now as my friend, the gentleman from Nebraska (Mr. TERRY) points out, if we in fact have people tomorrow vote against making this permanent, in essence what they are doing is calling for a tax increase on every married couple. They are calling to add back taxes to their family budget.

I understand in Washington, Mr. Speaker, that \$1,400 on average, that is not even in Uncle Sam's change scoop on his dresser drawer. I mean we deal in millions and billions of dollars, but I would submit, as my colleague, the gentleman from Illinois (Mr. WELLER), has made clear so many times, \$1,400 is real money to a family, in terms of a college fund, in terms of making educational opportunities available, in terms of saving for the future, in terms of buying clothes for the family, in terms of orthodontia for children, in terms of real life, real budgetary decisions made around the kitchen table. The common sense of making this tax relief permanent cannot be denied and, yes, we can have those denizens of class warfare come out and play this warped game where they define fairness in a deranged way that my friend, the gentleman from Georgia (Mr. KINGSTON), pointed out, the theater of the absurd so clearly to us in this body mere moments ago, but the fact is there is no reason to deprive families of money that they can save, spend, and invest for their own futures and in so doing help our country, because the economic activity in the long run will actually increase revenues to the government because people are willing to put their money to work in effective spending for their family or savings or investment for the future, and we are not talking about something that is a drop in the bucket. We are talking about millions of American families here.

Mr. TERRY. Mr. Speaker, is the gentleman from Arizona (Mr. HAYWORTH) telling me that it is not a cost that we are going to hear about, how it is costing the government to give these families this relief?

Mr. HAYWORTH. Mr. Speaker, let me let the gentleman in on a little secret. The gentleman from Nebraska (Mr. TERRY) asks a very pertinent question, and given the curious mathematics of Washington, let us point out at the outset that we could take every economist in the world, lay them end to end, and still never reach a conclusion. But part of the peculiarities of

the way in which we practice accounting in Washington, D.C. is with a bias towards spending. We call it static scoring. That is to say, we fail to take into account the history that we have seen for the better part of close to 50 years in the United States.

For example, and again I am glad to stand here in this portion of the well, because we can point to a Democratic chief executive, John F. Kennedy, who in the 1960s cut taxes across the board.

□ 2200

This is an approach that was reaffirmed by Ronald Reagan in the 1980s and by our own current President, George W. Bush, just 1 year ago. The premise, as it has turned out, and check the numbers, as we say in baseball, you could look it up, revenues to the government actually increase when you cut taxes across the board. If we cut taxes on these millions of American families, I have every confidence that, in the long term, revenues to the government will increase, because money is being put to work on behalf of these families.

Again, it comes down to this realization, Mr. Speaker: This money is not money that belongs to the Federal Government; it is money that belongs to the American people. When that money is put to work, through prudent spending, wise investment and making the money work for the families of America, it returns to the Federal Government in terms of tax revenue. Yet you would not know it from the culture of the forecasts and the evaluations of the static scorers who fail to let reality be taken into account in terms of their ledger sheets. That is the reality with which we deal.

But in Washingtonese, what we will hear tomorrow is a parade of speakers stating flat out that the American people are not entitled to their money, stating somehow in bizarre fashion that the marriage penalty is a quirk, a curiosity, and, I dare say, coming to the floor, speaker after speaker, as prisoners of process, rather than champions of policy.

So, again, my appeal, and I realize it is a challenge with 100-plus days to a midterm election, and I realize it is difficult for many to separate politics from policy, but I believe tomorrow, Mr. Speaker, there will be those on the Democratic side of the aisle who will join us in saying let us end the marriage penalty permanently, because it is not a Republican issue, it is not a Democratic issue, it is an issue of concern to all Americans and all American families who need to have the chance to prosper and succeed and make the most of their opportunities, for themselves and for their children.

Mr. TERRY. Mr. Speaker, reclaiming my time, I thank the gentleman for that great oratory. We talk about this quirky Senate rule. We are going to hear a lot about it. Because when we had the death tax repeal discussion last week, we kept hearing from some of

the leadership on the other side about how it was the Republican bill, that we were somehow deceiving the public, and now we are trying to come back. I heard a lot of strange and weird stories last week. I am sure we are going to hear those same stories again.

The reality is we did the right thing for the American public by taking one step forward. But it was not the giant step that was absolutely necessary, and we are trying to correct it tomorrow.

The Senate rule requires, if I kind of understand it right, is that in the Senate you cannot reduce revenues outside of the scope of the budget, which is a 10-year budget in essence. So that is why it is a 10-year plan.

I think it is ironic that just today on the House floor we had a vote to require that this body, both Houses, a constitutional amendment that would require a two-thirds vote to raise taxes. I just think it is ironic that the practical effect of the Senate rule is it takes a supermajority to lower taxes, but a simple majority to raise taxes.

Mr. WELLER. If the gentleman would yield, I think the gentleman from Nebraska is bringing up a good point. That is what is frustrating, and one of the reasons I know I came to Congress in 1994 and one of the causes we in the House Republican majority have been working towards, is finding ways to help working families have some extra spending money to meet the needs of every American family, to be able to afford to go to college, or buy a new bicycle for the little girl when she is getting old enough to ride a bicycle.

Mr. TERRY. We are going through the same thing with our 7-year-old.

Mr. WELLER. Or make improvements to the house. Families struggle. The gentleman from Arizona, the point he made about how when you figure out what the amount the marriage tax penalty comes out to, it is real money for real people. You take Jose and Magdalena Castillo of Joliet, Illinois. For the Castillo family, prior to a year ago when the Bush tax cut was signed into law, the Castillo family faced about a \$1,150 marriage tax penalty.

Thankfully, because of the Marriage Tax Elimination Act, which was combined as part of the Bush tax cut, signed into law, they no longer pay this marriage tax penalty. If we fail to make permanent the marriage tax penalty relief signed into law last year, they once again will have their taxes higher, raised. They will lose that \$1,150 back to Uncle Sam. For the Castillo family, in a town like Joliet, in the south suburbs of Chicago, for Jose and Magdalena, \$1,150 is several months of car payments, that is 2 to 3 months of child care for little Carolina, that is a significant portion of tuition at Joliet Junior College. The marriage tax penalty is real money for real people like the Castillo family. That is what this is really all about.

The marriage tax relief signed into law last year, which currently is temporary, and my hope is this House will

vote to make permanent tomorrow, is meaningful to 45 million married working couples, just like Jose and Magdalena Castillo of Joliet, Illinois. When you think about it, for 45 million married working couples, if this marriage tax penalty relief is not made permanent, these couples, 45 million couples, will see a \$42 billion tax increase just on marriage, if we fail to make permanent the marriage tax relief.

Mr. KINGSTON. If the gentleman will yield, I want to talk about that number a little bit. Did the gentleman not tell me earlier that in the First District of Georgia, over 65,000 people would benefit?

Mr. TERRY. I can find that again here. In the First District of Georgia, and this is 2000 census data, 62,397 couples in the gentleman's district.

Mr. KINGSTON. Okay. So then that is \$1,400 a couple.

Mr. TERRY. On average that they pay.

Mr. KINGSTON. That is about \$85 million. Now, if I as a member of the Committee on Appropriations was asked by the chairman, the gentleman from Florida (Mr. YOUNG), "Kingston, you got \$85 million you can spend in your district," how would you do it? Would you go out and buy a bridge, would you build something for the government, a new monument? Heck, no. What you would do is spread it out as much as possible to the middle class working families in your district, and that would be one of the greatest appropriations I could bring home to the First District.

So this vote tomorrow I will have the opportunity to return to my district \$85 million for the local economy, for the local jobs, for the taxpayers. As the gentleman from Illinois (Mr. WELLER) has pointed out, tuition, new tires, home mortgages. That is a lot of money. I can only think of what \$85 million will mean to coastal Georgia. Also, I will feel a lot better that they are spending that money, rather than the United States Congress spending it.

Mr. TERRY. That is the point. The gentleman is correct. That is the point of this, is that we are trusting people with their own money, to make their own decisions about what is best for them and their family.

Now, we in Congress, I hear this all the time, "what have you brought back for the district?" This is something we get as representatives asked by some of our business leaders or constituents, and sometimes you brag about a bridge or helping with the bridge.

But there is no better appropriation, there is no better gift that we can give our constituents, than their own money, letting them keep their own hard-earned dollars.

Let us go back to one of the things we talked about at the beginning here. This marriage penalty hits hardest the lower and middle income families, those that earn on an average, a single income, combined, \$20,000 to \$70,000.

That is who is paying the burden and brunt of the marriage penalty. These are hard-working Americans that we are talking about. You are taking a vote so they can keep \$82 million of their own money. I just cannot imagine what that would do for your economy.

I just jotted down a few notes of what it would do for an average Nebraska family. Remember, these are couples who are both working. Sometimes when we talk in an esoteric or academic way about the marriage tax penalty, we leave out that both parents are working. Both parents are working.

So, how about some good quality time? With both parents working, maybe both parents should take a vacation and take those two lovely children to Disneyland. That \$1,400, they can have a 4-day vacation at Disneyland or Disneyworld. They can buy for their school children a new computer with a scanner, printer, software. They can get a pretty good piece of equipment for \$1,400.

Talking about just keeping your family budget intact, in Nebraska that is probably 6 to 8 months of utility bills for the family. That is anywhere from 4 to 6 months, depending on the type of insurance contract they would have, to pay their health insurance costs. Or, as all of us have said, just maybe invest or save in your children's future. Or use another provision of the tax bill that we passed last year that we need to make permanent, and that is educational savings accounts. They can invest that money in their children's future. These are all things that we trust their families to make their own decisions on.

By the way, the money that these families save by us not taking their money, married families will return to paying in 10 years, paying the Federal Government more than \$100 a month just to be married. That is \$3.88 every day just because you said "I do." Every hour you will owe 16 cents just because you have a spouse. If your marriage lasts 50 years, and, by the way, I just wrote a letter to a nice couple on their 50th anniversary, the love of your life will have cost you \$70,000 in extra taxes. \$70,000 extra.

So tomorrow we have the opportunity to make this permanent.

Mr. WELLER. If the gentleman will yield, my hope is that everyone will join with my colleagues from Georgia and Arizona and Nebraska in voting to make permanent the marriage tax relief. I think as this discussion we have had here in this House Chamber shows, regarding the marriage tax penalty, what it means in real terms for real people, about how you have a husband and wife, both in the workforce, struggling to make ends meet, who, prior to a year ago, paid higher taxes just because they were married.

In the case of Jose and Magdalena Castillo, they paid \$1,150 more in higher taxes. As the gentleman from Nebraska pointed out, if they could save that, in a period of 20 years, when little

Carolina may be in college, a sizeable portion of her college tuition could be paid for during the 4 years she may go to the University of Illinois, my alma mater, could be paid for by setting aside the \$1,150.

Mr. TERRY. She could be a Rebel and go to the University of Nebraska.

Mr. WELLER. Or a Bulldog and go to the University of Georgia. But the bottom line is the marriage tax penalty is a real issue for ordinary people back in Illinois, Georgia and Nebraska and throughout this country.

In the last few days I have heard some suggestions, particularly from some of my friends in the left wing of the Democratic Party, who have said we do not need to do this now. We have got things here in Washington that we need to spend that money on; that maybe we should take that \$1,150 out of Jose and Magdalena's pocket and spend it on something here in Washington.

Maybe in Washington \$1,150 for the Castillo family is no big deal, in Washington, where you think in terms of millions and billions of dollars. But for regular people, like Jose and Magdalena Castillo, \$1,150, elimination of the marriage tax penalty for the Castillo family represents a 12 percent reduction in their taxes. So if we fail to make permanent the marriage tax penalty relief in what we nicknamed the Bush tax cut, they will see a 12 percent increase in their taxes so that Washington can better spend it, as some on the left side of the aisle view.

My hope is that we will see an overwhelming bipartisan vote tomorrow to eliminate the marriage tax penalty permanently. I was proud to say that almost 280 members of this body voted to move a stand-alone bill which would permanently eliminate the marriage tax penalty almost 2 years ago. Unfortunately, that bill was vetoed by President Clinton at that time, and we came back later with what was in the Bush tax cut, signed into law, a temporary measure to eliminate the marriage tax penalty.

My hope is all 62 of those Democrats will once again vote with us, and that more Democrats will join with every House Republican in voting to permanently eliminate the marriage tax penalty. Because of that overwhelming vote, I hope that our friends in the Senate, many of whom have resisted permanent elimination of the marriage tax penalty, will follow suit, and we can put on the President's desk by this fall legislation which permanently eliminates the marriage tax penalty.

□ 2215

Think what that will mean to 45 million married working couples; good people, good, hard-working people like Jose and Magdelene Castillo and little Eduardo and Carolina, who would have a little extra spending money to meet their needs rather than sending it to Washington. It is an issue of fairness. Our Tax Code should be neutral regarding marriage. We believe that the Tax

Code should not punish society's most basic institution; and of course, marriage is our society's most basic institution.

Let us eliminate the marriage tax penalty and let us eliminate the marriage tax penalty permanently so it is one of those things that we talk about that once used to exist, but it is history. Let us make the marriage tax penalty history by permanently eliminating the marriage tax penalty.

I am happy to yield back to the gentleman from Nebraska, and I want to thank the gentleman from Nebraska for his leadership in organizing tonight's discussion of the importance of eliminating the marriage tax penalty and what it means to real people like the Castillo family of Joliet, Illinois.

