



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE **108th** CONGRESS, FIRST SESSION

Vol. 149

WASHINGTON, WEDNESDAY, APRIL 9, 2003

No. 57—Part II

House of Representatives

□ 0820

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DREIER) at 8 o'clock and 20 minutes a.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 6, ENERGY POLICY ACT OF 2003

Mr. HASTINGS of Washington, from the Committee on Rules, submitted a privileged report (Rept. No. 108-69) on the resolution (H. Res. 189) providing for consideration of the bill (H.R. 6) to enhance energy conservation and research and development, to provide for security and diversity in the energy supply for the American people, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO SAME DAY CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY COMMITTEE ON RULES

Mr. HASTINGS of Washington, from the Committee on Rules, submitted a privileged report (Rept. No. 108-70) on the resolution (H. Res. 190) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. RYUN of Kansas (at the request of Mr. DELAY) for today on account of at-

tending a memorial service for Sgt. Jacob Butler.

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 extend their remarks and include extraneous material:)

Mr. EMANUEL, for 5 minutes, today.
Ms. DELAURO, for 5 minutes, today.
Ms. LEE, for 5 minutes, today.
Mr. JEFFERSON, for 5 minutes, today.
Mr. LIPINSKI, for 5 minutes, today.
Mr. DEFAZIO, for 5 minutes, today.
Mr. PALLONE, for 5 minutes, today.
Mr. WEINER, for 5 minutes, today.
Mr. SCHIFF, for 5 minutes, today.
Mrs. MALONEY, for 5 minutes, today.
Ms. CARSON of Indiana, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.
Ms. CORRINE BROWN of Florida, for 5 minutes, today.

Mr. RYAN of Ohio, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mr. WEXLER, for 5 minutes, today.
Mr. LARSON of Connecticut, for 5 minutes, today.

Mr. DELAHUNT, for 5 minutes, today.
Mr. ALLEN, for 5 minutes, today.

(The following Members (at the request of Mrs. MUSGRAVE) to revise and extend their remarks and include extraneous material:)

Ms. ROS-LEHTINEN, for 5 minutes, today.

Mrs. MUSGRAVE, for 5 minutes, today.
Mr. GUTKNECHT, for 5 minutes, April 10.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. MCGOVERN, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to: Mr. JEFFERSON and to include extraneous material, notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost \$910.

ADJOURNMENT

Mr. HASTINGS of Washington. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 21 minutes a.m.), the House adjourned until today, Thursday, April 10, 2003, 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:

1724. A letter from the Secretary of the Navy, Department of Defense, transmitting notification of the decision to order up to 150,000 additional workstations under the Navy Marine Corps Intranet (NMCI) contract; to the Committee on Armed Services.

1725. A letter from the Under Secretary, Department of Defense, transmitting a report required pursuant to title 10, United States Code, section 12302(d), relating to those units of the Ready Reserve of the Armed Forces that remained on active duty under the provisions of section 12302 as of January 1, 2003; to the Committee on Armed Services.

1726. A letter from the Under Secretary, Department of Defense, transmitting a report entitled, "Devolvement of Research, Development, Test and Evaluation Programs and Activities Beginning in FY 2004"; to the Committee on Armed Services.

1727. A letter from the Under Secretary, Department of Defense, transmitting notification regarding the Department's study required by the Senate Armed Services Committee report accompanying the Bob Stump National Defense Authorization Act for FY 2003; to the Committee on Armed Services.

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

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



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1728. A letter from the Under Secretary, Department of Defense, transmitting the annual report of the Armed Forces Retirement Home for Fiscal Year 2001; to the Committee on Armed Services.

1729. A letter from the Director, Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits — received April 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1730. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's annual financial report to Congress required by the Prescription Drug User Fee Act of 1992 (PDUFA) for fiscal year 2002, pursuant to 21 U.S.C. 379g note; to the Committee on Energy and Commerce.

1731. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Medical Devices; Reclassification of the Knee Joint Patellofemoral Metal/Polymer Porous-Coated Uncemented Prosthesis and the Knee Joint Femorotibial (Uni-compartmental) Meta/Polymer Porous-Coated Uncemented Prosthesis [Docket No. 00N-0018] received April 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1732. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Labeling Requirements for Systemic Antibacterial Drug Products Intended for Human Use; Correction [Docket No. 00N-1463] (RIN: 0910-AB78) received April 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1733. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — New Animal Drugs; Phenylbutazone; Extralabel Animal Drug Use; Order of Prohibition; Correction [Docket No. 03N-0024] received April 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1734. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report entitled, "Policy on terminating the Arab League Boycott of Israel and expanding the process of normalization between the Arab League countries and Israel," pursuant to Public Law 108-7, section 535; to the Committee on International Relations.

1735. A letter from the Administrator and Chief Executive Officer, Department of Energy, transmitting the 2002 Annual Report of the Bonneville Power Administration, pursuant to 16 U.S.C. 839(h)(12)(B); to the Committee on Government Reform.

1736. A letter from the Chief Operating Officer, Chemical Safety and Hazard Investigation Board, transmitting the Board's annual inventory of activities; to the Committee on Government Reform.

1737. A letter from the Secretary, Department of the Treasury, transmitting the Financial Report of the United States Government for Fiscal Year 2002 (Financial Report); to the Committee on Government Reform.

1738. A letter from the Director, Holocaust Memorial Museum, transmitting the Annual Performance Report for Fiscal Year 2002; to the Committee on Government Reform.

1739. A letter from the Executive Director for Operations, Nuclear Regulatory Commission, transmitting a report on Year 2002 Inventory of Commercial Activities and Inher-

ently Governmental Functions; to the Committee on Government Reform.

