□ 1100

GLOBAL WARMING

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

Mr. INSLEE. Mr. Speaker, global warming is upon us. The glaciers are melting, the West is on fire due to prolonged drought, the tundras of Alaska are melting and the White House has now confirmed this. It has issued a report that says global warming is occurring and we are responsible for it. But what does the White House say they are going to do about it? Nothing. They say we have just got to get used to it.

I was talking to a good young man, my son, who is a sophomore at Bainbridge High School, who says that the 15- and 16-year-old kids understand science enough to know that we have got to do something about global warming. We urge the President to get with the Bainbridge kids, the high school sophomores, who know we have got to do something about this problem. America deserves it and we ought to have it.

FULL PRESCRIPTION DRUG BENEFIT UNDER MEDICARE

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

Mr. LYNCH. Mr. Speaker, I rise today in support of a full drug benefit under Medicare. I have seen firsthand the lengths to which our seniors are forced to go in order to get the prescriptions that they need.

Recently I had the sad occasion to meet with a group of seniors from Massachusetts who were actually boarding a bus to travel to Canada in order to get prescription drugs that were not available to them at an affordable price in Massachusetts or elsewhere in the United States. One of these seniors is a woman named Rosemary Morgan, who is a 67-year-old woman who is fighting a recurring battle with breast cancer. Rosemary needs the drug Tamoxifen in order to keep her disease in check and to prolong her life. We are talking about a prescription drug that she needs desperately, not something that is merely an optional drug. However, because Medicare does not cover the cost of prescription drugs and Rosemary has no other form of drug coverage, she is forced to pay the highest prices in the world for this Tamoxifen. Were she to buy a year's supply at her CVS, it would be $1,468. However, in Canada the same prescription is $155 for a year's supply.

We need to do the right thing by our seniors and adopt a full prescription drug benefit under Medicare.

COMMEMORATION OF JUNETEENTH

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, today is Juneteenth, June 19, and for many who are not aware of that historical and very special day in America's history, it is the day that we commemorate the discovery that the slaves in the South had been freed. As a representative from the great State of Texas, it was the call from Galveston that indicated 2 years later after the Emancipation Proclamation that there had been a declaration of freedom for the slaves of the United States of America.

We hope that we will have a commission that will commemorate that great history, and as well let me say that I want to announce my joining as an original cosponsor with the gentleman from Ohio (Mr. HALL) and many of my colleagues who will today announce a legislative initiative to establish a monument or a recognition of those who were enslaved in the United States. Our history is our history, and we should recognize that and be prepared to acknowledge the wrongness of that history, but we should capture it and respect those who helped build this country.

Finally, Mr. Speaker, I hope we will move forward in the light of our history to do good things by passing a real prescription drug bill for our seniors, and I hope that that will be done very soon on behalf of our seniors in America who need it.

MOTION TO INSTRUCT CONFEREES ON H.R. 3295, HELP AMERICA VOTE ACT OF 2001

Mr. HASTINGS of Florida. Mr. Speaker, I offer a motion to instruct.

The SPEAKER pro tempore (Mr. LATOURETTE). The Clerk will report the motion.

The Clerk read as follows:

Mr. HASTINGS of Florida moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendments to the bill H.R. 3295 be instructed—

(1) to insist upon the provisions contained in section 504(a) of the House bill (relating to the effective date for the Federal minimum standards for State election systems); and

(2) to disagree to the provisions contained in section 104(b) of the Senate amendment to the House bill (relating to a safe harbor from the enforcement of the Federal minimum standards for State election systems for States receiving Federal funds under the bill).

The SPEAKER pro tempore. Pursuant to rule XXII, the gentleman from Florida (Mr. HASTINGS) and the gentleman from Ohio (Mr. NEY) each will control 30 minutes.

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

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

I rise today to offer a motion to instruct conferees on H.R. 3295, the Help America Vote Act. As we all know, conferees are currently involved in negotiations on the many tenacious differences that exist between the bills passed by each Chamber.

My motion to instruct will help provide guidance on what I consider two of the more critical differences that exist between the bills.