Mr. TERRY. Well, it is because of the opportunity that we have here in the House of Representatives, why I wanted to be here was to help families like them and the 58,000 like them in the Second Congressional District in Nebraska. Just think of the opportunities that those two children would have if they put the nearly \$600 for each child in an educational savings account for college, what a wonderful opportunity that this body will give those families.

Mr. Speaker, I would like to give the gentleman from Georgia (Mr. KINGSTON) the last word, if he would close the discussion tonight.

Mr. KINGSTON. Mr. Speaker, let me thank the gentleman from Nebraska and the gentleman from Illinois and the gentleman from Arizona and the gentleman from Minnesota earlier tonight for their leadership on it. Because right now we could be home and in bed and watching the baseball game. Somewhere I am sure the Braves are out beating somebody. But the reality is, we are doing this because we care. I am a little bit senior to both of these gentlemen, and I have served in the minority; and I can tell my colleagues that it was no fun. Because when the Republicans were in the minority, we were always fighting more spending that the Democrat majority kept pushing on us. Here is an opportunity for all Members of Congress tomorrow to go in and vote for lower taxes, less spending, and more fairness for American couples.

So I certainly appreciate my colleagues for doing what they are doing and standing tall for America's families. I look forward to casting yet another vote with the gentleman from Illinois (Mr. WELLER). And I thank the gentleman from Nebraska (Mr. TERRY) for his leadership in organizing this tonight.

Mr. TERRY. Mr. Speaker, I thank the gentleman for participating and using his time when he could be watching the Braves. Tune in to the college world series this weekend, though.

DEMOCRAT MEDICARE PRESCRIPTION DRUG PROPOSAL

The SPEAKER pro tempore (Mr. KELLER). Under the Speaker's an-

nounced policy of January 3, 2001, the gentleman from New Jersey (Mr. PALLONE) is recognized for 60 minutes as the designee of the minority leader.

Mr. PALLONE. Mr. Speaker, I want to take this opportunity this evening, which I have done many times over the last couple of months, actually, to discuss the need for a Medicare prescription drug benefit. I am particularly happy to be here tonight because I know that tomorrow the Democrats in the House will be announcing our Medicare prescription drug proposal at a press conference at, I think, approximately 11 a.m. on the steps of the Capitol.

I know that for a number of weeks now I have been highly critical of the Republican leadership in the House, because even though they are the majority party, they have failed to address the concern, I think the number one concern of the American people, which is for a prescription drug plan under Medicare.

When I go home and I have a town meeting or I talk to my constituents, the issue that most frequently comes up is the fact that it is very difficult for all Americans, but particularly for seniors, to afford prescription drugs, to afford their prescription medicine. Prices have gone up by double-digit inflation over the last 6 years; and increasingly, most Americans, particularly seniors, find that they are not able to afford the drugs, the prescription drugs or medicine that their doctors prescribe that the doctors think are necessary for them to continue to live a quality life.

The House Republican leadership, I guess about 2 months ago, announced with much fanfare that they intended to bring up and write a bill that would provide for prescription drug coverage for seniors, and then they said that the bill would be available and would go to committee sometime before the Memorial Day recess and then be passed in the final week before the Memorial Day recess. Now, we know that did not happen. They came back from Memorial Day recess, about 2 weeks ago now, and again with much fanfare said that they were going to bring up the bill the first week, which would have been last week, and then we heard this week they were going to bring it up this week; and now we hear that they may bring it up next week and that they are definitely going to bring it up before the July recess.

Well, I have my doubts because I have been hearing this so many times. But more than the question of when they are going to bring it up is what they are going to bring up. Everything that we hear about the House Republican proposal is that it is not a proposal that will actually provide coverage for most seniors under Medicare.

I think that most of my colleagues know that Medicare has been in existence now for over 30 years; and Medicare, which is a government program, run by the Federal Government and fi-

nanced by the Federal Government, is a very successful program that provides seniors with their hospitalization and with their doctor bills. Under part B of Medicare, a senior has the option, and 99 percent of seniors exercise it, of paying a fairly low premium every month; and as a result of paying that premium, they get 80 percent of the cost of their doctor bills paid for by Medicare, by the Federal Government. They have a very low deductible, \$100 a year; and basically, the program has been tremendously successful. Most seniors participate in it. Their doctor bills are paid 80 percent by the Federal Government, up to a certain amount; and we hear very few complaints. Most people seem to be satisfied with the Medicare program in terms of the coverage for hospitalization and for their doctor bills. However, Medicare does not have a benefit for prescription drugs.

What the Democrats have been saying is very simple: that we should have a guaranteed benefit under Medicare for all seniors, all those who are eligible for Medicare. It is not hard to comprehend. We set up a new part, maybe call it part D, we model it after the part B program that pays for doctor bills. We again have a very low premium, say \$25 a month, a very low deductible, \$100 a year; we have 80 percent of the cost paid for by the Federal Government, a 20 percent copay and, after a certain level, we suggest \$2,000, after you have paid out of pocket or your bills have come to more than \$2,000, the Federal Government would pay for everything at a sort of catastrophic level at which the Federal Government pays for everything under Medicare.

Well, the Democrats are saying that is what we should do. We will be talking about it in a lot more detail tomorrow at the press conference. Most important, we address the issue of price. We understand very strongly that we can expand Medicare to include prescription drugs and provide a guaranteed benefit for every senior and everyone eligible for Medicare, but that it would be difficult to do that if we do not control the costs in some way.

When I talk to seniors or any American, any of my constituents, they talk about how the price of prescription drugs is too costly. So we have to do something at the Federal level to bring the cost down. The easy way to do that, and this is what the Democrats will propose, is to say that the Secretary of Health and Human Services has the obligation, has the mandate to negotiate prices for prescription drugs that would be significantly less than what most seniors are paying now, perhaps a reduction of as much as 30 percent or more. I think that is very possible to do, since the Secretary will have 30 or 40 million seniors, Medicare beneficiaries, that he represents; and he has the ability to go out and basically force the drug companies to lower prices because of the bargaining power

that he would have with so many Americans, 30, 40 million American seniors.

This is all very simple. I have talked about it before. We will be unveiling it tomorrow, but there is really no magic to it. We have been talking about this proposal and how it is modeled after part B of Medicare which pays for your doctor bills. We have been talking about that for several months now here on the floor, myself and many of my colleagues. So there is no magic to what needs to be done. But we have absolutely no indication that the Republican leadership is willing to support anything like what I have just described.

First of all, it is abundantly clear that they do not want to provide a prescription drug benefit under Medicare. Oh, sure, they will say that it is a Medicare program because the people who will be eligible will be those same seniors who will be eligible for Medicare. But they are not putting the prescription drug program under Medicare in the sense that it is run by Medicare, part of the government program, and will guarantee a benefit.

What they are saying is that we will give some money, the Republican leadership is saying that we will give some money, almost like a voucher, to private insurance companies; and we will ask them to provide drug policies to cover seniors, and we will estimate by the amount of money that we are going to throw the private insurance companies what kind of coverage might be provided. But what the Republicans fail to point out, what the leadership in the House fails to point out is that there is no guarantee that a senior in a particular area or any area, for that matter, will be able to buy a drug-only policy that provides the kind of benefits that they would like it to provide.

The perfect example, the perfect example for this is what the Republicans did and how they continue to tout the Medicare+Choice, or the HMO program.

A few years ago, they decided that a great way to provide prescription drug coverage was to give some money to HMOs in the hope that they would agree to provide prescription drugs or to cover prescription drugs. But what we have found over the last few years in this HMO program is, first of all, that in many States, I think it is up to nine or 10 now, there is no HMO available. In another 15 or so States, there may be an HMO available, but they do not provide any drug coverage, and in those States that I mentioned, 10, 25, in those 25 States where you can find an HMO program that provides prescription drug coverage, you will not find that that HMO coverage is available in every part of the State; and you will find tremendous deficiencies, if I could say, in what kind of prescription drug program they cover, they provide.

Mr. Speaker, this is not something I am making up. There was a report that was put out by Families USA last month entitled "Failing America's

Seniors: Private Health Plans Provide Inadequate Prescription Drug Coverage." Basically what this report says very dramatically is that if you simply rely on HMOs, or the private insurance market in this case, to provide insurance prescription drug coverage, you are going to have this very uneven situation. In a lot of States, there is not any HMO, and in other States they do not provide coverage for prescription drugs; and there is absolutely no question that we would get the same thing happening with the prescription drug program that the Republican leadership is talking about getting around to, if they ever get around to it over the next couple of weeks or the next couple of months.

□ 2230

In fact, the trade association for the health insurance companies has testified many times before committees in the House, the Committee on Commerce, the Committee on Ways and Means, that they do not want to provide this drug-only insurance, that they are not going to sell it.

So I am very fearful that what we have here is the Republican leadership basically propagating a scam. They know that the American people, particularly seniors, want a prescription drug program, and that they want a program similar to Medicare. They are very much aware of that. They are very much aware of the fact that prices are too high, and prices need to come down.

But rather than provide a prescription drug program under Medicare that guarantees benefits for every senior and every Medicare-eligible constituent that we have, they are going to opt for another effort to throw money towards private insurance companies that, just like the HMOs, will not work and will not guarantee a real benefit package to the average senior.

In addition to that, the Republican leadership refuses to address the cost issue, the pricing issue. They do not want to. In fact, there was something in Congress Daily today, which is a publication that is put out about what Congress does, that says that there is a push within the Republican leadership that when they bring up their prescription drug bill, that they will specifically say in language in the bill that there cannot be any price controls or any effort to control prices in any way as part of that prescription drug program.

So there is absolutely no doubt in my mind that they do not intend to address the price issue at all, and try to bring prices down. That is another thing that will doom their program, because if they do not address the pricing issue, they will never be able to provide enough money to pay for a real prescription drug benefit.

I see that a couple of my colleagues on the Democratic side have joined me this evening. They have been here before. I certainly would like to have them participate.

I am particularly pleased that my colleague, the gentleman from Arkansas (Mr. ROSS), is here tonight because he is a pharmacist, and he knows more about this issue than I do and probably any other Member of Congress.

Mr. Speaker, I yield to the gentleman from Arkansas (Mr. ROSS).

Mr. ROSS. Mr. Speaker, I thank the gentleman for yielding to me. I am not a pharmacist, a lot of people make that mistake, and I thank the gentleman for the compliment. But my wife is a pharmacist, and together we own a small town family pharmacy in my hometown of Prescott, Arkansas, my hometown of 3,400 people. That is why I am so passionate about the need for a truly modernized Medicare to include medicine for our seniors.

Both sides of this aisle, Democrats and Republicans alike, have talked a lot about the need to provide our seniors with a prescription drug benefit, and yet we continue to see no action. This should not be a bipartisan issue. It is time for this Congress to unite behind the need to truly modernize Medicare to include medicine for our seniors, just as we have united in a bipartisan fashion on this war against terrorism.

This is especially an important issue for me because, as a small town family pharmacy owner, I have seen seniors before coming to Congress. Day in and day out in that small town family pharmacy, I would see seniors who literally had to choose between buying their medicine, buying their groceries, paying their utilities, and paying their rent. This is America, and we are talking about the greatest generation. I believe we can do better than that by our seniors.

If we think about it, health insurance companies are in the business of making a profit. Yet, they cover the cost of prescription drugs. Why? Because they know it holds down the cost of needless doctor visits, the cost of needless hospital stays, the cost of needless surgeries. I do not believe anyone in this Congress has fairly or adequately put a pen to the paper and determined the true amount of savings that we will realize by providing our seniors with a prescription drug benefit.

As I travel my district, and I have driven some 83,000 miles in my district listening to the needs of my constituents over the last 17 months, as I do that I hear story after story about senior after senior who is trying to get by on a \$500 a month Social Security check, and yet faces a drug bill sometimes as high as \$300 a month, sometimes as high as \$400 a month, sometimes as much as \$600, and yet, even \$1,200 a month.

I have had a senior tell me about how her son, who is in his 40s or 50s, has a drug benefit through his employer or health insurance to work, and they happen to take the same medicine, and he thinks he is healthier than his mom so he gets the medicine and gives it to her, which is going to cause him to have health problems.

There are estimates that as much as \$170 billion is wasted every year in our health care delivery system because people simply cannot afford to take their medicine, or cannot afford to take it properly.

I was recently in a small town, Glenwood, Arkansas, in Pike County, and ran across a retired pharmacist, probably in her 80s. She just happened to have been a relief pharmacist at the pharmacy my parents used when I was a small child growing up in Prescott, Arkansas.

She told me something that really stuck with me. She said, you know, back as recent as the 1970s I would fill a prescription, and if it cost in excess of \$5, I would go ahead and fill the next person's prescription while I tried to get enough confidence built up to walk out there and let the patient know that it was going to cost \$5. Now to see prescriptions that cost \$100 is not uncommon.

The bottom line is this: Today's Medicare was designed for yesterday's medical care. Today's Medicare was designed for yesterday's medical care.

There has been a lot of debate and a lot of talk about how we do this, how we provide a meaningful prescription drug benefit to our seniors. The Republicans first offered a plan that simply provided a discount card, like it was some kind of new concept. Prescription discount cards have been around forever. Watch any cable TV channel late at night and you will see them advertised for \$7.95 a month. My dad got one in the mail a few months ago for free. Why is that? Because the prescription benefit managers, which play a huge role in the Republican plan, do what? They make huge profits off the rebates, profits that exceed those that are made by the hometown family pharmacy. That is why they give us these cards for free, because they get rebates on the preferred drugs that are included.