1740. A letter from the Director, Office of Personnel Management, transmitting a report on the Federal Activities Inventory Reform Act Inventory as of June 30, 2002; to the Committee on Government Reform.

1741. A letter from the Chief Judge, Superior Court of the District of Columbia, transmitting the Superior Court's Family Court Transition Plan; to the Committee on Government Reform.

1742. A letter from the Architect of the Capitol, transmitting a report discussing the AOC's activities to improve worker safety during the first quarter of FY03; to the Committee on House Administration.

1743. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting a biennial report on Atlantic Bluefin Tuna (2001-2002), pursuant to 16 U.S.C. 971i; to the Committee on Resources.

1744. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands; Final 2003 Harvest Specifications for Groundfish; Correction [Docket No. 021212307-3037-02; I.D. 110602C] received April 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1745. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 of the Gulf of Alaska [Docket No. 021212306-2306-01; I.D. 031703B] received April 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1746. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific cod by Catcher Vessels Less Than 60 ft (18.3m) LOA Using Jig or Hook-and-Line Gear in the Bogosl of Pacific Cod Exemption Area in the Bering Sea and Aleutian Islands Area [Docket No. 020718172-2303-02; I.D. 032503D] received April 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1747. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Species in the Rock sole/Flathead sole/"Other flatfish" Fishery Category by Vessels Using Trawl Gear in Bering Sea and Aleutian Islands management area [Docket No. 021212307-3037-02; I.D. 032103D] received April 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1748. A letter from the Commissioner, Department of the Treasury, transmitting FY 2002 Report to the Congress U.S. Government Receivables and Debt Collection Activities of Federal Agencies, pursuant to 31 U.S.C. 3716(c)(3)(B); to the Committee on the Judiciary.

1749. A letter from the Chief Financial Officer, Paralyzed Veterans of America, transmitting a copy of the annual audit report of the Paralyzed Veterans of America for the fiscal year 2002, pursuant to 36 U.S.C. 1166; to the Committee on the Judiciary.

1750. A letter from the Chairman, Federal Maritime Commission, transmitting the 41st Annual Report of the Federal Maritime Commission for fiscal year 2002, pursuant to 46 U.S.C. app. 1118; to the Committee on Transportation and Infrastructure.

1751. A letter from the Assistant Administrator, Office of Oceanic and Atmospheric Research, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Joint Hurricane Testbed (JHT) Opportunities for Transfer of Research and Technology into Tropical Cyclone Analysis and Forecast Operations [Docket No. 021114275-3052-02] received April 1, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

1752. A letter from the Chairman, Defense Nuclear Facilities Safety Board, transmitting the Thirteenth Annual Report describing the Board's health and safety activities relating to the Department of Energy's defense nuclear facilities during the calendar year 2002; jointly to the Committees on Armed Services and Energy and Commerce.

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. SENSENBRENNER: Committee of Conference. Conference report on S. 151. An act to amend title 18, United States Code, with respect to the sexual exploitation of children (Rept. 108-66). Ordered to be printed.

Mrs. MYRICK: Committee on Rules. House Resolution 188. Resolution waiving points of order against the conference report to accompany the bill (S. 151) to amend title 18, United States Code, with respect to the sexual exploitation of children (Rept. 108-68). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committees on Science, Resources, Education and the Workforce, and Transportation and Infrastructure, the Judiciary and Government Reform discharged from further consideration. H.R. 1644 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

[Filed on April 10 (legislative day of April 19), 2003]

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 189. Resolution providing for consideration of the bill (H.R. 6) to enhance energy conservation and research and development, to provide for security and diversity in the energy supply for the American people, and for other purposes (Rept. 108-69). Referred to the House Calendar.

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 190. Resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (Rept. 108-70). Referred to the House Calendar.

REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 2 of rule XII, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

H.R. 1644. A bill to enhance energy conservation and research and development, to provide for security and diversity in the energy supply for the American people, and for other purposes, with an amendment; referred to the Committee on Government Reform for a period ending not later than April 9, 2003, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(h), rule X.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. EVANS (for himself and Mr. MICHAUD):

H.R. 1681. A bill to amend title 38, United States Code, to allow for substitution of parties in the case of a claim for benefits provided by the Department of Veterans Affairs when the applicant for such benefits dies while the claim is pending, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. KIRK (for himself and Mr. LARSEN of Washington):

H.R. 1682. A bill to amend title 36, United States Code, to grant a Federal charter to the Special Operations Warrior Foundation, Inc; to the Committee on the Judiciary.

By Mr. SMITH of New Jersey (for himself, Mr. EVANS, Mr. BROWN of South Carolina, and Mr. MICHAUD):

H.R. 1683. A bill to increase, effective as of December 1, 2003, the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CANNON (for himself, Mr. BERMAN, Ms. ROYBAL-ALLARD, Mr. BONILLA, Mr. DREIER, Mr. GEORGE MILLER of California, Ms. ROSLEHTINEN, Mr. HOYER, Mr. LINCOLN DIAZ-BALART of Florida, Mr. GUTIERREZ, Mr. MARIO DIAZ-BALART of Florida, Mr. WU, Mr. NUNES, Ms. JACKSON-LEE of Texas, Mrs. WILSON of New Mexico, Mr. RODRIGUEZ, Mr. WELLER, Mr. DOOLEY of California, Ms. HART, Mr. MENENDEZ, Mr. KING of New York, Mr. PASTOR, Mr. TIAHRT, Mr. MATHESON, Mr. SMITH of New Jersey, Mr. McNULTY, Mr. RENZI, Ms. LINDA T. SANCHEZ of California, Mr. SHAYS, and Ms. SOLIS):