Section 1 of this motion instructs House conferees to insist on the date requiring States to conform to minimum national standards of November 2004 contained in the House bill. This is in contrast to the even more delayed 2006 effective date in the Senate bill. Currently under the House bill, States must conform to all minimum national standards within 2 years of the bill's enactment. In the special circumstances where a State can demonstrate to the Department of Justice that the State cannot meet the 2-year requirement, it can receive a waiver until November 2004. Under the Senate bill, States are not required to conform to the minimum national standards until January 2006.

Realize, Americans will return to the polls in November 2004 to elect a President. If the Senate's effective date becomes law, then we may very well face the same election day controversies that engulfed this Nation the last time we tried electing a President.

Section 2 of this motion instructs conferees to disagree with the safe harbor provision contained in section 104(b) of the Senate amendment to H.R. 3295. Under a provision added in the Senate by amendment, States which receive Federal funds under the bill are assumed to be in compliance with the bill's minimum national standards. Under the Senate amendment, States are provided with safe harbor until 2010, or 8 years from now, from being scrutinized or prosecuted for not complying with the minimum national standards in the bill. The one exception is that States can be prosecuted prior to 2010 for failing to conform with accessibility provisions in the bill as they pertain to individuals with disabilities.

If this provision becomes law, then we are giving States zero accountability until 2010 as they go about spending Federal dollars to conform their election systems. This is a horrible and dangerous path to embark on. If there is no enforcement until 2010, then States are essentially given the green light to nonconformity until 2010 despite any other provision in the bill.

Mr. Speaker, this morning I checked the website of the ranking Democrat of the Committee on the Judiciary, the gentleman from Michigan (Mr. CONYERS). His website noted that 515 days have passed since the election day 2000 fiasco. Five hundred fifteen days, Mr. Speaker. In mentioning this number, I remind my colleagues and the American people that on a Federal level, our election system is no better off today than it was on election day 2000. Though some States have taken it upon themselves to reform their election laws, the clear majority have not.

For those which have, like my home State of Florida's baby steps, the need for financial assistance and Federal election reform is real and immediate.

The House did the right thing in appropriating $450 million for election reform in the supplemental. I note that appropriating before authorizing when it came to election reform is something that I called for more than 1 year ago. However, as I said then and I will say again today, $450 million is not enough money.

We should all be thankful for the hard work currently being done in the election reform conference committee by the gentleman from Ohio (Mr. NEY) and the gentleman from Maryland (Mr. HOYER) as well as the gentleman from Michigan (Mr. CONYERS) and all of the conferees. Their leadership in the election reform arena, even during times when many in this body did not want to see any bill, is widely known and much appreciated and I say to BOB and STENY how much I genuinely appreciate the concrete efforts that they put forward to produce a measure here in the House of Representatives.

Unfortunately, Mr. Speaker, the absence of new election laws is as much of an embarrassment today as it was 2 years ago. All too many facts point to the need for Congress to act today. The fact remains that election laws today are the same flawed laws around the country that were in place on election day 2000. The fact remains that while we know what problems exist and we know how to fix them, Congress' response to date has been inadequate at best. The fact remains that voters in many States have already voted in this year's primaries on the same broken system, and I might add that occurred in Florida, that failed them 2 years ago. Even in Florida, some of the newer systems being offered have shown that they have flaws.

Therefore, we need to be about the business of trying to get this whole matter straightened out. Another 12 States will be returning to the polls within the next week to vote with the same faulty technology.

Confidence in our election system is the linchpin of our democracy and we must do anything and everything to restore that confidence with the American people. Contrary to what many argue, election reform is much more than just a civil rights issue. Rather, the need for election reform is a challenge to our democracy. It is a challenge that we cannot back down from and it is a challenge that we will not back down from. My motion to instruct ensures that real and comprehensive election reform occurs before the 2004 presidential election.

In addition, it ensures that the Department of Justice can hold States accountable in cases where they fail to conform to new Federal election laws prior to 2010.

I urge my colleagues to support this motion to instruct.

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

Mr. NEY. Mr. Speaker, I yield myself such time as I may consume. I appreciate the sentiment just expressed in the motion offered by the gentleman from Florida. I nevertheless must oppose it. The gentleman from Florida has shown a tremendous amount of interest in this issue. He has been very passionate and has pushed for action on this issue for quite some time. I remember when I testified at the Committee on Rules last year on the campaign finance reform bill and the gentleman expressed his displeasure that the House was even taking up that issue prior to consideration of election reform. I certainly agreed with him that election reform should have been the priority and I appreciate his support for our efforts.