Where the discounts come from, they do not cost the big drug manufacturers a single dime. Studies show that the savings range from 50 cents to \$3. If a senior who faces a \$500 a month prescription drug bill is taking six medications a month, let us say they can save \$3 per prescription, that is a total savings of \$18 a month, \$18 savings on a \$500 drug bill. That does not help our seniors choose between buying their medicine, buying their groceries, paying their light bill, and paying their rent.

Thank God that when we created Medicare, we did not say, here is a discount card, go cut a deal for your surgery. Here is a discount card, go cut a deal at the doctor's office. We provided a meaningful benefit under Medicare. We provided meaningful health insurance for our seniors. It is time that we do the right thing by all seniors by providing a voluntary but a guaranteed prescription drug benefit that is just like going to the doctor or just like going to the hospital.

The big drug manufacturers, they are not going to like the Democratic pre-

scription drug plan. Why? Because we have the courage to take on the big drug manufacturers.

Some studies show that \$360 million was spent by the big drug manufacturers in the year 2000 on political donations, lobbying, and advertising. In fact, some drug manufacturers as recently as last year spent more money on TV ads marketing their products than they did on research and development.

The ads that come on TV and look real fancy, and they try to tell us which drug we need to tell our doctor we need, have Members ever thought about that? It is time that we held the big drug manufacturers accountable. It is time we stood up to them and said, enough is enough. If governments, small governments like Canada and Mexico, can stand up to the big drug manufacturers and demand lower prices, why cannot we?

It is time we developed a plan that takes on the big drug manufacturers. Why? Because 83 cents out of every dollar that we spend on a prescription drug is 83 cents that is a result of the cost of the big drug manufacturer. Seventeen cents out of every dollar that we pay for a prescription drug is the cost that it takes for the hometown family pharmacy to do business: to fill that prescription, to buy liability insurance, to pay their utilities, and yes, oftentimes to deliver that medicine to the front door, because the patient is a senior who can no longer get out, a senior who can no longer travel, a senior who lives in a town like Prescott, Arkansas, where I am from, where we do not have mass transit.

This is a very important issue. It is important to our seniors, and it ought to be important to every one of us, because some day all of us will be on Medicare, and we, too, will want to have a meaningful prescription drug benefit.

This is a very, very important issue to our seniors. I hope it is an important issue to all of us. I look forward to continuing to discuss the need to truly modernize Medicare to include medicine for our seniors as this debate continues.

If another day passes without our seniors getting a prescription drug benefit, that is one day too many.

Mr. PALLONE. Mr. Speaker, I want to thank the gentleman from Arkansas. I know he said he is not a pharmacist, but because he owns a pharmacy and because he deals with the public on a regular basis, he knows about the preventive nature of prescription drugs.

I always like to bring that up, and I am pleased that the gentleman did, because we always, or I tend to forget, and I think a lot of my colleagues tend to forget that because prescription drugs really are preventive in nature, they actually save a lot of money.

In all these calculations that we have to deal with in trying to figure out how much a prescription drug plan would

cost, nobody ever calculates the fact that concerning some of the people the gentleman mentioned who cannot get prescription drugs now because they cannot afford it, we would prevent them from going to a hospital, we would prevent them from having to go to any kind of institution, and that saves the Federal Government a lot of money.

Obviously, if the Federal Government has to pay \$100 or \$200 for a drug, but if that means somebody does not incur a \$10,000 or \$20,000 hospital bill, that is a savings to the Federal Government because Medicare is paying for that hospitalization. Instead of that, they pay for a couple hundred dollars for a prescription drug.

I think it is important, because we, a lot of times, forget about how preventive measures, whether it is home health care or prescription drugs or whatever, nutrition, these things save the government money. That has to be factored in in terms of what we do.

Mr. ROSS. Mr. Speaker, if the gentleman will continue to yield, I would just tell the gentleman that I think this is a good example of why we need an overhaul in Medicare, why today's Medicare is designed for yesterday's medical care.

There are very few drugs, few drugs that Medicare pays for. One is when one has a kidney transplant. They will pay for drugs that keeps one from rejecting that kidney for up to 3 years. Here is what Medicare says today. They say, if you go to the doctor because you are ill, they will pay for it. If that doctor determines that you are ill because you need a new kidney, they will pay for the transplant and the hospital stay. Then they say they will pay for the medicine up to 36 months, 3 years, to keep you from rejecting that kidney.

In month 37, do Members know what Medicare says? Under today's rules and regulations, they say, I'm sorry if you cannot afford the medicine, which can cost more than \$500 a month to keep one from rejecting that kidney, we are sorry but we cannot pay for that anymore. But here is what can be done: Let your body reject that kidney, and we will pay for you to go back to the doctor, we will pay for you to go back to the hospital, we will pay for you to have another surgery, we will pay for you to have another kidney transplant, and then we will cover the medicine for another 3 years, another 36 months.

Again, that is just one example of how Medicare today does not make sense. Again, today's Medicare is designed for yesterday's medical care.

Mr. PALLONE. The point is that we may find that when we do, and hopefully certainly if the Democrats have their choice in the matter, we will have prescription drugs under Medicare, and we probably will find that there is a tremendous savings to Medicare on the hospital side and on the doctor side, and to the Federal Government because of a prescription drug benefit. I have no doubt about it.

Mr. ROSS. If the gentleman will yield further, I will tell him that as a small town family pharmacy owner, I cannot tell him the countless stories, and I can put faces to these stories and names to these stories but patient confidentiality prevents me from doing that, thank goodness, but I can tell the gentleman, faces stick in my mind of seniors who cannot afford their medicine.

I live in a small town of 3,400 people. Before coming to Congress, when I was actively involved in the management of our small town family pharmacy, I would see seniors who could not afford their medicine. They would leave the pharmacy without it, and a week or 10 days later we would learn, because it is a small town, that they were 16 miles down the road in Hope, Arkansas in the hospital running up a \$10,000 or \$20,000 hospital Medicare bill that could have been avoidable, could have been avoided had they simply been able to afford their medicine or been able to afford to take it properly.

Diabetics, I have seen diabetics that lose legs needlessly simply because they could not afford their medicine. Do Members know what it costs to amputate a leg? Do Members know the drain that has on the Medicare system and on a senior who no longer has a leg simply because they could not afford their medicine, or kidney dialysis?

□ 2245

Medicare pays for kidney dialysis. If you cannot afford the medicine, Medicare says that is okay. We will pay for kidney dialysis. As much as a quarter of a million dollars Medicare will pay out. But no, they will not pay for the \$40 or \$50 or \$60 prescription that the senior needed to avoid that horrible, horrible experience that in many cases eventually had a great role to play in their eventual death.

Mr. PALLONE. The other thing you have mentioned too, because we are now talking about the cost issue, is how the Republicans, the only thing that we are hearing from President Bush and the Republican leadership is the drug discount card, which obviously is already available and if there is a discount, you can take advantage of it now. There is certainly nothing that the Federal Government is going to do or promote that will make a difference.

I maintain that the way we save money is through prevention. If we do not bring costs down for medicine, it would make it a lot more difficult for a prescription drug program on the Federal level to work. And that is why the Democrats are saying not only do we want this prescription drug program to be part of Medicare, but we want the Secretary, in this case, of Health and Human Services to have the power and mandate to go out and negotiate lower drug prices.

I was just amazed to read, I mentioned before, I am actually going to read this from Congress Daily today,

which as I say to my colleagues we all know what it is, but it is a publication that is put out about what Congress is doing. It says, In a briefing document prepared by staff members of the Republican Study Committee, which is a House Republican research group, suggests that Republican members would like provisions to prohibit drug price controls, cap general fund contributions to Medicare at 40 percent of the total, and require means testing for the drug benefit to be considered for inclusion in the drug bill.

Now, I do not want to get into all of those, but the point is the fact that they would actually try to build something into the legislation that says they cannot deal with price is incredible to me because, again, if we are going to have this be a meaningful benefit under Medicare, there has to be some effort to bring down the prices. I will say we will specifically say what the price is and control the price, but we want the Secretary to have the ability to negotiate a good price.

The gentleman knows how that works, being in the pharmacy business and how HMOs and the VA and other systems that have a lot of seniors that they negotiate for have the ability to bring down the costs. So it makes sense to do that and not suggest that we pass legislation that would prohibit it.

Mr. Speaker, I yield to the gentleman.

Mr. ROSS. Mr. Speaker, I wrote a bill. It is H.R. 3626. It is a bill that will truly modernize Medicare to include medicine for our seniors. In that bill we hold the big drug manufacturers accountable. In that bill we demand the same kind of rebates from the big drug manufacturers that State Medicaid programs, that the Veterans Administration and that big HMOs have been demanding for years. And we do that because it is time that we held the big drug manufacturers accountable, and we can do that in a way that State Medicaid programs do it, a way that most privately held health insurance companies do it, the way most big HMOs do it, by demanding the same kind of rebates that they receive to help offset the cost for a meaningful drug benefit for our seniors.

Let me say this. Those who know me know I am a Democrat, I am a conservative Democrat, and I probably cross party lines and vote with the Republicans just about as much as anybody on the Democratic side. And when they are right, I stand with them. But I can tell you, I am a small-town family pharmacy owner. I understand this issue, and they are dead wrong with this issue. First, they come up with this crazy idea of a prescription discount drug card. Again, they have been around forever. Seniors have paid for them. They have gone to their pharmacy. They have learned there is no meaningful savings to a so-called prescription drug card. And thank God when we created Medicare, we did not

say, here is a discount card to go to the doctor and go to the hospital with.

Now apparently they will come with a program where they will cover this much of your drug bill if you make this much money. And they will cover this much of your drug bill if you make this much money. And it is so complicated that every senior is going to need to hire a CPA to figure out what their income is that month to figure out what benefit they qualify for.

This does not have to be complicated. A Medicare benefit that allows you to go to the doctor and that allows you to go to the hospital is not complicated. Everyone understands it. And it benefits those seniors who need it.

Mr. PALLONE. Mr. Speaker, the other thing the gentleman said which I thought was very significant is we know that the prescription drug manufacturers spend all this money on advertising trying to promote their brand-name drugs, and it is amazing to me what goes on and why it contributes to the escalating prices of drugs.

Obviously, they spend a lot of money on advertising. That causes prices to escalate. Then they try to make sure that people only buy the brand name which costs more and try to exclude or discourage the use of generics, which is one way to bring costs down. And then they come to Congress and use their lobbying power by financing campaigns and trying to get these patent extensions. The patent expires at the end of so many years and they get an extension for another 3 years or another 5 years, which makes it impossible to bring up the generic drug or use of a generic alternative.

They are constantly exercising their political clout, if you will, and advertising and then they get tax breaks for advertising as well. And all of this drives up the cost. And the worst of it that we have had in the last month or so is this drug industry-funded media campaign to promote the Republican prescription drug plan. If I could give you a little flavor of it here, because I am reading a press document that says that the drug industry is funding this front group called the United Seniors Association to launch a multi-million dollar advertising campaign to promote the Republican Party's prescription drug proposal.

The whole point of this thing is to try to confuse the public and try to act like what the Republicans are proposing is Medicare, it is a guaranteed benefit and it will bring down costs. They are spending something like 3, 4, \$5 million to try to make that point when it is not true.

I do not know how much longer the public can take it, the constant advertising for name-brand drugs, the constant effort to try to prevent generics to come to market, and, now, the effort to promote and spend money to say how the Republican bill is a good alternative. We have to get up here every night and as much as we can expose all of this.

Mr. Speaker, I just want to thank my colleague, the gentleman from Arkansas (Mr. ROSS), for coming down and making the point. Because since he is in the business, or at least he was, or still is with his wife, he has an understanding of what we face. So I thank the gentleman again.

Mr. Speaker, my other colleague is here, the gentlewoman from Texas (Ms. JACKSON-LEE), who is also a part of our health care task force who has been here many times to point out the need for a prescription drug program and Medicare prescription drug program. I yield to the gentlewoman at this time.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the distinguished gentleman.

Mr. Speaker, I was listening to my colleague and friend from Arkansas (Mr. ROSS) and my friend and leader on this issue from New Jersey (Mr. PALLONE). Let me say to my good friend from Arkansas (Mr. ROSS), I am from the fourth largest city in the Nation and when it comes to the crisis in prescription drug benefits, take a rural area with 3,400 people and no mass transit and take an urban center, and that is the nature of the crisis, and that is what it is all over this country.

What I would like to say to my friend as well, I am a supporter of family pharmacies and family pharmacists because we have a few in our community and I thank the gentleman very much. I had the opportunity to visit with a number of pharmacists who have come up to try and discuss various issues, and I say pharmacists who open these local family pharmacies, and they have been very sensitive to the plight of our seniors to the extent that I know. And I know that my good friend, the gentleman from Arkansas (Mr. ROSS), has probably yielded a little to some of the seniors who have come into his store and probably had their request or their prescription drugs on credit for a while so that they could manage to keep their health where they did not find themselves in hospitals. So my hat is off to the gentleman and off to the family pharmacies around the Nation.

I want people to know that this is not an issue of your family drug store or your neighborhood drug store where you go into the pharmacists who try to do the best they can with the prescription that the senior has. It is a national crisis that we have, and that is why I thought it was important that we again raise our voices and speak to this question of why we have not been able to make headway on this.