H.R. 1684. A bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine state residency for higher education purposes and to amend the Immigration and Nationality Act to cancel the removal and adjust the status of certain alien college-bound students who are long-term U.S. residents; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, 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. ISSA (for himself, Mr. HUNTER, Mr. WELDON of Pennsylvania, Mr. SAXTON, Mr. BURGESS, Mr. PORTER, Mr. AKIN, Ms. BORDALLO, Ms. JACKSON-LEE of Texas, Mr. CUNNINGHAM, Mr. TOM DAVIS of Virginia, Mr. WU, Mr. SHERMAN, Mr. CONYERS, Mr. CALVERT, and Mr. DELAHUNT):

H.R. 1685. A bill to amend the Immigration and Nationality Act relating to posthumous citizenship through death while on active-duty service during periods of military hostilities to eliminate the prohibition on immigration benefits for surviving family members and to provide such benefits for spouses and children; to the Committee on the Judiciary.

By Mr. CARSON of Oklahoma:

H.R. 1686. A bill to reward the hard work and risk of individuals who choose to live in and help preserve America's small, rural towns, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Education and the

Workforce, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CULBERSON (for himself, Mr. BARTLETT of Maryland, Ms. GINNY BROWN-WAITE of Florida, Mr. BURGESS, Mr. CUNNINGHAM, Mr. FRANKS of Arizona, Mr. GARRETT of New Jersey, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. LOFGREN, Mr. MILLER of Florida, Mr. PAUL, Mr. PLATTS, Mr. ROGERS of Alabama, Mr. SOUDER, Mr. TIAHRT, Mr. WILSON of South Carolina, Mr. CARTER, and Mr. SESSIONS):

H.R. 1687. A bill to amend the Internal Revenue Code of 1986 to exclude from income taxation all compensation received for active service as a member of the Armed Forces of the United States; to the Committee on Ways and Means.

By Ms. DELAURO (for herself, Mr. ACKERMAN, Mr. ALLEN, Mr. ANDREWS, Mrs. CAPPS, Mr. DICKS, Mr. DOGGETT, Mr. FARR, Mr. FROST, Mr. GEPHARDT, Mr. HOFFEL, Mr. FRANK of Massachusetts, Mr. KENNEDY of Rhode Island, Mr. KUCINICH, Mr. LANGEVIN, Mrs. MALONEY, Mr. MEEHAN, Mr. MORAN of Virginia, Mr. RODRIGUEZ, Mr. SANDERS, Ms. SOLIS, Mr. VAN HOLLEN, Mr. KILDEE, Mr. SERRANO, Mr. REYES, Mr. KLECZKA, Mr. MATSUI, Ms. CORRINE BROWN of Florida, Mr. OLVER, Ms. SLAUGHTER, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. LOWEY, Mrs. MCCARTHY of New York, Ms. CARSON of Indiana, Ms. MCCOLLUM, Mr. MOORE, Mr. INSLEE, Ms. BALDWIN, Mr. ABERCROMBIE, Mr. CUMMINGS, Mr. SCOTT of Georgia, Mr. WEINER, Mr. SABO, and Mr. STARK):

H.R. 1688. A bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes; to the Committee on Education and the Workforce.

By Mr. LINCOLN DIAZ-BALART of Florida (for himself, Mr. WAXMAN, Ms. ROS-LEHTINEN, Mr. SMITH of New Jersey, Mr. MARIO DIAZ-BALART of Florida, Mr. BROWN of Ohio, Mr. ABERCROMBIE, Mr. PALLONE, Mrs. MALONEY, Ms. KILPATRICK, Mrs. NAPOLITANO, Mr. RODRIGUEZ, Mr. BECERRA, Mr. GREEN of Texas, Mr. NADLER, Mr. MATSUI, Mr. RANGEL, Mr. TOWNS, Ms. WOOLSEY, Ms. SCHAKOWSKY, Ms. ROYBAL-ALLARD, Mr. DAVIS of Florida, Mr. DELAHUNT, Ms. SOLIS, Mr. ACKERMAN, Mr. LEVIN, Mrs. CHRISTENSEN, Mr. ENGEL, Ms. LINDA T. SANCHEZ of California, Mr. BOYD, Mr. GEORGE MILLER of California, Mr. STARK, and Ms. DEGETTE):

H.R. 1689. A bill to amend titles XIX and XXI of the Social Security Act to permit States the option of coverage of legal immigrants under the Medicaid Program and the State children's health insurance program (SCHIP); to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, 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. HEFLEY (for himself, Mr. PASCRELL, Mr. UDALL of Colorado, Mr. GREENWOOD, Mr. ENGEL, Mr. HONDA, Mr. MORAN of Virginia, Mr. FALEOMAVAEGA, Mrs. DAVIS of California, Mr. PALLONE, Mr. CASTLE, and Mr. HOLT):

H.R. 1690. A bill to protect diverse and structurally complex areas of the seafloor in

the United States exclusive economic zone by establishing a maximum diameter size limit on rockhopper, roller, and all other groundgear used on bottom trawls, and for other purposes; to the Committee on Resources.

By Mr. ISAKSON (for himself, Mr. DEAL of Georgia, Mr. BISHOP of Georgia, Mr. SCOTT of Georgia, Mr. BURNS, Mr. GINGREY, Mr. NORWOOD, Mr. KINGSTON, Mr. MARSHALL, Ms. MAJETTE, and Mr. LEWIS of Georgia):

H.R. 1691. A bill to expedite the granting of posthumous citizenship to members of the United States Armed Forces; to the Committee on the Judiciary.