I also appreciate the fact, Mr. Speaker, that his motion instructs the conferees to insist on the provision in the House bill pertaining to the effective date of the minimum standards the bill imposes. I, like every American, want the improvements that will be brought about by the passage of this bill to be implemented as soon as possible. I want to restress that, as soon as possible. I am anxious for the day when all voters will have access to provisional ballots and better technology, when registration systems are modernized and made more accurate. No one should have a vote cancelling out another vote. Technology is a part of getting to that solution. A part. But there are other parts that we have to be able to insist upon to make sure that voting is fair across the Nation. When disabled citizens will be able to cast a secret ballot and those serving in our military will be assured that their votes will be counted, this will be an appropriate election process for the United States.

The House bill set up a formula grant process that would ensure that Federal funds get to the States quickly, allowing them to begin implementing these improvements without delay. That is a very good and important provision of the bill that my colleague, the gentleman from Maryland (Mr. HOYER), worked on.

Obviously, like the gentleman from Florida, I want to see these improvements in place as quickly as possible. Nevertheless, I must oppose the gentleman's motion for a simple reason. The effective dates that were in the bill that passed this House last December were drafted in the fall of 2001.

□ 1115

They provided that the requirements go into effect 2 years from the date of enactment and gave a waiver to States that could not comply, allowing them until the November 2004 election to come into compliance.

Mr. Speaker, it is now June of 2002. While I hope the Congress will be able to come to agreement rather soon, I think the best we could hope for is a bill being enacted in July. The waiver language which we included was intended to give States having difficulty coming into compliance a significant amount of time to do so. The reality of the time frame we are now working under has effectively rendered the waiver meaningless.

I certainly also agree with the gentleman from Florida that we need to get going and should impose an aggressive schedule for compliance. However, we must also be realistic in what we impose. We cannot fall into the trap of thinking that, just by commanding it, we can make it work and make it so.

The fact is, whatever conference agreement is reached, States will have a heavy burden in coming into compliance with the requirements imposed. We will be offering a significant amount of Federal money to assist them in their efforts, but the fact remains it will simply take some time for States and localities to incorporate the changes we will require to their election systems.

The Senate bill has a number of different effective dates for different provisions that, frankly, we do not have necessarily in our House bill. This is appropriate, as some requirements will be more difficult to meet than others. Establishment of a state-wide registration system will take more time, for example, than it will to provide voters with educational materials and sample ballots. The Congress will have to wrestle with how best to strike the balance between imposing effective dates that get States into compliance as soon as possible, without imposing unrealistic time frames that prove impossible to meet, create chaos, and wind up doing more harm than good.

In light of that, we should not be instructing the conferees to incorporate bill language that is outdated, and thereby unrealistic, given our current schedule.

Therefore, I do oppose the gentleman's motion; but I do want to reiterate that I agree with the sentiment and the spirit that it expresses and hope and will push and work with my colleagues on the Committee on Energy and Commerce to make sure the conference will be able to reach agreement quickly on effective dates that are realistic and achievable.

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

Mr. HASTINGS of Florida. Mr. Speaker, I am pleased to yield 2½ minutes to the gentlewoman from Cleveland, Ohio (Mrs. JONES), who hosted a forum on election reform in her city.

Mrs. JONES of Ohio. Mr. Speaker, my colleague from Florida (Mr. HASTINGS) did in fact come to Cleveland, Ohio, when we hosted our election reform committee. I would say to the gentleman from Maryland (Mr. HOYER) and my colleague, the gentleman from Ohio (Mr. NEY), I rise in support of the motion to instruct.

Now, my problem is that even though we have not reached an agreement as to how this bill should come into play, States should not be waiting for us to

dot the I's and cross the T's in this instance. They should be beginning the process of putting in place programs that will assure that each and every one of the voters in their States have access to information.

I am pleased to say that in Cuyahoga County, Ohio, where I live, our board of elections has begun to try out various new automated systems. They tried out one system at the Indians game. The owner of the system came in and put in the system, and the people at the game were able to vote on their favorite baseball player. On two or three of the elections we have had, they have been able to put in systems at two or three locations throughout Cuyahoga County to give voters an opportunity to try out these systems.