I wanted to refresh our memory and I am also reminded of the idea of changing Medicare for these times. Let me say that whenever Medicare is discussed, we do not make friends. I believe in 1965, whatever the time frame when Medicare first was established under President Johnson, there were a lot of people in the health care industry, good friends of ours, of course, that is senior to me, but in any event, individuals in the medical profession

that thought that Medicare was not going to work; it was going to collapse the system. How in the world are you going to have a government system to pay physicians? There was a great fear and debate about Medicare.

Now we find out that Medicare has extended the lives of seniors. And when it works right for the purpose our physicians, it is a system that provides better health care and the opportunity for our physicians to treat the elderly in a way that gives them a longer life.

Now we talk about reforming Medicare in a way that is long overdue, and I want to refresh my colleagues' memory, if we could, and refer back to the State of the Union in 1999. Now we have been talking about this for a very long time, but usually when things get elevated to the level of the State of the Union, then the Congress takes its lead, begins to formulate policies in a bipartisan manner. And it was in January 1999 when President Clinton announced an initiative to create a Medicare prescription drug benefit in his State of the Union.

This was declaring to the Nation that this was not only a crisis, but it was utmost important. When he delivered his State of the Union address in 1999, he laid out that one of the key goals of the year was creating an affordable prescription drug benefit under the Medicare program.

Mr. Speaker, I would say to my friend, the gentleman from New Jersey (Mr. PALLONE), we had the opportunity. We had the President. We had two Houses of Congress that should have seen the crisis and the writing on the wall. The gentleman asks the question why? We had legislation, as I recall. I remember we had a partnership with some legislation that was bipartisan as I recall, and that the Democrats and Republicans, at least Members who were on this particular legislative initiative, were prepared to move forward in the Committee on Energy and Commerce. And all of the sudden because of what I shamefully have to admit, that the devil was in the details, we began seeing certain industries feel that their particular stake in this was going to be diminished.

What that did to me and if I may selfishly say is have me day after day go back to my district and day after day be asked by my seniors, I thought you were going to pass that Medicare prescription drug benefit. I had town hall meetings. I had national figures in my district. I was speaking to seniors. I was hearing their stories of sadness, plights of individuals, two couples. When I say two couples, a husband and wife, struggling to pay both his drug prescriptions that he needed and hers, two seniors living together, living longer because of Medicare.

So the frightening thing about this is we are now in 2002. I have said this before on the floor of the House, we are spending \$1 billion a day in the war against terrorism which all of us have united behind the President on that.

We had a \$5.6 trillion surplus just a year ago and tragically we were hit on September 11. And because we did not have restraint in the administration and proceeded with an enormous tax cut, we have a crisis. But in that crisis, let me say, that I am willing not only to confront the crisis but to take a risk.

□ 2300

Let me show my colleague that the American public is prepared to take a risk.

A question was raised in a survey, Medicare does not currently pay for prescription drugs and do you think the Federal Government should expand Medicare to pay for part of the drug costs? The survey showed, as my colleague will see, 67 percent of those surveyed believe that we should do that. They are asking the Federal Government to act. Only 6 percent said Medicare should not pay for drugs and only 26 percent of our seniors believe it should be a private system.

When they asked would you support or oppose rolling back the tax cut, this is the debate we had here today about this two-thirds super majority on raising taxes, and I will tell anyone I have not announced any position on raising taxes.

What I have suggested and what we have suggested, what colleagues in the Democratic Caucus have suggested is a rollback or a moratorium but a recognition that we cannot pay these taxes that give this high percentage of tax cuts to just 1 percent of the American public, but we find here in a survey just recently, March 28 to May 1, 2002, when we asked the American public would you support or oppose rolling back the tax cut that Congress passed last year and using that money to provide a prescription drug benefit under Medicare for seniors, a whopping 64 percent of the American public that are in this survey have indicated that they are willing to do that.

Why are they willing to do that? Because they realize that we are coming to a point of no return. We have Medicare that extends the life or has extended the life of our senior population, but we are cutting it off at the door because to extend the life through access to health care, then the prescriptions that have been prescribed must be utilized. We are talking about seniors who have up to 18 drugs that they have to take on average and, therefore, are in need of these resources.

Let me just share with my good friend and colleague why I have a problem with what the Republicans are proposing, and I am very glad that the gentleman is yielding.

Mr. PALLONE. Mr. Speaker, if I could just interrupt, I wanted my colleague to reiterate that point again about how many different drugs the average senior takes in the course of the year. I think a lot of the people, particularly younger people, have no idea

how things have developed, as my colleague said, over the last 20 or 30 years since Medicare started out.

Probably when Medicare started out in the 1960s, it would probably be unusual for a senior to be taking any kind of prescription drug, but now the gentlewoman said the average is 18 different?

Ms. JACKSON-LEE of Texas. Mr. Speaker, 18 different kinds of drugs, and we have heard that through the research of some of our colleagues in the other body, and as well I am going to bring our attention to this legislation about Canada and the reason why that is even being proposed. But out of doing a survey in various communities, yes, that was determined that there are multiple prescription drugs for multiple ailments. The senior is functioning. That same senior is at the neighborhood community center on Monday through Friday, but they need that amount of drugs.

Mr. PALLONE. If I could just reclaim the time, I know that statistic is accurate. I have seen it many times, but I think a lot of times people do not realize, because of the fact that so much research has been done and all these miracle drugs have been created, and it is all great, it is true now that seniors are taking that many drugs, and that is why the costs are so high. Even 5 years ago, the costs were not as high as they are now, and that is why this is such a crisis.

I did not mean to interrupt, but I think that statistic is interesting because I am not sure a lot of younger people realize that.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I think that is extremely important. The gentleman from New Jersey is right in emphasizing that point. My colleague made a point earlier that he may want to elaborate on, and my good friend from Arkansas. I am concerned. It is also reputation, or they attempt to stigmatize Democrats, and I am glad that the gentleman from Arkansas did indicate that we have had support across the aisle and, in fact, we are encouraging bipartisan support on a fair Medicare prescription drug benefit.

This door is not closed to anyone who agrees with our position, but I take issue with being stigmatized as being opposed to business. In fact, let me compliment some of the pharmaceutical companies who worked with us on this issue of HIV/AIDS in Africa and have done some enormous work on this question. Certainly there have been some challenges on costs of drugs even there, but I will give credit where credit is due.

I am aghast that anyone would say that there is a crisis in the profit margin of these pharmaceutical companies, and I welcome, I know the gentleman sits on the Committee on Energy and Commerce, any hearings that could be held to say that there is a crisis in profit, and therefore they cannot come to an agreement on a prescription drug

benefit of which the Democrats are proposing a voluntary effort because, as I understand it, as I heard the gentleman speak before, a lot of the research is funded by the FDA initially and covers the research that the pharmaceutical companies are doing.

Mr. PALLONE. Mr. Speaker, I wanted to point out there is no crisis in terms of the profit the prescription drug industry is making. The gentlewoman knows my home State of New Jersey is the headquarters for many of these, of the major drug companies, and let me tell my colleague, they are doing very well. Their stocks have been doing well, even in the last couple of years where the stock market has not been generally doing that well.

I, for the life of me, cannot understand why they do not see a financial benefit in a Medicare prescription drug program because, if we think about it, we have all seniors, millions of seniors that are not covered, not buying prescription drugs. If we add the entire senior population, if the entire senior population, most of which does not have a meaningful drug insurance program now, it is now included under Medicare, we have to be talking about an additional maybe 20 million Americans who would now be eligible and have most of their drugs paid for by the Federal Government. How is it that these drug companies would not benefit from that?

I think it is the fear of the unknown. In other words, they are doing well now. Their stocks are doing well. Their CEOs are making a lot of money, and they just figure, well, things are pretty good, so let us not change it. But I think once this program is put into place the way the Democrats have proposed, I seriously doubt that there is any way that they are not going to make more money because they are going to be selling more prescription medicine. I think it is just the fear of the unknown and the realization that maybe things are going to change, we are not going to benefit in some way, but the notion that their profits are going to be diminished by expanding Medicare, to me, is nonsense.

I yield back to the gentlewoman.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I am glad the gentleman clarified my confusion, and might I emphasize again, that is why I take issue with any suggestion that Democrats are against business and have not been supportive. That is my analysis, and I am quite surprised at the representations and the fear that has been put forward by our good friends in the pharmaceutical industry to the extent of this major advertising campaign.

First of all, do they understand that our Republican friends are putting forward a bill that has a huge hole? Because it fails to cover seniors that have costs between \$2,000 and \$5,600. Now, most of us would think that is a lot of money to spend on drugs during the year, that is, low income seniors, and if we leave that large gaping hole, how

are my colleagues going to respond to the issue? Those seniors are still going to physicians. Those physicians are still prescribing drugs and they still need to pay for them.

Why not cover them? They are 100 percent on the hook under the Republican plan for drug costs in that window. That is a lot of our constituents. It could be large cities. It could be rural areas. It could be suburban areas. A lot of seniors are living on a fixed income. A lot of them have drug costs and cannot afford that amount.

Mr. PALLONE. Mr. Speaker, reclaiming my time, I think the gentlewoman is pointing out a very important point. I have not stressed it so much because I know that the Republican plan does not have any kind of guaranteed benefit.

In the other words, what the gentlewoman is basically referencing is when the Republicans put out their proposal, they suggest that I think for the first \$1,000 they will pay 70 percent of the costs for the next thousand. Up to \$2,000, they will pay 50 percent of the costs, and then from \$2,000 to \$4,500, they will pay none of the costs, but the reason I think that that proposal is absurd, as my colleague pointed out, is, and why they do not have any hesitancy of talking about it that way is because it really is not any benefit.

In other words, what they have done essentially, from the way I understand it, they have said we are going to throw a certain amount of money out for these drug-only insurance policies, and in order to fit that in for what we would like to see for a benefit, we will structure it this way, and they have structured it with that hole because there is not enough money to pay for a real benefit that would be meaningful.

The problem is that since this is just being thrown out to the private insurance sector, we do not even know what these drug-only policies will provide, and they are probably not even going to be available in large parts of the country. So I think the reason they do not have any problem suggesting what my colleague suggests is actually absurd is because they do not really have a guaranteed benefit at all. So they create this hole in order to fit it in with their budget, what they think they are going to throw out there in terms of the total amount.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I think the gentleman has articulated it extremely well. That is why I wanted to make sure that my chart was clear, that the consensus of the American people would be, one, they recognize this would be expensive. I do not think that we should hide from that concept, but we need to frame what we are saying.

What we are suggesting is that the investment is well worth the honest cost and that is to ensure that the average senior, which is obvious the average senior could not pay \$1,000 because we might say that that would be easy to almost come up with.

□ 2310

But they are usually in this ballpark. Certainly over 2,000 would be left with 100 percent of the bill. The question is whether we make the calculated, intelligent judgment to invest in this kind of plan that Democrats are offering that in fact puts a minimum of a \$25-a-month premium, I know things are sort of meshing and forming, but has a deductible, has a co-insurance, but responds to those low-income seniors and others. That is what we are suggesting, voluntary and universal.

This way we are not precluding, we are not indicting anyone, or segmenting one economic group versus another. What we are suggesting is that gaping hole between \$2,000 and \$5,600, we would be doing nothing if we did not pass legislation that respond to that.

Mr. PALLONE. Mr. Speaker, reclaiming my time, the Democratic proposal, which is like part B, which is the part of Medicare that pays for the doctors' bills, there is a premium, low deductible, and 80 percent of your doctors' bills are paid for under part B, and almost everyone signs up for it because it is a good deal.

We are suggesting we do the same thing with prescription drugs. What I think is important, particularly for poorer people or people who do not have the money to pay for the premium, just like under part B for your doctors' bills, if you are below a certain income, we pay for that premium. If you are a little above that, we pay for part of the premium. We would be doing the same thing under the Democratic proposal for prescription drugs. That \$25 premium that you would pay per month for the prescription drug benefit under Medicare, would be totally paid for by the Federal Government if you are below a certain income; and if you are just above that, it would be partially paid for by the Federal Government. So no one would not be able to get the Medicare benefit because they could not afford the premium.

Ms. JACKSON-LEE of Texas. Mr. Speaker, that is an excellent point. As well, I think it is important to note, and again this is not a time to speak to the condemnation of any HMOs or plans, but you will not have to be in an HMO, as I understand it, to receive this coverage. I think that is a key element as well.

As I close, let me also say to the gentleman, and I started out by saying this is a crisis, and I just wanted to note that some of our good friends are recognizing this, have proposed legislation to deal with the importation of drugs from Canada. This is not a commentary, but this suggests to the American public that this is serious, that we have been without any redress and without any ability to address this crisis. We have had to go to the point of seeking an opportunity for seniors to get drugs in Canada.

I just ask the question to the gentleman, can we not do better? I applaud

this legislative initiative. I applaud it and support it because I need help for my seniors. But cannot America and this Congress turn its attention to what seniors are facing across the land? This is not a New Jersey problem or Minnesota or Michigan problem. It is across the land.

I have been saddened by having to meet with seniors time after time and have them raise their hand for a question asking about the prescription drug benefit, as if I am coming home without what I promised. I cannot imagine that we can go any further without doing this, and recognizing we have a valid plan and we have a crisis. We have the evidence that our country is willing to address this by sacrificing a tax cut and providing a prescription drug benefit.

Mr. PALLONE. Mr. Speaker, I thank the gentlewoman for her points. The gentlewoman's last point spoke about the fact that many seniors are forced, particularly if they are in the border States, to go to Canada where they can find the lower drug prices. That should not be the answer. I agree with the gentlewoman 100 percent, but it makes me point to one other thing which we have not really stressed that much tonight but needs to be stressed, and that is as Democrats we want a prescription drug plan.