By Mr. KING of New York (for himself, Mr. LAHOOD, Mr. HOLDEN, Mr. BAKER, Mr. BACHUS, Mr. McNULTY, Mr. OSE, Mr. GREEN of Wisconsin, Mr. MCINTYRE, and Mr. OWENS):

H.R. 1692. A bill to amend the Internal Revenue Code of 1986 to establish and provide a checkoff for a Breast and Prostate Cancer Research Fund, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KLECZKA:

H.R. 1693. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for the work-related expenses of handicapped individuals; to the Committee on Ways and Means.

By Mr. MICHAUD (for himself, Mr. ALLEN, Mr. ABERCROMBIE, Mr. ALEXANDER, Mr. BROWN of Ohio, Mr. BERRY, Mr. BELL, Mr. CASE, Mr. CROWLEY, Mr. STARK, Mr. CARDOZA, Ms. DELAURO, Mr. FROST, Mr. HINCHEY, Mr. HOLDEN, Ms. JACKSON-LEE of Texas, Mr. HINOJOSA, Mr. ISRAEL, Mr. LYNCH, Mr. REYES, Mr. ROSS, Mr. PALLONE, Mr. POMEROY, Ms. SCHAKOWSKY, Mr. MEEHAN, Mr. SANDLIN, Mr. SANDERS, Mr. STENHOLM, Mr. TURNER of Texas, Mr. WYNN, and Mr. STUPAK):

H.R. 1694. A bill to establish an America Rx program to establish fairer pricing for prescription drugs for individuals without access to prescription drugs at discounted prices; to the Committee on Energy and Commerce.

By Ms. NORTON:

H.R. 1695. A bill to amend the Fair Labor Standards Act of 1938 to prohibit discrimination in the payment of wages on account of sex, race, or national origin, and for other purposes; to the Committee on Education and the Workforce.

By Mr. OSE:

H.R. 1696. A bill to repeal the provision of law that provides automatic pay adjustments for Members of Congress; to the Committee on House Administration, and in addition to the Committee on Government Reform, 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. PALLONE:

H.R. 1697. A bill to amend the Outer Continental Shelf Lands Act to permanently prohibit the conduct of offshore drilling on the outer Continental Shelf in the Mid-Atlantic and North Atlantic planning areas; to the Committee on Resources.

By Mr. PAUL (for himself, Mr. ABERCROMBIE, Mr. CLAY, and Mr. WHITFIELD):

H.R. 1698. A bill to lift the trade embargo on Cuba, and for other purposes; to the Committee on International Relations, and in addition to the Committees on Ways and

Means, Energy and Commerce, the Judiciary, Financial Services, Government Reform, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAUL:

H.R. 1699. A bill to repeal sections 1173(b) and 1177(a)(1) of the Social Security Act, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of New Jersey (for himself, Mr. DOYLE, Mr. WELDON of Florida, Mr. TAYLOR of Mississippi, Mr. WILSON of South Carolina, Mr. PICKERING, Mr. KING of New York, Mr. GREEN of Texas, Mr. LATOURETTE, Mr. WYNN, Ms. LOFGREN, Ms. BERKLEY, Mr. FROST, Mr. WEXLER, Mr. ROTHMAN, Mr. ISRAEL, Ms. CORRINE BROWN of Florida, Mr. ABERCROMBIE, Mr. LYNCH, Mr. GREEN of Wisconsin, Mr. CANTOR, and Ms. CARSON of Indiana):

H.R. 1700. A bill to provide assistance to train teachers of children with autism spectrum disorders, and for other purposes; to the Committee on Education and the Workforce.

By Mr. RANGEL:

H.R. 1701. A bill to designate the facility of the United States Postal Service located at 167 East 124th Street in New York, New York, as the "Tito Puente Post Office Building"; to the Committee on Government Reform.

By Mr. RANGEL:

H.R. 1702. A bill to designate the Federal building which is to be constructed at 799 First Avenue in New York, New York, as the "Ronald H. Brown United States Mission to the United Nations Building"; to the Committee on Transportation and Infrastructure.

By Mr. ROHRBACHER:

H.R. 1703. A bill to preserve certain actions in Federal court brought by members of the United States Armed Forces held as prisoners of war by Japan during World War II against Japanese nationals seeking compensation for mistreatment or failure to pay wages in connection with labor performed in Japan to the benefit of the Japanese nationals, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on International Relations, and Government Reform, 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. SCHAKOWSKY (for herself, Mr. HOUGHTON, Mr. GEORGE MILLER of California, Mr. BROWN of Ohio, Ms. SLAUGHTER, Ms. LEE, Ms. JACKSON-LEE of Texas, Mr. JACKSON of Illinois, Mr. SANDLIN, Mr. CUMMINGS, Mrs. MALONEY, Mrs. CAPPS, Mr. WEXLER, Mr. ISRAEL, Mr. RUSH, Mr. HINCHEY, Mr. HOFFEL, Ms. KAPTUR, Mr. GONZALEZ, Ms. MILLENDER-MCDONALD, Ms. NORTON, Ms. BALDWIN, Mr. PAYNE, Mr. UDALL of New Mexico, Mr. COSTELLO, and Mr. OLVER):

H.R. 1704. A bill to amend the Violence Against Women Act of 1994 to provide for transitional housing assistance grants for child victims of domestic violence; to the Committee on the Judiciary, and in addition to the Committee on Financial Services, 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. SCHIFF (for himself, Mr. FROST, and Ms. JACKSON-LEE of Texas):

H.R. 1705. A bill to expand and improve the use of DNA analysis in criminal investigations, and for other purposes; to the Committee on the Judiciary.