As much as we want to believe that everybody is comfortable now or believes that the Florida election was kind of something that would never happen again, the reality is there are many, many voters out here across this country who are expecting that this Congress will say it will never happen again, that everyone will have the right to vote, that people will not be faced with punchcard systems or butterfly ballots or have to stand in line and be turned away because someone says I have to show my driver's license or you are not registered, or it has not been explained that if there is a problem they have the right to vote and a decision made later on as to whether their vote will count.

We should never in this country be placed in the position that we send people to other countries and say we want to check out your voting system, when our own is not in order.

So I stand here adamantly in support of this motion to instruct the conferees. If we give people more time, they are going to take more time. Let us stop this. Let us make sure that the people in the United States are not disenfranchised. Let us give them the right to vote, right away, right now.

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

Mr. HASTINGS of Florida. Mr. Speaker, I am pleased to yield 8½ minutes to my good friend, the gentleman from Maryland (Mr. HOYER), the distinguished ranking member of the Committee on House Administration, a leader on election reform and other matters in this House.

Mr. HOYER. Mr. Speaker, I thank the gentleman from Florida for yielding, and I want to, at the outset, thank the gentleman from Ohio (Mr. NEY). The gentleman from Ohio (Mr. NEY) as the chairman of the Committee on House Administration has been absolutely critical, along with the staff of our Committee on House Administration on the majority side and the minority side, absolutely critical to getting election reform to where it is right now. It would not be nearly as far along.

We passed this bill last December. Frankly, we could have passed it a year ago July, but there was some controversy on our side of the aisle, some controversy on side of the aisle of the gentleman from Ohio (Mr. NEY); and we needed to work with our members. We came to the floor in December, and over 360 Members of this House voted for this legislation.

The instructions which the gentleman from Florida (Mr. HASTINGS) seeks do not in any way, as the chairman has indicated, undermine the thrust of our legislation, which was to get election reform in place as soon as possible. Unfortunately, the Senate took 4 months to pass its legislation after we passed our legislation.

We have now been in conference for over a month now, and we are not moving quickly enough. We need to get this conference completed, we need to get this bill to the floor, we need to pass it, and we need to have States start implementing it.

Mr. Speaker, the effort to correct the problems that surfaced in the 2000 election has been a Herculean and often difficult one. But, then, of course, most worthwhile efforts are such. Today we are closer than ever, in my opinion, to enacting the most comprehensive voting reform legislation since the Voting Rights Act of 1965.

The motion that I am supporting today is intended to ensure that, as Congress enters this final critical stage of election reform, we remember that reform delayed is reform denied. The motion before us will ensure that delay of essential reforms will not be an option.

The bill that we passed through the House did not have these extraordinarily long times, this safe harbor, this 2010 provision, this 2006 provision, this 2008 provision.

The chairman is absolutely right. We understood that time was a problem and we needed to give States a reasonable time in which to implement. Very frankly, I think the House bill as it reads continues to be a reasonable bill, and I would hope as it reads we could adopt it. That is a little short of what the gentleman wants; but it is, I think, a reasonable place for us to be.

This motion would instruct House conferees to insist on section 504(A) of the House-passed version of H.R. 3295, which requires States to be in compliance with commonsense minimum standards for the administration of elections no later than November 2004.

Americans do not want a repeat of the election of 2000. I do not mean the result; I mean the process. Every American believes, President Bush has said correctly, every American has the right to vote; but that is an empty right, a specious right, an ineffective right, if that vote is not counted and counted accurately.

The motion also instructs the House conferees to disagree to the safe harbor provision of section 104(B) of the Senate amendment to the House bill. I believe that section undermines election reform. I am opposed to it, and I will oppose it in conference. I would hope that the Senate conferees upon reflection would support us in that effort. That provision would delay enforcement of the minimum standards until as late as 2010, three Presidential elections away. In my view, that is unacceptable.

Can States meet the 2004 deadline? Yes, they can. The gentlewoman from Ohio (Mrs. JONES) said States need to be anticipating. In fact, my State, Florida, Ohio, whose Secretary of State has been extraordinarily helpful in getting us to this point, are all looking at what we expect and what this law will require. If they are sitting on their hands, twiddling their thumbs, they are not acting on behalf of the American people. They ought to be getting right now ready to implement this legislation, as they expect it to be passed.