We are going to lay that plan out tomorrow at a press conference at 11 on the steps of the Capitol, but the issue of prices for drugs is not just something that seniors face. All Americans face it. This prescription drug plan under Medicare will solve the problem for seniors, but the pricing issue is still a problem for everyone else.

We need to look at that as well. We need to, if the option is for some people because they are close to the border to be able to go to Canada and buy cheaper drugs, let them do it. We need to plug up these patent extensions. We should not allow companies with brand names to get patent extensions just because they have some money that they are throwing around this place because that prevents generics which are a low-cost competitor to these brand-name products from coming to market.

I think we should also plug up this advertising loophole where they get these tax breaks for the advertising that they do. I can understand a tax break for research, but why a tax break to advertise brand-name drugs? There are a lot of things that need to be done in a larger sense that do not just relate to seniors to try to bring drug prices down, because this is a crisis for every American, but particularly for seniors who are so dependent on some of the drugs and the cost for them is so prohibitive.

But it is a problem in general. The Republican leadership does not even want to address the price issue in the context of Medicare, let alone if we talk about it in the larger context of all Americans. We need to bring prices down for everyone.

Ms. JACKSON-LEE of Texas. Mr. Speaker, just quickly, one of the comments made in this evening's discussion is we need an overhaul of Medicare with the various health components that are part of the Medicare system brought to the table.

I actually believe points made by the gentleman from New Jersey (Mr. PALLONE) could be discussed and resolved in a meaningful, coming together in discussion, not in an adversarial, way. I would hope that the major entities, hospitals, pharmaceutical companies, the medical profession, we need some reform with nursing. Why do we not bill nursing services? We have a nursing shortage, hospitals cannot pay nurses, nurses are not getting compensated, and that is a suggestion that we bill nurses as we bill physicians. And my point is, if we do not do this in anger or anguish, pricing questions need to be resolved. We might be better for it if we begin to look at ways that we can even out the cost. If we get to the point that the cost is so insurmountable that hospitals close, nurses are not available, pharmaceutical companies are not making money because the enterprises are not in business any more, I think that is common sense.

Mr. PALLONE. Mr. Speaker, I will just say one more time as Democrats, we are determined first to address the issue of drug prices; and, secondly, to provide a Medicare benefit, a guaranteed Medicare benefit for all seniors. We are going to be unveiling our Medicare prescription drug proposal tomorrow. I know it is a good one. I hope that the Republicans will seriously take a look at it and not go down this privatization plan that they have been talking about.

INTEGRITY AND HONESTY IN THE CORPORATE WORLD

The SPEAKER pro tempore (Mr. KELLER). Under the Speaker's announced policy of January 3, 2001, the gentleman from Michigan (Mr. HOEKSTRA) is recognized for half the time remaining until midnight, or approximately 20 minutes.

Mr. HOEKSTRA. Mr. Speaker, last night I came to the floor, and I talked about an issue that I have a passion for. It is about integrity and honesty in the corporate and business world.

□ 2320

I talked a little bit about some of the revelations that have gone on in the last few months, really beginning with the scandal at Enron, Arthur Andersen and those types of things. And I want to talk a little bit more about that tonight because the stories in the papers today just keep building on this issue.

Today, USA Today: "Stock Markets Sink to New Lows for 02." The bottom line is that this lack of integrity and this breaking of the public trust by corporate business and business leaders has had a real and a dramatic impact

in our economy. The public is losing faith and trust in our corporations because of these many examples.

Why is this? Let us go back and take a look at what our system is based on. I have quoted a former boss of mine at Herman Miller Corporation who has written a number of books talking about leadership. One of his latest books, "Leading Without Power," Max De Pree, a Fortune 500 CEO, wrote about the importance of people having trust and confidence in the American economic system in order for it to work. He states: "When you stop to think about it, it is astounding that anything as complex as the trading of stocks, bonds, commodities and futures ultimately depends on trust, a value, not a statute, not an SEC regulation, not even a government mandate. The system works on trust."

Where are we today? Again, USA Today, front page of their money section, the top headline is "Wait for Verdict Raises Fear of Hung Jury," but here is a story that really just builds on exactly what I was talking about last night, and actually they say it much better than I do. Their cover story on their money section is "How did Business get so Darn Dirty? Experts blame greed. Reforms come slowly."

Double dealing Wall Street analysts. Sleazy accounting. Cooking the books to goose corporate profits. Bogus stock trades. Greed and corruption have always lingered at the edges of corporate America, from Civil War profiteers to inside-trading scandals of the '80's. Yet the new millennium has ushered in a wave of fraud, corporate malfeasance, investment scams, ethical lapses and conflicts of interest unprecedented in scope."

The end result: a lack of public trust, shareholders, customers and employees feeling devastating financial consequences, and stock markets sink to new lows for 2002.

The fallout is a prime reason stocks continue to flounder. And despite calls among politicians, regulators, and Wall Street for sweeping reforms, little is being done to change rules for corporate conduct.

That has to change.

What are some of the examples out there as to why the American public is losing their confidence in the corporate business world? Here are some examples: Baltimore currency trader John Rusnak indicted for bank fraud for allegedly hiding nearly \$700 million in losses. Alan Bond, former regular on "Wall Street Week" with Louis Rukeyser, convicted Monday of defrauding clients of \$56 million.

There is a nuttiness that we're seeing. Boost performance by any means. The temptation to cash in grabbed lots of people.

Here is an interesting one: Dennis Kozlowski, think about it. Here is a guy that over 3 years made over \$300 million as compensation as Tyco CEO, forced out over an indictment for tax evasion. \$300 million, over \$100 million a year, and the guy appears to be unwilling to pay sales tax. Let the rest of the American people pay sales taxes, because \$300 million, \$100 million a

year, I just cannot afford to pay sales taxes.

The question to this individual, Mr. Kozlowski, if this is an accurate portrayal, when is enough enough or when does it simply become greed?

You just go on. Software provider MicroStrategy, trading at \$333 per share. Today, it is trading at \$1.15. The CEO, Michael Saylor, and other executives later paid \$350,000 in fines to settle SEC allegations of accounting fraud and paid \$10 million to settle shareholder lawsuits.

I am not sure exactly what the CEO walked away with, but I would guess that he walked away with a lot more than the \$350,000 that he paid in fines.

Enron executives sold millions. The real tragedy and the real shame here in America is that as these executives lead their companies down a road of shady dealings, activities to deceive and hide the true viability of their business from their customers, their shareholders and their employees, it seems that for some of these as their employees and shareholders face financial ruin, for these few executives it has come to mean a golden parachute. In this kind of world, lower standards prevail. Honor and trust continue to falter elsewhere, but they are really faltering in the business community.

I want to just highlight one other example. This is from our State of Michigan. This impacts and shows how again individuals, shareholders and employees get hurt when leadership breaks the public trust.

CMS Energy shares drop. Suspect trades help drag Detroit-based firm's stock down more than 35 percent since January.

CMS Energy Corporation's stock fell 10 percent Tuesday after its former accounting firm said its opinions on the energy company's financial results for the last 2 years can't be relied on.

Excuse me? It can't be relied on.

Here is something that I find really ironic: "Last month CMS fired Andersen because of the accounting firm's link to the Enron Corporation scandal." What is the problem with CMS? CMS simultaneously sold power to and bought electricity from other energy companies to artificially boost the volume of its deals. CMS, this is like the pot calling the kettle black. They are doing bogus sales to boost the volume, deceive their employees, their shareholders and their customers; and at the same time they are firing Arthur Andersen because of the accounting firm's link to the Enron Corporation scandal.

And here is now a response from an analyst. They have engaged in bogus trades, their auditing company says we cannot really support the opinions for the last 2 years on our audits, and here is one analyst's response: "The market is overreacting to Andersen's statement. People are really fidgety these days."

No kidding. What would you think they would be? Let us see, they have invested a ton of money, the stock is down 35 percent, the auditors are say-

ing, the last 2 years of financial statements, we can't vouch for those anymore. And, by the way, the company has admitted that it has engaged in a bunch of bogus trades to inflate the health and the vitality of its business. And people are fidgety.

They have a right to be fidgety. The leaders of this company broke the public trust. The auditors did not do their job and people are fidgety. I would guess so. Because their stock has dropped by 35 percent, and my guess is that the executives of this company are going to walk away with a bundle of money.

Just a few more examples. This is what happens when the companies go down, employees and shareholders and customers are hurt. What happens to the executives? Enron, Ken Lay. Ken Lay is doing all right. He sold \$1.8 million shares for \$101 million. Jeff Skilling, he sold 1.1 million shares for \$66.9 million. They sold those shares for around \$50 to \$60 a share. Rebecca Mark. She only walked away with about \$80 million. She sold her shares at about \$60 a share. Robert Belfer, he is a director. He only made \$51 million.

□ 2330

He sold 1 million shares for \$51 million, \$51 a share. If any of you want to buy Enron, I bought some a while back. I just wanted to see how these people explained their behavior to their shareholders. I think I bought 50 shares. I did not pay \$51. I did not pay \$60. I did not pay \$70. I paid exactly what you can do if you call your broker, unless maybe the stock has doubled. I bought it for about 20 cents a share. If I made a good investment, you may have to pay 40 cents a share. I am not sure what happened to the stock price. But these guys walked away with a bundle of money.

Mr. Kozlowski, the individual from Tyco, \$100 million a year was not enough. He did not want to pay sales tax. Under Mr. Kozlowski's leadership, quote, unquote, Tyco lost \$86 billion in market value. According to Reuters, "A pattern of lucrative payouts to board members and top executives at the troubled manufacturer raises questions about whether they had incentives to keep tabs on the spending of disgraced former chairman Dennis Kozlowski. The question is now whether he will receive less than \$135 million in a severance package than if he had been fired."

Mr. Kozlowski has been indicted and the question is whether it will trigger a wider probe into Tyco.

CEO, Lucent Technologies. Mr. McGinn, former CEO, will receive \$5.5 million in cash. They are going to pay off a personal loan of \$4.3 million. His performance at Lucent, the Securities and Exchange Commission is investigating possible fraudulent accounting practices while Lucent employees are suing the company for a breach of fiduciary responsibility by inappropriately allowing employees to add company stock to their retirement plans.

WorldCom. Mr. Ebbers will receive \$1.5 million a year for life. His performance, WorldCom is being investigated by the SEC for possible fraudulent accounting practices. Its credit rating has been reduced to junk status and has been removed from the Standard & Poors 500 index. Good job. Congratulations under your \$1.5 million per year.

It is a disgrace. I hope that the business community steps up, because the bottom line is that millions of American businesses who practice honesty and really do lead with integrity and maintain the public trust and recognize that it is a public trust, will most likely pay the penalty for the failed leadership of these executives. These people walked away with golden parachutes, and many of them left their companies in shambles and left their employees' and shareholders' financial conditions in shambles. They walked away with a golden parachute. Their legacy to American business is this Congress and the business community is now going to have to face a mandate and a multitude of new business regulation.

The problem is, let us not forget that in the end, this is about integrity, it is about trust, it is about common sense, and it is about decency, all leadership qualities that cannot be legislated, and in many cases leadership qualities that were expected of these individuals, because they hold the public trust and they walked away from it.

I yield to my colleague from Colorado.

Mr. SCHAFFER. I appreciate the gentleman yielding.

Mr. Speaker, I have heard my colleague from Michigan now speak two nights in a row on this very topic, and I want to commend him, because it is late here tonight. I was in my office and I heard the gentleman begin on the subject, and I ran over here to join him and to encourage him on this topic.

I do not care how late it is, and I do not care how many times we have to hear it, but this is something that we need to speak about more often. Let me be a little critical of our own party, if I can. We are Republicans, we are conservatives. We share a passion for free market capitalism together. You know, this is a subject on which Republicans ought to be vocal, as the gentleman has been, and we ought to see more of us from our side of the aisle here.

I will tell you why, because these individuals in corporate society in America who are betraying their investors, betraying the employees of these companies and trying to get away with outright theft, are threatening our very existence as Americans. They are threatening our way of life and traditions of free market economics, driving what historically and traditionally has been the most powerful economic force on the planet, and that is the United States of America.

Mr. HOEKSTRA. The gentleman and I have talked about this. I appreciate

my colleague's support. What we have said is in some ways these people are accomplishing, these business leaders, because of their failure to exercise true leadership, are accomplishing what the terrorists could not.

We bounced back after September 11, believing that we could rebuild America, and we are. They put the final piece back on the front of the Pentagon, I think, this week. We are strong and we are going to overcome that and are going to know we can move forward in the face of this terrorist attack. But people are questioning the strength of our system, and stocks are down, not because of the terrorist attack on September 11, but because of the scandals in the business community.

Mr. SCHAFFER. I do not think that the magnitude of this tragedy can be overestimated. It is quite serious. The gentleman is right, there are many people in this Congress and in this country who have rebelled against capitalism for years and years, who think our capitalist way of life in America ought to be thrown out; that we ought to, I guess, go the way of some of the socialist nations of Europe and perhaps even the communist nations in experiments that have been tried and failed around the country.

We, as conservatives, free-market-oriented legislators, we vigorously defend and put our political capital on the line in the notion of free markets. It has served this country well. It has led us to a point of prosperity in this Nation that was beyond imagination for our forefathers and those who have been the pioneers before us here in America and those who have served prior to us here in Congress fighting to preserve free market capitalism in the country.