By Mr. SIMMONS (for himself, Mr. WILSON of South Carolina, Mr. TERRY, Mr. GREEN of Wisconsin, Mr. PLATTS, Mrs. JOHNSON of Connecticut, Mr. BAKER, Mr. GRIJALVA, Mr. MCCOTTER, Mr. DAVIS of Alabama, Mr. HAYWORTH, Mr. DAVIS of Illinois, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CASE, and Mr. TAYLOR of Mississippi):

H.R. 1706. A bill to provide for the effective punishment of online child molesters, and for other purposes; to the Committee on the Judiciary, 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. WOLF (for himself and Mr. SCOTT of Virginia):

H.R. 1707. A bill to provide for the analysis of the incidence and effects of prison rape in Federal, State, and local institutions and to provide information, resources, recommendations, and funding to protect individuals from prison rape; to the Committee on the Judiciary.

By Mr. ISTOOK (for himself, Mr. BISHOP of Georgia, Mr. ADERHOLT, Mr. AKIN, Mr. ALEXANDER, Mr. BACHUS, Mr. BAKER, Mr. BALLENGER, Mr. BARRETT of South Carolina, Mr. BARTLETT of Maryland, Mr. BARTON of Texas, Mr. BEAUPREZ, Mr. BISHOP of Utah, Mr. BONILLA, Mr. BONNER, Mr. BRADY of Texas, Mr. BROWN of South Carolina, Ms. GINNY BROWN-WAITE of Florida, Mr. BURGESS, Mr. CHABOT, Mr. CHOCOLA, Mrs. CUBIN, Mr. CULBERSON, Mrs. JO ANN DAVIS of Virginia, Mr. DAVIS of Tennessee, Mr. DEAL of Georgia, Mr. DEMINT, Mr. DOOLITTLE, Mr. DUNCAN, Mrs. EMERSON, Mr. EVERETT, Mr. FEENEY, Mr. FLAKE, Mr. FORBES, Mr. FRANKS of Arizona, Mr. GIBBONS, Mr. GOODE, Mr. GOODLATTE, Mr. GREEN of Wisconsin, Mr. HALL, Mr. HAYES, Mr. HAYWORTH, Mr. HEFLEY, Mr. HENSARLING, Mr. HERGER, Mr. HOEKSTRA, Mr. HUNTER, Mr. JANKLOW, Mr. SAM JOHNSON of Texas, Mr. JONES of North Carolina, Mr. KING of Iowa, Mr. KINGSTON, Mr. LEWIS of Kentucky, Mr. LINDER, Mr. LIPINSKI, Mr. LUCAS of Kentucky, Mr. MCCRERY, Mr. MILLER of Florida, Mrs. MUSGRAVE, Mrs. MYRICK, Mr. NORWOOD, Mr. PEARCE, Mr. PENCE, Mr. PETERSON of Pennsylvania, Mr. PITTS, Mr. PLATTS, Mr. RAHALL, Mr. ROGERS of Kentucky, Mr. ROGERS of Alabama, Mr. RYUN of Kansas, Mr. SCHROCK, Mr. SESSIONS, Mr. SHIMKUS, Mr. SHUSTER, Mr. SMITH of New Jersey, Mr. SMITH of Michigan, Mr. SOUDER, Mr. SULLIVAN, Mr. TANCREDO, Mr. TAYLOR of North Carolina, Mr. TAYLOR of Mississippi, Mr. TERRY, Mr. TIAHRT, Mr. TOOMEY, Mr. VITTER, Mr. WAMP, Mr. WELDON of Florida, Mr. WHITFIELD, Mr. WICKER, Mr. WILSON of South Carolina, Mr. ROYCE, and Mr. STENHOLM):

H.J. Res. 46. A joint resolution proposing an amendment to the Constitution of the United States restoring religious freedom; to the Committee on the Judiciary.

By Mr. RANGEL:

H.J. Res. 47. A joint resolution proposing an amendment to the Constitution of the United States respecting the right to a home; to the Committee on the Judiciary.

By Mr. BRADLEY of New Hampshire:

H. Con. Res. 143. Concurrent resolution relating to the prosecution of Saddam Hussein and other Iraqi officials, military leaders, and citizens who may be responsible for crimes against humanity, attempted genocide, and war crimes; to the Committee on International Relations.

By Mr. RANGEL:

H. Con. Res. 144. Concurrent resolution expressing the sense of Congress that Dinah Washington should be recognized for her achievements as one of the most talented vocalists in American popular music history; to the Committee on Education and the Workforce.

By Mr. RANGEL:

H. Con. Res. 145. Concurrent resolution expressing the sense of the House of Representatives that Lena Horne should be recognized as one of the most popular performers of the 1940s and 1950s and for her outspoken opposition to racial and social injustice; to the Committee on Government Reform.

By Mr. NEY (for himself and Mr. LARSON of Connecticut):

H. Res. 185. A resolution extending the period of availability of amounts for continuing expenses of standing and select committees of the House through May 9, 2003; to the Committee on House Administration, considered and agreed to.

By Mr. GEORGE MILLER of California (for himself and Mr. LOBIONDO):

H. Res. 186. A resolution recognizing the 100th anniversary of the founding of the Laborers' International Union of North America and congratulating the members and officers of the Laborers' International Union of North America for the Union's many achievements; to the Committee on Education and the Workforce, considered and agreed to.

By Mr. SIMMONS (for himself, Ms. DELAURO, Mr. SHAYS, Mrs. JOHNSON of Connecticut, and Mr. LARSON of Connecticut):

H. Res. 187. A resolution congratulating the University of Connecticut Huskies for winning the 2003 National Collegiate Athletic Association Division I women's basketball championship; to the Committee on Education and the Workforce.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 49: Mr. GILCHREST and Mr. NUNES.