Will there be compromises along the way? Of course. That is the nature of legislation. That is the nature of a conference. But if there is a Secretary of State, if there is an election official, if there is a registrar who is not moving towards the reforms that this bill will require, that passed with some 363 votes out of 435, and passed 99 to one in the United States Senate, then those election officials are derelict in their duty.

So I say to them this day, through all my colleagues and through, Mr. Speaker, you, I say to them, through the Speaker of this House, start working now, if you are not far along in the process already, so that when we pass this legislation, hopefully within the next 30 days, you will be ready; you will be ready to vindicate the most important right of every citizen in democracy, and that is the right to vote, the right to have that vote counted, so that voter will participate in making policy and vision for America.

We must provide that Congress delays no more. We in Congress must complete our work on election reform soon, soon, and give States sufficient lead time to meet their obligations. I urge my fellow conferees on election reform to immediately begin the important work of reconciling the House and Senate bills.

My chairman and I do not disagree on substance. This day we disagree on the process of the expectation. But I want to reiterate as I close, without the gentleman from Ohio (Mr. NEY), this legislation would not be where it is today. Without the gentleman from Ohio (Mr. NEY), we would not have gotten it the floor as we did. Without the gentleman from Ohio (Mr. NEY), the House bill would not have been as good as it was and is. And, frankly, it looks better than it looked before the Senate passed its bill, he says with some degree of pride and vindication.

Although much work remains, both the House and Senate bills are nearly identical in their basic goals, to give States the resources to improve their election systems and establish minimum standards, assuring ease of voting and accurate tabulation of results

and, yes, that there are not cheats. No one wants fraud. No one wants fraud in the election system; no one, on either side of the aisle.

So we must address that issue, but we must address that issue in the context of what the purpose of this bill is, to facilitate the exercising of the democratic franchise; to facilitate people being recognized as eligible voters; to facilitate the accurate counting of those votes; and to facilitate the will of the majority maintaining in this, the greatest democracy the world has ever known. If we do not, we will lose a historic opportunity to strengthen our democratic system at home, while, Mr. Speaker, in lockstep 435 Members of the House, 100 Members of the Senate and every American works to defend this democracy against foreign enemies and those who would undermine it from without by terror and violence.

□ 1130

But let us not here at home undermine democracy by failing to act and acting quickly to vindicate the vote for every American.

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

I just wanted to make a couple of comments here to just restress the importance of getting this monumental piece of legislation concluded. I cannot stress that enough. I appreciate the comments of my colleague, the gentleman from Maryland (Mr. HOYER) and also the gentleman from Florida (Mr. HASTINGS). It was a two-way street working with the gentleman from Maryland in being able to do something that, frankly, some people on either side on the aisle said maybe we ought not do this, but we knew it was the right thing to do. We had people that joined us in crafting a bipartisan piece of legislation that is well thought out.

I also want to restress, too, that I am sympathetic to the spirit of what is being done here today by the gentleman from Florida (Mr. HASTINGS). We need maybe some flexibility going into it, from my point of view. But I do want to stress that the spirit of what he is attempting to do is something that I fully understand. I appreciate both of the gentlemen.

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

Mr. HASTINGS of Florida. Mr. Speaker, I appreciate very much the gentleman's comments.

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

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

Mr. HOYER. Mr. Speaker, I mentioned the gentleman from Oklahoma (Mr. NEY), and he has done an extraordinary job and, I think, leads our committee the way every American would want him to lead the committee, and that is in an open and constructive way, and I thank him for that.

I also wanted to focus on the sponsor of this particular motion to instruct. The gentleman from Florida (Mr. HASTINGS) is an extraordinary Member of this House. He is probably as well grounded in the law as any Member of this House. He is also a colleague of mine in participating in the Organization of Security and Cooperation in Europe. He is a vice president of that international organization of 55 countries, respected internationally for his fairness and for his focus.