These individuals who are cheating and lying and resorting to deception and betrayal, I will tell you what, they are the scumbags of American industry. I am fed up with it. I think Republicans ought to be leading the charge to try to suggest that American industry ought to really rise up to try to police itself, because it is these few bad actors who are trying to get away with stealing millions, sometimes billions of dollars, that give the entire business community just a black eye that is very damaging. It threatens investor confidence.

I think this is a point at which investors and consumers ought to really rally the cause, not to look to government for solutions, though I think there are some places where we have a legitimate role to play, but this needs to be policed where it matters the most, and that is with Americans themselves, free Americans who understand the importance and power of a free market system and the importance of capitalism and believe very firmly in it.

Failure to address it at the serious level it warrants really empowers those who want to destroy capitalism from a

bureaucratic perspective. We fought too hard to come here to Congress to allow that to happen.

So I want to commend the gentleman for raising this issue. These organizations, Tyco, CMS Energy, Enron, Lucent and others you mentioned, there are board members elected by stockholders. Their job is to make sure the stockholders' interests are protected, not those few privileged that end up running away selling what is the moral equivalent, I suppose, of sweets on the Titanic. It is their job to make sure that American industry is preserved at a level of integrity that Americans deserve and Americans have come to expect.

I would suggest maybe one other thing. What business schools are producing these individuals, these scoundrels trying to get away with these kinds of crimes? Where do they come from? Those business schools and colleges ought to be held accountable as well, not only for producing these scumbags, but also for perhaps suggesting, maybe telling Congress as to what kinds of changes in the curriculum they are making to improve the quality of business ethics within their colleges and universities.

□ 2340

Maybe we ought to hold them accountable, bring them here in front of hearings, in front of Congress and ask them to provide some solutions so that the captains of industry of the future perhaps have a little higher integrity than these few bad actors are demonstrating.

The SPEAKER pro tempore (Mr. KELLER). The gentleman from Michigan (Mr. HOEKSTRA) is recognized for the balance of the time until midnight.

Mr. HOEKSTRA. Mr. Speaker, I thank the Chair, and I thank my colleague for joining me.

I just want to close on this issue, because I know we want to talk about another issue that the gentleman and I both have a passion for but, like I said, I really thank the gentleman for being down here. This is an issue that Republicans need to take head on. We recognize how important this private sector is; we also recognize how fragile it is. Our system is based on trust. And when these folks break the trust and they walk away with millions or billions and are not held accountable, they weaken the entire system, and we are going to need to put in place, and I hope it happens in the private sector because we really cannot do it very effectively through Congress; but the boards of directors need to stand up and recognize their accountability to the shareholders, to their customers, to their employees; not to their colleagues on the board and not to senior management. They have to get a renewed appreciation for their role, and I think it is our job to point out what is going on here.

Mr. SCHAFFER. Mr. Speaker, if I could amplify that, I want to be frank

and open and honest with respect to the political realities of this. Republicans and conservatives around the country cannot afford to stand by and abandon the field to our friends on the left on this topic. We cannot stand silent and allow those who are the advocates, the Democrats in America, the liberals in America, the advocates of greater government control, greater bureaucracy, a government-managed economy; we cannot allow those advocates to somehow gain the upper hand in controlling America's economy predicated upon the crimes of just a few. These are very, very serious incidents that have occurred throughout the country, and we need to take the moral high ground as the Republican Party.

I would really urge all of our colleagues to come duplicate this Special Order and hold their own, to hold more hearings here in Congress. I think we desperately need that. I would encourage our friends throughout the country who care about these issues and who believe a conservative viewpoint in America is essential and is superior of that of the left, to write letters, to get on radio talk shows, to be as forceful and vocal as they possibly can within the political context of America.

This is an issue that conservatives ought to resolve. We owe this as our legacy to the country and our philosophy and our belief to take the moral high ground and to manage this situation in a way that corrects these atrocities and brings us back to what is expected and customary in American society in business. Because our failure to be forceful and vocal will abandon the floor to the wrong people who, in the end, have a much more dangerous and pernicious agenda for America's economy and America's industry, and that is, quite frankly, government control.

Mr. HOEKSTRA. Mr. Speaker, that is exactly right. If corporate America does not step up and deal with these abuses, or if we do not stand up here on the floor of the House and highlight these abuses and push the business community to come up with solutions through the private sector, the end result will be massive new government regulations, which will not have much of an impact, except putting many more costs on our businesses, driving away jobs, driving away creativity and productivity. This is about honesty, decency, and it is about the survival of the free market system, the capitalistic system, based on trust and us standing up and acknowledging that this is based on trust, it is not based on government regulation, and we need to move forward and we need to put pressure on the business sector to step up and deal with this.

I have been absolutely amazed. I came out of the business community. I worked for a Fortune 500 company. But I have been amazed by the deafening silence of the business community speaking out on these kinds of issues. I

mean think about it. Companies that are involved in bogus trades, auditing companies that do not audit, sales that are not there, profits that are not there, excessive salaries, and the rest of the business community has basically been quiet. As this one analyst said, well, people are fidgety. Yes, because for many of our constituents, for many of my constituents who work at CMS probably have some kind of a profit-sharing plan or have some of the retirement put into CMS stock. Since January 1, the stock is down 35 percent.

Yes, those people are fidgety, because their company had bogus sales, the company deceived their employees, got them to invest in that stock on a false premise, and they have now lost 35 percent. Yes, I would be fidgety too, because these are people who are near retirement, some of them maybe are on retirement, and they have looked at their nest egg just kind of shrink and evaporate, and now people are saying, well, they are just fidgety, they are overreacting. No, they are reacting exactly the way we would expect them to act, when the leadership of their company has failed them and lied to them and when the leadership of their company walks away with millions and they have lost 35 percent. That is not right.

Mr. SCHAFFER. Mr. Speaker, when it is predicated on fraud, when it is predicated on deliberate acts of deceit, those people who committed those crimes ought to be in jail and they ought to serve a long, long time before they ever see the light of day again. I firmly believe that.

Not only that, I just want to reiterate what I said before. Who is producing these clowns? What business schools are they coming from? Let us find out what business schools, what college professors train people to believe that they can lie and cheat and steal here in America and somehow live in lavish houses and get away with it.

The message needs to be sent that anybody who trains these kinds of clowns needs to be exposed right along with the perpetrators. The perpetrators need to go to jail. My goodness, we ought to have a review of the curriculum in business schools to find out what kinds of ethics classes that they are exposing American students to, because it is not good enough, and we just have to bring this to an end as quickly as possible. It will destroy American society as we know it. This is a huge threat. The magnitude of this just cannot be overestimated and overstated.

Mr. HOEKSTRA. Mr. Speaker, it is kind of interesting, when I come back and we do our next Special Order on this topic, I will bring along a copy of an op-ed piece written by Jack Colson, because that is exactly the question that he asked, which is who is training these clowns? Because the message that clearly is being taught in many of

our business schools, it is okay, as long as you do not get caught. No harm, no foul. I sell you \$1 billion worth of energy, you sell me \$1 billion back, immediately after that, we are now both a \$1 billion company. If we do it twice, we are each a \$2 billion company. If we do it 4 times, we are a big company now. We have not created any profit, we have not created anything, and no harm, no foul, but we have now just presented to the American public that we are both a \$4 billion company.

That is what these folks did, and for one of these companies, it was 80 percent of one of their division's volume, bogus trades, just trading it back and forth and 2 companies saying, wow, look how big we are.

Somewhere in the business schools, they said, well, as long as you are not breaking any laws, it is okay. Game the system, and do not worry whether it is really not right, but game the system and you are okay as long as you do not get caught. And the bottom line is, for many of these people, it has gotten to be an issue of greed.

This head of the TYCO, and I have a passion about this TYCO company. They came into my district a few years ago and they bought a nice little small company, 400, 500 employees, and they said, we are going to keep it the same, we are going to keep it the same, we are going to keep it the same. They finished the sale and the next day, they locked the doors. Now we know what kind of man was running that company. He did not care about the employees, because he let them go the day after. He did not care about the business. He walked away with \$334 million, and the biggest insult of all was when it came to paying sales tax, he said, I am not going to pay sales tax, because you know what I can do? I can buy something through the company, I can buy it in New York City, but if I ship it to Connecticut or somewhere else and then they can ship it back to me in New York because I shipped it to Connecticut, I do not have to pay any sales tax.

□ 2350

And it is kind of like, when is enough enough? It was \$334 million. If he worked 7 days a week, 24 hours a day, he made about \$10,000 an hour every waking hour. By January 1, at 6 o'clock in the morning, he had made \$60,000 already, much more than most Americans will make in a year, and probably within the first 2 weeks of a year would have made more money than most Americans would make in a lifetime, and it appears that he was unwilling to pay a sales tax. It is kind of like, whoa. And that is the leadership of our, at least in this case, of one of our major corporations. He is leaving the company in ruins. The market lost \$86 billion.

We ought to talk about the other issue that the gentleman and I both have a passion for, which is education. The gentleman and I both serve on the

Committee on Education and the Workforce. We have spent a lot of time going around America taking a look at what works.

We have analyzed the bureaucracy here in Washington, recognizing that in many cases the Department of Education could not give us a clean set of books. That has now improved with the Bush administration. They are on track to give us a clean audit, we hope, this year.

But we have a system that funds about \$40 billion through the Washington bureaucracy, and what the gentleman and I are advocating for is a system that allows people to directly invest in their schools at home through an education tax credit based on what many of the States have done. It is really a unique and an exciting way to get more money into all of our schools for all of our kids, where the decisions to contribute and where the decisions as to how that money will be spent are made by people at the local level.

Maybe the gentleman just wants to expand a little on that.

Mr. SCHAFFER. Mr. Speaker, I thank the gentleman for yielding. The education tax credit proposal, in my mind, is one of the most exciting reforms we have seen here in Congress here in a long, long time. Its appeal is that it fosters school choice and more flexibility, really a market approach to American education, and it does so in a way that appeals more broadly across the political spectrum here in Washington and among the traditional education organizations than anything we have seen before.

It is better than vouchers because it is not a voucher at all. It does not represent the kind of strategy vouchers represent, but at the same time, it does promote school choice by focusing on students rather than institutions, and it is nondiscriminatory in its treatment of American school children. It is more fair than what we do today with conventional public education. It is far more fair than what would be proposed with something like vouchers, for example.

Here is how it works. It starts with the premise and the reality that every American is going to send a certain amount of cash, assuming they are taxpayers, to Washington, D.C.

Mr. HOEKSTRA. And assuming they are not trying to evade their taxes.

Mr. SCHAFFER. That is right. And the benefit in our bill, let me just start with the dollar amounts and some of the specifics, it is a \$250 benefit to every individual taxpayer in the country.

Well, \$250 is a certain dollar amount that every American is going to send to Washington under the current law. What we want to do is take \$250 of people's current tax obligation and give them a choice on how to spend it. They can continue to send it to Washington, as they do today, or if the bill passes, they would have a choice to continue to do that or to send \$250 to a local

school of their choice, a public school in the neighborhood, or maybe a scholarship organization that provides scholarship funds to low-income students so they can attend the school of their choice.

In order to actually increase the amount of money invested in education in America, this tax credit is a 50 percent credit. We will give \$250 back from the government if they will send that plus another \$250, \$500 total, to a school. That is the proposal.

It works very simply. If you make a \$500 investment, total, to a public school or a private school, or a scholarship fund so kids can go to private schools, we will change the Tax Code so you will get \$250 of it back out of the tax bill. It is a beautiful proposal. Six States are using it today. It has made a remarkable difference in the education opportunity for poor children in those States, and we want to do it for the country.

Mr. HOEKSTRA. Mr. Speaker, as the gentleman indicated, there are six States that are using some type of variation of this, whether it is Arizona, Minnesota, Pennsylvania, I think Florida, and they are all working on some type of plan like this.

But the exciting thing here, this is kind of like a voluntary decision by people at the local level that says I want to put more money into my local school, and they have the option of doing it. It builds that trust between a local parent, a local constituent, and their local school system.

If the school system can come up with a compelling need that says, hey, in Michigan we get money on a formula basis, and some of my school districts have some special needs, and they are saying, the money we are getting from Lansing just is not enough, and they have no alternative way to get some additional dollars, under this plan, they could go to the constituents in Holland and say, you know, we really want to keep this school open. This is in one of our target neighborhoods. We really think it is important. We know that this is not the most efficient way to run the school, but this is not necessarily always about efficiency. We want the best results. We think the best result is by leaving this school open. Are you willing to contribute a little bit to our school system to make that happen?

Under this system, there is an incentive for people to contribute and help build their school system to be one of the best school systems in the State, if not the country.

Mr. SCHAFFER. The current education funding formula at the Federal level is a very rigid, bureaucratic structure.

Mr. HOEKSTRA. It is very much that way at the State level.

Mr. SCHAFFER. This chart to my right explains how Federal education funds get from a taxpayer to a student here at the bottom. It is funneled through all of these different agencies:

The U.S. Treasury Department, the Congress, the U.S. Department of Education. Those dollars are distributed through the States, through State legislators, the politicians, the State board of education, the school district, the politicians and to the school. By the time the dollar makes it through this rigid process, there is scarcely 60 cents left of every dollar. What we are proposing is bypassing this nonsense and getting the money directly to children through a choice mechanism and more of a free market approach to schools.