H.R. 58: Mr. BURGESS, Mr. BOOZMAN, and Mr. WATT.

H.R. 100: Mr. GILCHREST and Mr. BRADY of Pennsylvania.

H.R. 126: Ms. SLAUGHTER, Mr. McDERMOTT, Ms. DELAURO, Ms. JACKSON-LEE of Texas, Mr. KUCINICH, Mr. PALLONE, and Mr. WU.

H.R. 138: Mr. FATTAH.

H.R. 141: Mr. DAVIS of Tennessee and Mrs. EMERSON.

H.R. 217: Mr. HONDA, Mrs. BLACKBURN, Mr. TAYLOR of Mississippi, and Mr. HOLDEN.

H.R. 218: Mr. LATHAM, Mrs. CAPITO, Mr. RADANOVICH, Mr. ISTOOK, Mr. PETERSON of Pennsylvania, Mr. STEARNS, Mr. THOMPSON of Mississippi, and Mr. DEFazio.

H.R. 303: Mr. SESSIONS, Mr. GRIJALVA, Mr. HINOJOSA, Mr. BLUMENAUER, Mr. SMITH of Texas, Mr. MCCRERY, and Mr. GREENWOOD.

H.R. 348: Mr. BURTON of Indiana, Mr. HINOJOSA, and Mr. LARSEN of Washington.

H.R. 373: Mr. ISRAEL.
 H.R. 391: Mr. CANTOR.
 H.R. 419: Mr. PETERSON of Pennsylvania.
 H.R. 466: Mr. SHAW, Ms. MCCARTHY of Missouri, Mr. CANNON, Mr. BECERRA, and Mr. REYES.
 H.R. 528: Mr. CANTOR, Mr. SMITH of New Jersey, and Mrs. MILLER of Michigan.
 H.R. 533: Mr. BRADY of Pennsylvania.
 H.R. 543: Ms. HART.
 H.R. 586: Mr. WOLF.
 H.R. 611: Ms. HART.
 H.R. 669: Mr. SHIMKUS and Mr. SWEENEY.
 H.R. 677: Mr. CONYERS.
 H.R. 685: Mr. HASTINGS of Florida and Mr. DOYLE.
 H.R. 687: Mr. PENCE, Mr. LINDER, Mr. SULLIVAN, Mr. HERGER, Mr. JONES of North Carolina, Mr. KING of New York, Mr. SOUDER, Mr. HAYWORTH, Mr. WAMP, Mr. HUNTER, Mr. POMBO, Mr. BAKER, Mr. BALLENGER, and Mr. MCHUGH.
 H.R. 709: Ms. WATSON, Ms. HART, and Mr. GRIJALVA.
 H.R. 713: Mr. TERRY, Mr. HONDA, and Mr. WELDON of Pennsylvania.
 H.R. 731: Mr. CUMMINGS, Mr. HASTINGS of Florida, Mr. DAVIS of Alabama, Mr. ROTHMAN, Mr. MCINTYRE, Mr. FRANK of Massachusetts, Mr. RAHALL, Mr. HINCHEY, Ms. MAJETTE, Mr. BAIRD, and Ms. VELAZQUEZ.
 H.R. 748: Mr. HOFFFEL.
 H.R. 754: Mr. WOLF, Mr. NEY, Mr. ISTOOK, and Mr. ENGLISH.
 H.R. 761: Ms. SCHAKOWSKY and Mr. BRADY of Pennsylvania.
 H.R. 768: Mr. BLUMENAUER and Mrs. MYRICK.
 H.R. 785: Mr. GILCHREST, Mr. DEAL of Georgia, and Mr. LEVIN.
 H.R. 786: Mr. TOOMEY.
 H.R. 804: Mr. CAMP and Mr. MCINNIS.
 H.R. 812: Mr. VITTE.
 H.R. 819: Mrs. DAVIS of California.
 H.R. 823: Mr. MCINTYRE, Mr. MARKEY, and Ms. SLAUGHTER.
 H.R. 832: Mr. GREENWOOD.
 H.R. 839: Ms. HART, Mr. FORD, Mr. ISRAEL, and Mrs. MCCARTHY of New York.
 H.R. 871: Mr. LUCAS of Oklahoma and Mr. NETHERCUTT.
 H.R. 872: Mr. HALL and Mr. SOUDER.
 H.R. 898: Mr. CUMMINGS, Mr. SCOTT of Georgia, Mr. BISHOP of Georgia, Mr. ROSS, and Mr. TOWNS.
 H.R. 935: Ms. PELOSI.
 H.R. 941: Mr. MCGOVERN.
 H.R. 983: Mr. GIBBONS.
 H.R. 991: Ms. GINNY BROWN-WAITE of Florida, Mrs. LOWEY, Mr. HONDA, Mrs. DAVIS of California, Mr. VAN HOLLEN, Mr. SANDERS, Mr. CARDOZA, and Mr. FALEOMAVAEGA.
 H.R. 992: Mr. DEMINT.
 H.R. 993: Mr. DEMINT.
 H.R. 994: Mr. DEMINT.
 H.R. 996: Mr. LATOURETTE, Mr. GOODLATTE, Mr. TOWNS, and Mr. PICKERING.
 H.R. 997: Mr. SOUDER, Mr. DAVIS of Tennessee, Mr. LAHOOD, and Mr. SCHROCK.
 H.R. 1038: Mr. GALLEGLY.
 H.R. 1046: Mr. STUPAK, Mr. FARR, Mr. DOYLE, Mr. KANJORSKI, and Mr. TERRY.
 H.R. 1110: Mr. HILL, Mr. DAVIS of Alabama, and Mr. CLYBURN.
 H.R. 1115: Mr. HOSTETTLER.
 H.R. 1125: Mr. SMITH of New Jersey and Mr. GERLACH.
 H.R. 1154: Mr. OTTER.
 H.R. 1162: Mr. UDALL of Colorado.
 H.R. 1174: Mr. FILNER.
 H.R. 1179: Mr. DOYLE.
 H.R. 1192: Ms. MCCOLLUM.
 H.R. 1193: Mr. JONES of North Carolina, Mr. AKIN, Mr. MARSHALL, and Mrs. MYRICK.
 H.R. 1196: Ms. ESHOO, Mr. STARK, Mr. SANDERS, Mr. KLECZKA, Ms. CORRINE BROWN of Florida, and Mr. FILNER.
 H.R. 1202: Mr. TURNER of Texas.