I want to thank him for his leadership, not only in the State of Florida, but I want to thank him for his leadership in this Congress. He was the one who raised most pointedly the issue of funding for 2002. It was his leadership that allowed some of us to work with him and, I might say, the gentleman from Illinois (Mr. HASTERT), the Speaker of the House, and the gentleman from Florida (Mr. YOUNG), to get the funding. So much of the year is gone, but the $450 million which is in the supplemental is now subject to authorization, and that is the key. We have to pass this legislation so that we can get that money to the States.

So I thank the gentleman from Florida (Mr. HASTINGS) for the leadership and the strong voice he has been on behalf of election reform in America.

Mr. HASTINGS of Florida. Mr. Speaker, I am pleased to yield 1½ minutes to the gentlewoman from Miami, Florida (Mrs. MEEK), my good friend and colleague, who has been a leader in this fight from November 2000, and even before then when we recognized that there would be significant problems.

Mrs. MEEK of Florida. Mr. Speaker, I thank the gentleman from Florida (Mr. HASTINGS), with whom I have worked very closely over the years and who has been a paragon of justice and fairness not only in Florida, but throughout the world. I want to thank the gentleman from Maryland (Mr. HOYER) and also the sponsor of the House's bill on the Republican side. I commend the gentleman for offering this piece of legislation.

While the Senate amendment to H.R. 3295 has many provisions that are stronger than the bill we passed last December in the Senate, this safe harbor provision which they have in the Senate bill is a significant exception that will delete and, thus, materially weaken election reform.

Now, I am from Florida and my colleagues can understand why I would not like to see any safe harbor provision that would delay the implementation of election reform. If you have ever been in another kind of ground zero for election reform, you should have been in Florida in the last election.

If the House provision is adopted by the conferees and the Congress passes the conference report and the President signs the bill, we get real election reform by November 2004. People have told us to let it pass. We cannot. We have to do it now. We cannot delay this any longer. We cannot go through many of the political shenanigans we go through when we want to delay something. This has to happen now. Too many people have suffered. We die for the right to vote and we demand it now.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself the balance of the time, which I shall not use, again to thank my colleagues, the gentleman from Ohio (Mr. NEY) and the gentleman from Maryland (Mr. HOYER), and I especially am indebted to the gentleman from Maryland not only for his gracious comments, but for his mentoring with reference to matters that he and I are working on overseas; and the gentleman from Ohio (Mr. NEY) for agreeing with me in spirit with reference to this matter. We appreciate that spirit. Perhaps had the gentleman from Ohio been with me in Florida, you would understand how spirited I am with reference to all of these matters.

Speaking of the Organization for Security and Cooperation in Europe that the gentleman from Maryland is leader par excellence in, and I happen to, because of him, be an elected officer in that organization, immediately following the election just passed, I went to a meeting in Europe, and many of our colleagues, the gentleman from Maryland was unable to attend that particular meeting, but many of our colleagues in Europe were waiting for me to walk into the room so that they could ask me about those free, fair and transparent elections that took place in the State of Florida. In many instances, including good friends from England, they found it amusing that we had these problems and I know are going to find it equally amusing that we have not settled this controversy with reference to the legislation federally that we should have passed.

This place continues to amaze me on a day-to-day basis. I come in here and we have these knee-jerks on what is going on now. Now, we have had some serious interventions in this country: 9–11, to be sure; the economy overall is something that all of us are concerned about. Today's flavor is prescription drugs. Next week it will be fast track. And during all of that time, election reform has been sitting around here. The gentleman from Ohio (Mr. NEY), the gentleman from Maryland (Mr. HOYER), other people; the gentleman from Missouri (Mr. GEPHARDT), the gentlewoman from California (Ms. WATERS), and the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), the chair of the Black Caucus, and I, all of us waiting and yelling that we need to do something, and yet we find ourselves in the position of asking no more in this particular motion to instruct the conferees than what we already passed in the House of Representatives and insisting that that language, which was offered by the gentleman from Ohio (Mr. NEY) and the gentleman from Maryland (Mr. HOYER), and those of us that cosponsored it, be included in the ultimate bill.

Quite honestly, the House measure, in my judgment, is the more enlightened of the two, but our failure to undertake it is a lack of enlightenment on all of our behalfs.

All of us ought to find this noncontroversial, and I would ask our colleagues who are listening back in their offices to support this motion to instruct conferees.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, let me thank my colleague from Florida, Congressman ALCEE HASTINGS for offering this motion to instruct conferees.