Mr. HOEKSTRA. Mr. Speaker, I want to really reinforce the point my colleague made, which is that this system shrinks the taxpayers' dollar; that when we put a dollar at the top of that funnel, by the time it gets down to the student, that dollar has shrunk from \$1 to something like 65 cents.

In the education tax credit model, with the tax credit model, we actually grow the dollar. The person puts in \$2, but it only costs, or the reduction in Federal income taxes is only \$1, so we actually grow it. So if we invest \$1 there, we end up with 60 cents in the classroom. If we invest \$1 here, we end up with \$2 directly going to the student in local communities with, in this case, the local school board deciding how this money is going to be spent. In that case—

Mr. SCHAFFER. There are about 10 different steps.

Mr. HOEKSTRA. There are about 10 different steps, and a Washington bureaucrat telling us how to spend the money. Quite often when we go through that process they tell us what to do and it is going to cost \$2 million, \$3 million, but they do not give all the money to do it. This is a much more efficient and a much more effective system.

As the gentleman and I point out consistently, we are not talking about doing away with that system. We would love to reform it, to make it more efficient, but we recognize that there is a lot of built-in support for that system. It is going to stay. We are going to keep increasing funding.

What we are trying to do is to develop a complementary, a companion system that allows for more local control and local flexibility in terms of raising and spending money.

Mr. SCHAFFER. And we are going to start out small with the proposal just to prove that it works first, before we move further.

As we draw to a close here in the next couple of minutes, I just want to commend our President. President George W. Bush laid out a very bold and ambitious plan for American schools. He campaigned on it, and once he got elected it was the first order of business of his administration. His goal was to and is to improve American education and reduce the achievement gap that exists between underserved children, poor children, minority children, and those who are of more robust financial means.

He proposed accomplishing this through accountability, through more school choice, and through flexibility, and I regret to say that the Congress really denied the President two of those three objectives in the education bill that the President proposed. All we passed was the accountability, or the national testing provisions. The President is committed to continue fighting and moving forward on the school choice components of his education vision.

This tax credit proposal is really the next step in accomplishing that for the President, so I am grateful for his passion and commitment to these children in America. I am grateful for his commitment to the education tax credit proposal that we have developed. I am grateful for our Speaker and our majority leader, and our leadership here in the House, and the chairman of the Committee on Ways and Means and the chairman of the Committee on Education and the Workforce for all of their help and support in making this tax credit proposal a reality, because it will allow us to bypass this bureaucracy with just a small amount of money to begin to show in America how making the connection between taxpayer and school child will improve education dramatically throughout the country and begin to treat children like they matter, and also begin to expose American education to more of a free market approach.

Mr. HOEKSTRA. Mr. Speaker, the end result is the shared vision that we have with the President, that we have with our Speaker, and with the chairman of the Committee on Education and the Workforce to make sure we leave no child behind; that every child in America gets a first class education, and that they can compete on a worldwide basis.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. JONES of Ohio (at the request of Mr. GEPHARDT) for today after 5:30 p.m. and the balance of the week on account of her son's graduation.

Mr. LYNCH (at the request of Mr. GEPHARDT) for today on account of family matters.

Mr. MENENDEZ (at the request of Mr. GEPHARDT) for today after 1:30 p.m. on account of being Democratic County Chair, State statute obligates him to conduct reorganizational meeting in which a new Chair is chosen.

Mr. OWENS (at the request of Mr. GEPHARDT) for today and June 13 on account of a family emergency.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. PALLONE) to revise and ex-

tend their remarks and include extraneous material:)

Mr. FILNER, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. GREEN of Texas, for 5 minutes, today.

Mr. ISRAEL, for 5 minutes, today.

Mr. LANTOS, for 5 minutes, today.

Mr. INSLEE, for 5 minutes, today.

Ms. SOLIS, for 5 minutes, today.

(The following Members (at the request of Mr. TIAHRT) to revise and extend their remarks and include extraneous material:)

Mr. GOSS, for 5 minutes, today.

Mr. TIAHRT, for 5 minutes, today.

Mr. GUTKNECHT, for 5 minutes, today.

ADJOURNMENT

Mr. HOEKSTRA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock midnight), the House adjourned until tomorrow, Thursday, June 13, 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:

7339. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Silica, Amorphous, Fumed (Crystalline Free); Exemption from the Requirement of a Tolerance [OPP-2002-0031; FRL-6835-5](RIN: 2070-AB78) received May 9, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7340. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Pesticides; Removal of Duplicative or Expired Time-limited Tolerances for Emergency Exemptions [OPP-2002-0037; FRL-6835-7] (RIN: 2070-AB78) received May 9, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7341. A letter from the Under Secretary, Department of Defense, transmitting the Department's report on the Defense Environmental Technology Program; to the Committee on Armed Services.

7342. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, San Joaquin Valley Air Pollution Control District [CA 261-0337a; FRL-7171-3] received May 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7343. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—OMB Approvals Under the Paperwork Reduction Act; Technical Amendment [FRL-7173-6] received May 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7344. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Interim Final Determination that State has Corrected a Deficiency in the California State Implementation Plan,

San Joaquin Valley Unified Air Pollution Control District [CA 261-0337c; FRL-7171-5] received May 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7345. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans South Carolina: Approval of Miscellaneous Revisions to the South Carolina State Implementation Plan [SC 42-200220(b); FRL-7207-2] received May 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7346. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Nitrogen Oxides Budget Program [WV 060-6019a; FRL-7288-4] received May 9, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7347. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Minnesota [MN63-01-7288a; FRL-7165-7] received May 9, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7348. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, Tehama County Air Pollution Control District [CA 260-0339a; FRL-7174-5] received May 9, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7349. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Illinois Emission Reporting [IL214-1a; FRL-7164-4] received May 9, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7350. 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 India [Transmittal No. DTC 08-02], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

7351. 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 India [Transmittal No. DTC 09-02], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

7352. 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 India [Transmittal No. DTC 50-02], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

7353. 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 India [Transmittal No. DTC 02-02], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

7354. A letter from the Chair, Railroad Retirement Board, transmitting the semi-annual report on activities of the Office of Inspector General for the period October 1, 2001, through March 31, 2002, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

7355. A letter from the Secretary, Department of the Treasury, transmitting two Semiannual Reports which were prepared separately by Treasury's Office of Inspector General (OIG) and the Treasury Inspector General for Tax Administration (TIGTA) for the period ended March 31, 2002, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

7356. A letter from the Assistant Secretary of the Army, Department of Defense, transmitting a report on the Army's Annual Financial Statement for FY 2001; to the Committee on Government Reform.

7357. A letter from the General Counsel, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

7358. A letter from the Attorney General, Department of Justice, transmitting the Semiannual Management Report to Congress: October 1, 2001 to March 31, 2002, and the Inspector General's Semiannual Report for the same period, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

7359. A letter from the Acting Chairman, National Endowment For The Arts, transmitting the FY 2003 Performance Plan and the FY 1999, FY 2000, and FY 2001 Performance Reports; to the Committee on Government Reform.

7360. A letter from the Secretary, Department of State, transmitting a letter to certify that the Department has developed and implemented a worldwide watchlist of known or suspected money launderers, for the purposes of enforcing the new money laundering inadmissibility, pursuant to Section 1006(b) of the USA Patriot Act; to the Committee on the Judiciary.

7361. A letter from the Director, Federal Emergency Management Agency, transmitting notification that funding under title V of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, will exceed \$5 million for the response to the emergency declared on December 31, 2001, for the State of New York as a result of the record/near record snow, pursuant to 42 U.S.C. 5193; to the Committee on Transportation and Infrastructure.

7362. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC-10-10, DC-10-10F, DC-10-15, DC-10-30, DC-10-30F, and DC-10-30F (KC10A and KDC-10) Airplanes [Docket No. 2002-NM-110-AD; Amendment 39-12729; AD 2002-08-17] (RIN: 2120-AA64) received May 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7363. A letter from the Administrator, FAA, Department of Transportation, transmitting the Federal Aviation Administration's report required by Section 757 of Public Law 106-181, the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century; to the Committee on Transportation and Infrastructure.

7364. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Ocean Dumping; Site Modification [FRL-7207-5] received May 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7365. A letter from the Chairman, International Trade Commission, transmitting the Commission's report on investigation No. TA-204-6, entitled, "Certain Steel Wire Rod"; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BOEHLERT: Committee on Science. H.R. 3130. A bill to provide for increasing the technically trained workforce in the United States; with an amendment (Rept. 107-505 Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 3936. A bill to designate and provide for the management of the Shoshone National Recreation Trail, and for other purposes; with amendments (Rept. 107-506). Referred to the Committee of the Whole House on the State of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committee on Education and the Workforce discharged from further consideration. H.R. 3130 referred to the Committee of the Whole House on the State of the Union.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 3130. Referral to the Committee on Education and the Workforce extended for a period ending not later than June 12, 2002.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. HORN (for himself, Mr. LEWIS of California, Mr. MURTHA, and Mr. WELDON of Pennsylvania):

H.R. 4914. A bill to authorize the Secretary of Transportation and the Secretary of Defense to carry out a cooperative research and development program of dual use transportation technologies for certain commercial and military applications, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Transportation and Infrastructure, 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. ACEVEDO-VILA:

H.R. 4915. A bill to eliminate the waitout period for Hispanic-serving institutions under section 504 of the Higher Education Act of 1965; to the Committee on Education and the Workforce.

By Mrs. CAPPS (for herself, Mr. LATOURETTE, Mr. ENGLISH, Mr. WAXMAN, Ms. NORTON, Mr. MCGOVERN, Mrs. SLAUGHTER, Mr. FROST, Ms. MILLENDER-MCDONALD, Mr. McNULTY, Mr. WEXLER, Ms. SANCHEZ, Mr. BLAGOJEVICH, Ms. SCHAKOWSKY, Mr. BROWN of Florida, Mr. BLUMENAUER, Mr. OWENS, Ms. CARSON of Indiana, Mrs. CLAYTON, Mrs. NAPOLITANO, Mr. BACA, Ms. WOOLSEY, and Mrs. CHRISTENSEN):

H.R. 4916. A bill to amend the Public Health Service Act to provide services for the prevention of family violence; to the Committee on Energy and Commerce.

By Mr. GALLEGLY:

H.R. 4917. A bill to provide for an exchange of lands with the United Water Conservation

District of California to eliminate private inholdings in the Los Padres National Forest, and for other purposes; to the Committee on Resources.

By Mr. GUTIERREZ (for himself, Mr. FARR of California, Mr. FILNER, Ms. SCHAKOWSKY, Mr. PASTOR, Mrs. NAPOLITANO, Ms. SOLIS, Mr. BACA, Ms. ROYBAL-ALLARD, Mr. SERRANO, Mr. MCGOVERN, Mr. RODRIGUEZ, Mr. FRANK, Mr. MENENDEZ, Ms. MILLENDER-MCDONALD, Mr. GONZALEZ, Mr. ORTIZ, Ms. VELAZQUEZ, Mr. ACEVEDO-VILA, Mr. REYES, Mr. LIPINSKI, Mr. BECERRA, Ms. MCKINNEY, Mr. DAVIS of Illinois, and Mr. BERMAN):

H.R. 4918. A bill to waive certain defenses to legal claims brought by workers participating in the bracero program between 1942 and 1969; to the Committee on the Judiciary.

By Mr. HAYWORTH (for himself and Mr. STUMP):

H.R. 4919. A bill to provide for the exchange of certain lands in the Coconino and Tonto National Forests in Arizona, and for other purposes; to the Committee on Resources.

By Ms. LEE (for herself, Mr. KUCINICH, and Ms. WOOLSEY):

H.R. 4920. A bill to provide for the continued applicability of the requirements of the ABM Treaty to the United States; to the Committee on International Relations.

By Mr. JEFF MILLER of Florida:

H.R. 4921. A bill to amend title 10, United States Code, to authorize transportation on military aircraft on a space-available basis for veterans with a service-connected disability rated 100 percent; to the Committee on Armed Services.

By Mr. PAUL:

H.R. 4922. A bill to restore first amendment protections of religion and speech; to the Committee on the Judiciary.

By Mr. PICKERING:

H.R. 4923. A bill to amend the 2005 base closure round authorized by the Defense Base Closure and Realignment Act of 1990 to prohibit the closure or adverse realignment of any military installation used for undergraduate pilot training; to the Committee on Armed Services.

By Mr. SIMMONS:

H.R. 4924. A bill to amend title 37, United States Code, to remove the prohibition on the ability of qualified dental officers in the uniformed services to receive additional special pay while undergoing dental internship or residency training; to the Committee on Armed Services.

By Mr. SIMMONS (for himself, Mrs. JOHNSON of Connecticut, and Mr. SHAYS):

H.R. 4925. A bill to amend title 23, United States Code, to provide an exemption from Interstate System weight limitations for milk hauling vehicles in the State of Connecticut; to the Committee on Transportation and Infrastructure.

By Mr. THOMPSON of California (for himself, Ms. WOOLSEY, Mr. GEORGE MILLER of California, Ms. PELOSI, Mrs. TAUSCHER, Mr. FARR of California, Ms. LOFGREN, Mr. LANTOS, Ms. LEE, Ms. ESHOO, and Mr. STARK):

H.R. 4926. A bill to authorize the Secretary of the Army to participate in ecosystem restoration of the San Francisco Bay estuary, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. UPTON:

H.R. 4927. A bill to amend title XVIII of the Social Security Act to make a technical correction in the definition of outpatient speech-language pathology services; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and

Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. VELAZQUEZ:

H.R. 4928. A bill to amend the Higher Education Act of 1965 to expand and extend the eligibility of Hispanic-serving institutions for assistance under title V of that Act; to the Committee on Education and the Workforce.