H.R. 1264: Mr. BISHOP of New York.
 H.R. 1275: Mr. PRICE of North Carolina, Mr. BACA, Mr. FARR, Mr. EMANUEL, Mr. HINCHEY, Ms. LOFGREN, Ms. CARSON of Indiana, Mr. BALLANCE, and Mr. CONYERS.
 H.R. 1309: Ms. SCHAKOWSKY.
 H.R. 1320: Mr. RUSH and Mr. GORDON.
 H.R. 1321: Mr. WATT.
 H.R. 1345: Ms. SCHAKOWSKY.
 H.R. 1355: Mr. SCHIFF.
 H.R. 1358: Ms. SCHAKOWSKY.
 H.R. 1373: Mr. GILLMOR.
 H.R. 1374: Ms. SCHAKOWSKY and Mr. HEFLEY.
 H.R. 1375: Mr. HENSARLING.
 H.R. 1377: Mr. DEAL of Georgia, Mrs. EMERSON, Mr. FOLEY, Ms. HART, Mr. ISAKSON, Mr. LATOURETTE, and Mr. PEARCE.
 H.R. 1389: Mr. DAVIS of Tennessee and Mr. MCNULTY.
 H.R. 1429: Mr. FRANK of Massachusetts, Ms. CARSON of Indiana, Mr. GUTIERREZ, Mrs. MCCARTHY of New York, and Mr. ISRAEL.
 H.R. 1464: Mr. GONZALEZ, Mr. FILNER, Mr. CASE, and Mr. DAVIS of Illinois.
 H.R. 1470: Mr. MILLER of North Carolina and Ms. CARSON of Indiana.
 H.R. 1472: Mr. SHAYS.
 H.R. 1473: Mr. OWENS.
 H.R. 1480: Mr. KLECZKA.
 H.R. 1492: Mr. MATHESON.
 H.R. 1511: Mr. HULSHOF, Mr. AKIN, Mr. SCHIFF, and Mr. PUTNAM.
 H.R. 1519: Mr. MCNULTY and Mr. SERRANO.
 H.R. 1543: Mr. ROGERS of Michigan.
 H.R. 1553: Mr. MEEK of Florida, Mr. LARSEN of Washington, and Ms. SLAUGHTER.
 H.R. 1580: Mr. PAUL, Mr. BOEHLERT, Ms. HART, Mr. GERLACH, Mr. ROSS, Mr. SMITH of Michigan, Mr. GOODE, and Mr. HOUGHTON.
 H.R. 1582: Mr. HALL.
 H.R. 1605: Mr. SHERMAN.
 H.R. 1625: Mr. PALLONE, Mr. FERGUSON, Mr. GARRETT of New Jersey, and Mr. PAYNE.
 H.R. 1630: Mr. KOLBE.
 H.R. 1641: Mr. CLYBURN.
 H.R. 1652: Ms. SLAUGHTER and Mrs. MCCARTHY of New York.
 H.R. 1661: Mr. WAXMAN, Mr. LARSON of Connecticut, and Mr. ROSS.
 H.R. 1662: Mr. RADANOVICH, Mr. THORNBERRY, Mr. BISHOP of Utah, Mr. EDWARDS, Mr. OSBORNE, Mr. BARTLETT of Maryland, Mr. WICKER, Mr. NORWOOD, and Mr. DOOLEY of California.
 H.R. 1676: Mr. TOWNS.
 H.R. 1677: Mr. MEEKS of New York, Mr. VAN HOLLEN, Ms. DEGETTE, Mr. CLAY, and Mr. STUPAK.
 H.J. Res. 4: Mr. LUCAS of Kentucky.
 H. Con. Res. 4: Mr. CANNON.
 H. Con. Res. 56: Mrs. DAVIS of California and Mr. PLATTS.
 H. Con. Res. 91: Mr. FATTAH, Mr. FROST, Mr. SHAYS, and Mr. CAMP.
 H. Con. Res. 117: Mr. BARTLETT of Maryland, Mr. SESSIONS, Mr. PENCE, Mr. BERMAN, Ms. LORETTA SANCHEZ of California, Mr. SOUDER, Mr. KING of New York, Ms. BERKLEY, and Ms. ROS-LEHTINEN.
 H. Con. Res. 119: Mr. MANZULLO, Mr. SENBRENNER, Mr. KING of New York, Mr. MILLER of Florida, Mr. HAYWORTH, Mr. JONES of North Carolina, Mr. SAM JOHNSON, of Texas, Mrs. NORTHUP, Mrs. MUSGRAVE, and Mr. CHABOT.
 H. Con. Res. 121: Mr. OWENS.
 H. Con. Res. 142: Mr. REYNOLDS, Mr. MCNULTY, Ms. SLAUGHTER, Mr. ACKERMAN, Mr. HOUGHTON, Mr. RANGEL, Mr. SWEENEY, Mr. MEEKS of New York, Mr. FOSSELLA, Mr. CROWLEY, Mr. TOWNS, and Mr. WEXLER.
 H. Res. 86: Mr. ABERCROMBIE and Mr. MARSHALL.
 H. Res. 165: Mr. MEEKS of New York and Mr. BALLENGER.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 6

OFFERED BY: MR. KING

AMENDMENT NO. 1: At the end of title I of Division D, add the following new section:

SEC. 41012. SMALL ETHANOL PRODUCER CREDIT.