The two instructions that Congressman HASTINGS is offering are crucial to getting our election system in order.

First, it is important that conferees make any effective date for election reform be in time for the next Presidential election in 2004.

Actually, it should have been in time for our congressional elections, but we will go forward unfortunately with the same system that tore America apart in the November 2000 election.

And for the second instruction, it is important that the government have the ability as soon as is it feasible, to legally check to see if States are in fact making the necessary changes that the final election reform bill stimulates.

Election Reform is the number one legislative priority for the Congressional Black Caucus, and I sincerely hope that it is a top priority for every Member of the 107th Congress.

As a national legislative body, the Congress has the power, authority and absolute obligation to assure that the apparent disenfranchisement, which occurred in several places throughout the United States in our last Presidential election, does not ever happen again.

Allegations of voter intimidation; inaccurate voter registration lists; subjective, vague or non-existent ballot counting standards; and flawed ballot designs, all led to confusion before, during and after the election.

What happened is no way to elect the President of the United States of America—the most powerful position in the world.

This is not a black, white, or brown issue. It is an American issue. It is a red, white and blue issue. It should be of great concern to each of us if any one of us is improperly denied access to the ballot box or if every ballot cast is not counted. The survival of our democracy depends on the accuracy and integrity of our election system.

Mr. Speaker, I urge my colleagues to support this sensible motion to instruct.

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

The SPEAKER pro tempore (Mr. LATOURETTE). 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 Florida (Mr. HASTINGS).

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

Mr. HASTINGS of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

NATIONAL SEA GRANT COLLEGE PROGRAM ACT AMENDMENTS OF 2002

Mr. DIAZ-BALART. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 446 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 446

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3389) to reauthorize the National Sea Grant College Program Act, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour, with 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Resources and 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Science. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendments recommended by the Committee on Resources and the Committee on Science now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute printed in the report of the Committee on Rules accompaying this resolution. Each section of that amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose of clause 8 of rule XVIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. SUNUNU). The gentleman from Florida (Mr. DIAZ-BALART) is recognized for 1 hour.

Mr. DIAZ-BALART. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. DIAZ-BALART asked and was given permission to revise and extend his remarks.)

Mr. DIAZ-BALART. Mr. Speaker, House Resolution 446 is an open rule providing for the consideration of H.R. 3389, the National Sea Grant College Program Act Amendments of 2002. The rule provides 1 hour of general debate with 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Resources, and 20 minutes equally divided and controlled by the chairman and ranking member of the Committee on Science. The rule provides one motion to recommit with or without instructions. This obviously is a very fair rule, Mr. Speaker, that will allow Members all possible opportunity to debate this important issue.

The underlying legislation of the National Sea Grant College Program Act is amended to include an emphasis on ocean and coastal resources conservation and management, as well as collaboration between academia and the National Oceanic and Atmospheric Administration, known as NOAA.

Sea grant colleges support applied research at the local level and support major crosscutting research initiatives. This is a bipartisan bill that makes changes to the act that will enhance cooperation between Sea Grant and other executive programs with similar missions, promote funding disbursements based on competitive merit review, and increase authorization levels.

Florida has enjoyed great success with this program, through research and education in the areas of aquaculture, fisheries, coastal process, and hazards, marine biotechnology and estuaries.

The underlying legislation provides not only important research, but also resources to communities and academic institutions. I am a proud cosponsor of this bill, and I urge my colleagues, Mr. Speaker, to support not only the underlying legislation, but this open rule and very fair rule as well.

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

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Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume, and I thank the gentleman from Miami, Florida (Mr. DIAZ-BALART), for yielding me the time.

Mr. Speaker, today's rule is a fair one. It is an open rule, and it is one that I will be supporting. I only wish that my colleagues on the other side of the aisle would make it a habit of bringing these types of fair and open rules to the floor.

Mr. Speaker, the National Sea Grant College Program was established in 1966 to improve the science, conservation, and management of ocean, coastal, and Great Lakes resources through the use of academic grants. There are currently 30 designated sea grant programs which utilize a network of 300 universities and scientific institutions.

Those of us in the Florida delegation know all too well the benefits that