By Mr. ENGEL (for himself, Mr. LANTOS, Mr. CANTOR, Mr. GILMAN, Mr. WEINER, Mr. SAXTON, Mr. CROWLEY, Mr. BERMAN, and Mrs. MALONEY of New York):

H. Con. Res. 417. Concurrent resolution commemorating the 20th anniversary of the capture of Zachary Baumel, a United States citizen serving in the Israeli Defense Forces, and calling on the Governments of Syria and Lebanon to provide an accounting for, and to secure the release of, Zachary Baumel and all other Israeli hostages held under Lebanese or Syrian control; to the Committee on International Relations.

By Mr. SULLIVAN (for himself and Ms. CARSON of Indiana):

H. Res. 442. A resolution supporting responsible fatherhood and encouraging greater involvement of fathers in the lives of their children, especially on Father's Day; to the Committee on Education and the Workforce, considered and agreed to.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 40: Ms. SCHAKOWSKY.
 H.R. 116: Mr. SMITH of Washington.
 H.R. 198: Mr. PAUL.
 H.R. 257: Mr. FOSSELLA.
 H.R. 267: Mr. WILSON of South Carolina.
 H.R. 292: Mr. McDERMOTT.
 H.R. 491: Mr. PASCRELL and Mr. KILDEE.
 H.R. 536: Mr. PASTOR.
 H.R. 599: Mr. BERMAN.
 H.R. 633: Mr. WAXMAN, Mr. ACEVEDO-VILA, Mr. HINCHEY, Mr. HORN, and Mr. SCHIFF.
 H.R. 786: Mr. KUCINICH.
 H.R. 822: Mr. LUCAS of Kentucky and Mr. WOLF.
 H.R. 922: Mr. SERRANO.
 H.R. 975: Mr. BACA and Mr. SCHIFF.
 H.R. 1021: Mr. HOEKSTRA and Mr. ROYCE.
 H.R. 1177: Mr. LEVIN.
 H.R. 1452: Ms. MCKINNEY.
 H.R. 1489: Mr. WYNN.
 H.R. 1532: Mr. PAUL.
 H.R. 1609: Mr. WOLF.
 H.R. 1623: Mr. CARSON of Oklahoma.
 H.R. 1624: Mr. HOLT, Mr. SHIMKUS, Mr. SIMPSON, and Ms. BROWN of Florida.
 H.R. 1756: Mr. SESSIONS.
 H.R. 1908: Mr. WAMP.
 H.R. 1943: Mr. FORD, Mr. ABERCROMBIE, and Mr. PRICE of North Carolina.
 H.R. 1950: Mr. BRADY of Texas and Mr. BARTLETT of Maryland.
 H.R. 1956: Mr. GREENWOOD and Mr. POMBO.
 H.R. 1983: Mr. ISTOOK.
 H.R. 2055: Mr. SMITH of Texas and Mr. HOSTETTLER.
 H.R. 2117: Mr. ENGLISH.
 H.R. 2349: Mr. HILL.
 H.R. 2466: Mr. UPTON.
 H.R. 2483: Mr. WU and Mr. McDERMOTT.
 H.R. 2527: Mr. PRICE of North Carolina, Mr. MARKEY, Mrs. CLAYTON, Mr. FATTAH, Mr. BROWN of Ohio, and Mr. LEWIS of Georgia.
 H.R. 2641: Ms. NORTON.
 H.R. 2712: Mr. DEAL of Georgia.
 H.R. 2874: Mr. MASCARA, Mrs. CLAYTON, Mr. TIERNEY, Mr. SHIMKUS, Mr. ABERCROMBIE, Mr. BLUMENAUER, and Ms. NORTON.

H.R. 2953: Mr. BERMAN, Mr. GARY G. MILLER of California, and Mr. ISSA.

H.R. 3130: Mr. LAMPSON.

H.R. 3132: Mrs. JONES of Ohio, Mr. DIAZ-BALART, and Ms. LEE.

H.R. 3139: Mr. WILSON of South Carolina and Mr. HAYWORTH.

H.R. 3238: Mr. LARSEN of Washington.

H.R. 3287: Mr. BARTLETT of Maryland, Mr. CUMMINGS, Mr. CARDIN, Mr. GILCHREST, and Mr. EHRLICH.

H.R. 3352: Mr. LEVIN.

H.R. 3382: Mr. LANGEVIN and Mr. CROWLEY.

H.R. 3439: Mr. HAYWORTH.

H.R. 3450: Mr. LUCAS of Kentucky and Mr. SABO.

H.R. 3464: Mr. ISRAEL, Mr. HALL of Ohio, and Mr. WU.

H.R. 3491: Mr. BRYANT and Mr. BARTLETT of Maryland.

H.R. 3561: Mr. HASTINGS of Florida, Mr. SANDERS, and Mr. DUNCAN.

H.R. 3580: Mr. HALL of Texas.

H.R. 3594: Ms. NORTON.

H.R. 3624: Mr. SMITH of New Jersey.

H.R. 3661: Mr. MANZULLO.

H.R. 3804: Ms. LOFGREN, Mr. WYNN, Mr. MARKEY, Mr. COYNE, and Mr. GILMAN.

H.R. 3805: Mr. SAM JOHNSON of Texas.

H.R. 3808: Mr. BROWN of South Carolina.

H.R. 3834: Mr. INSLEE.

H.R. 3842: Mr. BROWN of South Carolina.

H.R. 3849: Mr. RILEY, Mr. CRAMER, Mr. EVERETT, Mr. BACHUS, Mr. CALLAHAN, Mr. ADERHOLT, Mr. TOWNS, Ms. LEE, Mrs. CLAYTON, Ms. MCKINNEY, Mr. FRANK, Mr. McNULTY, Ms. ROYBAL-ALLARD, Mr. FROST, Ms. CARSON of Indiana, Mr. MCGOVERN, Mr. CUMMINGS, Mr. BISHOP, Mr. THOMPSON of Mississippi, Mr. CLAY, Mr. SCOTT, Mrs. MEEK of Florida, Mr. RANGEL, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. CHRISTENSEN, Mr. OWENS, Mr. RUSH, Mr. WYNN, Ms. WATSON, Mr. MEEKS of New York, Mr. DAVIS of Illinois, Mr. WATT of North Carolina, and Mr. PAYNE.

H.R. 3850: Mr. RILEY, Mr. CRAMER, Mr. EVERETT, Mr. BACHUS, Mr. CALLAHAN, Mr. ADERHOLT, Mr. TOWNS, Ms. LEE, Mrs. CLAYTON, Ms. MCKINNEY, Mr. FRANK, Mr. McNULTY, Ms. ROYBAL-ALLARD, Mr. FROST, Ms. CARSON of Indiana, Mr. MCGOVERN, Mr. CUMMINGS, Mr. BISHOP, Mr. THOMPSON of Mississippi, Mr. CLAY, Mr. SCOTT, Mrs. MEEK of Florida, Mr. RANGEL, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. CHRISTENSEN, Mr. OWENS, Mr. RUSH, Mr. WYNN, Ms. WATSON, Mr. MEEKS of New York, Mr. DAVIS of Illinois, Mr. WATT of North Carolina, Mr. PAYNE, Mr. JACKSON of Illinois, and Mr. SANDERS.

H.R. 3884: Ms. WATSON.

H.R. 3911: Mr. CAMP.

H.R. 3912: Ms. NORTON.

H.R. 3961: Ms. WATERS.

H.R. 3973: Mr. DUNCAN.

H.R. 3974: Mrs. CLAYTON, Mr. CAPUANO, and Mr. DINGELL.

H.R. 3992: Mr. SHIMKUS.

H.R. 4013: Mr. PRICE of North Carolina and Mr. WOLF.

H.R. 4027: Mr. LUCAS of Kentucky and Mr. GALLEGLY.

H.R. 4032: Mr. RANGEL, Mr. BERMAN, and Mr. WU.

H.R. 4043: Mr. PENCE, Mr. JONES of North Carolina, and Mrs. THURMAN.

H.R. 4545: Mr. CROWLEY.

H.R. 4551: Ms. MCKINNEY.

H.R. 4600: Ms. HART, Mr. TOM DAVIS of Virginia, Mr. FORBES, and Mr. DAN MILLER of Florida.

H.R. 4614: Ms. MCKINNEY, Mr. POMEROY, and Mr. LAFALCE.

H.R. 4635: Mr. AKIN.

H.R. 4646: Mr. ACKERMAN, Mr. BOEHLERT, Mr. THOMPSON of Mississippi, and Mr. MEEKS of New York.

H.R. 4654: Mr. OTTER.

H.R. 4665: Mr. UNDERWOOD and Mr. JONES of North Carolina.

H.R. 4668: Mr. CUNNINGHAM, Mr. McDERMOTT, Mr. HINCHEY, and Ms. MCCOLLUM.

H.R. 4669: Ms. JACKSON-LEE of Texas.

H.R. 4680: Mr. CRAMER, Mr. ETHERIDGE, Ms. MILLENDER-McDONALD, Ms. DELAURO, Ms. KILPATRICK, Ms. EDDIE BERNICE JOHNSON of Texas, and Mrs. CHRISTENSEN.

H.R. 4699: Mr. BARRETT.

H.R. 4703: Ms. KILPATRICK, Ms. RIVERS, Mr. KILDEE, Mr. ROGERS of Michigan, and Mr. STUPAK.

H.R. 4715: Mr. BERMAN.

H.R. 4723: Mr. McNULTY.

H.R. 4728: Mr. FROST, Mr. GORDON, Mr. HORN, Mr. BALDACCI, and Mr. McDERMOTT.

H.R. 4754: Mr. SIMPSON, Mr. HOLT, Mr. CONYERS, Mr. OTTER, and Mr. STUMP.

H.R. 4777: Mrs. ROUKEMA and Mr. WEXLER.

H.R. 4778: Mr. KUCINICH.

H.R. 4785: Mrs. MORELLA, Mr. WELDON of Pennsylvania, Mr. HAYWORTH, and Mr. GRAVES.

H.R. 4789: Mr. DUNCAN.

H.R. 4790: Mr. DUNCAN.

H.R. 4792: Mr. CUNNINGHAM.

H.R. 4795: Mr. PETERSON of Pennsylvania.

H.R. 4799: Ms. MCKINNEY, Mr. RAHALL, Mr. TIERNEY, Mr. OBEY, and Mr. BRADY of Pennsylvania.

H.R. 4810: Mr. COYNE.

H.R. 4843: Mrs. JO ANN DAVIS of Virginia, Ms. KAPTUR, Mr. JOHNSON of Illinois, Mr. AKIN, and Mr. THUNE.

H.R. 4844: Ms. DUNN.

H.R. 4881: Mr. TIBERI.

H.R. 4888: Mrs. ROUKEMA, Mr. NADLER, Mr. OWENS, Mr. UPTON, Mr. CASTLE, Mrs. MINK of Hawaii, and Ms. RIVERS.

H.R. 4894: Mr. HOLDEN, Ms. KAPTUR, Mr. FERGUSON, Mr. BLAGOJEVICH, Mr. KENNEDY of Rhode Island, Mr. ENGLISH, Mr. FRANK, Mr. FROST, Mr. GREEN of Texas, Mrs. JONES of Ohio, Mr. COYNE, and Mr. ABERCROMBIE.

H.R. 4907: Mr. HILLEARY.

H.R. 4912: Mr. UDALL of Colorado and Mr. HEFLEY.

H.J. Res. 96: Mr. NUSSLE and Mr. COLLINS.

H.J. Res. 97: Mrs. MALONEY of New York and Mr. HOEFFEL.

H. Con. Res. 287: Mr. PAYNE and Ms. WOOLSEY.

H. Con. Res. 349: Ms. JACKSON-LEE of Texas, Ms. NORTON, Mr. BLAGOJEVICH, and Mr. KUCINICH.

H. Con. Res. 351: Mr. TIERNEY, Mr. GREEN of Wisconsin, and Mr. KUCINICH.

H. Con. Res. 359: Ms. MCKINNEY.

H. Con. Res. 362: Mr. BOYD, Mr. DICKS, and Mr. LANGEVIN.

H. Con. Res. 364: Mr. GOODLATTE, Mr. HOSTETTLER, Mr. BUYER, Mr. ROYCE, Ms. JACKSON-LEE of Texas, Mr. MCGOVERN, Mr. STEARNS, Mr. HAYES, and Mr. BRYANT.

H. Con. Res. 382: Mr. SAWYER, Mr. HINCHEY, and Mr. McDERMOTT.

H. Con. Res. 403: Mr. MCHUGH.

H. Con. Res. 408: Mr. DAVIS of Florida and Mr. ANDREWS.

H. Con. Res. 416: Mr. ORTIZ, Mr. SCOTT, and Mr. TOM DAVIS of Virginia.

H. Res. 253: Mr. McNULTY and Mr. SCHIFF.

H. Res. 355: Mr. FROST.

H. Res. 393: Mrs. KELLY and Mr. LOBIONDO.

H. Res. 416: Mr. HOSTETTLER.

H. Res. 436: Mr. LAFALCE, Mr. FRANK, and Mr. SABO.

H. Res. 437: Ms. NORTON, Mr. MCHUGH, Ms. ESHOO, and Mr. KUCINICH.