(a) ALLOCATION OF ALCOHOL FUELS CREDIT TO PATRONS OF A COOPERATIVE.—Section 40(g) (relating to alcohol used as fuel) is amended by adding at the end the following new paragraph:

“(6) ALLOCATION OF SMALL ETHANOL PRODUCER CREDIT TO PATRONS OF COOPERATIVE.—“(A) ELECTION TO ALLOCATE.—

“(i) IN GENERAL.—In the case of a cooperative organization described in section 1381(a), any portion of the credit determined under subsection (a)(3) for the taxable year may, at the election of the organization, be apportioned pro rata among patrons of the organization on the basis of the quantity or value of business done with or for such patrons for the taxable year.

“(ii) FORM AND EFFECT OF ELECTION.—An election under clause (i) for any taxable year shall be made on a timely filed return for such year. Such election, once made, shall be irrevocable for such taxable year.

“(B) TREATMENT OF ORGANIZATIONS AND PATRONS.—The amount of the credit apportioned to patrons under subparagraph (A)—

“(i) shall not be included in the amount determined under subsection (a) with respect to the organization for the taxable year,

“(ii) shall be included in the amount determined under subsection (a) for the taxable year of each patron for which the patronage dividends for the taxable year described in subparagraph (A) are included in gross income, and

“(iii) shall be included in gross income of such patrons for the taxable year in the manner and to the extent provided in section 87.

“(C) SPECIAL RULES FOR DECREASE IN CREDITS FOR TAXABLE YEAR.—If the amount of the credit of a cooperative organization determined under subsection (a)(3) for a taxable year is less than the amount of such credit shown on the return of the cooperative organization for such year, an amount equal to the excess of—

“(i) such reduction, over

“(ii) the amount not apportioned to such patrons under subparagraph (A) for the taxable year,

shall be treated as an increase in tax imposed by this chapter on the organization. Such increase shall not be treated as tax imposed by this chapter for purposes of determining the amount of any credit under this chapter or for purposes of section 55.”

(b) IMPROVEMENTS TO SMALL ETHANOL PRODUCER CREDIT.—

(1) DEFINITION OF SMALL ETHANOL PRODUCER.—Section 40(g) (relating to definitions and special rules for eligible small ethanol producer credit) is amended by striking “30,000,000” each place it appears and inserting “60,000,000”.

(2) SMALL ETHANOL PRODUCER CREDIT NOT A PASSIVE ACTIVITY CREDIT.—Clause (i) of section 469(d)(2)(A) is amended by striking “subpart D” and inserting “subpart D, other than section 40(a)(3).”

(3) ALLOWING CREDIT AGAINST ENTIRE REGULAR TAX AND MINIMUM TAX.—

(A) IN GENERAL.—Subsection (c) of section 38 (relating to limitation based on amount of tax) is amended by redesignating paragraph (5) as paragraph (6) and by inserting after paragraph (4) the following new paragraph:

“(5) SPECIAL RULES FOR SMALL ETHANOL PRODUCER CREDIT.—

“(A) IN GENERAL.—In the case of the small ethanol producer credit—

“(i) this section and section 39 shall be applied separately with respect to the credit, and

“(ii) in applying paragraph (1) to the credit—

“(I) the amounts in subparagraphs (A) and (B) thereof shall be treated as being zero, and
“(II) the limitation under paragraph (1) (as modified by subclause (I)) shall be reduced by the credit allowed under subsection (a) for the taxable year (other than the small ethanol producer credit).

“(B) SMALL ETHANOL PRODUCER CREDIT.—For purposes of this subsection, the term ‘small ethanol producer credit’ means the credit allowable under subsection (a) by reason of section 40(a)(3).”.

(B) CONFORMING AMENDMENTS.—

(i) Subclause (II) of section 38(c)(2)(A)(ii), and subclause (II) of section 38(c)(3)(A)(ii), are each amended by inserting “or the small

ethanol producer credit” after “employee credit”.

(ii) Subclause (II) of section 38(c)(4)(A)(ii) amended by inserting “or the small ethanol producer credit” after “specified energy credits”.

(4) SMALL ETHANOL PRODUCER CREDIT NOT ADDED BACK TO INCOME UNDER SECTION 87.—Section 87 (relating to income inclusion of alcohol fuel credit) is amended to read as follows:

“SEC. 87. ALCOHOL FUEL CREDIT.

“Gross income includes an amount equal to the sum of—

“(1) the amount of the alcohol mixture credit determined with respect to the taxpayer for the taxable year under section 40(a)(1), and

“(2) the alcohol credit determined with respect to the taxpayer for the taxable year under section 40(a)(2).”.

(c) CONFORMING AMENDMENT.—Section 1388 (relating to definitions and special rules for cooperative organizations) is amended by adding at the end the following new subsection:

“(k) CROSS REFERENCE.—For provisions relating to the apportionment of the alcohol fuels credit between cooperative organizations and their patrons, see section 40(g)(6).”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.